



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 – Safe Place for Newborns Act Signage
- Initial Approval – Power of Attorney for the Care of a Child
- Initial 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 – Safe Place for Newborns

Act Provides Immunity from Prosecution When an Infant Child is Given to a Participating
Medical Facility, Police Station or Fire Station

HB 513 Requires DHS to Create Standards for Signs Alerting the Public of Locations
Legislation Effective July 1, 2018

Current Rule:

- None

Proposed Change:

- New Rule 290-1-9-.01
- Standards for Signs

Rule Published August 23 –
September 21

Public Hearing September 12



Final – Safe Place for Newborns



- 11" x 17" Sign
- White with Black Letters
- Standard Message & Logo
- Outside Doors or Inside Public Areas
- Weather Resistant
- Template on DHS Website



Initial – 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 September 26 –
October 25

Public Hearing November 7



Initial – 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



Initial – 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 September 26 –
October 25

Public Hearing November 7



Request to Board

Motion for Final Adoption

- Safe Place for Newborns Signage – Rule 290-1-9-.01

Motion to Publish Notice of Rulemaking

- Power of Attorney for Care of 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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