



Georgia Department of Human Services
Aging Services | Child Support Services | Family & Children Services

Notice of Intended Action and Public Hearing Regarding Proposed Amendments to Chapter 290-2, Subject 290-2-7, entitled “Rules and Regulations for Outdoor Child Caring Programs,” Ga. Comp. R. & Regs. Rules 290-2-7-.01 through 290-2-7-.21 of the Rules of the Georgia Department of Human Services

TO ALL INTERESTED PARTIES:

The Georgia Department of Human Services (“Department”) proposes the adoption of rule amendments to Chapter 290-2, specifically Rules 290-2-7-.01 through 290-2-7-.21 of the Rules of the Georgia Department of Human Services.

This notice, synopsis and its attachments are being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, a synopsis of rule amendments, proposed rule revisions and existing rule provisions may be reviewed during normal business hours of 8:00 a.m. to 4:30 p.m. Monday through Friday, except official State holidays, at the Department of Human Services, Office of General Counsel, located at 47 Trinity Avenue SW, Atlanta, Georgia 30334, or on the Department’s website at <https://dhs.georgia.gov/>.

Interested persons may also call or submit a written request to obtain a copy of this notice and accompanying documents.

Public Hearing

The Department will hear public comment on the proposed rule amendments during a hearing to be held at the following date, time, and location:

DATE: May 7, 2026
TIME: 11:00 a.m.
LOCATION: Department of Human Services
Room G-07A/B
47 Trinity Avenue, SW
Atlanta, GA 30334

Up-to-date hearing Information is available at <https://dhs.georgia.gov/> under “Events Schedule.”

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At the public hearing, anyone may present data, make a statement, comment, or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. All written comments should be forwarded to Department of Human Services, Office of General Counsel located at 47 Trinity Avenue SW, Atlanta, Georgia 30334 on or before May 15, 2026.

Public Comment Period

The Department will be accepting written comments regarding the proposed rule amendments from April 16, 2026 through May 15, 2026. All written comments should be forwarded to ogc@dhs.ga.gov or the Department of Human Services, Office of General Counsel, 47 Trinity Avenue SW, Atlanta, Georgia 30334 on or before May 15, 2026.

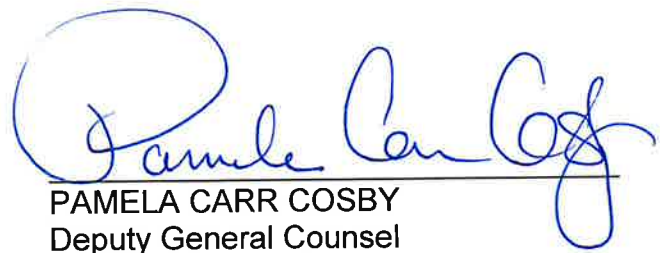
Proposed Rules Considered for Adoption

It is the intent of the Department that the proposed amendments be considered for adoption by the Board of Human Services at its meeting scheduled for July 8, 2026, at 1:00p.m. Up-to-date meeting schedule information will be posted at <https://dhs.georgia.gov/>.

For questions or to submit comments, please contact the Office of General Counsel at (404) 803-5003 or by email at ogc@dhs.ga.gov.

This notice is provided in compliance with the Georgia Administrative Procedure Act, O.C.G.A. § 50-13-4.

This 15th day of April, 2026.



PAMELA CARR COSBY
Deputy General Counsel

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

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

**SUBJECT 290-2-7
RULES AND REGULATIONS FOR OUTDOOR CHILD CARING PROGRAMS**

SYNOPSIS OF PROPOSED ACTION

The Georgia Department of Human Services, Office of Inspector General (“Department”) proposes an extensive reorganization and update of its Rules and Regulations for Outdoor Child Caring Programs, Chapter 290-2 Family and Children Services, Subject 290-2-7 Rules and Regulations for Outdoor Child Caring Programs of the Rules of the Georgia Department of Human Services. The Department’s objective is to improve clarity and usability for providers, to align with current regulations for child welfare agencies, and to ensure consistency with applicable state laws and policies to improve protections for children participating in outdoor child-caring programs.

The revisions to the rules will offer clearer guidance to providers, strengthen regulatory oversight, and support the health and safety of children participating in such programs. Updates include revisions to definitions, administrative and personnel requirements, staff qualifications, supervision, health and safety standards, and program operations.

Due to the extensive restructuring of rule sections and provisions, the Department seeks to repeal and replace existing Rules 290-2-7-.01 through 290-2-7-.21 and add Rule 290-2-7-.22. A copy of the proposed rule revisions is attached with all rule provisions underlined and marked as Attachment 1. For ease of review and comparison, a copy of the existing or current rules is attached with all rule provisions struck and marked as Attachment 2.

The Department does not anticipate that the adoption of these revised rules will impose excessive regulatory or administrative costs or burdens on service providers or charitable organizations. In addition, it is not expected that any cost to comply with the proposed rules can be reduced by a less expensive alternative that fulfills the duties required of the Department and supports the health and safety of children in care.

MAIN FEATURES OF AMENDMENTS TO THE RULES: The amendments to the Rules and Regulations for Outdoor Child Caring Programs, Chapter 290-2, Subject 290-2-7 include the following:

Rule 290-2-7-.01 Definitions Legal Authority

- Rule .01 will be renamed *Legal Authority* with provisions updated accordingly.
- Rule .01 will be amended to include the applicable legal authority to publish rules.

Rule 290-2-7-.02 Applicability Title and Purpose

- Rule .02 will be renamed *Title and Purpose* with provisions updated accordingly.
- Rule .02 will be amended to state that the purpose of the rules is to provide for the licensing and inspection of outdoor child-caring programs.

Rule 290-2-7-.03 Organization and Administration Definitions

- Rule .03 will be renamed *Definitions* with terms updated accordingly.
- Rule .03 will be amended to add the definitions 'adult,' 'base campsite,' 'child care worker,' 'director,' 'fictive kin,' 'foster care,' 'human services professional,' 'living unit,' 'medical emergency,' 'mobile campsite,' 'premises,' 'reasonable and prudent parenting,' 'records,' 'resident,' 'serious occurrence,' 'shelter'; remove the terms 'administrator,' 'board,' 'child,' 'governing board,' 'license,' 'placement agency,' 'plan of correction,' 'social service worker,' 'temporary license'; and update the terms 'camper,' and 'department'.
- The term 'adult' will be defined as a person eighteen (18) years of age or older. This term does not include an eighteen (18) year old who is a camper in the Program. The term 'base campsite' will be defined as the permanent living unit at which the basic needs for camp operation, such as resident housing, water supply and septic systems, permanent toilet and cooking facilities, are provided. The term 'camper' will be amended to a person who receives full-time care and services at the Program in accordance with these rules and regulations. This term will be used interchangeably with the term "child" or "resident. The term 'childcare worker' will be defined as the person employed by a Program who is responsible for providing direct care, supervision, and support to campers. This includes a child care worker who resides at the Program. The term "department" will be amended as the Georgia Department of Human Services. The term 'director' will be defined as the chief administrative or executive officer of the Program. The term 'fictive kin' will be defined as a person who is not related to a child by blood, marriage, or adoption but who prior to the child's placement in foster care is known to the child's family, has a substantial and positive relationship with the child, and is willing and able to provide a suitable home for the child. The term 'foster care' will be defined as supervised care in a substitute home on a 24-hour full-time basis for a temporary period. The term 'human services professional' will be defined as the person(s) employed by the Program who is responsible for providing oversight of services to children placed in the Program and their families. The human services professional is responsible for monitoring campers' needs and ensuring that appropriate services are provided and arranged to meet those needs. Duties include but are not limited to the coordination of the Program's admission evaluation; the development of the service and Room, Board, Watchful Oversight plans; case work services as provided in a camper's service plans; and monitoring of the camper's educational and/or vocational needs. The term 'living unit' will be defined as the physical location where residents live within the Program. The term "medical emergency" will be defined as a condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in placing the individual's

health in serious jeopardy, serious impairment to bodily functions, or serious dysfunction of bodily organs. The term 'mobile campsite' will be defined as an off-site wilderness campsite or living unit that is away from the base campsite at which the basic needs for camp operation, such as water supply systems, permanent toilet and cooking facilities or other permanent structures are not provided. Mobile campsite experiences may include single-day or overnight excursions, hiking, canoeing, kayaking and other outdoor adventure activities. A camper shall stay at a mobile campsite no longer than twenty-eight (28) days before returning to the base campsite for at least a consecutive 24-hour period. The term "premises" will be defined as a parcel or tract of land together with all buildings, structures, and improvements located on that land. The term 'reasonable and prudent parenting' will be defined the standard characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of the State to participate in extracurricular, enrichment, cultural, and social activities. The term 'records' will be defined as the individual files in any format established and maintained by an outdoor child-caring program which include data concerning an employee, director, child, or applicant. The term 'resident' will be defined as a person who receives full-time care and services at the Program in accordance with the rules. This term will be used interchangeably with the term 'camper.' The term 'serious occurrence' will be defined as an occurrence that has or may have dangerous or significant consequences relating to the care, supervision, or treatment of a child. The term 'shelter' will be defined as a semi-permanent or fixed structure, such as individual and group tents, gazebos, and tarps generally used at base and mobile campsites. This definition does not include permanent buildings used for housing.

Rule 290-2-7-.04 Criminal History Background Checks, Personnel Governing Body

- Rule .04 will be renamed *Governing Body* with provisions updated accordingly.
- The provisions for the governing body will be amended and relocated from the existing Rule .03.
- Amendments will include the added clarification that Programs have an identified governing body as required by state law that is responsible for oversight and compliance with these rules.

Rule 290-2-7-.05 Admission and Intake Policies Criminal History Background Checks, Licenses and Exemptions

- Rule .05 will be renamed *Criminal History Background Checks, Licenses and Exemptions* with provisions updated accordingly.
- The provisions for criminal history background checks, licenses, and exemptions will be amended and relocated from existing Rules .02, .04, and .16.
- The rule will remove detailed lists of covered crimes and replace with references to applicable state law.

- The rule will strengthen background check and licensing requirements for Programs. Program owners must report any covered criminal crime identified in O.C.G.A. Section 49-2-14.1 to the Department within (3) three business days.
- The rule will clarify the provision that Programs must be licensed before operating and cannot serve more than 16 campers without special approval. Programs with multiple living units serving six or more children must be licensed.
- The rule will clarify that Programs must report key leadership or structural changes within (3) three business days.
- The rule will be amended to provide exception for programs if they are government facilities, already exempt under child welfare agency or short-term recreational programs, provided that such programs apply for the exemption.

Rule 290-2-7-.06 Support Services Applications

- Rule .06 will be renamed *Applications* with provisions updated accordingly.
- The provisions for applications will be amended and relocated from existing Rules .04 and .16.
- The rule will strengthen the licensing application process. All applicants for a Program license must attend training conducted by the Department's child welfare licensing unit before submitting an application for an initial license. Applications must be filed on Department forms at least ninety (90) days before the planned opening date and must include background check applications for the owner, director, and staff.
- The rule will require that each geographical location operated by a Program has its own license.
- The rule will add that an amended license is required at least thirty (30) days (unless emergency involved) in advance of a major change to the Program, such as name, ownership, ages served, building use or changes impacting licensed capacity.

Rule 290-2-7-.07 Daily Care Inspections and Investigations

- Rule .07 will be renamed *Inspections and Investigations* with provisions updated accordingly.
- The provisions for inspections and investigations will be expanded and relocated from existing Rule .19.
- The rule will be amended to clarify that the Department has full authority to investigate and inspect any Program that is required to be licensed. Programs and staff must cooperate with inspections and investigations and respond truthfully to departmental inquiries.
- The rule will add that after a complete application is submitted, the Department may conduct an initial on-site inspection. By applying for or holding a license, the Program and property owner consent to both scheduled and unscheduled inspections, with Department staff allowed access to the premises, staff, campers, and required records.
- The rule will add when inspections may occur, such as at license renewal, reports of abuse or rule violations, major changes requested, serious concerns arise, or to verify correction plans. Failure to provide access to records, campers, or staff, or

the failure to cooperate with investigations or give false or misleading information is considered good cause for denial, restriction, suspension, or revocation of a license or other penalty.

Rule 290-2-7-.08 Campers' Rights and Privileges Administration and Organization

- Rule .08 will be renamed *Administration and Organization* with provisions updated accordingly.
- The provisions for administration and organization will be amended and relocated from existing Rules .03, .04, and .16.
- The rule will be amended to require that Programs have clear written policies that explain their purpose, philosophy, services, who they serve, and how care and safety interventions are implemented. Programs must show how services are delivered, evaluated, and coordinated with outside providers.
- The rule will update the qualifications for directors, staff, and designated human services professionals. The director must meet a combination of education and administrative or supervisory experience in human services, mental health, or outdoor behavioral healthcare, with required experience in an outdoor youth program, or hold an appropriate medical license for programs serving children with special medical needs. The rule will clarify requirements related to orientation, ongoing, and additional training for staff and directors, as well as required certifications (e.g., CPR and first aid).
- The rule will expand on financial accountability, including annual budgets, persons authorized to receive/disburse operating funds, and fee schedules.
- The rule will update recordkeeping and confidentiality requirements related to case records and personnel files and include record retention provisions. The rule will also add provisions related to the use of electronic records.
- The rule will add a requirement that at least one employee at each mobile campsite and during high-risk activities maintain current Wilderness First Responder (WFR) certification.
- The rule will be amended to include that all child care workers receive at least one full day (24 hours) off within any 8-day period and at least two consecutive days off each month.

**Rule 290-2-7-.09 ~~Behavior and Management and Emergency Safety Interventions~~
Referral and Admission**

- Rule .09 will be renamed *Referral and Admission* with provisions updated accordingly.
- The provision for referral and admissions will be amended and relocated from existing Rules .05, .06 and .08.
- The rule will be amended to add that referral agreements must be in writing and include preplacement assessment and planning. The Program must conduct at least one in-person preplacement visit, including a tour, if the camper is likely to be admitted. A live virtual visit may be allowed if an in-person visit is not possible. Documentation of visits is required. Agency referrals follow the same process.

- The rule will be amended to clarify that Programs cannot admit children under age ten (10) or who do not meet the Program's age requirement as stated on its license, and the Program cannot exceed its licensed capacity.

Rule 290-2-7-.10 ~~Medical and Dental Care~~ Assessment and Planning

- Rule .10 will be renamed *Assessment and Planning* with provisions updated accordingly.
- The provision for assessment and planning will be amended and relocated from existing Rule .09.
- The rule will be amended to require the Program to complete a full written assessment of each camper and their family within fifteen (15) days of admission, coordinated by the assigned human services professional. Based on that assessment, the Program must create an individual written service plan within the same 15-day timeframe, covering health, education, behavior, family relationships, daily care needs, and supervision. The camper, family or guardian, and placement agency must be involved in creating the plan.

Rule 290-2-7-.11 ~~Education~~ Discharge and Aftercare

- Rule .11 will be renamed *Discharge and Aftercare* with provisions updated accordingly.
- The provision for discharge and aftercare will be expanded and relocated from existing Rules .06, .12 and .13.
- The rule will expand requirements on emergency discharges when health, safety or care needs are at risk. Parents, guardians, or the placement agency must be provided at least 72 hours' notice when possible, and if not, the reason must be documented.
- The rule will add that the Program does not discharge a camper to any person or entity other than the camper's parent, guardian, or placement agency or as ordered by a court of competent jurisdiction.

Rule 290-2-7-.12 ~~Campers' Record~~ Child Care Services

- Rule .12 will be renamed *Child Care Services* with provisions updated accordingly.
- The provision for child care services will be amended and relocated from existing Rules .04, .07, .10, .11 and .12.
- The rule will clarify that the Program must have awake staff coverage at all times.
- The rule will expand on health assessment, requiring within thirty (30) days of admission an assessment must be completed and to incorporate medical findings into each camper's service plan.
- The rule strengthens education, physical exam standards, ongoing medical and dental care requirements, and routine follow-up.
- The rule will enhance oversight of psychotropic medications with required external prescribing and sixty (60) day reviews.
- The rule will increase accountability for medical and dental services documentation.
- The rule will clarify that campers are not solely responsible for performing work duties and are not substitutes for staff.

Rule 290-2-7-.13 Discharge Behavior Management and Emergency Safety Interventions

- Rule .13 will be renamed *Behavior Management and Emergency Safety Interventions* with provisions updated accordingly.
- The provision for behavior management and emergency safety interventions will be amended and relocated from existing Rule .09.
- The rule will be amended to strengthen overall oversight of behavior management and emergency safety interventions, with limits on when and how they can be used.
- The rule will increase safeguard on chemical restraints, manual holds and seclusion.
- The rule will update reporting thresholds for repeated interventions and strengthen documentation and monitoring requirements.
- The rule will require external physician and/or MRO provider approval for extended seclusion and reinforces accountability with staff training.

Rule 290-2-7-.14 Buildings, Grounds, and Equipment Grievances

- Rule .14 will be renamed *Grievances* with provisions updated accordingly.
- The rule section will add requirements that Programs develop and implement written grievance policies that allow campers to voice concerns without fear of retaliation.
- The rule will require that all written grievances be documented in the camper's case record, including the grievance, how it was addressed or resolved, and the staff involved.

Rule 290-2-7-.15 Reports Child Abuse and Sexual Exploitation

- Rule .15 will be renamed *Child Abuse and Sexual Exploitation* with provisions updated accordingly.
- The provision for child abuse and sexual exploitation will be expanded and relocated from existing Rule .15.
- The rule section will add requirements that Programs implement written policies prohibiting child abuse and sexual exploitation, including compliance with state reporting laws.
- The rule will require immediate reporting of all abuse allegations to the Department's child welfare agency licensing unit.
- The rule will add requirements for internal reporting to the director, internal investigation procedures, and safeguards during pending investigations.
- The rule will require staff orientation and training on abuse prevention and reporting procedures.

Rule 290-2-7-.16 Application for License Food Service

- Rule .16 will be renamed *Food Service* with provisions updated accordingly.
- The provision for food service will be amended and relocated from existing Rules .07(7) and .14(34 - 43).

- The rule will strengthen food service and nutrition standards for Programs.
- The rule will require meals and snacks to follow USDA Child and Adult Care Food Program guidelines, incorporating appropriate portions, adequate nutrition, and limits on time between meals.
- The rule will require menus to be maintained on file, modified diets to be accommodated for medical or religious reasons, and access to safe drinking water.
- The rule will require Programs serving thirteen (13) or more children to obtain and maintain a valid food service permit and comply with public health standards.
- The rule adds detailed sanitation, storage, temperature control, and food handling requirements to ensure safe preparation and service.

