

**RULES OF THE  
GEORGIA DEPARTMENT OF HUMAN SERVICES**

**CHAPTER 290-2  
FAMILY AND CHILDREN SERVICES**

**SUBJECT 290-2-29  
RULES AND REGULATIONS FOR MATERNITY HOMES**

**SYNOPSIS OF PROPOSED ACTION**

The Georgia Department of Human Services, Office of Inspector General, Residential Child Care Licensing Unit (“Department”), proposes the adoption of rule amendments to Subject 290-2-29, entitled “Rules and Regulations for Maternity Homes,” of the Rules of the Georgia Department of Human Services. Proposed amendments affect Rules 290-2-29-.02, 290-2-29-.04, and 290-2-29-.21 of the current maternity home rules, set forth in Chapter 290-2. The proposed rule revisions were drafted by the Department with the goal of ensuring that maternity home rules are consistent with new statutory provisions resulting from the passage of House Bill 1201 relating to commercial sexual exploitation recovery centers effective April 24, 2024. The new statutory provisions clarify that the term ‘maternity home’ does not include commercial sexual exploitation recovery centers. Thus, these centers are not subject to licensure as maternity homes. In addition, the rules are being revised to update terms and provisions for clarity, streamline regulations, and make certain regulatory requirements less burdensome for providers where safe to do so.

The anticipated effect of the adoption of these rule amendments is to provide clarity that commercial sexual exploitation recovery centers are not subject to licensure as maternity homes, update and clarify regulations for the health and safety of residents and reduce regulations where safe to do so. Accordingly, the Department does not anticipate that the adoption of these rule amendments will place administrative burdens on charitable organizations in this state, require any new or expanded filing or reporting requirements, or limit the ability of charitable organizations to solicit or collect funds.

In addition, it is not anticipated that the adoption of these rule amendments will impose excessive regulatory costs on persons or entities providing services under these rules. It is not foreseeable that any cost to comply with the proposed rule amendments can be reduced by a less expensive alternative that fully accomplishes the duties required of the Department.

**MAIN FEATURES OF AMENDMENTS TO THE RULES:** The amendments to the Rules and Regulations for Maternity Homes, Subject 290-2-29, Rules 290-2-29-.02, 290-2-29-.04, and 290-2-29-21 include the following:

**Rule 290-2-29-.02 (Applicability of Rules)**

- The rule will be amended to update citations for rules and regulations relating to hospitals, intermediate care homes, and birthing homes identified in this rule as being exempt from licensure as a maternity home.
- A new rule provision will be added that exempts commercial sexual exploitation recovery centers from the requirements of these regulations. The rule will also be updated to reflect that maternity supportive housing residences are not subject to licensure as maternity homes.
- The statutory authority for this rule section will be updated.

**Rule 290-2-29-.04 (Definitions)**

- The rule will be amended to add the definitions ‘commercial sexual exploitation recovery center,’ ‘direct care staff,’ ‘maternity supportive housing residence,’ ‘records,’ ‘serious occurrence;’ remove the term ‘placement;’ and update the terms ‘chemical restraint,’ ‘child-caring institution,’ ‘child placement,’ ‘child-placing agency,’ ‘employee,’ ‘foster care,’ ‘foster family,’ ‘foster family,’ ‘maternity home,’ ‘psychotropic medication,’ ‘resident,’ ‘room, board and watchful oversight,’ ‘supervision,’ ‘time-out,’ ‘variance,’ and ‘waiver.’
- The term ‘commercial sexual exploitation recovery center’ will be defined as a child-caring institution certified as a victim assistance program which provides full-time residential care to youth through 18 who are victims of sexual exploitation. The term ‘direct care staff’ will be defined as a person employed by the maternity home who provides care and supervision to residents to include staff who reside in the living unit with residents. The term ‘records’ will be defined as files maintained by a home which include data on an employee, director, child, or applicant. The term ‘serious occurrence’ will be defined as an occurrence that has or may have dangerous or severe consequences for a child. The definition of a ‘child-caring institution’ will be amended to clarify that the term includes a commercial sexual exploitation recovery center and a qualified residential treatment program. The definition of a ‘maternity home’ will be amended to clarify that the term does not include a commercial sexual exploitation recovery center. The definition of ‘room, board and watchful oversight’ will be amended to clarify that the term includes the provision of safe lodging and continuous care and oversight to ensure a resident’s basic needs are met. The definition of ‘time-out’ will be amended to clarify that the term includes a brief separation from the setting in which a resident experiences behavioral or emotional distress.
- This rule section will be reordered to correspond with any revisions.
- The statutory authority for this rule section will be updated.

