

(5) FIND THAT THE TREATMENT THAT THE DEPARTMENT RECOMMENDS TO BE APPROPRIATE AND NECESSARY.

[(c)] (D) (1) The Department shall provide the services required by this section.

(2) A DESIGNEE OF THE DEPARTMENT MAY CARRY OUT ANY OF THE DEPARTMENT'S DUTIES UNDER THIS SECTION IF APPROPRIATE FUNDING IS PROVIDED.

(E) (1) A COURT MAY NOT ORDER THAT THE DEFENDANT BE DELIVERED FOR TREATMENT UNTIL THE DEPARTMENT GIVES THE COURT NOTICE THAT AN APPROPRIATE TREATMENT PROGRAM IS ABLE TO BEGIN TREATMENT OF THE DEFENDANT.

[(d)] (2) The Department shall [engage in reasonable efforts to] facilitate the [admission] PROMPT TREATMENT of a defendant [to the appropriate treatment facility].

(F) FOR A DEFENDANT COMMITTED FOR TREATMENT UNDER THIS SECTION, A COURT SHALL ORDER SUPERVISION OF THE DEFENDANT:

(1) BY AN APPROPRIATE PRETRIAL RELEASE AGENCY, IF THE DEFENDANT IS RELEASED PENDING TRIAL;

(2) BY THE DIVISION OF PAROLE AND PROBATION UNDER APPROPRIATE CONDITIONS IN ACCORDANCE WITH §§ 6-219 THROUGH 6-225 OF THE CRIMINAL PROCEDURE ARTICLE AND MARYLAND RULE 4-345, IF THE DEFENDANT IS RELEASED ON PROBATION; OR

(3) BY THE DEPARTMENT, IF THE DEFENDANT REMAINS IN THE CUSTODY OF A LOCAL CORRECTIONAL FACILITY.

[(e)] (G) [Unless the court allows the defendant to provide the defendant's own transportation, on commitment or release of a defendant under this subtitle, the] A court [shall] MAY order [transportation by] law enforcement officials, detention center staff, DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES STAFF, or sheriff's department staff within the APPROPRIATE local jurisdiction TO TRANSPORT A DEFENDANT TO AND FROM TREATMENT UNDER THIS SECTION.

[(f)] (H) [(1) A] THE DEPARTMENT SHALL PROMPTLY REPORT TO A COURT A defendant's withdrawal of consent to treatment [shall be promptly reported to the court.

(2) The defendant shall be] AND HAVE THE DEFENDANT returned to the court within 7 days for further proceedings.

[(g)] (I) A defendant who is committed for treatment under this section may question at any time the legality of the commitment by a petition for a writ of habeas corpus.

[(h)] (J) (1) A commitment under this section shall be for at least 72 hours and not more than 1 year.