Rule 290-2-7-.17 ~~Variances and Waivers~~ Physical Plant and Safety

- Rule .17 will be renamed *Physical Plant and Safety* with provisions updated accordingly.
- The provision for physical plant and safety will be expanded and relocated from existing Rule .14.
- The rule will expand from general buildings and grounds standards to a more comprehensive Physical Plant and Safety rule that includes base campsites and mobile campsites. The property requirement per camper was removed and replaced with more detailed safety, supervision, and structural standards.
- The rule will add specific square footage requirements for bedrooms, clear spacing between beds, and stronger sleeping separation and privacy standards.
- The rule will add new safety requirements for campsites that include seasonal sleeping gear ratings and backpack weight limits based on a percentage of body weight.
- The rule will add fire marshal approval, building plan review, accessibility requirements, and transportation safety standards.
- The rule will strengthen sanitation, firearm storage, pest control, garbage handling, and overall health and safety requirements.

Rule 290-2-7-.18 ~~Disaster Preparedness~~ Enforcement and Penalties

- Rule .18 will be renamed *Enforcement and Penalties with* provisions updated accordingly.
- The provision for enforcement and penalties will be relocated from existing Rule .21.
- The rule includes no substantive updates.

Rule 290-2-7-.19 ~~Inspections: Access by Department Staff~~ Emergency Orders

- Rule .19 will be renamed *Emergency Orders* with provisions updated accordingly.
- The provision for emergency orders will be relocated from existing Rule .20.
- The rule includes no substantive updates.

Rule 290-2-7-.20 ~~Emergency Orders~~ Disaster Preparedness

- Rule .20 will be renamed *Disaster Preparedness* with provisions updated accordingly.

- The provision for disaster preparedness will be amended and relocated from existing Rules .18 and .14(50).
- The rule will add a requirement to conduct at least two disaster rehearsals each year.
- The rule will add pandemic and infectious disease planning requirements, which include isolation procedures, public health coordination, designed communication staff, and business continuity planning.

Rule 290-2-7-.21 ~~Enforcement and Penalties~~ Waivers and Variances

- Rule .21 will be renamed *Waivers and Variances* with provisions updated accordingly.
- The provision for waivers and variances will be amended and relocated from existing Rule .17.
- The rule will expand to establish a more structured waiver and variance process with defined criteria for substantial hardship and specific application requirements.
- The rule will limit approval to situations where health, safety, and welfare protections are maintained and clarify that waivers cannot be granted if they conflict with state law.
- The rule will shift from primarily allowing variances for innovation or equivalency to requiring a clear hardship justification.

Rule 290-2-7-.22 Severability

- Rule .22 was added to clarify that if any part of the rules is found invalid, the rest of the rules will remain in effect.

ATTACHMENT 1

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

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

**SUBJECT 290-2-7
RULES AND REGULATIONS FOR OUTDOOR CHILD CARING PROGRAMS**

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Rule 290-2-7-.01 Legal Authority

These rules are adopted and published pursuant to the Official Code of Georgia Annotated (O.C.G.A.) Section 49-5-1 *et seq.*

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

Rule 290-2-7-.02 Title and Purpose

These rules shall be known as the Rules and Regulations for Outdoor Child-Caring Programs. The purpose of these rules is to provide for the licensing and inspection of outdoor child-caring programs within the state of Georgia.

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

Rule 290-2-7-.03 Definitions

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

- (a) "Adult" means a person eighteen (18) years of age or older. This term does not include an eighteen (18) year old who is a camper in the Program.
- (b) "Applicant" means the following:
1. When the Program 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 Program 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 Program 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 Program 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) "Base campsite" means the permanent living unit at which the basic needs for camp operation, such as resident housing, water supply and septic systems, permanent toilet and cooking facilities, are provided.
- (d) "Behavior management" means those principles and techniques used by a Program to assist a camper 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.
- (e) "Camper" means a person who receives full-time care and services at the Program in accordance with these rules and regulations. This term shall be used interchangeably with the term "child" or "resident."
- (f) "Chemical restraint" means medications that are administered to manage a camper's behavior in a way that reduces the safety risk to the camper or others; that have the temporary effect of restricting the camper's freedom of movement; and that are not being used as part of a standard regimen, as specified in the

child's individual service plan, to treat current symptoms of a medical or psychiatric condition.

- (g) "Child care worker" means the person employed by a Program who is responsible for providing direct care, supervision, and support to campers. This includes a child care worker who resides at the Program.
- (h) "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 or more children. The term "child-caring institution" includes a qualified residential treatment program and a commercial sexual exploitation recovery center.
- (i) "Commissioner" means the Commissioner of the Department of Human Services.
- (j) "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.
- (k) "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
 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. Section 17-3-1 et seq.
- (l) "Department" means the Georgia Department of Human Services.
- (m) "Director" means the chief administrative or executive officer of a Program.
- (n) "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.

- (o) "Emergency safety intervention plan" means the plan developed by a Program 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.
- (p) "Employee" means any person, other than a director, employed by a Program to perform any duties at any of the Program's campsites which involve personal contact between that person and any child being cared for at the Program and also includes any adult person who resides at the Program or who, with or without compensation, performs duties for the Program which involve personal contact between that person and any child cared for by the Program. For purposes of these rules, the term "employee" does not include a camper of a Program.
- (q) "Fictive kin" means a person who is not related to a child by blood, marriage, or adoption but who prior to the child's placement in foster care is known to the child's family, has a substantial and positive relationship with the child, and is willing and able to provide a suitable home for the child.
- (r) "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.
- (s) "Foster Care" means supervised care in a substitute home on a 24-hour full-time basis for a temporary period of time.
- (t) "Human services professional" means the person(s) employed by a Program who is responsible for providing oversight of services to children placed in the Program and their families. The human services professional is responsible for monitoring campers' 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 Program's admission evaluation; the development of the service and Room, Board, Watchful Oversight plans; case work services as provided in a camper's individual service plans; and monitoring of the camper's educational and/or vocational needs.
- (u) "Living unit" means the physical location where campers live within the Program.
- (v) "Manual hold" means the application of physical force, without the use of any device, for the purpose of restricting the free movement of a child's body and is considered a form of restraint. A manual hold does not include briefly holding a child without undue force to calm or comfort the child, holding a child by the hand

or by the shoulders or back to walk the child safely from one area to another where the child is not forcefully resisting the assistance, or assisting the child in voluntarily participating in activities of daily living.

- (w) "Mechanical restraint" means a device attached or adjacent to a child's body that is not a prescribed and approved medical protection device and that the child cannot easily remove that restricts freedom of movement or normal access to the child's body. A mechanical restraint does not include devices used to assist a child with appropriate positioning or posture secondary to physical impairments or disabilities.
- (x) "Medicaid Rehabilitation Option Provider (MRO)" means the 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 his/her best possible functional level.
- (y) "Medical emergency" means a condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in placing the individual's health in serious jeopardy, serious impairment to bodily functions, or serious dysfunction of bodily organs.
- (z) "Mobile campsite" means an off-site wilderness campsite or living unit that is away from the base campsite at which the basic needs for camp operation, such as water supply systems, permanent toilet and cooking facilities or other permanent structures are not provided. Mobile campsite experiences may include single-day or overnight excursions, hiking, canoeing, kayaking and other outdoor adventure activities. A camper shall stay at a mobile campsite no longer than twenty-eight (28) days before returning to the base campsite for at least a consecutive 24-hour period.
- (aa) "Outdoor child-caring program" or "Program" means a child-caring institution that provides room, board and watchful oversight and outdoor activities in a wilderness or camp environment designed to improve the emotional and behavioral adjustment of the children, through the age of eighteen (18). The term includes outdoor camps that operate for a time-limited period that exceeds 14 consecutive weeks within a 12-month period. This term includes a child-caring institution licensed by the Department that provides outdoor activities in a wilderness or campsite setting that exceeds a period of 14 consecutive days in any six-month period.
- (bb) "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 entity licensed as an outdoor child-caring program and who:
1. Purports to or exercises authority of the owner in an outdoor child-caring program;

2. Applies to operate or operates an outdoor child-caring program;
3. Enters into a contract to acquire ownership of an outdoor child-caring program.
- (cc) "Premises" means a parcel or tract of land together with all buildings, structures, and improvements located on that land.
- (dd) "Preliminary records check application" means an application for a preliminary records check determination on forms provided by the Department.
- (ee) "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.
- (ff) "Reasonable and prudent parenting" means the standard characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of the State to participate in extracurricular, enrichment, cultural, and social activities.
- (gg) "Records" mean the individual files in any format established and maintained by an outdoor child-caring program which include data concerning an employee, director, child, or applicant.
- (hh) "Records check application" means two 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.
- (ii) "Resident" means a person who receives full-time care and services at the Program in accordance with these rules and regulations. This term shall be used interchangeably with the term "camper" or "child."
- (jj) "Room, board and watchful oversight" means providing safe lodging, adequately nutritious meals, and continuous care and oversight to ensure a child's basic needs are met.
- (kk) "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.

- (ll) "Seclusion" means the involuntary confinement of a child away from other children, due to imminent risk of harm to self or others, in a room or an area from which the child is physically prevented from leaving.
- (mm) "Serious occurrence" means an occurrence that has or may have dangerous or significant consequences relating to the care, supervision, or treatment of a child.
- (nn) "Shelter" means a semi-permanent or fixed structure, such as individual and group tents, gazebos, and tarps generally used at base and mobile campsites. This definition does not include permanent buildings used for housing.
- (oo) "Supervision" means the continued responsibility of a Program to take reasonable action to provide for the health, safety, and well-being of a camper while under the supervision of a director, employees, contractors, and volunteers of the Program, including protection from physical, emotional, social, moral, financial harm and personal exploitation while in care. The Program is responsible for providing the degree of supervision indicated by a camper's age, developmental level, physical, emotional, and social needs.
- (pp) "Time-out" means a behavior management technique that involves the brief separation of a child from a group or setting where the child is experiencing some behavioral or emotional distress, not to exceed twenty (20) minutes, designed to de-escalate the emotionally charged condition of the child. During "time-out" a child's freedom of movement is not physically restricted.
- (qq) "Unsatisfactory criminal history background check determination" means a written determination that a person for whom a records check was performed has a criminal record.
- (rr) "Variance" means a decision by the Department to grant a modification to all or part of the literal requirements of a rule.
- (ss) "Waiver" means a decision by the Department not to apply all or part of a rule.
- (tt) 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. Sections 49-5-3, 49-5-8, 49-5-12, 15-11-2.

Rule 290-2-7-.04 Governing Body

- (1) An outdoor child-caring program shall have a clearly identified governing body as required by state law that is responsible for and has authority over the Program. The governing body shall be empowered and responsible for determining all policies and procedures and ensuring compliance with these rules and regulations. The chairperson or chief executive officer of the governing body shall complete a statement of responsibility on behalf of the governing body acknowledging the same in connection with any application for a license on a form provided by the Department. If the Program is individually owned, then the owner(s) will complete the statement of responsibility.
- (2) The Governing Body shall be responsible for:
 - (a) Employing a director;
 - (b) Developing and complying with written policies and operating procedures concerning organizational structure, personnel practices, admissions, care and services, appropriate behavior management and emergency safety interventions, and discharge of campers in accordance with these rules and regulations;
 - (c) Ensuring adequate financing;
 - (d) Ensuring compliance with minimum requirements;
 - (e) Periodically reviewing the program of care and services; and
 - (f) Approving an annual budget.
- (3) The Governing Body shall visit the Program's base campsite and mobile campsite(s) where campers reside at least twice a year to observe the operation of the Program and the activities of the campers. Documentation of these visits shall be made available to the Department for inspection upon request.
- (4) The Program shall operate in accordance with its written policies and procedures. Copies of policies and procedures shall be made available to Program staff.

Authority: O.C.G.A. Sections 49-5-8, 49-5-12.

Rule 290-2-7-.05 Criminal History Background Checks, Licenses and Exemptions

- (1) Criminal History Background Checks for Owners Required. Prior to approving any license for a new outdoor child-caring program and periodically as established by the Department by rule and regulation, the Department shall require an owner to submit a records check application so as to permit the Department to obtain criminal history background information on the owner.

 - (a) An owner may not be required to submit a records check application if it is determined that the owner does not do at least one of the following:

 1. Maintains an office on the premises where services are provided to campers;
 2. Resides on the premises where services are provided to campers;
 3. Has direct access to campers receiving care; or
 4. Provides direct personal supervision of personnel by being immediately available to provide assistance and direction during the time services are being provided to campers.
 - (b) In lieu of a records check application, an owner may submit evidence, satisfactory to the Department, that within the immediately preceding 12 months the owner has received a satisfactory criminal history background check determination.
- (2) An outdoor child-caring program license shall not be issued, and any license issued shall be revoked where it has been determined that the owner has a criminal record involving any of the covered crimes, as outlined in O.C.G.A. Section 49-2-14.1 et seq., and the Department's decision to deny or revoke a license has not been reversed in accordance with O.C.G.A. Section 49-2-14.1.
- (3) An owner with a valid outdoor child-caring program license who acquires a criminal record involving any of the covered crimes identified in O.C.G.A. Section 49-2-14.1 shall disclose the criminal record to the Department within three (3) business days.
- (4) If at any time the Department has reason to believe an owner holding a valid license has a criminal record involving any of the covered crimes identified in O.C.G.A. Section 49-2-14.1, the Department shall require the owner to submit a records check application immediately for determination of whether a revocation action is necessary. Prior to the revocation of the license becoming final, the owner is entitled to an administrative hearing unless the owner has not begun providing services under the license. Where services are not currently being provided under the license, the decision of the administrative hearing officer must precede the initiation of services.

- (5) Criminal History Background Checks for Director and Employees Required. Prior to serving as a director of a licensed Program, a person newly hired, rehired, or transferred to the director position shall submit a records check application and receive a satisfactory determination or be eligible to serve as a director as a result of an administrative hearing.
- (a) A person with an unsatisfactory criminal history background check determination may not serve as a director of a licensed outdoor child-caring program if it is determined that such person has a criminal record as identified in O.C.G.A. Section 49-5-60 and has not had an unsatisfactory determination reversed in accordance with O.C.G.A. Sections 49-5-60 et seq., and 49-5-73.
- (b) Prior to serving as an employee other than a director of a licensed outdoor child-caring program, a person must submit a preliminary record check application and receive a satisfactory determination. Provided however, should there be an unsatisfactory determination, the person must submit to a fingerprint record check and receive a satisfactory determination or be determined eligible to be employed by a Program as a result of an administrative hearing.
- (c) A person with an unsatisfactory background check determination may not serve as an employee of a licensed outdoor child-caring program if it is determined that such person has a criminal record as identified in O.C.G.A. Section 49-5-60 and has not had an unsatisfactory determination reversed in accordance with O.C.G.A. Sections 49-5-60 et seq., and 49-5-73.
- (d) In lieu of a records check application, a director or employee may submit evidence, satisfactory to the Department, that within the immediately preceding 12 months the above personnel have received a satisfactory records check determination or a satisfactory preliminary records check determination.
- (6) Licenses. No person, partnership, association, corporation or entity shall operate an outdoor child-caring program in the state without first obtaining a license to operate the Program by demonstrating compliance with the necessary requirements set forth in these rules. No outdoor child-caring program shall provide room, board and watchful oversight to more than 16 campers on its premises without approval by the Department's child welfare agency licensing unit in accordance with applicable policies and procedures.
- (a) Any Program with multiple separate living units located on the same premises that provides or proposes to provide room, board, and watchful oversight to a combined total of six or more campers shall be licensed.

- (b) Programs operated as a part of a local church ministry or religious nonprofit school or a nonprofit religious charitable organization may request to be commissioned in lieu of licensed. All provisions of these rules shall apply to Programs that request to be commissioned, and for the purposes of these rules, the term license shall have the same meaning as commission.
- (c) A license may be issued, upon presentation of evidence satisfactory to the Department, that the Program is in compliance with applicable statutes and these rules. The license is valid for the period of time specified by the Department, unless voluntarily surrendered by the holder, reduced to a restricted or temporary license or suspended or revoked by the Department.
- (7) Temporary License. The Department may in its discretion issue a temporary license if the health and safety of the campers to be served by the Program will not be endangered. A temporary license will be valid for a specified period not to exceed one (1) year and may be issued in the following instances:
- (a) If the Program complies with these rules but has not yet enrolled campers;
or
- (b) If the Program is not in full compliance with these rules but has demonstrated satisfactory evidence that it is making progress toward meeting these rules and has submitted an acceptable plan of correction;
or
- (c) If the Department finds that any outdoor child-caring program applicant does not meet rules and regulations prescribed by the Department but is attempting to meet such rules and regulations, the Department may, in its discretion, issue a temporary license or commission to such outdoor child-caring program, but such temporary license or commission shall not be issued for more than a one-year period.
1. Upon presentation of satisfactory evidence that such Program is making progress toward meeting prescribed rules and regulations of the Department, the Department may, in its discretion, reissue such temporary license or commission for one additional period not to exceed one year.
2. As an alternative to a temporary license or commission, the Department, in its discretion, may issue a restricted license or commission which states the restrictions on its face.
- (8) Restricted License. The Department may in its discretion issue a restricted license in lieu of a temporary or regular license. The restricted license may be granted either in connection with the initial application process for a license or as

a result of a subsequent determination made by the Department concerning compliance with these rules. The restriction shall appear on the face of the license and shall restrict a Program from providing care or services which are beyond the capability of the licensee to provide. The restriction may include but is not limited to the number and/or age of campers served by the Program.

- (9) License Qualifications. In order to obtain or retain a license, the following conditions shall be met:
- (a) The director of a Program and its employees must be qualified, as defined in these rules, to administer or work in a Program. The Department may presume that the director and employees are qualified, subject to satisfactory determinations on the criminal history background checks. However, the Department may require additional reasonable verification of the qualifications of the director and employees either at the time of application for a license or at any time during the license period. The Program shall electronically notify the Department's child welfare agency licensing unit on forms provided by the Department within three (3) business days when there is a change in the director, human services professional or in the corporate structure, organization, or administration of the Program.
- (10) License is Nontransferable. A license to operate a Program is not transferable in any way. Each license shall be returned to the Department immediately upon the suspension, revocation, restriction of the license or termination of the operation.
- (11) Renewal of License. A license will be renewed upon a determination by the Department that the Program presents satisfactory evidence of meeting the requirements set forth in these rules.
- (12) Exemptions. Any person, agency, facility, or other entity providing or planning to provide full-time care to six or more campers through the age of 18 outside their homes and meet all other criteria of an outdoor child-caring program shall obtain either an outdoor child-caring program license or an exemption from licensure. Any person or entity believed to be exempt from licensure shall apply to the Department for exemption. Any person, agency, facility, or other entity that is not exempt from licensure shall be subject to applicable rules and regulations. An exemption granted by the Department is an exemption from licensure, and does not affect the authority of local, regional or state health department officials, the state fire marshal or local fire prevention officials to inspect Programs. These rules shall not apply to the following persons, agencies, facilities, or other entities providing care to children:
- (a) Child welfare agencies and other facilities and institutions wherein children and youth are detained which are operated by any Department or agency of state, county, or municipal government.