**Rule 290-2-29-.21 (Physical Plant and Safety)**

- A new rule provision will clarify that homes must maintain all buildings, grounds, furniture, and equipment in a clean, safe and sanitary condition and in good repair.

- A new provision will require that any domestic or farm animals owned or in the home be vaccinated against rabies.
- The rule will be amended to clarify that sleeping room areas should not be less than 75 square feet of usable floor space in single rooms and not less than 63 square feet of usable floor space per resident in multiple rooms, excluding built-in closet space. The distance required between beds will be reduced from at least four feet to three feet on all sides. A new provision will require at least five feet of space on all sides between bunk bed units. A new provision will also require that boys and girls sleep in separate sleeping areas unless a parenting youth is sharing a sleeping area with their child. New provisions to the rule will prohibit children from co-sleeping or bedsharing and specify mattress and bed requirements for children ages six and older and ages under six. New rule provisions will require bed linen to be kept clean and sheets and pillowcases to be changed at least weekly. In addition, a new rule provision will prohibit staff from sleeping in children's bedrooms. A new rule provision will limit children's sleeping areas to only those areas routinely used as or specifically designated as bedrooms.
- The rule requirement related to transportation will be updated to require the annual inspection of vehicles used by the home to transport residents to be documented on forms provided by the Department and signed by a certified inspector or mechanic.
- This rule section will be reordered to correspond with any revisions.

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**Rule 290-2-29-.02 Applicability of Rules**

- (1) No person, institution, agency, society or facility shall operate a maternity home unless a license or permit has been obtained from the Department.
- (2) The following types of maternity homes or activities are exempt from the requirements of these regulations:
  - (a) Facilities licensed by the Department of Community Health ~~pursuant to rules and regulations for hospitals, Chapter 290-9-7~~ in accordance with Ga. Comp. R. & Regs. r. 111-8-40-.01 et seq.; Rules and Regulations for Hospitals;
  - (b) Facilities licensed by the Department of Community Health ~~pursuant to rules and regulations for intermediate care homes, Chapter 290-5-9~~ in accordance with Ga. Comp. R. & Regs. r. 111-8-47-.01 et seq.; Rules and Regulations for Intermediate Care Homes;
  - (c) Facilities licensed by the Department of Community Health ~~pursuant to rules and regulations for birthing homes, Chapter 290-5-41~~ in accordance with Ga. Comp. R. & Regs. r. 111-8-7-.01 et seq.; Rules and Regulations for Birth Centers;
  - (d) Facilities, agencies and homes wherein children and youth are detained which are operated by any department or agency of state, county, or municipal government; ~~and~~
  - (e) Facilities owned and operated by the federal government.;
  - (f) Facilities registered by the Department of Human Services as a maternity supportive housing residence in accordance with O.C.G.A. Section 49-5-25; and
  - (g) Facilities licensed by the Department of Human Services as a commercial sexual exploitation recovery center in accordance with O.C.G.A. Section 49-5-12.

Authority: O.C.G.A. Secs. 49-5-3, 49-5-8, 49-5-12, 49-5-25, 31-7-2.1, 31-7-1 et seq.

**Rule 290-2-29-.04 Definitions**

In these rules, unless the context otherwise requires, the words, phrases and symbols set forth herein shall mean the following:

