

(1) THE CHILD'S NEEDS EXCEED THE RESOURCES OF A SINGLE PUBLIC AGENCY; AND

(2) THERE IS NO LEGALLY MANDATED FUNDING SOURCE TO MEET THE CHILD'S NEEDS.

[(b)] (E) "Council" means the State Coordinating Council FOR CHILDREN.

[(c)] (F) "Local coordinating council" means a local [coordinating] council [for residential placement of children with disabilities] THAT COORDINATES SERVICES FOR CHILDREN DESCRIBED IN SUBSECTIONS (C) AND (D) OF THIS SECTION.

(G) (1) "RESIDENTIAL PLACEMENT" MEANS A PLACEMENT IN:

(I) A HOSPITAL, UNDER CIRCUMSTANCES DESCRIBED IN SUBCABINET REGULATIONS;

(II) A RESIDENTIAL TREATMENT CENTER; ~~OR~~

(III) A RESIDENTIAL SCHOOL; OR

(IV) OTHER OUT-OF-HOME PLACEMENTS AS SPECIFIED IN SUBCABINET REGULATIONS.

(2) "RESIDENTIAL PLACEMENT" DOES NOT INCLUDE A PLACEMENT IN:

(I) A FACILITY ESTABLISHED UNDER ARTICLE 83C, § 2-117 OF THE CODE; OR

(II) FOSTER CARE, AS DEFINED IN § 5-501 OF THE FAMILY LAW ARTICLE.

15.

(a) The members of the Council are:

(1) The Secretary of Health and Mental Hygiene or the Secretary's designee;

(2) The Secretary of Human Resources or the Secretary's designee;

(3) The State Superintendent of Schools or the Superintendent's designee;

(4) The Director of the Governor's Office for Individuals with Disabilities, as a nonvoting, ex officio member;

(5) The Special Secretary [of the Office] for Children, Youth, and Families or the Special Secretary's designee; and

(6) The Secretary of [the Department of] Juvenile Justice or the Secretary's designee.

(b) (1) There is a chairman of the Council who shall serve a term of 12 months in 5-year cycles of rotation as provided in this subsection.