



**Georgia Department of Human Services**  
Office of General Counsel

# **DHS Rule Changes**

Office of General Counsel

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# stronger families

FOR A STRONGER GEORGIA



# Road Map

- Review of Rule Change Procedures
- Final Approval – Power of Attorney for the Care of a Child
- Final Approval – Child-Placing Agencies
- Request to Board



# Rule Change Procedure

1. Board Considers Motion to Publish Proposed Rule
2. 30-Day Public Comment Period
3. Public Hearing
4. Motion for Final Adoption of Proposed Rule
5. Send Final Rule to Secretary of State



# Final – Power of Attorney for the Care of a Child

Parents May Delegate Caregiving to Certain Relatives or Non-Relatives Approved as an Agent by a Child-Placing Agency, a Non-Profit Entity or a Faith-Based Organization

HB 159

Legislation Effective September 1, 2018

## Current Rule:

- None

## Proposed Change:

- New DHS Chapter 290-1-10
- New Rules 290-1-10-.01 through 290-1-10-.09

Rule Published October 12 –  
November 12

Public Hearing Held November 7



# Final – Power of Attorney for the Care of a Child

Parents May Delegate Caregiving to Certain Relatives or Non-Relatives Approved as an Agent by a Child-Placing Agency, a Non-Profit Entity or a Faith-Based Organization

HB 159

Legislation Effective September 1, 2018

- Power of attorney arrangements are not licensed or regulated by DHS
- Required reports by unlicensed entities or organizations to be made to DHS by January 15 of each year
- Persons seeking to execute a power of attorney may be referred to the DHS website
- Rules promote compliance with the law by highlighting statutory provisions



# Final – Child-Placing Agencies

Rule changes needed for compliance with new legislation affecting Child-Placing Agencies

HB 159

Legislation Effective September 1, 2018

## Current Rule:

- 290-9-2-.01 Definitions
- 290-9-2-.02 Applicability of Rules
- 290-9-2-.06 Adoption Services

## Proposed Change:

- New terms
- Prohibits facilitators from engaging in child placement activities unless licensed
- Rules do not apply when a power of attorney is executed
- Advertisements must include DHS license number

Rule Published October 12 –  
November 12

Public Hearing Held November 7



# Request to Board

## Motion for Final Adoption

- Power of Attorney for the Care of a Child – Rule Chapter 290-1-10
  - Rules and Regulations for Child-Placing Agencies -  
Rules 290-9-2-.01, .02 & .06





# QUESTIONS

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