- (a) "Adult" means any person 18 years of age or older who resides in the home.
- (b) "Applicant" means the following:
  1. When the home is owned by a sole proprietorship, the individual proprietor shall be the applicant for the license, complete the statement of responsibility and serve as the licensee;
  2. When the home is owned by a partnership, the general partners shall be the applicant for the license, complete the statement of responsibility and serve as the licensee;
  3. When the home is owned by an association, the governing body of the association shall authorize the application for the license and complete the statement of responsibility and the association shall serve as the licensee; and
  4. When the home is owned by a corporation, the governing body of the corporation shall authorize the application for the license and complete the statement of responsibility and the corporation shall serve as the licensee.
- (c) "Behavior management" means those principles and techniques used by a home to assist a resident in facilitating self-control, addressing inappropriate behavior, and achieving positive outcomes in a constructive and safe manner. Behavior management principles and techniques shall be used in accordance with the individual service plan, written policies and procedures governing service expectations, service plan goals, safety, security, and these rules and regulations.
- (d) "Board" means the persons or legal entity in whom the ultimate legal responsibility, authority and accountability for the conduct of the home is vested.
- (e) "Chemical restraint" means ~~a drug or medication~~ s used as a restriction that are administered to manage ~~the~~ resident's behavior in a way that reduces the safety risk to the resident or others; that have the temporary effect of restricting the resident's freedom of movement; and ~~is that are not being used as part of a standard treatment regimen or dosage in use for the resident's condition,~~ as specified in the child's service plan, to treat current symptoms of a medical or psychiatric condition.

- (f) "Child\_caring institution" means a child welfare agency that is any institution, society, agency, or facility, whether incorporated or not, which either primarily or incidentally provides full-time care for children through 18 years of age outside of their own homes, subject to such exceptions as may be provided in rules and regulations of the Board of Human Services. This full-time care is referred to as room, board and watchful oversight. For purposes of these rules, a child\_caring institution means any institution, society, agency, or facility that provides such care to six ~~(6)~~ or more children. The term "child-caring institution" includes a qualified residential treatment program and a commercial sexual exploitation recovery center.
- (g) "Child placement," or "placement activity" means the selection, by a person or agency other than the child's parent or guardian, of a foster family or prospective adoptive family, or effecting the movement of the child into the foster family or prospective adoptive family. This definition includes any preparation of a home study of a foster home or of a prospective adoptive home. Counseling with respect to options available, legal services, or services as an agent for the purpose of notice of ~~withdrawal~~ revocation of consent by the ~~birth~~ biological parent does not constitute child placement under this definition. For purposes of this rule, this definition does not include the Department or a licensed professional providing only home study preparation services as an evaluator.
- (h) "Child-placing agency" means ~~a child welfare agency that is~~ any institution, society, agency, or facility, whether incorporated or not, which places children in foster homes for temporary care or in prospective adoptive homes for adoption. ~~Agencies that arrange for children to receive care in foster homes or in prospective adoptive homes must make arrangements to assess the placement regarding the appropriateness of the room, board and watchful oversight that the prospective foster or adoptive person or family will provide~~ For purposes of this definition, agencies that engage in placement activities are required to be licensed as Child-Placing Agencies.
- (i) "Commercial sexual exploitation recovery center" means a child-caring institution certified as a victim assistance program, as provided for in subsection (e) of Code Section 15-21-132, which provides full-time residential care and support services to youth through 18 years of age who are victims of sexual exploitation as defined in Code Section 49-5-40.
- ~~(j)~~(l) "Commissioner" means the Commissioner of the Department of Human Services.
- ~~(j)~~(k) "Confinement" means the concluding state of pregnancy from the onset of labor to the birth of the child.

~~(k)~~(l) "Criminal history background check" means a search as required by law of the criminal records maintained by law enforcement authorities to determine whether the applicant has a criminal record as defined in these rules.

~~(j)~~(m) "Criminal record" means:

1. Conviction of a crime; or
2. Arrest, charge, and sentencing for a crime where:
  - (i) A plea of nolo contendere was entered to the charge; or
  - (ii) First offender treatment without adjudication of guilt pursuant to the charge was granted; or
  - (iii) Adjudication or sentence was otherwise withheld or not entered on the charge; or

~~(iv)~~3. Arrest and being charged for a crime if the charge is pending, unless the time for prosecuting such crime has expired pursuant to O.C.G.A. Sec. 17-3-1 *et seq.*

~~(m)~~(n) "Day(s)" means calendar day(s) unless otherwise specified.

~~(n)~~(o) "Department" means the Georgia Department of Human Services.

(p) "Direct care staff" means the person(s) employed by the home who is (are) responsible for providing direct care, supervision, and support to residents. This includes a direct care staff member who resides in the living unit(s) with residents.

~~(o)~~(q) "Director" means the chief administrative or executive officer of the home.