- (b) Facilities exempt from licensure by the Department pursuant to rules and regulations for child-caring institutions, Chapter 290-2-5.
- (c) Any agency, facility, or other entity owned and operated by any Department or agency of federal, state, county, or municipal government. For purposes of this rule, any agency, facility, or other entity is not exempt from licensure as an outdoor child-caring program if any agency, facility, or other entity is leased, rather than owned, by federal, state, county, or municipal government. In addition, any agency, facility, or other entity is not exempt from licensure if the government entity assumes or exercises no authority nor control over daily program services, functions or operations.
- (d) Temporary recreational facilities and programs which limit residency to no more than three months, such as summer camps.

Authority: O.C.G.A. Sections 49-5-8, 49-5-12, 49-2-14.1, 49-5-60 et seq.

Rule 290-2-7-.06 Applications

- (1) All applicants seeking a license must attend training conducted by the Department's child welfare agency licensing unit prior to submitting an application for an initial license.
- (2) An application for a license to operate an outdoor child-caring program shall be submitted to the Department on forms provided by the Department.

 - (a) Time for Filing. An application for a license shall be submitted at least ninety (90) days prior to the proposed opening date of the new Program.
 - (b) Records Check and Preliminary Records Check Applications. Accompanying any application for a new license for a Program, the applicant shall furnish to the Department a records check application for the owner and director and a preliminary records check application for each employee, if applicable as defined in these rules.
 - (c) Separate Licenses or Commissions. A separate license or commission application is required for each geographical location which a Program is proposed to operate even when all of the proposed Programs are owned by the same person or entity.
 - (d) Amended License. If there is to be a change in the name of the Program, change in ownership, changes in the ages of children to be served, or additions or changes in the uses of the buildings that will affect the Program's licensed capacity, an application for an amended license shall be submitted at least thirty (30) days prior to the changes or additions, except in cases of emergencies. In such cases of emergencies, which make it impossible to submit an application within thirty (30) days, the governing body or director shall notify the Department electronically and shall submit an application for the amended license as soon as the governing body or the director becomes aware of the change or addition.
 - (e) Notice of Denial. If the Department determines that an applicant does not comply with these rules and determines that the issuance of a temporary or restricted license is not appropriate, the Department will provide a written notice of the denial of licensure and the opportunity for a hearing to the applicant.
 - (f) False or Misleading Information. The application for a license, including the application for a criminal history background check, must be truthfully and fully completed. In the event that the Department has reason to believe that any required application has not been completed truthfully, the Department may require additional verification of the facts alleged. The Department may refuse to issue a license where false statements have

been made in connection with the application or any other documents required by the Department.

(g) The Department may deny a license or otherwise restrict a license for any applicant who has had a license denied, revoked, or suspended within one year of the date of the application or who has transferred ownership or governing authority of an agency, facility, program, or entity subject to regulations by the Department within one year of the date of a new application when such transfer was made in order to avert denial, revocation, or suspension of a license.

(h) A Program shall not begin operation without approval by the Department.

Authority: O.C.G.A. Sections 49-5-8, 49-5-12, 49-5-60.

Rule 290-2-7-.07 Inspections and Investigations

The Department is authorized and empowered to conduct investigations and on-site inspections of any outdoor child-caring program required by these rules to be licensed. A prospective or current licensee and staff shall cooperate with any inspection or investigation by responding truthfully to any departmental inquiry.

- (a) Initial Inspection. Following receipt and review of a complete application package, the Department may conduct an on-site inspection of the Program to assess compliance with these rules.
- (b) Consent to Access. An application for a license or commission to operate a Program, or the issuance of a license by the Department, constitutes consent by an applicant, a prospective licensee, and an owner of the Program's premises for the Department's representative to enter the premises at any time after confirming his/her identity to any Program employee or director, for the purpose of inspecting the Program. This includes both scheduled and unscheduled inspections and access to all staff, all areas of the premises, all campers present, and all records required by these rules.
- (c) Other Inspections. The Department may conduct scheduled and unscheduled on-site inspections of the Program in the following instances:
 - 1. Annually or at other regular intervals as the Department may determine or at the expiration of the current license; or
 - 2. Upon receiving a report, including a report submitted by the Program, alleging child abuse, neglect, or sexual exploitation as defined in O.C.G.A. Section 15-11-2 which occurred while a camper was in the care of the Program, director or employees; or
 - 3. Upon receiving information of alleged violations of these rules, including information provided by the Program, which, if true, could endanger the health, safety or welfare of the campers in care; or
 - 4. Upon receipt and review of a request for an amended license, where the Department determines that an inspection is advisable; or
 - 5. Upon the Department or its duly authorized representative being made aware of any flagrant abuses, derelictions or deficiencies during the course of the Department's inspection or at any other time; the Department shall immediately investigate such matters and may conduct an inspection so as to take such actions as conditions may require; or

6. Subsequent to the receipt of a plan of correction, as determined necessary by the Department, to monitor whether the plan of correction is being complied with by the Program's personnel.
- (d) Failure to Allow Access. The Program shall submit on a timely basis any records, reports and other information as may be required by the Department. The failure of the Program to allow timely access of the Department's representative to the Program, including its staff campers receiving care at the Program, books, records, papers or other information related to initial or continued licensing; or the failure of the Program to cooperate with a departmental inspection or investigation, shall constitute good cause for the denial, restriction, revocation or suspension of a license, or other penalty as provided by law.
- (e) False or Misleading Statements. No licensee, director, employee, or contractor of a licensee shall knowingly make any verbal or written false or misleading statements to the Department or on documents submitted to the Department or maintained by the Program in connection with any authorized investigation or inspection being conducted by the Department.

Authority: O.C.G.A. Sections 49-5-8, 49-5-12.

Rule 290-2-7-.08 Administration and Organization

- (1) Program Purpose. In accordance with these rules and regulations, an outdoor child-caring program shall develop, implement and comply with written policies and procedures that specify its philosophy, purpose, and program orientation. Such policies and procedures shall identify the characteristics and ages of the campers it serves, including the referral sources.
- (2) Program Description and Implementation. In accordance with these rules and regulations, the Program shall develop, implement and comply with written policies and procedures that describe the range of services including room, board and watchful oversight and the manner in which such services will be provided by the Program. Such policies and procedures shall describe how identified services will be provided, the specific emergency safety intervention plan, including the emergency safety interventions that will be used, and how such services will be assessed and evaluated. Such policies and procedures shall describe how reasonable and prudent parenting standards will be administered. A description of the Program must identify the services to be provided directly by the Program and describe how the Program will coordinate its services with those provided by any Medicaid Rehabilitation Option Provider or other available community or contract resources.
- (3) Director. The governing body of the Program shall designate a director who shall be authorized to manage the Program.
 - (a) Any director employed by the Program shall possess at least one of the following qualifications:
 1. A master's degree from an accredited college or university in the area of social sciences, social work, childhood education, or business or public administration or a related field plus three years of administrative or supervisory experience in a human services delivery field specializing in mental health or outdoor behavioral healthcare with at least one year of experience in an outdoor youth program;
 2. A bachelor's degree from an accredited college or university in the area of social sciences, social work, childhood education, or business or public administration or a related field plus two years of administrative or supervisory experience and five years of experience in a human services delivery field specializing in mental health or outdoor behavioral healthcare, with at least one year of experience in an outdoor youth program;

3. A licensed registered nurse, nurse practitioner, physician, or physician assistant, where an outdoor child-caring program serves primarily children with special medical needs.

(b) Any director employed by the Program must meet the following additional minimum qualifications.

1. Never having been shown by credible evidence (e.g. a court or jury, a Department investigation, or other reliable evidence) to have abused, neglected, or sexually exploited a child as those terms are defined in O.C.G.A. § 15-11-2 or to have abused, neglected, or sexually exploited an adult or to have subjected any person to serious injury as a result of intentional or grossly negligent misconduct, as evidenced by an oral or written statement to this effect obtained at the time of application and having made efforts to obtain and evaluate references from previous employers;

2. Participate in the orientation and training required by these rules; and

3. Not having made any material false statements concerning qualifications requirements either to the Department or the prospective licensee.

(c) When the director is absent from the Program at any time, there shall be an officially designated person to assume responsibility for the operation of the Program. Employees on duty shall be made aware of the designated person.

(4) Finances. The Program shall have sufficient funds available to pay operating costs, including compensation, for an adequate number of administrative and service staff through the current year of operation and shall provide for the preparation of an annual approved budget. Copies of the current year's budget and expenditure records shall be maintained for examination and review by the Department.

The Program shall maintain complete financial records. The financial records shall be audited annually by an independent certified public accountant. A copy of the accountant's statement of income and disbursements and the opinion letter from the audit report shall be submitted annually to the Department.

(a) The director and all persons authorized to receive or disburse operating funds shall be bonded or insured.

(b) A schedule of fees shall be established and implemented and made available to a parent, guardian, or placement agency of a camper

considered for admission to the Program. The schedule shall detail the basic cost of services and any additional costs for other services.

(5) Recordkeeping. Records shall be confidential and protected from unauthorized use, fire, damage or theft. Programs that plan to utilize electronic records for any electronic files that are subject to regulatory review shall submit written policies and procedures for review and approval by the Department. If approved by the Department, electronic records should be reasonably secure with a data recovery system to prevent data loss and maintain data integrity and accessibility.

(a) Case Records. The Program shall maintain written or electronic records at the Program for each camper. The case record for each camper shall include the following:

1. Identifying information, including name, sex, birth date, and age;
2. Date of admission and source of referral, including all documents related to the referral and admission of a camper to the Program;
3. Name and contact information of the camper's parent, guardian, or placement agency;
4. Name and contact information of placement agency and agency's representative, if applicable;
5. Documentation of current custody, if not placed by biological or adoptive parents, and any court documents related to placement, if applicable;
6. A copy of the camper's birth certificate, or an appropriate record of birth;
7. Service plans, treatment plans and any progress notes and collateral communications with Medicaid Rehabilitation Option and/or other service providers;
8. Records of behavior management, emergency safety interventions, and written grievances, as described in Rule .14 and Rule .15;
9. Documentation of health history, as required at admission;
10. Medical records, including documentation of visits to physicians and dentists, records of prescriptions and administration of medicines, immunization records, and orders for modified diets;
11. Educational and vocational information such as report cards, progress reports, and related materials received while a camper is in the Program; and
12. Discharge plans required by Rule .11, if applicable.

- (b) Retention of Case Records. A camper's case record shall be retained by the Program for at least one year following discharge of the camper from the Program.
- (c) Confidentiality of Case Records.
1. The Program shall establish and implement written policies and procedures for the maintenance and security of each camper's case record, specifying who shall supervise the maintenance of records, who shall have custody of records, and to whom records may be released and for what purposes.
 2. The Program shall maintain the confidentiality of each camper's case record. Employees of the Program shall not disclose or knowingly permit the disclosure of any information in a case record except to appropriate child care workers, a parent, guardian, or their respective legal counsel, a court of competent jurisdiction, licensing staff, other authorized public officials in the performance of their mandated duties, or a camper's placement agency.
- (d) Personnel Records. The Program shall maintain written or electronic records at the Program for each employee and the director. Personnel records shall include the following:
1. Identifying information, such as name, address, telephone number, and emergency contact person(s);
 2. A 10-year employment history, or a complete employment history if the person has not worked 10 years;
 3. Records of educational qualifications;
 4. Documentation of at least two professional, educational, or personal references completed prior to employment that attest to the person's capabilities of performing the duties for which they are employed and to the person's suitability of working with or around children;
 5. Satisfactory preliminary criminal history background check determination and a satisfactory fingerprint records check determination as required by law for the director, and a satisfactory determination on a preliminary records check and fingerprint records check for employees as required by law;
 6. Documentation of a health screening examination completed by a licensed physician or other licensed healthcare professional sufficient in scope to identify conditions that may place campers at risk of infection, injury or improper care; and a statement of the

person's suitability to perform their job duties; such examination shall be completed within thirty (30) days of hiring or within one (1) year prior to hire date;

7. Date of employment;

8. The person's job description or statements of the person's duties and responsibilities;

9. Documentation of orientation and training, including dates of all such training, as required by Rule .08(6)(f) of these rules; and

10. Documentation of the individual's performance, including annual work performance evaluations, and any records of discipline and grievance reports described in Rule .15 related to campers in care and the employee or director.

(6) Staffing. The Program shall have the qualified and trained employees necessary to provide the services it is authorized to provide. All employees and volunteers shall be supervised to ensure that assigned duties are performed adequately in accordance with these rules and regulations.

(a) All employees must meet the following minimum qualifications:

1. Never having been shown by credible evidence (e.g. a court or jury, a Department investigation, or other reliable evidence) to have abused, neglected, or sexually exploited a child as those terms are defined in O.C.G.A. Section 15-11-2, or to have abused, neglected, or sexually exploited an adult or to have subjected any person to serious injury as a result of intentional or grossly negligent misconduct, as evidenced by an oral or written statement to this effect obtained at the time of application and having made efforts to obtain and evaluate references from previous employers;

2. Participate in the orientation and training required by these rules; and

3. Not having made any material false statements concerning qualifications requirements, either to the Department or the prospective licensee.

(b) Human Services Professionals. The Program shall have designated human services professionals to provide oversight of services to campers and their families in the camp setting. There shall be one human services professional employed for every 16 campers in care or fraction thereof. The Program's director, if qualified by education, may also perform the duties of a human services professional. A human services professional shall possess one of the following:

1. A bachelor's degree from an accredited college or university in social work, psychology, childhood education, education counseling and psychology, or a related field and have two years experience in a human services delivery field as it relates to child welfare and/or training in working with children in an outdoor child-caring program environment; or
 2. A master's degree from an accredited college or university in one of the above disciplines and a minimum of six (6) months of experience and/or training in working with children in an outdoor child-caring program environment.
- (c) Child Care Workers. The Program shall have designated child care workers to supervise campers and be responsible for the camp where the campers reside. A child care worker shall be at least 21 years of age and possess a high school diploma or general education diploma (GED).
1. Any volunteer used to supplement the work of child care workers shall meet the same requirements as a paid child care worker.
 2. Teachers who supervise campers' activities may be included in the provision of watchful oversight during the time they are responsible for campers.
 3. Child care workers or supervisory staff shall be available at all times so that no camper will be without appropriate supervision.
 4. Child care workers shall not be assigned tasks which conflict or interfere with their child care responsibilities.
- (d) The Program shall arrange for the provision of professional services (e.g., physician, dentist, psychiatrist, psychologist, teacher, nurse, recreational therapist and other specialist) according to the requirements of the Medicaid Rehabilitation Option Network.
- (e) Supervisory staff shall be accessible to campers and to child care workers 24 hours per day. All employees and volunteers shall be supervised to ensure that assigned duties are performed adequately and to protect the health, safety and well-being of the campers in care.
- (f) Staff Training. Staff who work with campers, including the director, shall participate in Program orientation prior to working with campers and periodically thereafter receive additional training in accordance with these rules.
1. Orientation for all staff, including the director, shall include instruction in:

- (i) The Program's purpose and description of services and its policies and procedures;
- (ii) An employee's assigned duties and responsibilities;
- (iii) Grievance policies and procedures;
- (iv) Child abuse policies and procedures;
- (v) Reporting requirements for suspected cases of child abuse and sexual exploitation and notifiable diseases and serious injuries;
- (vi) The Program's policies and procedures for handling medical emergencies, and managing use of medications by campers in care; and
- (vii) The Program's policies and procedures regarding appropriate behavior management and emergency safety interventions.

2. Additional training for all staff, including the director, shall include:

- (i) Evidence of current certification in first aid and in cardiopulmonary resuscitation (CPR) that includes an in-person skill session; such certifications shall be obtained from a certified or licensed health care professional; the initial certifications shall occur within the first 60 days of employment, if the employee is not currently certified;
- (ii) Forty (40) clock hours of formal, annual training or instruction in child care service needs in a primitive environment, related to the employee's job assignment and to the types of services provided by the Program; such training shall not include first aid, cardiopulmonary resuscitation (CPR), nor emergency safety intervention (ESI) training; and
- (iii) All child care workers shall receive training by certified staff in water safety and lifesaving techniques.

3. Additional training for specific staff shall include:

- (i) Evidence of current certification in Wilderness First Responder (WFR) that includes an in-person skill session for at least one employee at each mobile campsite and during high-risk activities; such certification shall be obtained from a professional certified in Wilderness First Responder (WFR); and

- (ii) The participation of any camper in a high-risk activity including, but not limited to, rock climbing, canoeing, and caving, shall be supervised by a specialist trained in the activity.
- (g) All child care workers shall have at least one full day (24 hours) off within any 8-day period and shall have at least two consecutive days off each month.
- (7) Reporting. Detailed written summary reports shall be made to the Department's child welfare agency licensing unit electronically within 24 hours of a serious occurrence involving campers in care. Reportable incidents include, but are not limited to:
 - (a) Accidents or injuries requiring medical treatment and/or hospitalization;
 - (b) Death;
 - (c) Suicide attempts;
 - (d) Relocation of base, mobile, or both campsites due to disaster or emergency situations such as fires or severe weather;
 - (e) Emergency safety interventions resulting in any injury;
 - (f) Any incident which results in federal, state or private legal action by or against the Program that relates to a camper in care and the conduct of the Program; however, legal action involving the juvenile justice system is not required to be reported; and
 - (g) Any illness of campers or illness of Program staff having personal contact with campers in care known to have resulted from an identified pandemic or infectious disease outbreak.
- (8) Child Abuse Reports. Whenever the Program has reason to believe that a camper in care has been subjected to child abuse, the Program shall cause a report of such abuse to be made to the Department of Human Services (Division of Family and Children Services, Child Protective Services), or in the absence of such, to an appropriate police authority or district attorney in accordance with the requirements of O.C.G.A. Sec. 19-7-5. A copy of such report shall also be filed with the Department's child welfare agency licensing unit.

Authority: O.C.G.A. Sections 19-7-5, 49-5-8, 49-5-12.

Rule 290-2-7-.09 Referral and Admission

- (1) Referrals. An outdoor child-caring program shall only accept referrals for campers whose known needs can be met by the Program in accordance with its program purpose, program description, and admissions policies.
- (a) A referral agreement between a Program and a parent, guardian, or placement agency to place a camper in the Program shall be in writing and include the following provisions and requirements:
1. Preplacement assessment and planning regarding the camper's needs and the Program's ability to meet those needs. All relevant information required for admission to the Program shall be reviewed with the camper's parent, guardian, or placement agency during preplacement assessment and planning. If such information is not reviewed with the parent, guardian, or placement agency; the reason for not doing so shall be documented in the camper's case record.
 2. At least one in-person preplacement visit by the camper, and the parent, guardian, or placement agency if there is a reasonable likelihood that the camper will be admitted to the Program. When an in-person preplacement visit is not possible, the reason shall be documented in the camper's case record, and a live virtual preplacement visit shall be completed. The preplacement visit shall include, at a minimum, a tour of the living unit, the base campsite, and the mobile campsite. Documentation of the preplacement visit shall be signed by the parent, guardian, or placement agency and maintained in the camper's case record.
- (b) A referral from any public or private placement agency shall be handled in the same manner as described in .09(1)(a) for a referral from a parent or guardian.
- (2) Admissions. The Program shall only admit campers whose known needs can be met by the Program based on the parameters of the Program's license, preplacement assessment and planning, and on room, board and watchful oversight requirements.
- (a) The Program shall not accept a camper for care until a psychological or psychiatric evaluation and an intake evaluation has been completed and until a recommendation has been made by the human services professional, with approval of the director, that the placement meets the needs and best interests of the camper based on an analysis of the camper's psychological or psychiatric evaluation and intake evaluation.
- (b) The Program shall not accept more campers for admission to the Program than are specified on its license.

