

~~(3) IN DEVELOPING THE PLAN, THE OFFICE OF CHILDREN, YOUTH, AND FAMILIES SHALL CONSULT WITH THE FOLLOWING INDIVIDUALS AND AGENCIES:~~

~~(I) PARENTS, CUSTODIANS, AND GUARDIANS OF CHILDREN WHO CURRENTLY ARE PLACED IN OUT OF STATE INSTITUTIONS ABOUT THE SERVICES THAT MUST BE DEVELOPED FOR THEIR CHILDREN TO SUCCESSFULLY RETURN THEM TO THIS STATE;~~

~~(II) LOCAL GOVERNMENTS, DEPARTMENTS OF SOCIAL SERVICES, HEALTH DEPARTMENTS, AND DEPARTMENTS OF EDUCATION;~~

~~(III) SERVICE PROVIDERS; AND~~

~~(IV) ADVOCATES FOR CHILDREN.~~

~~(4) THE PLAN SHALL PERMIT A CHILD TO BE CONTINUED IN AN OUT OF STATE PLACEMENT, OR SENT TO A NEW OUT OF STATE PLACEMENT ONLY UNDER THE FOLLOWING CIRCUMSTANCES:~~

~~(I) THE OUT OF STATE PLACEMENT IS CLOSER IN DISTANCE TO THE CHILD'S HOME THAN AN ALTERNATIVE PLACEMENT WITHIN THE STATE;~~

~~(II) A SPECIFIC OUT OF STATE PLACEMENT IS ORDERED BY A COURT OF COMPETENT JURISDICTION; OR~~

~~(III) AN IN STATE PROVIDER HAS NOT AGREED TO PROVIDE AN EQUALLY APPROPRIATE PROGRAM FOR THE CHILD FOR 100% OF THE COST OF THE PROPOSED OUT OF STATE PLACEMENT.~~

~~(C) (1) ALL CHILDREN SERVED WITHIN THE STATE SHALL BE SERVED:~~

~~(I) IN THEIR HOMES; OR~~

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

~~(2) A CHILD SERVED WITHIN THE STATE UNDER THIS SUBTITLE MAY NOT BE PLACED IN A STATE RESIDENTIAL CENTER FOR THE DEVELOPMENTALLY DISABLED.~~

~~(3) UNLESS THE STATE HAS DETERMINED THAT THE INDIVIDUAL NEEDS OF A CHILD WITH DISABILITIES CANNOT BE MET THROUGH ADDITIONAL SUPPORT SERVICES TO THE HOME, FOSTER HOME, ALTERNATIVE LIVING UNIT, GROUP HOME, OR SCHOOL, THE STATE MAY NOT FUND THE PLACEMENT OF A CHILD WITH DISABILITIES IN AN INSTITUTION OR RESIDENTIAL TREATMENT CENTER.~~