~~(p)~~(r) "Disaster Preparedness Plan" means a written document that identifies potential hazards or events that, should they occur, would cause an emergency situation at the home and that proposes, for each identified emergency situation, a course of action so as to minimize the threat to the health and safety of the residents within the home.

~~(q)~~(s) "Emergency safety interventions" mean those behavioral intervention techniques that are authorized under an approved emergency safety intervention plan and are utilized by properly trained staff in an urgent situation to prevent a child from doing immediate harm to self or others.

~~(r)~~(t) "Emergency safety intervention plan" means the plan developed by the facility utilizing a nationally recognized, evidence-based, training program for emergency safety intervention, approved by the Department. The plan shall clearly identify the emergency safety interventions staff may utilize and those that may never be used.



~~(s)~~(u) "Employee" means any person, other than a director, employed by a home to perform any duties which involve personal contact between that person and any resident being cared for at the home and also includes any adult person who resides at the home or who, with or without compensation, performs duties for the home which involve personal contact between that person and any resident cared for by the home.

1. For purposes of these rules, an employee does not ~~mean-include~~ a ~~youth that resides at~~ resident of the home ~~and performs duties for the home~~;
2. For purposes of criminal history background check determinations, an "employee" means any person employed by the home or any adult person that resides at the home or who provides care to residents placed in the home.

~~(t)~~(v) "Executive Director" means the person responsible for overall administration of the home.

~~(u)~~(w) "Fingerprint records check determination" means a satisfactory or unsatisfactory determination by the Department based upon a records check comparison of Georgia Crime Information Center (GCIC) information with fingerprints and other information in a records check application.

~~(v)~~(x) "Foster care" means supervised care ~~in-for~~ a ~~substitute child in a~~ home ~~or a child caring institution other than the child's own home~~ on a 24-hour full-time basis for a temporary period of time.

~~(w)~~(y) "~~Foster family~~" or "~~F~~oster home" means a private home where the foster parent(s) live which has been approved by the ~~institution/a~~Agency to provide 24-hour care, lodging, supervision and maintenance for no more than six ~~(6)~~ foster children under the age of 19, unless limited exceptions apply in accordance with rules and regulations.

~~(x)~~(z) "Foster parent(s)" means ~~an-the~~ adult ~~person-member(s) approved by the institution of a foster family who provides supervision and care in a parental role for a child in foster care and~~ who has a satisfactory criminal history background check determination ~~and provides care, lodging, supervision, and maintenance on a 24 hour basis for a child who must receive care out of their own home.~~

~~(y)~~(aa) "Home" means a maternity home or second chance home as referenced in these rules.

~~(z)~~(bb) "Human services professional" means a person employed by the home who provides direct services and supervision to residents and their child(ren) in the home setting. The human services professional is responsible for monitoring the residents' needs and ensuring that appropriate services are being provided and arranged for in order to meet those needs. Duties include, but are not limited to:

the coordination of the home's admission evaluation; the development of the service and room, board, watchful oversight plans; case work services as provided in the resident's service plans; and monitoring of the resident's educational and/or vocational needs.

~~(aa)~~(cc) "Infant" means a child from birth to one (1) year old.

~~(bb)~~(dd) "Isolation" means the separation of one (1) or more persons from others in order to reduce the spread of illness.

~~(cc)~~(ee) "Isolation room" means a bedroom with its own bathroom in which residents with acute illness are kept separate from other residents in order to reduce the spread of the illness.

~~(dd)~~(ff) "License" means a document issued by the Department that grants permission for the holder to provide services.

~~(ee)~~(gg) "Living unit" means the physical location where residents live within the home.

~~(ff)~~(hh) "Manual hold" means the application of physical force, without the use of any device, for the purpose of restricting the free movement of a resident's body and is considered a form of restraint. A manual hold does not include briefly holding a resident without undue force to calm or comfort the resident, holding a resident by the hand or by the shoulders or back to walk the resident safely from one ~~(4)~~ area to another where the resident is not forcefully resisting the assistance, or assisting the resident in voluntarily participating in activities of daily living.

