

(4) There is no less restrictive form of intervention available which is consistent with the child's condition and welfare.

[(i)] (J) The court may not commit a child to the custody of the Department of Health and Mental Hygiene for inpatient care and treatment in a State mental retardation facility unless the court finds on the record based upon clear and convincing evidence that:

- (1) The child is mentally retarded;
- (2) The condition is of such a nature that for the adequate care or protection of the child or others, the child needs in-residence care or treatment; and
- (3) There is no less restrictive form of care and treatment available which is consistent with the child's welfare and safety.

[(j)] (K) (1) Any commitment order issued under subsection [(h)] (I) or [(i)] (J) of this section shall require the Department of Health and Mental Hygiene to file progress reports with the court at intervals no greater than every 6 months during the life of the order. The Department of Health and Mental Hygiene shall provide the child's attorney of record with a copy of each report. The court shall review each report promptly and consider whether the commitment order should be modified or vacated. After the first 6 months of the commitment and at 6-month intervals thereafter upon the request of any party, the Department or facility, the court shall grant a hearing for the purpose of determining if the standard in subsection [(h)] (I) or [(i)] (J) OF THIS SECTION continues to be met.

(2) At any time after the commitment of the child to a State mental hospital if the individualized treatment plan developed under § 10-706 of the Health - General Article recommends that a child no longer meets the standards in subsection [(h)] (I) OF THIS SECTION, then the court shall grant a hearing to review the commitment order. The court may grant a hearing at any other time for the purpose of determining if the standard in subsection [(h)] (I) OF THIS SECTION continues to be met.

(3) Any time after the commitment of the child to a State mental retardation facility if the individualized plan of habilitation developed under § 7-1006 of the Health - General Article recommends that a child no longer meets the standards in subsection [(i)] (J) OF THIS SECTION, then the court shall grant a hearing to review the commitment order. The court may grant a hearing at any other time for the purpose of determining if the standard in subsection [(i)] (J) OF THIS SECTION continues to be met.

[(k)] (L) In a child in need of assistance case, if the disposition includes removal of the child from the home, the court shall issue an order:

- (1) Making specific findings of fact as to the circumstances that caused the need for the removal; and