- (c) A camper who is not between ten (10) through eighteen (18) years of age or does not meet the age requirement for admission as specified on the Program's license shall not be admitted to the Program.
- (d) Prior to admission, the Program shall:
1. Provide information to the parent, guardian or placement agency about the services, environment, age ranges and behavioral characteristics of other campers in placement.
 2. Maintain signed documentation from the parent, guardian or placement agency that they have received and considered the information provided in Rule .09(1)(a) and have determined that the placement environment is appropriate and does not represent an undue risk to the health and safety of the camper being placed.
 3. Comply with the Interstate Compact on Placement when admitting campers from another state.
 4. Provide a written description of the Program to the camper, the parent or guardian, or placement agency that includes:
 - (i) The program purpose and program description;
 - (ii) The description of service planning and normal daily routines of campers;
 - (iii) The description of health services including how the Program camp handles illnesses, injuries, and medical emergencies;
 - (iv) Policies and procedures for behavior management and grievances;
 - (v) Policies and procedures for visiting hours and the camper's communications with persons outside the Program;
 - (vi) Policies and procedures regarding visits, gifts, mail, and telephone calls between the camper and his or her family or placement agency;
 - (vii) Policies and procedures which outline the schedule of fees for placement and define the conditions under which fees are refundable or non-refundable; and
 - (viii) The names and phone numbers of the camper's designated human services professional and primary child care worker.
- (d) Establish and implement written admission policies and procedures which include the following provisions or requirements.
1. An intake referral evaluation that includes:

- (i) An intake referral summary that documents the placement and room, board and watchful oversight needs (e.g., services, supports, setting) of each camper and whether the placement is appropriate. The referral form shall at a minimum include a description of the camper's family relationships; circumstances that make the placement necessary; the camper's parent, guardian, or placement agency's expectation of placement; the camper's understanding of placement; history of previous placements; the camper's legal status; and the camper's developmental, behavioral, health, dental, and education history;
 - (ii) An evaluation completed within the previous 12 months by a licensed psychiatrist or psychologist authorized as a Medicaid Rehabilitation Option Provider, Community Resources provider, or other privately licensed psychiatrist or psychologist;
 - (iii) The camper's school records from the last school attended in order to complete the education needs component of the intake referral summary;
 - (iv) The camper's medical examination in accordance with Rule .12(6)(a)1 to complete the medical component of the intake referral summary; and
 - (v) The camper's dental examination in accordance with Rule .12(6)(a)2 to complete the dental component of the intake referral summary.
2. A completed written placement agreement developed with the involvement of the camper's parent, guardian, or placement agency and human services professional. The agreement shall be signed by all parties and include the following:
- (i) Written authorization to care for the camper;
 - (ii) Written authorization to obtain medical care for the camper; and
 - (iii) Written summary regarding basic care; any specialized services to be provided; room, board and watchful oversight; the description of the Program as outlined in Rule .09(2)(b); and involvement of the camper's parent, guardian, or placement agency in service planning.

Authority: O.C.G.A. Sections 49-5-8, 49-5-12.

Rule 290-2-7-.10 Assessment and Planning

An outdoor child-caring program shall complete a full written assessment of each camper admitted for care and of each camper's family within fifteen (15) days of admission and shall develop an individual written service plan for each camper based on the assessments within fifteen (15) days of admission.

- (a) The Program's written assessment shall be coordinated by the camper's designated human services professional. The Program shall assess the needs of the camper in the areas of health care, room, board and watchful oversight, education, family relationships, personal, social and vocational development, and any behavioral issues that require monitoring. This assessment is intended to expand upon the intake referral evaluation required by Rule .09(3)(d)1.
- (b) A service and room, board and watchful oversight plan shall be developed by the camper's human services professional in concert with the camper's primary child care worker who has responsibility for supervision of the camper in the living unit where the camper resides. The plan shall contain the following information:
1. The results of the assessment and identified needs;
 2. Statements of time-limited goals and objectives for the camper and family and methods of achieving and evaluating them;
 3. Statements of activities to be followed by the camper and employees in pursuit of the stated goals and objectives;
 4. Statements of prescribed medical treatment and recommendations for ongoing care for any identified condition or problem resulting from a comprehensive physical examination of the camper;
 5. Statements of any special care, needs, and services that will be arranged for or provided directly;
 6. Statements of the camper's educational or vocational goals and progress, including any special education needs;
 7. Statements of goals and preliminary plans for discharge;
 8. Statements related to the types of discipline that should be employed when necessary; and
 9. Statements of any visitation plans of the camper with the biological family, including siblings and fictive kin; any restrictions of communication or visitation with any persons shall clearly show that the health, safety, and welfare of the camper would be adversely affected by such communications or visits.

- (c) The camper, and the camper's parent, guardian, or placement agency shall be involved in the development of the service and room, board and watchful oversight plan, and its periodic updates as described in Rule .10(d).
- (d) The service and room, board and watchful oversight plan shall be updated by the human services professional at a minimum of every three months, and pertinent progress notes and data shall be incorporated in the plan to measure attainment of previously stated goals and objectives.
1. The updated plan shall be based on the results of a staffing conference held for the purpose of reviewing and assessing progress toward meeting the goals of the service and room, board and watchful oversight plan.
 2. The camper and the camper's primary child care worker shall participate in the conference and in the updating of the service and room, board and watchful oversight plan.
 3. The Program shall be responsible for implementing the service and room, board and watchful oversight plan.

Authority: O.C.G.A. Sections 49-5-8, 49-5-12.

Rule 290-2-7-.11 Discharge and Aftercare

- (1) During a camper's placement in an outdoor child-caring program, the preliminary plans for discharge required by Rule .10(b)7 shall be adjusted according to the camper's circumstances. At least one month prior to a planned discharge, except in the case of an emergency discharge, the Program shall formulate an aftercare plan that identifies the support, room, board and watchful oversight summary and resources that the camper and the camper's family are expected to need following discharge. When a camper is being discharged for placement into another Program or child-caring institution, the receiving Program or child-caring institution, except in the case of an emergency discharge, shall be given notice of the proposed date of placement.
- (2) The emergency discharge of a camper is authorized when the health, safety and room, board and watchful oversight needs of the camper or other campers in the Program might be endangered by the camper's continued placement in the Program. At least 72 hours of prior notice of discharge shall be provided to the camper's parent, guardian, or placement agency. If such notice is not possible, the reason for the inability to provide the required notice shall be documented in the camper's case record.
- (3) The Program shall not discharge a camper to any person or entity other than the camper's parent, guardian, or placement agency or as ordered by a court of competent jurisdiction.
- (4) The Program shall compile a complete written discharge summary within thirty days of the date the camper is discharged from the Program. Such summary shall include:

 - (a) The name, address, phone number and relationship of the person or entity to whom the camper was discharged, or the name of the placement agency if discharged to a placement agency;
 - (b) A summary of all the services and room, board and watchful oversight activities provided for the camper to meet assessed needs while the camper was in the Program;
 - (c) A summary of the camper's and the family's goals and objectives and accomplishments during care;
 - (d) A summary of any problems encountered by the camper and the family during care; and
 - (e) A summary of assessed needs which were not met during care, and a summary of the reasons why they were not met.
- (5) The Program shall provide a copy of the completed discharge summary to the camper's parent, guardian, or placement agency.

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

Rule 290-2-7-.12 Child Care Services

- (1) An outdoor child-caring program shall have awake staff coverage at all times.
- (2) The Program shall have sufficient numbers of qualified and trained staff to provide for the room, board and watchful oversight of campers in accordance with Rule .08(6). Staff and volunteers shall adequately provide for the needs, protection, well-being and supervision of campers.
- (3) Supervisory staff shall be accessible to campers and to child care staff 24 hours per day. All staff and volunteers shall be supervised.
- (4) Casework Services. All campers in care and families of campers in care shall receive case work services from their assigned human services professional and other qualified internal or external professionals, as provided in the camper's individual service plan. The human services professional and other qualified professionals, as may be required by a camper's plan, shall meet with and counsel the camper. The results of such counseling shall be recorded in the camper's case records. The purpose of such services is to identify and monitor the camper's and their family's progress relative to the needs, goals and objectives identified in the camper's care assessments and service plans and to discuss any problems being encountered by or with the camper in care.
- (5) Educational and Vocational Services. The Program shall not admit a camper unless an educational program commensurate with the specific educational and vocational needs of the camper can be provided.

 - (a) Provisions shall be made for mandatory education of all campers in care in accordance with O.C.G.A. Section 20-2-690.1, or its successor statute. For the purpose of these rules, an on-campus school is defined as a private school, and must comply with O.C.G.A. Section 20-2-690, or its successor statute.
 - (b) A camper's assigned human services professional shall monitor the camper's educational or vocational progress. Progress reports, such as report cards, and other records or documentation of a camper's educational or vocational performance while in the Program shall be maintained in the camper's case record.
 - (c) A camper who wishes to participate in extracurricular school activities shall be provided such reasonable opportunities by the Program in accordance with the camper's individual service plan.
 - (d) The daily activities of a camper as stated in the camper's individual service plan shall provide for study time during the period the camper is attending school.

- (6) Health Services. The Program shall provide for a comprehensive program of preventive, routine, and emergency medical and dental care for all campers. Arrangements shall be made with at least one physician and one dentist or a health care agency to provide ongoing medical and dental care for campers.
- (a) Within thirty days of admission, the human services professional shall ensure an assessment of the camper's medical and dental health has been completed.
1. A comprehensive physical examination of a camper shall be completed within 30 days prior to admission.
- (i) Such examination shall be completed by a medical doctor, physician assistant, nurse practitioner or public health department and shall include immunization status, vision and hearing screening results, and the results of basic diagnostic laboratory testing when recommended by a physician.
- (ii) Such examination shall be sufficient in scope to identify any health conditions or concerns of a camper that are incompatible with the rigors of the Program environment. The examination record shall include an explanation of any health conditions or concerns and the prescribed medical treatment or care, and a statement as to whether the camper's overall health is compatible with the Program environment. The prescribed medical treatment and any recommendations for the ongoing care of a camper for any identified conditions or concerns shall be included in the camper's individual service plan.
- (iii) Required Immunization. All campers shall have current immunizations as outlined in Rules and Regulations of the Department of Public Health, Immunization of School Children, Chapter 511-2-2, or its successor rules.
2. A general dental examination of a camper completed within 6-months prior to admission shall be provided. Such examinations shall be completed by either a dentist or a licensed dental hygienist.
- (b) The Program shall ensure that campers continue to receive timely, qualified medical, dental, and follow-up care as recommended by a licensed medical professional when they are ill or injured or when there is a reasonable likelihood that qualified medical and dental care is needed. The Program shall take appropriate safety precautions to ensure that underlying medical conditions are not exacerbated or infections are not transmitted to others when indicated by the medical condition of a camper.

Campers shall receive annual medical check-ups at least every 12 months and semiannual dental check-ups at least every 6 months.

(c) The Program shall ensure that campers receive timely, qualified medical care in case of a medical emergency. Policies shall be in place for the emergency medical care of campers with a local hospital or other health care facility that provides emergency services or with a local physician.

(d) Medications. The Program shall develop and implement policies and procedures for the use and management of all types of medications. All child care workers shall receive orientation on the policies and procedures. Such policies and procedures shall include the following:

1. Non-Prescription Medications. No camper shall be given a non-prescription medication by staff members of the Program unless the camper exhibits symptoms that the medication is designed to relieve.

2. Prescription Medications. No camper shall be given a prescription medication unless the medication is prescribed for the camper by an authorized health care professional.

(i) Prescription medications shall only be given to a camper as ordered in the camper's prescription. The Program shall not permit such medications prescribed for one camper to be given to any other camper.

(ii) A camper's attending physician shall be notified in cases of dosage errors, drug reactions, or if the medication prescribed for the camper does not appear to be effective.

3. Psychotropic Medications. No camper shall be given psychotropic medications unless use is in accordance with the goals and objectives of the camper's individual service plan as recommended by an external physician and/or Medicaid Rehabilitation Option Provider.

(i) Psychotropic medications must be prescribed by an external physician or MRO provider who has responsibility for the diagnosis and treatment of a camper's condition that requires such medication. A camper's continued use of psychotropic medications shall be reviewed by the external prescribing physician and/or MRO provider every sixty days.

(ii) Psychotropic medication shall only be given to a camper as ordered in the camper's prescription. The Program shall not

permit such medications prescribed for one camper to be given to another camper.

(iii) The external prescribing physician and/or MRO provider shall be notified in cases of dosage errors, drug reactions, or if the psychotropic medication does not appear to be effective.

4. The Program shall designate and authorize classes of staff, such as child care workers, to hand out medications and supervise the taking of medications. Only designated and authorized trained staff shall hand out and supervise the taking of medication.

5. The Program shall maintain a record of all medications administered by staff to include: name of camper taking medication; name of prescribing physician and date of prescription (if prescribed); required dosage; date and time medication was taken, refused, or missed; dosage taken; and signature of staff member administering the medication.

6. All prescription and non-prescription medications shall be kept in a locked storage cabinet or locked container which is not accessible to campers and shall be stored separately from cleaning chemicals and supplies or poisons. The keys to the locked cabinets or containers shall not be accessible to campers.

7. All expired medications shall be discarded and not handed out for use.

(7) Recreation and Leisure. The Program shall provide for indoor and outdoor recreational and leisure activities. When providing these activities, the Program shall utilize the community's cultural, social, and recreational resources whenever possible and appropriate. The activities as stated in a camper's individual service plan shall provide for leisure and recreational time. The Program shall procure and maintain a variety of recreational and leisure equipment and supplies such as games, sporting equipment, reading materials, and art supplies.

(8) Other Services.

(a) The Program shall ensure that all campers have adequate, properly fitting, seasonable clothing, footwear, and equipment as required for health, comfort, physical well-being, and environment and weather conditions. Clothing shall be appropriate to age, gender, and individual needs. Such essential equipment shall include sunscreen, insect repellent, a backpack, waterproof footwear, and a sleeping bag.

1. The Program shall provide campers with clean clothing daily and launder clothing weekly.

2. The Program shall provide means for campers to bathe or otherwise clean their bodies a minimum of one time per day.
- (b) Campers shall be provided training in habits of personal care, hygiene, and grooming. The daily routines of campers shall provide for appropriate personal care, hygiene, and grooming commensurate with age, gender, and cultural heritage. The Program shall provide campers with all necessary toiletry items and supplies, such as soap, feminine hygiene supplies, shampoo, hairbrushes, toothbrushes and toothpaste, deodorant, and bath towels.
- (c) The Program shall conduct an individual assessment of each camper's recommended backpack weight. The weight of a backpack to be carried by each camper shall not exceed twenty percent of a camper's body weight. If a camper is required to carry other items, the total of all weight carried shall not exceed thirty percent of a camper's body weight.
- (d) Each anticipated and completed expedition plan including map routes, schedules, and times shall be carried by the field staff and recorded at the base campsite.
- (e) Campers shall not be held solely responsible for performing work duties such as food preparation, laundering, housekeeping, or camp maintenance. Campers shall not be considered substitutes for employed staff.
- (f) Money earned by a camper or received as a gift or allowance shall be the camper's personal property. A camper's money may be deposited with the Program office but shall be accounted for and kept separately from the Program's funds.
- (g) Campers shall not be required to use earned money to pay for room and board unless it is part of a camper's individual service plan and is approved by the camper's parent, guardian, or placement agency and the director of the Program.
- (h) Campers shall not be used for the purpose of soliciting funds for the Program, nor shall campers be used in connection with any advertisement or publicity without the consent of the camper and the camper's parent, guardian, or placement agency.
- (i) Campers shall be permitted to participate in religious and cultural activities in accordance with their cultural and ethnic heritage.
- (j) No camper shall be responsible for the care of another camper.

Authority: O.C.G.A. Sections 20-2-690 et seq., 49-5-8, 49-5-12.

Rule 290-2-7-.13 Behavior Management and Emergency Safety Interventions

(1) Behavior Management.

- (a) An outdoor child-caring program shall develop and implement policies and procedures on behavior management. Such policies and procedures shall set forth the anticipated behavioral problems of the campers and acceptable methods of managing such problems.**
- (b) Such behavior management policies and procedures shall incorporate the following minimum requirements:**
 - 1. Behavior management principles and techniques shall be used in accordance with the individual service plan and written policies and procedures governing service expectations, service plan goals, safety, security, and these rules.**
 - 2. Behavior management shall be limited to the least restrictive appropriate method, as described in a camper's individual service plan, pursuant to Rule .10(b)8 and in accordance with the prohibitions as specified in these rules.**
- (c) The following forms of behavior management shall not be used:**
 - 1. Assignment of excessive or unreasonable activities or work tasks;**
 - 2. Denial of meals and hydration;**
 - 3. Denial of sleep;**
 - 4. Denial of shelter, clothing, footwear, essential personal needs, or equipment to protect a camper from the environment;**
 - 5. Denial of essential Program services;**
 - 6. Emotional punishment, including but not limited to: ridicule, humiliation, name-calling, or derogatory comments;**
 - 7. Chemical restraint, manual holds, or seclusion used as a means of coercion, discipline, convenience, or retaliation;**
 - 8. Denial of communication and visits unless restricted in accordance with Rule .10(b)9;**
 - 9. Physical or corporal punishment; and**
 - 10. Seclusion not used appropriately as an emergency safety intervention.**
- (d) Campers shall not be permitted to participate in the behavior management of other campers or to discipline other campers.**

- (e) Programs shall submit a report electronically to the Department's child welfare agency licensing unit within 24 hours whenever an unusual incident occurs regarding behavior management, including any injury that is received by a camper as a result of any behavior management.
- (f) Any form of behavior management used by an employee or director shall also be documented in the camper's case records to ensure that such records reflect behavior management problems.

(2) Emergency Safety Interventions.