~~(gg)~~(ii) "Maternity home" means any place in which any person, society, agency, corporation or facility receives, treats or cares for, within any six-month period, more than one (1) pregnant woman whose child is to be born out of wedlock, either before, during or within two (2) weeks after childbirth. Such term shall not include a commercial sexual exploitation recovery center. For purposes of these rules, services provided include full-time residential care, support and supervision for more than one (1) pregnant youth through 21 years of age who is either admitted during pregnancy or within two (2) weeks after delivery, and who is not related to the owner by blood or marriage. For purposes of these rules, a maternity home may only provide such services to youth admitted to the home for a maximum period of eight (8) weeks following delivery unless providing second chance home services.

(jj) "Maternity supportive housing residence" means a residential home that houses on behalf of a nonprofit organization up to six pregnant women aged 18 years or older and their minor children at any one time during the woman's pregnancy and up to 18 months after childbirth; provided however, that no medical services shall be provided.

~~(hh)~~(kk) "Mechanical Restraint" means a device attached or adjacent to the resident's body that is not a prescribed and approved medical protection device and that she cannot easily remove that restricts freedom of movement or normal access to her body. A mechanical restraint does not include devices used to assist a youth with appropriate positioning or posture secondary to physical impairments or disabilities.

~~(ii)~~(ll) "Medicaid Rehabilitation Option Provider" means that category of behavioral health services designed for the maximum reduction of impairments related to mental illness or addiction and restoration of a Medicaid recipient to her best possible functional level.

~~(jj)~~(mm) "Medication error" means any deviation from the prescribed dosage, use or administration of a medication. A resident's refusal to take medication as prescribed constitutes a medication error. For over-the-counter medications, a medication error is any use that is not in accordance with the directions or instructions on the bottle.

~~(kk)~~(nn) "Notifiable diseases" are those diseases, injuries, and conditions requiring notice and reporting to the county board of health and the Georgia Department of Community Health.

~~(ll)~~(oo) "Outbreak" means two (2) or more cases of similar illness not considered foodborne or waterborne.

~~(mm)~~(pp) "Owner" means any individual or any person affiliated with a corporation, partnership, or association with 10 percent or greater ownership interest in the business or agency licensed as a home and who:

1. Purports to or exercises authority of the owner in a home;
2. Applies to operate or operates a home;
3. Enters into a contract to acquire ownership of a home.

~~(nn) "Placement" means any activity by any person that provides assistance to a parent or guardian in locating and effecting the move of a child to a foster home or adoptive home, including assessing suitability of homes for placement. Counseling with respect to options available, legal services, or services as an agent for purposes of notice or withdrawal of consent by the birth parent does not constitute placement activity.~~

~~(oo)~~(qq) "Plan of correction" means a written plan submitted by the home acceptable to the Department. The plan shall identify the existing noncompliance of the home, the responsible staff, the proposed procedures, methods, means and period of time to correct the noncompliance. The plan shall also include the date of the implementation of the corrective action plan.

~~(pp)~~(rr) "Postnatal" means the six-week period after an infant is born.

~~(qq)~~(ss) "Postpartum" means the six-week period after giving birth.

~~(rr)~~(tt) "Preliminary records check application" means an application for a preliminary records check determination on forms provided by the Department.

~~(ss)~~(uu) "Preliminary records check determination" means a satisfactory or unsatisfactory determination by the Department based only upon a comparison of Georgia Crime Information Center (GCIC) information with other than fingerprint information regarding the person upon whom the records check is being performed.

~~(tt)~~(vv) "Psychotropic medication" means a prescription drug medication that is used to treat or manage a psychiatric symptom or challenging behavior. Some psychotropic medications fall into specific medication classes like antipsychotics or antidepressants. In other cases, the medications may be primarily used for other diseases but have been found effective in controlling behaviors thus making that specific use a psychotropic medication.

(ww) "Record(s)" means the individual files in any format established and maintained by a home which include data concerning an employee, director, child, or applicant.

~~(uu)~~(xx) "Records check application" means two (2) sets of classifiable fingerprints, a records search fee to be established by the Department by rule and regulation, payable in such form as the Department may direct to cover the cost of a fingerprint records check, and an affidavit by the applicant disclosing the nature and date of any arrest, charge, or conviction of the applicant for the violation of any law; except for motor vehicle parking violations, whether or not the violation occurred in this state, and such additional information as the Department may require.

~~(vv)~~(yy) "Resident" means a pregnant or parenting youth or a child~~(ren)~~ of a parenting youth who lives in the home, receives full-time care and services at the home in accordance with these rules and regulations. This term shall be used interchangeably with the term "child" or "youth."

