

(VI) INFORM THE INDIVIDUAL OF THESE DETERMINATIONS; AND

(VII) INFORM THE INDIVIDUAL THAT THESE DETERMINATIONS ARE PRELIMINARY AND MAY BE SUBJECT TO MODIFICATION AS A RESULT OF FURTHER EVALUATION.

(C) TO BE ELIGIBLE FOR INDIVIDUAL SUPPORT SERVICES, AN INDIVIDUAL SHALL HAVE A SEVERE CHRONIC DISABILITY THAT:

(1) IS ATTRIBUTABLE TO A PHYSICAL OR MENTAL IMPAIRMENT, OTHER THAN THE SOLE DIAGNOSIS OF MENTAL ILLNESS, OR TO A COMBINATION OF MENTAL AND PHYSICAL IMPAIRMENTS; AND

(2) IS LIKELY TO CONTINUE INDEFINITELY.

(D) IF THE SECRETARY DETERMINES BASED ON THE APPLICATION THAT THE INDIVIDUAL HAS A SOLE DIAGNOSIS OF MENTAL DISORDER, THE SECRETARY SHALL REFER THE INDIVIDUAL TO THE MENTAL HYGIENE ADMINISTRATION.

7-404.

(A) BEFORE AN INDIVIDUAL WHOSE APPLICATION FOR SERVICES HAS BEEN APPROVED BY THE SECRETARY IS ACCEPTED FOR SERVICES, THE INDIVIDUAL IS REQUIRED TO RECEIVE AN EVALUATION IN ACCORDANCE WITH THE RULES AND REGULATIONS ADOPTED UNDER § 7-401(A)(1) OF THIS SUBTITLE.

(B) THE SECRETARY MAY NOT ACCEPT AN INDIVIDUAL FOR SERVICES UNLESS THE RESULTS OF THE EVALUATION ARE THAT THE INDIVIDUAL:

(1) HAS DEVELOPMENTAL DISABILITY; OR

(2) DOES NOT HAVE DEVELOPMENTAL DISABILITY, BUT DOES MEET THE ELIGIBILITY REQUIREMENTS FOR INDIVIDUAL SUPPORT SERVICES.

(C) (1) FROM AMONG THE INDIVIDUALS WHOSE APPLICATIONS FOR SERVICES HAVE BEEN APPROVED AND WHO HAVE BEEN FOUND ELIGIBLE FOR SERVICES AS A RESULT OF THE REQUIRED EVALUATION, THE SECRETARY SHALL DETERMINE IN ACCORDANCE WITH THE RULES AND REGULATIONS ADOPTED UNDER § 7-401(A)(2) AND (3) OF THIS SUBTITLE THE NATURE, EXTENT, AND TIMING OF THE SERVICES TO BE PROVIDED TO INDIVIDUALS.

(2) IN MAKING A DETERMINATION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE SECRETARY SHALL CONSIDER:

(I) THE RESULTS OF THE REQUIRED EVALUATION;

(II) THE NEEDS OF THE INDIVIDUAL; AND

(III) THE NEEDS OF THE FAMILY UNIT OF THE APPLICANT.