- (a) Emergency safety interventions may be used only by employees trained in the proper use of such interventions when a camper exhibits a dangerous behavior reasonably expected to lead to immediate physical harm to the camper or others and less restrictive means of dealing with the injurious behavior have not proven successful or may subject the camper or others to greater risk of injury.
- (b) Emergency safety interventions shall not include the use of any physical or chemical restraint or manual hold that would potentially impair a camper's ability to breathe or has been determined to be inappropriate for use on a particular camper due to a medical or behavioral condition.
- (c) Programs shall have and comply with written policies and procedures for the use of emergency safety interventions, a copy of which shall be provided to and discussed with each camper and the camper's parent, guardian, or placement agency prior to or at the time of admission. Emergency safety interventions policies and procedures shall include:
 - 1. Provisions for the documentation of assessments that include a camper's social, emotional, behavioral and room, board and watchful oversight needs at admission and at each annual exam performed by the camper's physician, a physician assistant, a nurse practitioner, or a registered nurse with advanced training working under the direction of a physician, or a public health clinic. The documentation of such assessments must state if the camper has medical issues that would be incompatible with the appropriate use of emergency safety interventions. All documentation of assessments must be re-evaluated following any significant change in a camper's medical condition; and
 - 2. Provisions for the documentation of each use of an emergency safety intervention including:
 - (i) Date and description of the precipitating incident;

- (ii) Description of the de-escalation techniques used prior to the emergency safety intervention, if applicable;
- (iii) Environmental considerations;
- (iv) Names of employees participating in the emergency safety intervention;
- (v) Any witnesses to the precipitating incident and subsequent intervention;
- (vi) Exact emergency safety intervention used;
- (vii) Documentation of the 15 minute interval visual monitoring of a camper in seclusion;
- (viii) Beginning and ending time of the intervention;
- (ix) Outcome of the intervention;
- (x) Detailed description of any injury arising from the incident or intervention; and
- (xi) Summary of any medical care provided.

3. Provisions for prohibiting manual hold use by any employee not trained in prevention and use of emergency safety interventions.

- (d) Emergency safety interventions or the use of physical or chemical restraints may be used to prevent runaways only when a camper presents an imminent threat of physical harm to self or others, or as specified in the individual service and room, board and watchful oversight plan.
- (e) Program staff shall be aware of each camper's medical and behavioral conditions, as evidenced by written acknowledgment of such awareness, to ensure that the emergency safety intervention that is utilized does not pose any undue danger to the health and well-being of the camper.
- (f) A camper shall not be allowed to participate in the emergency safety intervention of another camper.
- (g) Immediately following the conclusion of an emergency safety intervention and hourly thereafter, for a period of at least four hours, a staff member will remain present with the camper to assess, monitor, and document the camper's behavior to ensure that the camper does not exhibit symptoms that could be associated with an injury.
- (h) At a minimum, the emergency safety intervention program that is utilized shall include the following:

1. Techniques for de-escalating problem behavior, including camper and employee debriefings;
 2. Appropriate use of emergency safety interventions;
 3. Recognizing aggressive behavior that may be related to a medical condition;
 4. Awareness of physiological impact of a restraint on the camper;
 5. Recognizing signs and symptoms of positional and compression asphyxia and restraint associated cardiac arrest;
 6. Instructions as to how to monitor the breathing, verbal responsiveness, and motor control of a camper who is the subject of an emergency safety intervention;
 7. Appropriate self-protection techniques;
 8. Policies and procedures relating to using manual holds, including the prohibition of any technique that would potentially impair a camper's ability to breathe;
 9. Program policies and reporting requirements;
 10. Alternatives to restraint;
 11. Avoiding power struggles;
 12. Escape and evasion techniques;
 13. Time limits for the use of restraint and seclusion;
 14. Process for obtaining approval for continual restraints and seclusion;
 15. Procedures to address problematic restraints;
 16. Documentation;
 17. Investigation of injuries and complaints;
 18. Monitoring physical signs of distress and obtaining medical assistance; and
 19. Legal issues.
- (i) Emergency safety intervention training shall be in addition to the annual training required in Rule .08(6)(j)2 and shall be documented in the staff member's personnel record.

- (j) All actions taken that involve utilizing an emergency safety intervention shall be recorded in the camper's case record showing the cause for the emergency safety intervention, the emergency safety intervention used, and, if needed, approval by the director, the employee in charge of casework services, and the external physician and/or Medicaid Rehabilitation Option Provider who has responsibility for the diagnosis and treatment of the camper's behavior.
- (k) Programs shall submit a report electronically to the Department's child welfare agency licensing unit, in a format acceptable to the Department, within 24 hours whenever an unusual incident occurs regarding emergency safety interventions, including:
1. Any injury that is received by a camper as a result of any emergency safety intervention;
 2. Whenever a Program utilizes emergency safety interventions three or more times in one month with the same camper and/or whenever a Program utilizes more than 10 emergency safety interventions for all campers in care within a 30-day period.
- (l) Programs shall submit a written report to the director on the use of any emergency safety intervention immediately after the conclusion of the intervention and shall further notify the camper's parent, guardian, or placement agency regarding the use of the intervention. A copy of such report shall be maintained in the camper's case record.
- (m) At least once per quarter, the Program, utilizing a master agency restraint log and the camper's case record, shall review the use of all emergency safety interventions for each camper and employee, including the type of intervention used and the length of time of each use, to determine whether there was an appropriate basis for the intervention, whether the use of the emergency safety intervention was warranted, whether any alternatives were considered or employed, the effectiveness of the intervention or alternative, and the need for additional training. Written documentation of all such reviews shall be maintained. Where a Program identifies opportunities for improvement as a result of such reviews or otherwise, the Program shall implement these changes through an effective quality improvement plan.
- (n) All child care workers who may be involved in the use of emergency safety interventions shall have evidence of having satisfactorily completed a nationally recognized training program for emergency safety interventions to protect campers and others from injury. The training must be approved by the Department's child welfare agency licensing unit and taught by an appropriately certified trainer in such program.

(o) Manual Holds.

1. Emergency safety interventions utilizing manual holds require at least one trained employee to carry out the hold. Emergency safety interventions utilizing prone restraints require at least two trained employees to carry out the hold.
2. Emergency safety interventions shall not include the use of any chemical or physical restraint or manual hold that would potentially impair a camper's ability to breathe or has been determined to be inappropriate for use on a particular camper due to a documented medical or behavioral condition.
3. When a manual hold is used upon any camper whose primary mode of communication is sign language, the camper shall be permitted to have his or her hands free from restraint for brief periods during the intervention, except when such freedom may result in physical harm to the camper or others.
4. If the use of a manual hold exceeds 15 consecutive minutes, the Program director or his or her designee, who possesses at least the qualifications of the director and has been fully trained in the Program's emergency safety intervention plan, shall be contacted by a two-way communications device or in person and determine whether the continuation of the manual hold is appropriate under the circumstances. Documentation of any consultations and outcomes shall be maintained for each application of a manual hold that exceeds 15 minutes. Manual holds shall not be permitted to continue if the restraint is determined to pose an undue risk to a camper's health given a camper's physical or mental condition.
5. A manual hold may not continue for more than 30 minutes at any one time without the consultation as specified in Rule .14(2)(o)4, and under no circumstances may a manual hold be used for more than one hour total within a 24-hour period.
6. If the use of a manual hold on a camper reaches a total of one hour within a 24-hour period, Program staff shall reconsider alternative strategies, document same, and consider notifying the authorities or transporting a camper to a hospital or other appropriate program for evaluation.
7. A camper's breathing, verbal responsiveness, and motor control shall be continuously monitored during any manual hold. Written summaries of the monitoring by a trained staff member not currently directly involved in the manual hold shall be recorded

every fifteen (15) minutes for the duration of the restraint. If only one trained staff member is involved in the restraint and no other staff member is available, written summaries of the monitoring of the manual hold shall be recorded as soon as is practicable, but no later than one hour after the conclusion of the restraint.

(p) Seclusion.

1. If used, seclusion procedures in excess of thirty (30) minutes must be approved by the director or designee. No camper shall be placed in a seclusion room or area in excess of one (1) hour within any twenty-four (24) hour period without obtaining authorization for continuing such seclusion from a camper's external physician and/or MRO provider and documenting such authorization in the camper's record.
2. A seclusion room or area shall only be used if a camper is in danger of harming himself or herself or others.
3. A camper placed in a seclusion room or area shall be visually monitored at least every fifteen (15) minutes.
4. A room or area used for the purpose of seclusion must meet the following criteria:
 - (i) The room or area shall be constructed and used in such a way that the risk of harm to a camper is minimized;
 - (ii) The room or area shall be equipped with a viewing window on the door so that staff can monitor a camper;
 - (iii) The room or area shall be lighted and well-ventilated;
 - (iv) The room or area shall be a minimum fifty (50) square feet in area; and
 - (v) The room or area must be free of any item that may be used by a camper to cause physical harm to himself/herself or others.
5. No more than one camper shall be placed in a seclusion room or area at a time.
6. A seclusion room or area monitoring log shall be maintained and used to record the following information:
 - (i) Name of the secluded camper;
 - (ii) Reason for camper's seclusion;

- (iii) Time of camper's placement in the seclusion room or area;
- (iv) Name and signature of the staff member that conducted visual monitoring;
- (v) Signed observation notes;
- (vi) Time of the camper's removal from the seclusion room or area; and
- (vii) Description of the area, if a seclusion room is not used.

Authority: O.C.G.A. Sections 49-5-8, 49-5-12.

Rule 290-2-7-.14 Grievances

- (1) An outdoor child-caring program shall develop and implement policies and procedures for campers to voice grievances and to submit written grievances without fear of retaliation.
- (2) All written grievances submitted by a camper shall be recorded in the camper's case record showing the grievance, description or method of explanation or resolution, and involved staff.

Authority: O.C.G.A. Sections 49-5-8, 49-5-12.

Rule 290-2-7-.15 Child Abuse and Sexual Exploitation

- (1) An outdoor child-caring program shall develop and implement policies and procedures that prohibit child abuse and sexual exploitation of campers in care. Such policies and procedures shall incorporate requirements for the reporting of child abuse and sexual exploitation in accordance with state law.
- (a) Such policies and procedures shall also include the following:
1. Provisions for the immediate reporting by any staff member of any suspected incident of abuse or sexual exploitation of a camper to the director of the Program;
 2. Provisions for conducting internal investigations of such incidents (however, such provisions shall not relieve the Program of the requirement to submit reports as required by this Rule);
 3. Provisions for preventing the recurrence of an alleged incident pending investigation;
 4. Provisions for evaluating whether any staff member alleged to be involved in a reported incident of abuse or sexual exploitation should continue to work with campers in the Program, pending investigation; and
- (b) As required in Rule .08(6)(f), all employees shall receive orientation and training on the Program's abuse policies and procedures and reporting requirements.
- (2) All reports of alleged child abuse and sexual exploitation of campers in care shall also be reported immediately to the Department's child welfare agency licensing unit.

Authority: O.C.G.A. Sections 19-7-5, 49-5-8, 49-5-12.

Rule 290-2-7-.16 Food Service

- (1) An outdoor child-caring program shall provide each camper with meals and snacks of serving sizes appropriate for the age of the camper based upon nutrition guidelines as established by the United States Department of Agriculture Child and Adult Care Food Program.
 - (a) Campers shall be provided food of adequate quality and in sufficient quantity to supply the nutrients needed for growth and development.
 - (b) Menus, as served, shall be retained on file for twelve months after use.
 - (c) No more than 14 hours shall pass between the last meal or snack of one day and the serving of the first meal of the following day.
 - (d) Additional servings of food shall be offered to campers over and above the required daily minimum if not contraindicated by modified diets.
 - (e) Modified diets based on medical or religious reasons shall be served to campers as needed. Modifications due to medical reasons shall be based on the written order of a physician and the order shall be placed in the camper's case record.
 - (f) The Program shall provide an adequate and potable supply of water. Water from non-public water systems or natural sources shall be free of coliform organisms and made safe to drink through boiling, filtering, distilling, or disinfection in accordance with the U.S. Centers for Disease Control and Prevention guidance.
- (2) The Program licensed to care for thirteen or more campers must obtain a valid food service permit and remain in compliance with Department of Public Health food service requirements. All Programs shall meet the following requirements:
 - (a) Food shall be stored, prepared, and served in a safe and sanitary manner commensurate with generally accepted and recognized food service standards.
 - (b) The Program shall have designated space for food preparation and storage areas separate from bathrooms, garbage storage areas, utility rooms, and bedrooms used by campers.
 - (c) All perishable and potentially hazardous foods shall be refrigerated at a temperature of forty-five (45) degrees Fahrenheit or below and served promptly after cooking. Freezer temperature shall be maintained at zero (0) degrees Fahrenheit or below.
 - (d) Food shall be in sound condition, free from spoilage and contamination and shall be safe for human consumption.

- (e) All raw fruits and vegetables shall be washed thoroughly before being cooked or served. Food not subject to further washing or cooking before serving shall be stored in such a manner as to be protected against contamination.
- (f) Containers for food storage other than the original containers or packages in which the food was obtained shall be impervious and nonabsorbent and have tight fitting lids or covers.
- (g) Eggs, pork, pork products, poultry, and fish, shall be thoroughly cooked.
- (h) Meats, poultry, fish, dairy products, bakery products and processed foods shall have been inspected under an official regulatory program.
- (i) Food service equipment and preparation areas shall be kept clean and free of accumulations of dust, dirt, food particles and grease deposits.
- (j) Non-disposable dishes, glasses and silverware shall be properly cleaned by pre-rinsing and scraping, washing, sanitizing and drying.
- (k) The use of a common drinking cup shall not be permitted.
- (l) Hot water and detergent shall be used to wash all food utensils after each meal at campsites. Where group dish washing is practiced, all utensils shall be immersed for at least two (2) minutes in a lukewarm chlorine bath containing at least 50 ppm of available chlorine at all times. Where chlorine is used, a three-compartment vat or three containers are required for washing, rinsing and immersion.
- (m) No dish, receptacle or utensil used in handling food for human consumption shall be used or kept for use if chipped, cracked, broken, damaged or constructed in such a manner as to prevent proper cleaning and sanitizing.
- (n) Disposable or single use dishes, receptacles or utensils used in handling food shall be discarded after one use.
- (o) Eating utensils shall not be stored with food or other materials and substances and shall be stored in clean dry containers.
- (p) Persons who handle food and/or eating utensils for campers shall maintain personal cleanliness, shall keep hands clean at all times and shall thoroughly wash hands with soap and water after each visit to the toilet. Such persons shall also be free of local infection commonly transmitted through the handling of food or drink and free of communicable disease.
- (q) Food shall be stored in clean and dry containers that provide protection from insects, rodents and wildlife. Medication, dirty utensils or tools, and

hazardous substances (e.g., fuel, insect repellent, cleaning supplies), shall not be stored in containers with food.

Authority: O.C.G.A. Sections 26-2-370 et seq., 49-5-8, 49-5-12.

Rule 290-2-7-.17 Physical Plant and Campsite Safety

An outdoor child caring-program shall maintain its buildings, grounds, furniture, and equipment in a clean, safe, and sanitary condition and in a good state of repair.

(a) Required Approvals.

1. The Program shall be in compliance with all applicable zoning laws, ordinances, or rules and regulations which apply to its operation.
2. All water and sewage disposal systems, if other than approved city and county systems, shall be approved by the proper authorities having jurisdiction.
3. The Program shall submit proof of compliance with applicable laws and regulations issued by the State Fire Marshal or their designee, including a certificate of occupancy, if required. The Program shall have functioning fire extinguishers and smoke detectors as required by the State Fire Marshal or their designee.
4. All buildings, grounds, base campsites, and mobile campsites shall be constructed and maintained in accordance with these rules. The Program that initially applies for a license, or a current licensee that plans to renovate buildings to house campers, shall submit building blueprints or similar schematic drawings or diagrams for review and approval by the Department's child welfare agency licensing unit.

(b) Buildings Used for Housing Campers.

1. Sleeping Areas

- (i) Buildings used for housing shall have separate areas for sleeping. Campers shall not be required to sleep in areas of the premises that are not routinely used as or specifically designated as bedrooms, including, but not limited to: balconies, upper stories, attics or lofts, doorways, hallways, bathrooms, closets, crawl spaces, fire escapes, kitchens, and communal living areas.
- (ii) Bedrooms used by campers shall contain not less than 63 square feet of usable floor space per camper. Single bedrooms shall contain at least 75 square feet of usable floor space. Usable floor space does not include built-in closet space. The preceding requirements on usable floor space shall apply to any Program that renovates its current sleeping areas or increases its capacity by adding new buildings or areas to the Program. Beds shall be arranged to provide for at least three feet of space between the head,

foot, and sides of each bed. If bunk bed units are used, they shall be arranged to provide for at least five feet of space between the head, foot and sides of each bunk bed unit. Triple bunk beds are prohibited.

- (iii) Campers shall not co-sleep or bedshare. Boys and girls shall sleep in separate sleeping areas.
- (iv) Each camper shall be provided with his or her own personal space and furnishings for storage of clothes and personal belongings.
- (v) Each camper shall be provided with his or her own personal bed and mattress. Campers shall sleep on a mattress and bed that is no shorter than the camper's height and at least thirty inches wide. Clean sheets, pillows and pillowcases, blankets or bed covering shall be provided, and sheets and pillowcases shall be changed or cleaned at least weekly. Soiled linens shall be changed as often as they are soiled. Waterproof mattresses shall be provided as needed or as required by the camper's assessment and service plan.
- (vi) Bedrooms shall be provided with outside ventilation by means of windows, air conditioners, or ventilation device.
- (vii) No staff member shall sleep in a camper's bedroom. Separate sleeping quarters and lavatory for staff shall be provided in the living units.

2. Lavatories and Bathing Areas.

- (i) There shall be separate lavatories (water basin and toilet) and bathing areas for boys and girls located near the sleeping areas. Such lavatories and bathing areas shall not be used routinely by staff.
- (ii) There shall be at least one lavatory equipped with hot and cold water and mirror for every eight campers or fraction thereof. Rooms that contain more than one toilet shall contain stalls for individual privacy. Each lavatory shall be supplied with toilet paper and holders, individual hand towels or disposable towels, or mechanical hand drying equipment.
- (iii) There shall be at least one shower or bathtub with hot and cold water for every ten campers or fraction thereof. Bathtubs and shower stalls shall be equipped with nonslip surfaces.

- (iv) Lavatory areas shall be ventilated with either an open screened window or functioning exhaust fan.
 - (v) If laundry service is not otherwise utilized, laundry areas shall be supplied with hot and cold water and provided for the use of all campers.
- 3. Living Room. Buildings used for housing campers shall maintain a living room or den for the campers residing in a living unit. Such space shall be equipped with comfortable furnishings suitable for relaxation and social interaction.
- 4. Dining Area. Buildings used for housing campers shall maintain a dining area that is furnished to permit campers, staff, and guests to eat together.
- 5. Climate Control.
 - (i) Buildings used for housing campers shall be maintained at a temperature range of sixty-five (65) degrees Fahrenheit to eighty-two (82) degrees Fahrenheit, depending upon the climate and season of the year.
 - (ii) Any stoves or other sources of heat utilizing combustible fuel shall be installed and vented in such a manner as to prevent fire hazards and a dangerous concentration of gases. No portable heaters other than those operated by electricity shall be provided in sleeping areas. If a solid or liquid fuel stove is used in a room with wooden or other combustible flooring, there shall be a concrete slab, insulated metal sheet or other fire-proof materials on the floor under each stove, extending at least eighteen (18) inches beyond the perimeter of the base of the stove.
 - (iii) All heating equipment shall be maintained and operated in a safe manner according to the manufacturer's guidelines and instructions.
- 6. Ceilings and Walls.
 - (i) Any wall or ceiling within eighteen (18) inches of a solid or liquid fuel stove or a stovepipe shall be of fireproof material. A vented metal collar shall be installed around a stovepipe or vent passing through a wall, ceiling, floor or roof. Such vent or chimney shall extend above the peak of the roof.