~~(ww)~~(zz) "Room, board and watchful oversight" means providing a safe, ~~comfortable~~ room lodging, adequately nutritious meals, and continuous care and oversight to ensure a resident's basic ~~safety~~ needs are met.

~~(xx)~~(aaa) "Safeguard" means to take reasonable measures to eliminate the risk of harm to a resident receiving care. Where a specific method is not otherwise prescribed in these regulations, safeguards may include, but are not limited to, locking up a particular substance or item, storing a substance or item out of reach, erecting a

barrier that prevents a resident in care from reaching a particular place, item or substance, using protective safety devices, or providing supervision.

~~(yy)~~(bbb) "Satisfactory criminal history background check determination" means a written determination that a person for whom a records check was performed was found to have no criminal record.

~~(zz)~~(ccc) "Seclusion" means the involuntary confinement of a resident away from other residents, due to imminent risk of harm to self or others, in a room or an area from which the resident is physically prevented from leaving.

~~(aaa)~~(ddd) "Second chance home" means a licensed maternity home that provides full-time residential care, support and supervision to pregnant and parenting youth through 21 years of age and their child~~(ren)~~ that is expected to last for more than an eight (8) week period following delivery. Program services include parenting skills, such as child development, education, job training, transitioning to independent living, family budgeting, health and nutrition, and other skills to promote residents' long-term independence and the well-being of their child~~(ren)~~.

~~(bbb)~~(eee) "Self-administration of medications" means that a resident administers prescription and non-prescription medication in the manner directed by ~~the a~~ physician without assistance or direction.

~~(eee)~~(fff) "Self-possession of medication" means that a resident carries medication on her person to allow for immediate and self-determined administration.

(ggg) "Serious occurrence" means an occurrence that has or may have dangerous or significant consequences relating to the care, supervision, or treatment of a child.

~~(ddd)~~(hhh) "Supervision" means the continued responsibility of the licensee home to take reasonable action to provide for the health, safety, and well-being of a resident while under the supervision of ~~the licensee or the agent or employee of the licensee a director, employees, contractors, and volunteers of the home,~~ including protection from physical, emotional, social, moral, financial harm and personal exploitation while in care. The licensee home is responsible for providing the degree of supervision indicated by a resident's age, developmental level, physical, emotional, and social needs.

~~(eee)~~(iii) "Temporary license" means written authorization granted by the Department to an applicant for license to admit residents to the home on a conditional basis to allow a newly established home a reasonable, but limited period of time to demonstrate that operational procedures are in satisfactory compliance with these rules and regulations, or to allow an established and currently operating home a reasonable, but specified, length of time to comply with these rules and regulations, provided said home shall first present a Plan of Correction which is acceptable to the Department.

~~(fff)~~(jjj) "Time-out" means a behavior management technique that involves the brief separation of a resident from ~~the a~~ group or setting where a resident is experiencing some behavioral or emotional distress, not to exceed twenty (20) minutes, designed to deescalate the emotionally charged condition of the resident. During "time-out" a resident's freedom of movement is not physically restricted.

~~(ggg)~~(kkk) "Unsatisfactory criminal history background check determination" means a written determination that a person for whom a records check was performed has a criminal record.

~~(hhh)~~(lll) "Variance" means a decision by the Department to grant a modification to all or part of the literal requirements of a rule ~~to a home subject to the rule~~.

~~(iii)~~(mmm) "Waiver" means a decision by the Department not to apply all or part of a rule ~~to a home subject to the rule~~.

(nnn) The singular includes the plural, the plural the singular, and the masculine the feminine, when consistent with the intent of these Rules.

Authority: O.C.G.A. Secs. 49-5-3, 49-5-8, 49-5-12, 15-11-2.

**Rule 290-2-29-.21 Physical Plant and Safety**

A home shall maintain its buildings, grounds, furniture, and equipment in a clean, safe, and sanitary condition and in a good state of repair.

