

WHEREAS, It is in the best interest of children with ~~disabilities~~ special needs in this State to have available within the State a continuum of quality community based services; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 49D - Office for Children, Youth and Families

OUT-OF-STATE PLACEMENT OF CHILDREN

19.1.

(A) THE GENERAL ASSEMBLY DECLARES THAT IT IS THE POLICY OF THIS STATE:

(1) TO THE EXTENT THAT FUNDS ARE AVAILABLE, TO PROVIDE FOR AND ENCOURAGE THE DEVELOPMENT OF A CONTINUUM OF QUALITY EDUCATION, TREATMENT, AND RESIDENTIAL SERVICES FOR THE CHILDREN OF THIS STATE;

~~(2) TO PROVIDE SERVICES IN THE LEAST RESTRICTIVE ENVIRONMENT WITHIN THE STATE; AND~~

(2) TO SERVE CHILDREN:

(1) IN THEIR HOMES; OR

(II) IN THE LEAST RESTRICTIVE SETTING MOST APPROPRIATE TO THEIR INDIVIDUAL NEEDS;

(3) THAT UNLESS THE STATE HAS DETERMINED THAT THE INDIVIDUAL NEEDS OF A SPECIAL NEEDS CHILD CANNOT BE MET THROUGH ADDITIONAL SUPPORT TO THE NONRESIDENTIAL SCHOOL, HOME, FOSTER HOME, ALTERNATIVE LIVING UNIT, OR GROUP HOME, THE STATE MAY NOT FUND THE PLACEMENT OF A CHILD WITH SPECIAL NEEDS IN A MORE RESTRICTIVE SETTING; AND

~~(3)~~ (4) TO PREVENT THE UNNECESSARY PLACEMENT OF CHILDREN WITH ~~DISABILITIES~~ SPECIAL NEEDS IN OUT-OF-STATE INSTITUTIONS.

~~(B) (1) EXCEPT AS PROVIDED IN SUBSECTION (3), BY OCTOBER 1, 1992 THE OFFICE FOR CHILDREN, YOUTH, AND FAMILIES SHALL DEVELOP A PLAN TO ENSURE THAT:~~

~~(1) EFFECTIVE JULY 1, 1993 THE STATE MAY NOT APPROVE FUNDING FOR ANY NEW OUT OF STATE RESIDENTIAL PLACEMENTS;~~