- (ii) All ceilings in buildings used for housing campers shall be at least seven (7) feet in height. Ceiling and walls shall be of good repair.
- 7. Windows. Windows which are accessible from the outside shall be lockable and easily opened from the inside. The manufacturer's designed functions of windows shall not be altered without the approval of the State Fire Marshal.
- 8. Health and Safety Hazards. The buildings that house campers shall be kept clean and free of hazards to health and safety and of debris and pests.
 - (i) Any firearms or ammunition on the Program's premises shall not be allowed within any living units and shall be stored in locked cabinets or similar storage containers which are not accessible to campers and which are in areas that are not accessible to campers.
 - (ii) Domestic and farm animals, owned or residing at the Program, shall be inoculated against rabies as required by law. The premises shall be kept free of stray animals.
 - (iii) An effective pest control system shall be implemented. Pesticides, disinfectants, chemicals, and cleaning supplies, with hazardous labels, shall be stored in designated areas away from campers and if used by campers, such use shall be supervised by staff.
- 9. Grounds. The grounds of buildings that house campers shall be free of hazards to health and safety.
 - (i) Garbage which is stored outside shall be stored in covered containers and shall be emptied at least weekly. Garbage storage areas and containers shall be cleaned periodically to eliminate buildup of dirt and grime that attracts pests and rodents.
 - (ii) Playgrounds and recreation areas used by campers shall be kept clean and free from litter and hazards to health and safety.
 - (iii) Swimming Pools. Any swimming pool on Program grounds shall be enclosed with protective fencing and be free of contamination. A certified lifeguard shall be in attendance whenever a camper is participating in a swimming activity. Other areas used for swimming (e.g., lakes, creeks, ponds) shall be kept clean of hazardous trash and debris.

(c) Base Campsites and Mobile Campsites. Areas designated as base or mobile campsites by a Program shall be established and maintained in a safe and healthy manner.

1. Campsite Sleeping Areas

- (i) Shelters used at base campsites and mobile campsites shall be structurally sound, in good repair, maintained in a sanitary condition and provide protection to campers against the elements.
- (ii) Shelters used by campers for sleeping and remain in one location for more than two weeks shall be provided with a floor which is smooth, clean and in good repair.
- (iii) Sleeping arrangements shall allow for the separation of boys and girls overnight for privacy.
- (iv) Campers shall not co-sleep or share a sleeping bag. Staff shall not co-sleep or share a sleeping bag with campers.
- (v) Campers shall be provided with sleeping bags rated for the current seasonal conditions, shelter and ground pad for colder months when the average nighttime temperature is thirty-nine degrees Fahrenheit or lower and basic clothing to ensure a camper's protection against seasonal change in the environment.
- (vi) Sleeping arrangements shall allow for an additional shelter and ground pad for colder months when the average nighttime temperature is 39 degrees Fahrenheit or lower.

2. Campsite Lavatories and Bathing Areas

- (i) Campers shall be permitted to utilize toilets whenever possible.
- (ii) Toilet areas shall be located at least two hundred (200) feet from a water source, base campsite, mobile campsite, shelter or other sleeping or housing area.
- (iii) No tile or concrete sanitary sewers or septic tanks shall be allowed within a distance of fifty (50) feet of a base campsite or mobile campsite, and no cesspool or septic tank open-jointed drain fields shall be allowed within a distance of one-hundred fifty (150) feet of a private water supply.
- (iv) Adequate and safe sewerage facilities with flush toilets shall be provided at the base campsite and mobile campsite if

water supply is available. Public sewers, subsurface septic tank-seepage system or other type of liquid waste treatment and disposal system shall be provided. Raw or treated liquid waste shall not be discharged or allowed to accumulate on a base campsite or mobile campsite surface.

(v) Where water supply is not available, sanitary-type privies or portable toilets shall be provided at the base campsite and mobile campsite. Privies, if provided, shall be maintained so as to prevent access of flies and animals to the contents therein, to prevent fly breeding and to prevent contamination of water supply.

(vi) All facilities provided for excreta and liquid waste disposal at a base campsite and mobile campsite shall be maintained and operated in a sanitary manner to eliminate possible health or pollution hazards.

(vii) Where a cathole is utilized, solid human waste shall be deposited in catholes dug six (6) to eight (8) inches deep, at least two hundred (200) feet from water, a base campsite, mobile campsite, and trails. The cathole shall be covered and disguised with clean earth backfill when finished.

3. Campsite Common Area. The Program shall maintain a common area for campers suitable for relaxation and social interaction at a base campsite and mobile campsite.

4. Campsite Dining Area. The Program shall maintain a dining area that permits campers, staff, and guests to eat together at a base campsite and mobile campsite.

5. Campgrounds. The grounds of a base campsite and mobile campsite shall be free of hazards to health and safety.

6. Campsite garbage generated at base and mobile campsites shall be disposed of at an approved sanitary landfill or similar disposal facility. Where such facilities are not available, garbage shall be disposed of daily by burial under at least two (2) feet of compacted earth cover in a location which is not subject to inundation by flooding. Burying garbage is not the recommended course of action and should be used only if no other approved garbage disposal method is available.

(d) Transportation.

1. Vehicles used by the Program to transport campers shall be insured and have a satisfactory annual safety inspection. The

inspection shall be documented on a form provided by the Department and signed by a certified inspector or mechanic.

2. When transporting campers, the Program's vehicle shall only be operated by a staff member or an authorized camper who possesses a valid driver's license as required for the class of the vehicle operated. If the Program authorizes campers to drive, it shall establish and implement policies and procedures relative to the use of Program vehicles by such campers.

3. No vehicle shall be used to transport more campers than the manufacturer's rated seating capacity for the vehicle.

4. All vehicles used to transport campers shall be equipped with safety equipment as required by federal and state laws.

(e) Accessibility. The Program must ensure that buildings used for housing include the following features where campers are dependent upon a wheelchair or other mechanical device for mobility:

1. At least two exits from the building, remote from each other, that are accessible to the camper and with easily negotiable ramps;

2. Doorways and hallways leading to exits, as well as lavatories, that are wheelchair accessible; and

3. Lavatories sufficient to accommodate a wheelchair and a staff person with appropriate accessibility devices installed.

(f) First Aid Supplies. Each living unit shall have a first aid kit and instruction manual. Such kit shall contain, at a minimum, scissors, tweezers, gauze pads, adhesive tape, thermometer, assorted band-aids, antiseptic cleaning solution, and bandages.

Authority: O.C.G.A. Sections 40-8-76, 49-5-8, 49-5-12.

Rule 290-2-7-.18 Enforcement and Penalties

- (1) Plans of Correction. If the Department determines that either an outdoor child-caring program or any prospective licensee or entity applying to become licensed as a Program is not in compliance with rules and regulations, the Department shall provide written notice specifying the rule(s) violated and setting a time for the prospective licensee or entity, not to exceed ten (10) business days, to file an acceptable written plan of correction where the Department has determined that an opportunity to correct is permissible. If such plan of correction is determined not acceptable to the Department because it does not adequately correct the identified violation, the Department will advise the Program or any prospective licensee or entity applying to become licensed that the plan of correction is not acceptable. The Department may permit a Program or any prospective licensee or entity to submit a revised plan of correction.

 - (a) The Program shall comply with an accepted plan of correction.
 - (b) Where the Department determines that either a Program or the prospective licensee or entity applying to become licensed as a Program has not filed an acceptable plan of correction or has not complied with the accepted plan of correction, the Department may initiate an adverse action to enforce these rules.
- (2) All adverse actions to enforce the Rules and Regulations for Outdoor Child-Caring Programs shall be initiated in accordance with the Rules and Regulations for Enforcement of Licensing Requirements, Chapter 290-1-6; O.C.G.A. Sections 49-5-12, 49-5-12.1, 49-5-60 et seq.
- (3) Required Notifications for Revocations and Suspensions. The Program shall notify each child's parent, guardian, or placement agency of the Department's actions to revoke a license or seek an emergency suspension of a Program's license to operate.

 - (a) The official notice of the revocation or emergency suspension action and any final resolution, together with the Department's complaint intake phone number and website address, shall be provided by a Program to each current and prospective camper's parent, guardian, or placement agency.
 - (b) The Program shall ensure the posting of the official notice at the Program in an area that is visible to each camper's parent, guardian, or placement agency.
 - (c) The Program shall ensure that the official notice continues to be visible to each camper's parent, guardian, or placement agency throughout the pendency of the revocation and emergency suspension actions, including any appeals.

- (d) The Program shall have posted in an area that is readily visible to each camper's parent, guardian, or placement agency any inspection reports that are prepared by the Department during the pendency of any revocation or emergency suspension action.
- (e) It shall be a violation of these rules for a Program to permit the removal or obliteration of any posted notices of revocation, emergency suspension action, resolution, or inspection survey during the pendency of any revocation or emergency suspension action.
- (f) The Department may post an official notice of the revocation or emergency suspension action on its website or share the notice of the revocation or emergency suspension action and any information pertaining thereto with any other agencies that may have an interest in the welfare of the campers in care at a Program.
- (g) The Department may suspend any requirements of these rules and the enforcement of any rules where the Governor of the State of Georgia has declared a public health emergency.

Authority: O.C.G.A. Sections 49-2-17, 49-5-8, 49-5-12, 49-5-12.1, 49-5-60 et seq.

Rule 290-2-7-.19 Emergency Orders

- (1) In accordance with O.C.G.A. Sections 49-5-90 et seq., notwithstanding other remedies available to the Department which may be pursued at the same time, the commissioner or his/her designee may issue emergency orders. Such orders may include the following:

 - (a) Emergency relocation of campers when it is determined that the campers are subject to an imminent and substantial danger.
 - (b) Emergency placement of a monitor or monitors in an outdoor child-caring program upon a finding that the Department's rules and regulations are being violated which threaten the health, safety, or welfare of campers in care and when one or more of the following conditions are present:

 1. A Program is operating without a license; or
 2. The Department has denied the application for the license or has initiated action to revoke the existing license; or
 3. Campers are suspected of being subjected to injury or life-threatening situations or the health or safety of a camper or campers is in danger.
 - (c) Emergency prohibition of admissions to a Program when campers are in imminent and substantial danger and a Program has failed to correct a violation of rules and regulations within a reasonable time, as specified by the Department. Such violation giving rise to the prohibition could jeopardize the health and safety of campers if allowed to remain uncorrected or is a repeat violation over a twelve-month period.
- (2) An emergency order shall contain the following:

 - (a) The scope of the order;
 - (b) The reasons for the issuance of the order;
 - (c) The effective date of the order if other than the date the order is issued;
 - (d) The person to whom questions regarding the order are to be addressed;
and
 - (e) Notice of the right to a preliminary hearing.
- (3) Unless otherwise provided in the order, an emergency order shall become effective upon its service to the owner, the director, or any other agent, employee, or person in charge of the Program at the time of the service of the order.

(4) Prior to issuing an emergency order, the commissioner or his/her designee may consult with persons knowledgeable in the field of child care and a representative of the Program to determine if there is a potential for greater adverse effects on campers in care as a result of the emergency order.

Authority: O.C.G.A. Sections 49-5-8, 49-5-12, 49-5-90 et seq.

Rule 290-2-7-.20 Disaster Preparedness

An outdoor child-caring program shall prepare for potential emergency situations that may affect the care of campers by developing and complying with an effective disaster preparedness plan that identifies emergency situations and outlines an appropriate course of action. The plan must be reviewed annually and revised, as appropriate, including any related written agreements.

- (a) The disaster preparedness plan shall include at a minimum plans for the following emergency situations:
1. Local and widespread weather emergencies or natural disasters, such as tornadoes, hurricanes, earthquakes, ice or snow storms, or floods;
 2. Manmade disasters such as acts of terrorism and hazardous materials spills;
 3. Unanticipated interruption of service of utilities, including water, gas, or electricity, either within a Program or within a local or widespread area;
 4. Loss of heat or air conditioning;
 5. Fire, explosion, or other physical damage to a Program's buildings, structures, or campsites; and
 6. Pandemics, infectious disease outbreaks and illnesses or other situations where the community's need for services may exceed the availability of beds and services regularly offered by a Program.
- (b) There shall be plans to ensure sufficient staffing and supplies to provide room, board and watchful oversight during the emergency situation.
- (c) There shall be plans for the emergency transport or relocation of all the Program's campers, should it be necessary, in vehicles appropriate to the campers' needs. Additionally, there shall be written agreements with any facilities or programs which have agreed to receive a Program's campers in these situations.
- (d) The Program shall document participation of quarterly fire drills at the mobile campsite, base campsite, and in buildings used for housing.
- (e) In addition to fire drills, the Program shall have its staff rehearse portions of the disaster preparedness plan, with a minimum of two rehearsals each calendar year either in response to an emergency or through planned drills, with coordination of the drills with the local Emergency Management Agency (EMA) whenever possible.
- (f) The plan shall include the notification to the Department of the emergency situation as required by these rules and notification of each camper's lawful

parent, guardian, or placement agency of the camper's whereabouts and condition.

(g) The Program shall provide a copy of the internal disaster preparedness plan to the local Emergency Management Agency (EMA) and shall include the local EMA in development of the Program's plan for the management of external disasters.

(h) The Program's disaster preparedness plan shall also include the following additional items in efforts to limit and contain health hazards to campers, staff, and the general public due to pandemic or infectious disease outbreaks:

1. Contact information for sources of public health information and guidance (e.g. Centers for Disease Control (CDC), state/local public health authorities);

2. Name and contact information of Program staff designated to provide updates to the Department, upon request, regarding the status of the outbreak or illness;

3. Process in place for providing notice of the outbreak or illness and any other necessary updates to a camper's parent, guardian, or placement agency;

4. Plan for immediate isolation of affected campers and staff from unexposed campers and staff;

5. Plan for minimizing the risk of exposure to unexposed campers or staff; and

6. Plan for addressing business continuity and programmatic issues relevant to pandemic or infectious disease outbreaks.

(i) The Program's disaster preparedness plan shall be made available to the Department for inspection upon request.

(j) The Department may suspend any requirements of these rules and the enforcement of any rules where the Governor of the State of Georgia has declared a public health emergency.

Authority: O.C.G.A. Sections 49-5-8, 49-5-12.

Rule 290-2-7-.21 Waivers and Variances

- (1) The Department may, in its discretion, grant waivers and variances of specific rules upon application or petition being filed by an outdoor child-caring program.
- (2) The Department may grant a variance or waiver to a rule when a Program demonstrates that the purpose of the underlying statute upon which the rule is based can be or has been achieved by other specific means and that strict application of the rule would create a substantial hardship. For purposes of this rule, a substantial hardship means a significant, unique, and demonstrable economic, technological, legal, or other type hardship which impairs the ability to continue to function as a Program.
- (3) Variance and waiver applications submitted to the Department shall include, but are not limited to the following:
 - (a) The rule from which a variance or waiver is requested;
 - (b) The type of action requested (i.e. granting of waiver or variance);
 - (c) Specific facts detailing substantial hardship which would justify the variance or waiver;
 - (d) Alternative standards which the requestor agrees to meet with a showing that alternative standards will provide adequate protection for health, safety, and welfare; and
 - (e) The reason why a variance or waiver would serve the purpose of any underlying law.
- (4) The Program must implement and comply with any terms and conditions established by the Department in order to operate under any waiver or variance granted.
- (5) Variances or waivers shall not be sought or authorized when the granting of a waiver or variance would be harmful to public health, safety, or welfare or contrary to state law provisions.

Authority: O.C.G.A. Sections 50-13-9.1, 49-5-8, 49-5-12.

Rule 290-2-7-.22 Severability

In the event that any rule, sentence, clause or phrase of any of these rules and regulations may be construed by any court of competent jurisdiction to be invalid, illegal, unconstitutional, or otherwise unenforceable, such determination or adjudication shall in no manner affect the remaining rules or portions thereof. The remaining rules or portions thereof shall remain in full force and effect, as if such rule or portions thereof so determined, declared or adjudged invalid or unconstitutional were not originally a part of these rules.

Authority: O.C.G.A. Sections 49-5-8, 49-5-12.

ATTACHMENT 2

Rule 290-2-7-.01. Definitions

Unless a different meaning is required by the context, the following terms as used in these rules and regulations shall have the meaning hereafter respectively ascribed to them:

(a) "Administrator" or "Executive Director" means the person responsible for overall administration of the Outdoor Child Caring Program.

(b) "Applicant" means the following:

1. When the outdoor child caring program 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 outdoor child caring program 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 outdoor child caring program 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 outdoor child caring program 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 facility 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" unless otherwise indicated, shall mean the Georgia Board of Human Resources.

(e) "Camper" means a child who has been admitted to the Outdoor Child Caring Program for care.

(f) "Chemical restraint" means drugs that are administered to manage a child's behavior in a way that reduces the safety risk to the resident or others; that have the temporary effect of restricting the child's freedom of movement; and that are not being used as part of a standard regimen, as specified in the child's treatment plan, to treat current symptoms of a medical or psychiatric condition.

(g) "Child" means a person through 18 years of age.

~~(h) "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 Resources. 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 or more children.~~

~~(i) "Commissioner" means the Commissioner of the Georgia Department of Human Resources or his designee.~~

~~(j) "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.~~

~~(k) "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) 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. 17-3-1et seq.~~

~~(l) "Department" means the Department of Human Resources of the State of Georgia.~~

~~(m) "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.~~

~~(n) "Emergency safety intervention plan" means the plan developed by the therapeutic camp 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.~~

~~(o) "Employee" means any person, other than a director, employed by an institution to perform any duties at any of the institution's facilities which involve personal contact between that person and any child being cared for at the institution and also includes any adult person who resides at the institution or who, with or without compensation, performs duties for the institution which involve personal contact between that person~~

and any child cared for by the institution. For purposes of these rules, an employee does not mean a child that resides at the facility and performs duties for the institution.

(p) "~~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.

(q) "~~Governing Board~~" means the persons in which the ultimate legal responsibility, authority and accountability for the operation of the Outdoor Child Caring Camp is vested.

(r) "~~License~~" means a written authorization granted by the Department to an applicant for license to operate an Outdoor Child Caring Program as a classification of a Child-caring Institution.

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

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

(u) "~~Medicaid Rehabilitation Option Provider (MRO)~~" 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 his/her best possible functional level.

(v) "~~Outdoor Child-Caring Program~~" means a child-caring institution, hereinafter also referred to as facility or program or camp that provides room, board and watchful oversight along with a variety of outdoor activities taking place in a wilderness or camp environment that are designed to improve the emotional and behavioral adjustment of the children, through the age of eighteen (18) participating in the activities. The term does not include outdoor camps that operate for a time limited period, not exceeding 14 weeks per year. These children may also be referred to in these rules as "residents" or "campers."

