§ 400. Removal of children. 1. When any child shall have been placed in an institution or in a family home by a social services official, the social services official may remove such child from such institution or family home and make such disposition of such child as is provided by law, provided however, that in the case of a child who is a patient in a hospital licensed or operated by the office of mental health, such social services official may remove such child only upon the written authorization of the medical director of the facility in which the child is a patient. A medical director may only refuse to authorize the removal of a child if involuntary care and treatment of the child is warranted. In such case the director shall institute necessary civil commitment proceedings in accordance with article nine of the mental hygiene law.

2. Any person aggrieved by such decision of a social services official may appeal to the department pursuant to the provisions of section twenty-two of this chapter.