- ~~(1)~~(a) Location. The maternity home shall be located advantageously to medical services and transportation.
- ~~(2)~~(b) Construction. Any individual or group which proposes to build a new maternity home or any maternity home planning for extensive remodeling shall comply with local building codes in all such construction. Building plans shall be submitted to the Department of Human Services for approval and for referral to proper authorities.
- ~~(a)~~1. Rooms shall be planned to accommodate not more than three (3) residents. Some single rooms are desirable.
- ~~(b)~~2. A recreation room for the exclusive use of the residents shall be provided.
- ~~(c)~~3. A room ensuring privacy where residents can visit with their families shall be provided.
- ~~(d)~~4. A recovery room shall be provided on the first floor when residents are housed on the second floor.
- ~~(e)~~5. Separate, private offices shall be provided for the casework staff when the offices are housed in the home.
- ~~(f)~~6. A separate room and bath for residents exhibiting symptoms of acute illness shall be provided.
- ~~(3)~~(c) Maintenance. The interior and exterior of the buildings and grounds shall be kept clean, in good repair, and free from hazards to health and safety. Domestic and farm animals, owned or residing at the home, shall be inoculated against rabies as required by law.
- ~~(4)~~(d) Health Aspects.
- ~~(a)~~1. General Sanitation. Proper facilities for sanitation shall be provided throughout the home and premises for the purpose of ensuring cleanliness and protection against disease.
- ~~(b)~~2. Water. Drinking water shall be supplied from an approved public supply if available; if not available, the private system shall comply with county and State ordinances and codes.
- ~~(c)~~3. Sewerage. Sewerage shall be disposed of through municipal systems where such are available. If municipal systems are not available, the private system shall comply with the existing local and State ordinances.

~~(d)~~4. Heat, Light, and Ventilation.

- ~~1.~~(i) Heating facilities shall conform to local, state, and other applicable codes. All heating systems shall be installed with safety devices, to prevent fire, explosion and other hazards.
- ~~2.~~(ii) Natural light shall be available in every room used by residents and staff. Window areas shall conform with all applicable building codes. Curtains or shades shall be used for privacy as needed.
- ~~3.~~(iii) In combination with natural light, electric lighting shall be installed in sufficient quantity and diffusion as prescribed by all applicable building codes.
- ~~4.~~(iv) Natural ventilation shall be available in every room used by residents and staff. Cross ventilation shall be provided in sleeping rooms. Rooms which are abnormally damp shall not be used as living quarters.

~~(e)~~5. Bath and Toilet Facilities.

- ~~1.~~(i) There shall be an adequate supply of hot and cold water to serve the maternity home. Water temperature shall not exceed 120 degrees Fahrenheit for hygiene and bathing. Toilet facilities shall be maintained in a sanitary condition equal to standards prescribed by the local health department or the Department of Human Services.
- ~~2.~~(ii) There shall be separate toilet and bath facilities for the residents and staff.
- ~~3.~~(iii) There shall not be less than one (1) lavatory with hot and cold water, one (1) toilet, and a bathtub or shower for every four (4) residents. Both tubs and showers are desirable, one or the other to be used in accordance with the physician's recommendations.
- ~~4.~~(iv) All showers, tubs, and toilets shall be in stalls with provision for privacy.

~~(f)~~6. Sleeping Facilities.

- ~~1.~~(i) The area of a sleeping room shall not be less than 75 square feet of usable floor space per resident in single rooms, and not less than 63 square feet of usable floor space per resident in multiple rooms. Usable floor space does not include built-in closet space.
- ~~2.~~(ii) Each resident shall have a separate bed which has substantial springs, a comfortable mattress, and suitable bed covering.