(w) "~~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 an outdoor child caring program and who:

- ~~1. Purports to or exercises authority of the owner in an outdoor child caring program;~~
- ~~2. Applies to operate or operates an outdoor child caring program;~~
- ~~3. Enters into a contract to acquire ownership of an outdoor child caring program.~~

~~(x) "Placement Agency" means any person other than the parent of a child who is legally responsible for placement planning for the child.~~

~~(y) "Plan of Correction" means a written plan submitted to the Department by the person or persons responsible for the Outdoor Child Caring Program. The Plan shall identify the existing areas of non-compliance of the Outdoor Child Caring Program, together with the proposed procedures, methods and period of time required to correct the areas of noncompliance.~~

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

~~(aa) "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.~~

~~(bb) "Records check application" means two 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.~~

~~(cc) "Room, Board and Watchful Oversight" means providing a safe, appropriate outdoor setting, adequately nutritious meals and oversight to ensure a child's basic safety needs are met.~~

~~(dd) "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.~~

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

~~(ff) "Social Service Worker (SSW)" means the person(s) employed by the facility who is (are) responsible for providing oversight of services to children and their families in the camp setting. The Social Service Worker 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~~

~~facility's admission evaluation; the development of the service and Room, Board, Watchful Oversight plans; case work services as provided in their service plan; and monitoring of their educational and/or vocational needs.~~

~~(gg) "Supervision" means the continued responsibility of the licensee 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, including protection from physical, emotional, social, moral, financial harm and personal exploitation while in care. The licensee is responsible for providing the degree of supervision indicated by a child's age, developmental level, physical, emotional, and social needs.~~

~~(hh) "Temporary License" means written authorization granted by the Department to an applicant for license to admit children to the Outdoor Child Caring Program on a conditional basis to allow a newly established Outdoor Child Caring Program 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 Outdoor Child Caring Program a reasonable, but specified, length of time to comply with these rules and regulations, provided said Outdoor Child Caring Program shall first present a Plan of Correction which is acceptable to the Department.~~

~~(ii) "Time-out" means a behavior management technique that involves the brief separation of a child from the group, not to exceed twenty (20) minutes, designed to de-escalate the child. During "time-out" a child's freedom of movement is not physically restricted.~~

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

~~(kk) "Variance" means written permission by the Department or Board to do some act contrary to the literal rule.~~

~~(ll) "Waiver" means the official written relinquishment of a rule in the course of issuance of a license.~~

~~Statutory Authority: O.C.G.A. Sections 49-5-3, 49-5-12.~~

Rule 290-2-7-.02. Applicability

~~(1) No person, institution, agency, society or facility shall operate an Outdoor Child Caring Program unless a license or permit has been obtained from the Department.~~

~~(2) The following types of child-caring institutions or activities are exempt from the requirements of these regulations:~~

~~(a) Child-caring institutions licensed by the Department pursuant to rules and regulations of the Department, Chapters 290-2-5 and 290-2-6, and which do not provide outdoor child caring camping activities exceeding periods of more than 14-day duration.~~

~~(b) facilities licensed by the Department pursuant to rules and regulations for hospitals, Chapter 290-5-6.~~

~~(c) facilities licensed by the Department pursuant to rules and regulations for intermediate care homes, Chapter 290-5-9.~~

~~(d) facilities licensed by the Department pursuant to rules and regulations for drug abuse treatment programs, Chapter 290-4-2.~~

~~(e) facilities owned and operated by the federal government.~~

~~(f) summer camps established solely for recreational and educational programs.~~

Statutory Authority: O.C.G.A. Section 49-5-12.

Rule 290-2-7-.03. Organization and Administration

~~(1) The legal basis for operation of an Outdoor Child Caring Program shall be documented through copies of the Articles of Incorporation, partnership agreements, and documents reflecting the creation of an association or a resolution authorizing the operation of the program.~~

~~(2) All Outdoor Child Caring Programs shall have a Governing Body that is responsible for and has authority over the policies and activities of the Outdoor Child Caring Program. If an Outdoor Child Caring Program is owned by a partnership, the partners shall be regarded as the Governing Body for the purposes of this subsection. If an Outdoor Child Caring Program is owned by a sole proprietor, the responsibilities imposed on a Governing Body by this subsection shall be borne by that proprietor.~~

~~(a) Outdoor Child Caring Programs that are owned corporately shall provide the Department with a list of names, addresses, and titles of the officers and/or executive committee of the Governing Body. Outdoor Child Caring Programs that are owned jointly or individually shall provide the Department with a list of names and addresses of the partners or owner. The Department shall be notified of any changes.~~

~~(3) The Governing Body shall be responsible for:~~

~~(a) Employing an Administrator or Executive Director;~~

~~(b) Developing and complying with written policies and operating procedures concerning organizational structure, personnel practices, admissions, care and~~

~~services, appropriate behavior management and emergency safety interventions, and discharge of campers in accordance with these rules and regulations;~~

~~(c) Ensuring adequate financing;~~

~~(d) Ensuring compliance with minimum requirements;~~

~~(e) Periodically reviewing the program of care and services;~~

~~(f) Approving an annual budget; and~~

~~(g) Providing bonding for Board officers and staff who handle substantial operating or capital funds of the Outdoor Child Caring Program.~~

~~(4) The Governing Body shall visit the Outdoor Child Caring Program site at least twice a year to observe the operation of the program and the activities of the campers. This shall be documented in the minutes of the meetings of the Governing Body.~~

~~(5) The Outdoor Child Caring Program shall operate in accordance with its written policies and procedures. Copies of policies and procedures shall be made available to facility staff.~~

~~(6) The Governing Body shall be responsible for obtaining a satisfactory determination on a criminal records check for the Director and all staff whose duties involve personal contact with the campers.~~

~~(7) The Outdoor Child Caring Program shall maintain complete financial records. Books shall be audited annually by an independent certified public accountant. A copy of the accountant's statement of income and disbursements and the opinion letter from the audit report shall be submitted annually to the Department.~~

~~(8) A new Outdoor Child Caring Program shall have funds sufficient for the first year of operation. It shall have reserve funds or documentation of available credit, equal to the operating costs for the first three months.~~

~~Statutory Authority: O.C.G.A. Sections 49-5-12, 49-5-60.~~

~~Rule 290-2-7-.04. Criminal History Background Checks, Personnel~~

~~(1) Criminal History Background Checks for Owners Required. Prior to approving any license for a new outdoor child caring program and periodically as established by the department by rule and regulation, the department shall require an owner to submit a records check application so as to permit the department to obtain criminal history background information on the owner.~~

~~(a) An owner may not be required to submit a records check application if it is determined that the owner does not do at least one of the following:~~

- ~~1. Maintains an office at the location where services are provided to children;~~
- ~~2. Resides at a location where services are provided to children;~~
- ~~3. Has direct access to children receiving care; or~~
- ~~4. Provides direct personal supervision of personnel by being immediately available to provide assistance and direction during the time services are being provided.~~

~~(b) In lieu of a records check application, an owner may submit evidence, satisfactory to the department, that within the immediately preceding 12 months the owner has received a satisfactory criminal history background check determination.~~

~~(2) An outdoor child caring program license shall not be issued, and any license issued shall be revoked where it has been determined that the owner has a criminal record involving any of the following covered crimes, as outlined in O.C.G.A. Sec. 49-2-14.1 et seq.:~~

- ~~(a) A violation of Code Section 16-5-1, relating to murder and felony murder;~~
- ~~(b) A violation of Code Section 16-5-21, relating to aggravated assault;~~
- ~~(c) A violation of Code Section 16-5-24, relating to aggravated battery;~~
- ~~(d) A violation of Code Section 16-5-70, relating to cruelty to children;~~
- ~~(e) A violation of Code Section 16-5-100, relating to cruelty to a person 65 years of age or older;~~
- ~~(f) A violation of Code Section 16-6-1, relating to rape;~~
- ~~(g) A violation of Code Section 16-6-2, relating to aggravated sodomy;~~
- ~~(h) A violation of Code Section 16-6-4, relating to child molestation;~~
- ~~(i) A violation of Code Section 16-6-5, relating to enticing a child for indecent purposes;~~
- ~~(j) A violation of Code Section 16-6-5.1, relating to sexual assault against persons in custody, detained persons, or patients in hospitals or other institutions;~~
- ~~(k) A violation of Code Section 16-6-22.2, relating to aggravated sexual battery;~~
- ~~(l) A violation of Code Section 16-8-41, relating to armed robbery;~~
- ~~(m) A violation of Code Section 30-5-8, relating to abuse, neglect, or exploitation of a disabled adult or elder person; or~~

~~(n) Any other offense committed in another jurisdiction that, if committed in this state, would be deemed to be a crime listed in this paragraph without regard to its designation elsewhere.~~

~~(3) An owner with a valid outdoor child placing agency license issued on or before June 30, 2007 shall be required to obtain a criminal records check determination no later than December 31, 2008.~~

~~(a) An owner with a valid outdoor child caring program license issued on or before June 30, 2007 who is determined to have a criminal record for any of the crimes listed in Rule .04(2)(a) (n) above, shall not have the license revoked prior to a hearing being held before a hearing officer pursuant to Chapter 13 of Title 50, the "Georgia Administrative Procedure Act."~~

~~(b) An owner with a valid outdoor child caring program license who acquires a criminal record as defined in Rule .04(2)(a) (n) above subsequent to the effective date of these rules shall disclose the criminal record to the department.~~

~~(c) If at any time the department has reason to believe an owner holding a valid license has a criminal record for any of the crimes listed in Rule .04(2)(a) (n) above, the department shall require the owner to submit a records check application immediately for determination of whether a revocation action is necessary. Prior to the revocation of the license becoming final, the owner is entitled to an administrative hearing unless the owner has not begun providing services under the license. Where services are not currently being provided under the license, the decision of the administrative hearing officer must precede the initiation of services.~~

~~(4) Criminal History Background Checks for Director and Employees Required. Prior to serving as a director of a licensed outdoor child caring program, a person shall submit a records check application and receive a satisfactory determination or be determined eligible to serve as a director as a result of an administrative hearing.~~

~~(a) A person with an unsatisfactory criminal history background check determination may not serve as a director of a licensed outdoor child caring program if it is determined that such person has a criminal record involving any of the following covered crimes:~~

- ~~1. Any felony under Georgia law;~~
- ~~2. A violation of Code Section O.C.G.A. Sec. 16-4-1, relating to criminal attempt when the crime attempted is any of the crimes specified by this paragraph;~~
- ~~3. A violation of Code Section O.C.G.A. Sec. 16-5-23, relating to simple battery; where the victim is a minor;~~

~~4. A violation of Code Section O.C.G.A. Sec. 16-6-1 et seq., relating to sexual offenses, excluding the offenses of bigamy or marrying a bigamist;~~

~~5. A violation of Code Section O.C.G.A. Sec. 16-21-1, relating to contributing to the delinquency of a minor;~~

~~6. Any other offense committed in another jurisdiction that, if committed in this state, would be deemed to be a crime listed in this paragraph without regard to its designation elsewhere.~~

~~(b) Prior to serving as an employee other than a director of a licensed outdoor child caring program, a person must submit a preliminary record check application and receive a satisfactory determination. Provided however, should there be an unsatisfactory determination, the person must submit to a fingerprint record check and get a satisfactory determination or be determined eligible to serve as an employee as a result of an administrative hearing.~~

~~(c) A person with an unsatisfactory background check determination may not serve as an employee of a licensed outdoor child caring program if it is determined that such person has a criminal record involving any of the covered crimes outlined in O.C.G.A. Secs. 16-4-1, 16-5-23, 16-6-1 and 16-21-1 and in Rule .04(2)(a)1-6. above.~~

~~(d) In lieu of a records check application, a director or employee may submit evidence, satisfactory to the department, that within the immediately preceding 12 months the above personnel have received a satisfactory records check determination or a satisfactory preliminary records check determination, whichever is applicable.~~

~~(5) Personnel. In accordance with these rules and regulations, the outdoor child caring program shall employ and provide training and supervision for an adequate number of staff necessary to ensure the health and safety of the campers in its care.~~

~~(6) Outdoor Child Caring Programs shall have written job descriptions which specify what duties employees are expected to perform. A copy of the job descriptions shall be available to the employees and to the Department.~~

~~(7) The Administrator or Executive Director shall have a masters degree from an accredited college or university and a minimum of three years of increasingly responsible experience in the human service, mental health or health care field, or a Bachelors Degree plus five years experience in the field of child care, human services, mental health, at least two of which includes supervisory and/or administrative responsibility.~~

~~(8) The Administrator shall be responsible for implementing the policies adopted by the Governing Body, the on-going operation of the Outdoor Child Caring Program, and compliance with the "Rules and Regulations for Outdoor Child Caring Programs."~~

~~(9) The Administrator or his/her designee shall be present and responsible for the operation of the camp at all times. Staff on duty shall be made aware of the designated person.~~

~~(10) There shall be an effective written plan for staff supervision of the group sessions. The plan shall include the line of supervision, support staff, their location and accessibility.~~

~~(11) The staff member with primary responsibility for planning, developing, implementing service and Room Board and Watchful Oversight plans, supervising staff who deliver the services, and developing in-service training shall have a master's degree in psychology, social work, education or other related fields and experience and/or training in working with children in an outdoor Child Caring Program environment.~~

~~(12) Each Outdoor Child Caring Program shall have a social service worker on staff.~~

~~(13) The social service worker shall have at least a Bachelor's Degree from an accredited college or university.~~

~~(14) Each Outdoor Child Caring Program shall employ or contract with an adequate number of qualified and trained staff who provide room, board and watchful oversight appropriate to the types of children being served.~~

~~(15) The Outdoor Child Caring Program s shall arrange for the provision of professional services e.g., physicians, dentists, psychiatrists, psychologists, teachers, nurses, recreational therapists and other specialists according to the requirements of the Medicaid Rehabilitation Option Network.~~

~~(16) The Outdoor Child Caring Program shall have staff coverage throughout the 24-hour period.~~

~~(a) The Outdoor Child Caring Program shall have sufficient numbers of qualified and trained staff as required by these rules to provide for the needs, care, protection, supervision and room, board and watchful oversight of children. All staff and volunteers shall be supervised to ensure that assigned duties are performed adequately and to protect the health, safety and well-being of the children in care.~~

~~(b) Supervisory staff shall be accessible to campers and to child care staff 24 hours per day. All staff and volunteers shall be supervised to ensure that assigned duties are performed adequately and to protect the health, safety and well-being of the campers in care.~~

~~(c) If volunteers are used as a supplement to child care staff, they shall meet the same requirements as the regular child care staff.~~

~~(d) Teachers who supervise campers' activities may be included in the provision of watchful oversight during the time they are responsible for a group.~~

~~(17) Child care staff or supervisory staff shall be available at all times so that no group will be without appropriate supervision.~~

~~(18) Tasks which conflict or interfere with their child care responsibilities shall not be assigned to child care staff. Job descriptions and staff assignments shall show no conflicts in assignments to child care staff.~~

~~(19) The personal qualifications of employees shall be verified including a satisfactory criminal history background check completed in accordance with O.C.G.A. Sec. 49-5-60et seq. and a ten-year employment history. Verification of educational qualifications shall include documentation of a high school diploma or official transcripts from an accredited institution of higher learning.~~

~~(a) At least three references shall be obtained for each potential employee prior to employment. Information obtained from the references shall be written and filed whether the interview is conducted in person or by telephone. References should attest to the person's capabilities of performing the duties for which they are employed and to the person's suitability of working with the types of children served by the camp.~~

~~(b) Each employee shall submit an oral or written statement to the facility at the time of application that they have never been shown by credible evidence (such as a decision of a court or jury, or a department investigation or other reliable evidence) to have abused, neglected, sexually exploited, or deprived a child or adult or to have subjected any person to serious injury as a result of intentional or grossly serious injury as a result of intentional or grossly negligent misconduct.~~

~~(20) Child care staff shall be at least four years older than the oldest child in their group, have a high school education or an equivalency and experience in working with children in a group setting. Former campers employed as staff shall be at least 21 years of age.~~

~~(21) In addition to the initial orientation, including training on the facility's policies and procedures pertaining to behavior management techniques and emergency safety interventions, all staff working with campers shall receive annually at least 40 hours of in-service training related to children's service needs in a primitive environment. In-service training for staff working with campers shall be documented. This shall include the date, the subject, and name of the person who conducted the training.~~

~~(22) Training in first aid and C.P.R. shall be required within 90 days of employment for all child care staff who are not licensed/certified health professionals.~~

~~(a) Training shall be certified by a Red Cross instructor or a licensed/certified health professional.~~

~~(b) First aid training shall be updated at least every three years. Certificates or statements of training shall document that training has been updated.~~

~~(23) All child care staff shall have training by certified staff in water safety and lifesaving techniques.~~

~~(24) A specialist trained in the particular activity shall supervise the participation of the campers in high risk activities such as rock climbing, canoeing, caving, etc.~~

~~(25) Personnel records shall be maintained for each employee of the outdoor child caring program. These records shall contain as a minimum the following information:~~

~~(a) Identifying information such as name, address, telephone number, and emergency contact person(s);~~

~~(b) Qualifications for the position;~~

~~(c) Date, name of contact, and information received from pre-employment references;~~

~~(d) Date of employment;~~

~~(e) Verification of training, including dates of all such training;~~

~~(f) Annual reports of performance, including all records of employee discipline arising from the inappropriate use of behavior management techniques and emergency safety interventions;~~

~~(g) Criminal history background check determination;~~

~~(h) Date and reason for separation; and~~

~~(i) Forwarding address of separated employees.~~

Statutory Authority: O.C.G.A. Section 49-5-12.

