



## **Georgia Department of Human Services**

Aging Services | Child Support Services | Family & Children Services

**September 1, 2018**

### **Notice of Updates to Georgia Laws Impacting Adoption Advertisements**

This notice is part of a campaign initiated by the Georgia Department of Human Services (DHS) to inform the public of updates to adoption advertising laws in the state of Georgia effective September 1, 2018.

Georgia law currently prohibits a person or entity that is not licensed by DHS as a child-placing agency (CPA) from advertising adoption services through various public means. The law was updated during the 2018 legislative session to add “internet postings, including social media,” to the list of examples of mediums or means through which persons or entities are prohibited from advertising adoption services unless they are licensed by DHS as a child-placing agency. Please note, however, the advertising of adoption services by certain attorneys and prospective adoptive parents as well as advertising through certain private communications is permitted. In addition, “facilitators” are now specifically identified in the list of persons or entities who may not advertise adoption services in Georgia without first obtaining a CPA license or meeting other requirements.

Georgia law also provides that the violation of adoption advertising provisions is a felony punishable by a fine up to \$10,000, imprisonment up to ten years, or both. In addition, state law provides that a CPA or certain persons harmed by a violation of advertising laws may pursue civil legal action.

Obtaining adoption services through unlicensed agencies may place birth parents or prospective adoptive parents at risk for deceptive or unethical adoption practices. Thus, we encourage your agency to review Georgia’s law regarding adoption advertising and DHS’ rules related to the licensing and regulation of child-placing agencies.

Your agency can locate child-placing agencies licensed by DHS and their inspection reports for the past twenty-four months at [rcctrails.dhs.ga.gov/public/publiclanding.aspx](http://rcctrails.dhs.ga.gov/public/publiclanding.aspx). If you suspect or have information that a person or entity is advertising and engaged in

adoption or child placement activities without a license, you can file a complaint at [RCCreports@dhs.ga.gov](mailto:RCCreports@dhs.ga.gov). If you have any questions or concerns about the licensing requirements for child-placing agencies, please contact DHS' Residential Child Care Unit (RCCL) at 404-657-9651 or [rcc@dhs.ga.gov](mailto:rcc@dhs.ga.gov).

Sincerely,

Robyn A. Crittenden