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§10–923.

(a) Application for placement of a child or adolescent in a private therapeutic group home may be made under this section by:

(1) An individual who is 16 years old or older;

(2) A parent or guardian on behalf of the child or adolescent;

(3) With the consent of the parent or guardian of the child or adolescent, a psychiatrist or psychologist who treats the child or adolescent;

(4) On behalf of a child or adolescent, a local department of social services that has custody or guardianship of the child or adolescent under § 3-819 of the Courts Article;

(5) The Department of Education or the local education agency with the consent of a parent or guardian;

(6) On behalf of a child or adolescent, the Department of Juvenile Services when the Department has custody or guardianship of the child or adolescent under § 3-819 of the Courts Article; or

(7) The circuit court of a county sitting as the juvenile court.

(b) The applicant shall submit a formal, written application to the Director that contains the personal information and is on the form required by the Administration.

(c) A private therapeutic group home may not accept an individual under this section unless:

(1) The individual is under the age of 18 years;

(2) The individual has a mental disorder;

(3) The individual, because of the mental disorder, requires residential services not available in the home;

(4) The individual needs 24-hour supervision in a structured private therapeutic group home;

(5) The individual is or should be receiving treatment for the mental disorder; and

(6) There is no less restrictive form of treatment that is consistent with the welfare and safety of the child or adolescent.

(d) (1) Within 60 days after the Director receives an application for placement of a child or adolescent in a private therapeutic group home, the Director or the county health officer shall determine whether the child or adolescent meets the requirements for placement under this section.

(2) If the Director or county health officer determines that the child or adolescent meets the requirements under this section, the Director or county health officer shall:

(i) Approve the application for placement in a private therapeutic group home; and

(ii) Determine the date of placement in a private therapeutic group home in accordance with the plan submitted under § 10–925 of this subtitle.

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