- ~~3.~~(iii) Beds shall be at least ~~four (4)~~ three (3) feet apart at the head, foot, and sides. If bunk bed units are used, they shall be arranged to provide for at least five feet of space between the ends, foot and sides of each bunk bed unit. Except for parenting youth sharing a sleeping area with their child(ren), boys and girls shall sleep in separate sleeping areas.
- (iv) Children shall not co-sleep or bedshare. Each child shall be provided his or her own personal bed and mattress. Children six (6) years of age or older shall sleep on a mattress and bed that is no shorter than the child's height and at least thirty inches wide. Children under the age of six (6) years shall sleep on a mattress and bed that is age, size, and developmentally appropriate. Clean sheets, pillows and pillowcases, blankets or bed covering shall be provided and sheets and pillowcases shall be changed or cleaned at least weekly. Waterproof mattresses shall be provided as needed or as required by the child's assessment and service plan. No staff member shall sleep in children's bedrooms.
- (v) Children shall not be required to sleep in areas of the premises that are not routinely used as or specifically designated as bedrooms, such as doorways, hallways, bathrooms, closets, crawl spaces, fire escapes, kitchens, communal living areas, etc.
- ~~4.~~(vi) Each resident shall have adequate closet and drawer space for personal possessions in the room assigned to her.
- ~~5.~~(vii) Sleeping quarters shall conform to all applicable building codes.
- ~~(g)7.~~ Nursery. A nursery is not required by these rules, however, maternity homes that include nurseries must meet the following additional requirements:
- ~~1.~~(i) Size. The nursery shall be large enough to allow a minimum of 30 square feet of floor space and 300 cubic feet of air space per infant.
- ~~2.~~(ii) Location, Ventilation, Lighting and Construction.
- ~~(i)~~(I) The nursery shall be near the residents' rooms but out of the line of traffic.
- ~~(ii)~~(II) There shall be outside windows for lighting and ventilation. Temperature shall be kept constant at no more than 80°F or less than 68°F.
- ~~(iii)~~(III) Walls, ceiling, and floors shall be clean and in good repair.

~~(iv)~~(IV) An isolation area shall be equipped for use of any infant who is ill or suspected of being ill.

~~(5)~~(e) Safety Aspects.

~~(a)~~1. General. Secure railing shall be provided for flights of more than four (4) steps and for all galleries more than four (4) feet from the ground.

~~(b)~~2. Fire Prevention.

~~1.~~(i) Serious consideration shall be given to ensure that the home is so constructed, equipped and located as not to be a fire hazard.

~~2.~~(ii) If the home is of frame construction it shall be over 70 feet apart at the nearest points.

~~3.~~(iii) All electrical and heating installations shall conform to all applicable building codes according to regulations as set forth in the Georgia Safety Fire Law.

~~(c)~~3. Fire Protection.

~~1.~~(i) The staff in the home shall be trained in properly reporting a fire, and in evacuating the home.

~~2.~~(ii) There shall be at least one (1) fire extinguisher for every 2000 square feet of floor area and for each floor. Fire extinguishers shall be provided in accordance with the recommended standards of the National Fire Protection Association for First Aid Fire Fighting Appliances. They shall be inspected regularly and kept charged and filled at all times.

~~3.~~(iii) There shall be more than one means of egress leading to the outside of the home from each floor; such exits shall open outward and shall not be locked from the inside.

~~4.~~(iv) Fire exits (doors, hallways and stairs) shall be kept well-lighted, clean and ready for instant use.

~~5.~~(v) The required exit signs shall remain in place and exit lights kept on.

~~6.~~(vi) Fire alarm sounding devices shall be installed so as to be audibly heard throughout the home.

~~7.~~(vii) A certificate of occupancy shall be obtained from the State Fire Marshal for all homes.

~~(6)~~(f) Transportation. Vehicles used by a home to transport residents shall be insured and shall have a satisfactory annual safety inspection of ~~brakes, exhaust system, headlights, steering, stop lights, suspension, tail lights, tires, turn signals, and~~

~~windows and windshield wipers. all components listed on a form provided by the Department. Such inspections shall be documented on a GDHR Annual Transportation Vehicle Safety Inspection Certification (Form 699) the Department's provided form and signed by a certified inspector or mechanic.~~

- ~~(a)~~1. When transporting residents, a home vehicle shall only be operated by a staff member or an authorized resident who possesses a valid driver's license as required for the class of the vehicle operated. If a home authorizes residents to drive, it shall establish and implement policies and procedures relative to the use of ~~agency~~ the home's vehicles by such residents.
  - ~~(b)~~2. No vehicle shall be used to transport more residents than the manufacturer's rated seating capacity for the vehicle.
  - ~~(c)~~3. All vehicles used to transport residents shall be equipped with safety equipment which shall be used as required by federal and state laws.
  - ~~(d)~~4. No resident shall be left in a vehicle without staff supervision.
- ~~(7)~~(g) Accessibility. Where residents are dependent upon a wheelchair or other mechanical device for mobility, the home shall have at least two (2) exits from the home, remote from each other that are accessible to the resident and with easily negotiable ramps.

Authority: O.C.G.A. Secs. 49-5-3, 49-5-8.