

CERTIFICATION FORM ANY ADDITIONAL SERVICES OF HABILITATION THAT ARE NOT INCLUDED IN THE EVALUATION REPORT, BUT THAT THE HEARING OFFICER FINDS FROM THE EVIDENCE ARE NEEDED BY THE INDIVIDUAL.

(5) IF THE HEARING OFFICER CERTIFIES THE ADMISSION OF AN INDIVIDUAL TO A STATE RESIDENTIAL CENTER, THE HEARING OFFICER SHALL, AT THE CONCLUSION OF THE HEARING, ADVISE THAT INDIVIDUAL AND THE LEGAL COUNSEL OF THE INDIVIDUAL'S RIGHT TO SEEK JUDICIAL RELEASE FROM THE STATE RESIDENTIAL CENTER UNDER § 7-507 OF THIS SUBTITLE. THE HEARING OFFICER SHALL ALSO ADVISE THAT INDIVIDUAL AND THE LEGAL COUNSEL OF:

(I) THE INDIVIDUAL'S RIGHTS UNDER THE APPEAL PROVISIONS OF §§ 10-215 AND 10-216 OF THE STATE GOVERNMENT ARTICLE; AND

(II) THE INDIVIDUAL'S RIGHT TO FILE A PETITION FOR HABEAS CORPUS UNDER § 7-506 OF THIS SUBTITLE.

7-504.

(A) THE BOARD OF REVIEW OF THE DEPARTMENT DOES NOT HAVE JURISDICTION TO REVIEW THE DETERMINATION OF A HEARING OFFICER ON AN ADMISSION UNDER THIS SUBTITLE.

(B) THE DETERMINATION OF THE HEARING OFFICER IS A FINAL DECISION OF THE DEPARTMENT FOR THE PURPOSE OF JUDICIAL REVIEW OF FINAL DECISIONS UNDER TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

7-505.

(A) AT LEAST ONCE A YEAR, EACH INDIVIDUAL WITH MENTAL RETARDATION WHO IS ADMITTED TO A STATE RESIDENTIAL CENTER SHALL BE REEVALUATED TO DETERMINE:

(1) WHETHER THE INDIVIDUAL CONTINUES TO MEET THE REQUIREMENTS OF THIS SUBTITLE FOR ADMISSION TO A STATE RESIDENTIAL CENTER;

(2) WHETHER THE SERVICES WHICH THE INDIVIDUAL REQUIRES CAN BE PROVIDED IN A LESS RESTRICTIVE SETTING;

(3) WHETHER THE INDIVIDUAL'S PLAN OF HABILITATION AS REQUIRED BY § 7-1006 OF THIS TITLE IS ADEQUATE AND SUITABLE; AND

(4) WHETHER THE STATE RESIDENTIAL CENTER HAS COMPLIED WITH AND EXECUTED THE INDIVIDUAL'S PLAN OF HABILITATION IN ACCORDANCE WITH THE RULES, REGULATIONS, AND STANDARDS THAT THE SECRETARY ADOPTS.

(B) IF THE SECRETARY FINDS THAT ANY INDIVIDUAL NO LONGER MEETS THE ADMISSION REQUIREMENTS OF THIS SUBTITLE, THE SECRETARY SHALL BEGIN APPROPRIATE PROCEEDINGS FOR RELEASE OR TRANSFER OF THAT INDIVIDUAL.