Rule 290-2-7-.05. Admissions and Intake Policies

~~(1) The Outdoor Child Caring Program shall admit only those campers for whom it has a program designed to meet the particular needs of the camper and who meet the admission policies.~~

~~(a) The Outdoor Child Caring Program shall provide information to the custodian about the services, environment, age ranges and behavioral characteristics of the other children in placement prior to admission.~~

~~(b) The Outdoor Child Caring Program shall maintain signed documentation from the custodian that they have received and considered the information provided in Rule .05(1)(a) above and have determined that the placement environment is appropriate and does not represent an undue risk to the health and safety of the child or children being placed.~~

~~(c) The Outdoor Child Caring Program shall have written admission policies which specify the age, sex, and types of needs of campers for which the camp is qualified by staff, program and equipment to meet.~~

~~(d) The Outdoor Child Caring Program shall apply to the Department for a new license prior to a change in the admission policies which would require a change in the conditions of the license.~~

~~(2) An Outdoor Child Caring Program shall not accept more campers than is specified on the license, or campers whose age and sex are inconsistent with the conditions of the license.~~

~~(3) Children under 8 years of age shall not be accepted for care in an Outdoor Child Caring Program.~~

~~(4) The Outdoor Child Caring Program shall not admit a camper who has not had a medical examination by a licensed physician within 30 days prior to admission. The report of the examination shall include an explanation of any known problem or potential problem, the prescribed medical treatment and any recommendations for future care and examinations and a statement to the effect that the conditions are not incompatible with the rigors of the Outdoor Child Caring Program environment. The prescribed medical treatment and recommendations for future care shall be incorporated into the camper's service plan.~~

~~(5) Campers shall have had a dental examination by a licensed dentist within the six months prior to admission. Dental treatment shall be provided as recommended by the examining dentist.~~

~~(6) The Outdoor Child Caring Program shall not accept a camper for care until a psychological or psychiatric evaluation and an intake study has been made and based on an analysis and recommendation of the social service worker with approval of the Administrator has determined that the placement meets the needs and best interests of the camper.~~

~~(7) The intake study shall be prepared by the social service worker and shall be maintained in the Camper's record. The study shall include a summary of at least the following information:~~

~~(a) Current (within 1 year) evaluation by a licensed psychiatrist or psychologist authorized as a Medicaid Rehabilitation Option Provider, Community Resources provider, or other privately licensed psychiatrist or psychologist;~~

~~(b) A description of family relationships and the circumstances that make the placement necessary;~~

~~(c) The camper's developmental history;~~

~~(d) The parents' or placement agency's expectation of placement;~~

- ~~(e) The camper's understanding of placement;~~
 - ~~(f) A description of the camper's personality, behavior, and interests;~~
 - ~~(g) The camper's school history;~~
 - ~~(h) History of previous placements;~~
 - ~~(i) A statement about the camper's legal status;~~
 - ~~(j) A statement of the camper's room, board and watchful oversight needs;~~
 - ~~(k) The immediate and long-range goals of placement;~~
 - ~~(l) The name of the family member or the placement agency who will be responsible for the relationship with the Outdoor Child Caring Program and the camper;~~
 - ~~(m) Medical/dental history;~~
 - ~~(n) Religious preference; and~~
 - ~~(o) List of friends or others that may be permitted to visit with the camper if approved by the facility;~~
- ~~(8) The intake process shall include a discussion about placement with the camper and his or her parents or Placement Agency. It shall include a visit to the Camp.~~
- ~~(9) At the time of placement a written agreement shall be made between the Outdoor Child Caring Program, the camper and the camper's parents or placement agency. A copy of this agreement shall be in the camper's record. The agreement shall as a minimum include:~~
- ~~(a) Authorization to care for the camper;~~
 - ~~(b) A medical consent form signed by a person authorized to give consent;~~
 - ~~(c) Consent for camper to participate in trips or special activities;~~
 - ~~(d) General goals and expectations for the camper's individual service plan;~~
 - ~~(e) Written financial agreement including responsibility for medical, dental, clothing and other special needs; and~~
 - ~~(f) Provision for notification of parents or placement agency in the event of unauthorized absences, medical or dental problems and any other significant event regarding the child, including the use of emergency safety interventions.~~
- ~~(10) Before admission, or at the time of admission, the Outdoor Child Caring Program shall provide written material to the camper's parents or placement agency which specifies:~~
- ~~(a) Rules regarding visits, mail, gifts, and telephone calls;~~

~~(b) Information on the nature and frequency of reports to the camper's parents or the Supervisory staff shall be accessible to campers and to child care staff 24 hours per day. All placement agency staff and volunteers shall be supervised to ensure that assigned duties are performed adequately and to protect the health, safety and well-being of the campers in care.~~

~~(c) The facility's policy concerning behavior management and emergency safety interventions;~~

~~(d) The facility's policy or program concerning religious training;~~

~~(e) The name of the person or office that parents or the placement agency can contact if they feel their child's rights have been violated;~~

~~(f) Information regarding trips or special activities; and~~

~~(g) If the Outdoor Child Caring Program has a school program, information concerning its accreditation, approval or lack thereof.~~

~~(11) The Outdoor Child Caring Program shall provide orientation for new campers.~~

~~(12) The Outdoor Child Caring Program shall comply with the Interstate Compact on the Placement of Children, O.C.G.A. Chapter 39-4, when admitting children from another state.~~

~~Statutory Authority: O.C.G.A. Section 49-5-12.~~

~~Rule 290-2-7-.06. Support Services~~

~~(1) Within 30 days of admission, an individual service plan shall be developed by camp staff, the camper and his parents or placement agency. The plan shall be filed in the camper's case record with copies or a summary being made available to the camper's parents or placement agency.~~

~~(2) The service plan shall:~~

~~(a) specify the camper's needs and the way these needs shall be met;~~

~~(b) include the objectives of placement and the estimated length of stay, daily individual and group activities to achieve the objectives;~~

~~(c) be utilized by staff members working with the camper;~~

~~(d) provide for the social and educational needs of the camper;~~

~~(e) provide for the coordination of specialized services that will be delivered by the Medicaid Rehabilitation Option Provider and measures for insuring their integration with the child's ongoing service plan;~~

~~(f) provide for meeting the medical needs of the camper;~~

~~(g) specify the degree of the family's involvement.~~

~~(3) There shall be a staffing conference at least every three months for the purpose of reviewing and assessing progress toward meeting the goals of the service and room, board and watchful oversight plan. The camper shall be included in the conference. Results of the conference shall be filed in the camper's record.~~

~~(4) A case review conference with the camper, parents and/or placement agency shall be conducted at least every 6 months.~~

~~(5) Counseling and/or other social services are an integral part of the camper's service plan. Implementation of these services shall be in accordance to the camper's individual service plan and shall be provided by the Medicaid Rehabilitation Option Network.~~

~~(6) The Outdoor Child Caring Program shall obtain professional consultation and treatment for campers with special needs. When these services are obtained, they shall be documented in the camper's case record.~~

~~(7) Information and statements from mental health professionals (psychiatrists, psychologists, social workers, etc.) shall be utilized in the assessment, service planning, and implementation of the plan and monitoring of the progress of the camper.~~

~~(8) Discharge Planning.~~

~~At least one month prior to planned discharge, except in cases of emergency discharges, an Outdoor Child Caring Program shall formulate an aftercare plan that identifies the supports and resources that the camper and camper's family are expected to need following discharge. When a camper is being discharged for placement in another institution or similar program, the receiving institution or program, except in cases of emergency discharges, shall be given at least thirty days notice of the proposed date of placement. A copy of the completed discharge summary shall be sent to the camper's parent (s) or guardian(s), or placement agency representative via e-mail, fax or mail. (Documentation should be kept in camper's file, to show summary was sent.)~~

~~Statutory Authority: O.C.G.A. Section 49-5-12.~~

Rule 290-2-7-.07. Daily Care

~~(1) A daily schedule shall be developed to meet Campers' needs.~~

~~(2) All staff having witnessed or having knowledge of a significant event for a Camper shall report such to the supervisor orally as soon as possible and in writing within 24 hours.~~

~~(3) The Outdoor Child Caring Program shall see that each Camper is supplied with personal clothing suitable to the camper's age and size and the season.~~

- ~~(4) Campers shall be given training in habits of personal care, hygiene, and grooming. Each camper shall be supplied with personal care, hygiene, and grooming equipment.~~
- ~~(5) Money earned by a camper or received as a gift or allowance shall be the Camper's personal property. A camper's money may be deposited with the Camp office but shall be accounted for separately from the Camp's funds.~~
- ~~(6) A camper shall not be required to use earned money to pay for room and board unless it is part of the service plan and is approved by the parent or placement agency and the director of the program.~~
- ~~(7) Campers shall be provided food of adequate quality and in sufficient quantity to supply the nutrients needed for growth and development.~~
- ~~(a) "Food for Fitness—A Daily Food Guide," developed by the United States Department of Agriculture, shall be used as a basis for meeting these requirements.~~
- ~~(b) Campers shall have a minimum of three meals available daily and snacks.~~
- ~~(c) Menus, as served, shall be retained on file for one month after use.~~
- ~~(d) No more than 14 hours shall pass between the last meal or snack of one day and the serving of the first meal of the following day.~~

~~Statutory Authority: O.C.G.A. Section 49-5-12.~~

~~Rule 290-2-7-.08. Campers' Rights and Privileges~~

- ~~(1) The staff of the Outdoor Child Caring Program shall allow privacy as needs indicate for each camper.~~
- ~~(2) Campers shall have access to a quiet, private area where they can withdraw from the group when appropriate.~~
- ~~(3) Termination of contacts between the camper and his or her family shall not be allowed while the camper is in care unless the rights of the parents have been terminated by court order or it has been determined by the placement agency that family contact is not in the camper's best interest. The frequency and nature of contact shall be based on the needs of the camper, and shall be determined with the participation of the camper, his or her family or placement agency and Outdoor Child Caring Program staff. Any limitations shall be filed in the camper's case record. Restriction of a contact shall be based on a determination by the staff along with any additional information from the Medicaid Rehabilitation Option Provider that due to the nature of the circumstances at that time that particular contact is not in the best interest of the camper. Reasons for the restrictions shall be shared with the Camper and the family and documented in the camper's record.~~

~~(4) The Outdoor Child Caring Program shall have clearly written policies regarding visits, gifts, mail, and telephone calls between the camper and his or her family or placement agency.~~

~~(5) A camper shall be allowed to bring personal possessions to the Outdoor Child Caring Program and to acquire possessions. Limits put on the kind of possessions a camper may or may not bring or receive shall be applied equally to all Campers, shall be discussed with the camper and his or her parents or placement agency and shall be documented in the camper's record.~~

~~(6) The Outdoor Child Caring Program shall not place a camper in a position of having to acknowledge his or her dependency, destitution, or neglect. The Outdoor Child Caring Program shall not require the camper to make public statements about his or her background or dependence on the Camp, to publicly acknowledge gratitude to the Camp or to perform at public gatherings.~~

~~(7) Pictures, reports, or identification that humiliate, exploit, or invade the privacy of a camper or his or her family or Placement Agency shall not be made public. The Outdoor Child Caring Program shall not use reports or pictures from which campers can be identified without written consent from the camper and the parents or placement agency.~~

~~(8) The opinions and recommendations of the campers shall be considered in the development and evaluation of the camping program and activities.~~

~~(9) The Outdoor Child Caring Program shall have clearly written policies for the behavior management of campers. Copies shall be available to staff and campers.~~

~~(10) Discipline shall be consistent with the policies of the Outdoor Child Caring Program and shall not be physically or emotionally damaging.~~

~~(11) Staff members shall be responsible for all behavior management of campers.~~

~~Statutory Authority: O.C.G.A. Section 49-5-12.~~

~~Rule 290-2-7-.09. Behavior and Management and Emergency Safety Interventions~~

~~(1) Behavior Management.~~

~~(a) The Outdoor Child Caring Program shall develop and implement policies and procedures on behavior management. Such policies and procedures shall set forth the types of children served in accordance with its program purpose, the anticipated behavioral problems of the children, and acceptable methods of managing such problems.~~

~~(b) Such Behavior management policies and procedures shall incorporate the following minimum requirements:~~

~~1. Behavior management principles and techniques shall be used in accordance with the individual service plan and written policies and procedures governing service expectations, service plan goals, safety, security, and these rules and regulations.~~

~~2. Behavior management shall be limited to the least restrictive appropriate method, as described in the camper's service plan and in accordance with the prohibitions as specified in these rules and regulations.~~

~~(c) The following forms of behavior management shall not be used:~~

~~1. Assignment of excessive or unreasonable work tasks;~~

~~2. Denial of meals and hydration;~~

~~3. Denial of sleep;~~

~~4. Denial of shelter, clothing, or essential personal needs;~~

~~5. Denial of essential program services;~~

~~6. Verbal abuse, ridicule, or humiliation;~~

~~7. Restraint, manual holds, and seclusion used as a means of coercion, discipline, convenience, or retaliation;~~

~~8. Denial of communication and visits unless restricted in accordance with Rule .08(3);~~

~~9. Corporal punishment; and~~

~~10. Seclusion not used appropriately as an emergency safety intervention.~~

~~(d) Campers shall not be permitted to participate in the behavior management of other campers or to discipline other campers.~~

~~(e) Outdoor Child Caring Programs shall submit to the Department electronically or by facsimile a report within 24 hours whenever an unusual incident occurs regarding behavior management, including any injury requiring medical treatment beyond first aid that is received by a camper as a result of any behavior management.~~

~~(f) All forms of behavior management used by direct care staff shall also be documented in case records in order to ensure that such records reflect behavior management problems.~~

~~(2) Emergency Safety Interventions.~~

~~(a) Emergency safety interventions may be used only by staff trained in the proper use of such interventions when a camper exhibits a dangerous behavior~~

~~reasonably expected to lead to immediate physical harm to the camper or others and less restrictive means of dealing with the injurious behavior have not proven successful or may subject the camper or others to greater risk of injury.~~

~~(b) Emergency safety interventions shall not include the use of any restraint or manual hold that would potentially impair the camper's ability to breathe or has been determined to be inappropriate for use on a particular camper due to a documented medical or psychological condition.~~

~~(c) The institution shall have written policies and procedures for the use of emergency safety interventions, a copy of which shall be provided to and discussed with each camper and the camper's parents and/or legal guardians prior to or at the time of admission. Emergency safety interventions policies and procedures shall include:~~

~~1. Provisions for the documentation of an assessment at admission and at each annual exam by the camper's physician, a physician's assistant, or a registered nurse with advanced training working under the direction of a physician, or a public health department that states there are no medical issues that would be incompatible with the appropriate use of emergency safety interventions on that camper. Such assessment and documentation must be re-evaluated following any significant change in the camper's medical condition; and~~

~~2. Provisions for the documentation of each use of an emergency safety intervention including:~~

~~(i) Date and description of the precipitating incident;~~

~~(ii) Description of the de-escalation techniques used prior to the emergency safety intervention, if applicable;~~

~~(iii) Environmental considerations;~~

~~(iv) Names of staff participating in the emergency safety intervention;~~

~~(v) Any witnesses to the precipitating incident and subsequent intervention;~~

~~(vi) Exact emergency safety intervention used;~~

~~(vii) Documentation of the 15 minute interval visual monitoring of a child in seclusion;~~

~~(viii) Beginning and ending time of the intervention;~~

~~(ix) Outcome of the intervention;~~

~~(x) Detailed description of any injury arising from the incident or intervention; and~~

~~(xi) Summary of any medical care provided.~~

~~3. Provisions for prohibiting manual hold use by any employee not trained in prevention and use of emergency safety interventions.~~

~~(d) Emergency safety interventions or the use of physical restraint may be used to prevent runaways only when the child presents an imminent threat of physical harm to self or others, or as specified in the individual service and room, board and watchful oversight plan.~~

~~(e) Facility staff shall be aware of each camper's medical and psychological conditions, as evidenced by written acknowledgement of such awareness, to ensure that the emergency safety intervention that is utilized does not pose any undue danger to the physical or mental health of the camper.~~

~~(f) Campers shall not be allowed to participate in the emergency safety intervention of another camper.~~

~~(g) Immediately following the conclusion of the emergency safety intervention and hourly thereafter for a period of at least four hours where the camper is with a staff member, the camper's behavior will be assessed, monitored, and documented to ensure that the camper does not appear to be exhibiting symptoms that would be associated with an injury. Authority O.C.G.A. Secs. 49-5-8 and 49-5-12.~~

~~(h) At a minimum, the emergency safety intervention program that is utilized shall include the following:~~

- ~~1. Techniques for de-escalating problem behavior including camper and staff debriefings;~~
- ~~2. Appropriate use of emergency safety interventions;~~
- ~~3. Recognizing aggressive behavior that may be related to a medical condition;~~
- ~~4. Awareness of physiological impact of a restraint on the camper;~~
- ~~5. Recognizing signs and symptoms of positional and compression asphyxia and restraint associated cardiac arrest;~~
- ~~6. Instructions as to how to monitor the breathing, verbal responsiveness, and motor control of a camper who is the subject of an emergency safety intervention;~~
- ~~7. Appropriate self-protection techniques;~~

- ~~8. Policies and procedures relating to using manual holds, including the prohibition of any technique that would potentially impair a camper's ability to breathe;~~
- ~~9. Camp policies and reporting requirements;~~
- ~~10. Alternatives to restraint;~~
- ~~11. Avoiding power struggles;~~
- ~~12. Escape and evasion techniques;~~
- ~~13. Time limits for the use of restraint and seclusion;~~
- ~~14. Process for obtaining approval for continual restraints and seclusion;~~
- ~~15. Procedures to address problematic restraints;~~
- ~~16. Documentation;~~
- ~~17. Investigation of injuries and complaints;~~
- ~~18. Monitoring physical signs of distress and obtaining medical assistance;~~

and

- ~~19. Legal issues.~~

~~(i) Emergency safety intervention training shall be in addition to the annual training required in Rule .04(16) and shall be documented in the staff member's personnel record.~~

~~(j) All actions taken that involve utilizing an emergency safety intervention shall be recorded in the camper's case record showing the cause for the emergency safety intervention, the emergency safety intervention used, and, if needed, approval by the director, the staff member in charge of casework services, and the physician who has responsibility for the diagnosis and treatment of the camper's behavior.~~

~~(k) Outdoor Child Caring Program shall submit to the Department electronically or by facsimile a report in a format acceptable to the Department within 24 hours whenever an unusual incident occurs regarding emergency safety interventions, including:~~

- ~~1. Any injury requiring medical treatment beyond first aid that is received by a camper as a result of any emergency safety intervention;~~
- ~~2. For any Outdoor Child Caring Program with a licensed capacity of 20 residents or more, any 30-day period in which three or more instances of emergency safety interventions of a specific camper occurred and/or whenever the Outdoor Child Caring Program has had a total of 10~~

~~emergency safety interventions for all campers in care within the 30-day period; and~~

~~3. For any Outdoor Child Caring Program with a licensed capacity of less than 20 residents, any 30-day period in which three or more instances of emergency safety interventions of a specific camper occurred and/or whenever the Outdoor Child Caring Program has had a total of five instances for all campers in care within the 30-day period.~~

~~(l) Outdoor Child Caring Program shall submit a written report to the program's director on the use of any emergency safety intervention immediately after the conclusion of the intervention and shall further notify the camper's parents or legal guardians regarding the use of the intervention. A copy of such report shall be maintained in the camper's file.~~

~~(m) At least once per quarter, the institution, utilizing a master agency restraint log and the camper's case record, shall review the use of all emergency safety interventions for each camper and staff member, including the type of intervention used and the length of time of each use, to determine whether there was a clinical basis for the intervention, whether the use of the emergency safety intervention was warranted, whether any alternatives were considered or employed, the effectiveness of the intervention or alternative, and the need for additional training. Written documentation of all such reviews shall be maintained. Where the Outdoor Child Caring Program identifies opportunities for improvement as a result of such reviews or otherwise, the Outdoor Child Caring Program shall implement these changes through an effective quality improvement plan.~~

~~(n) No later than January 1, 2007 and ongoing thereafter, all direct care staff who may be involved in the use of emergency safety interventions, shall have evidence of having satisfactorily completed a nationally recognized training program for emergency safety interventions to protect residents and others from injury, which has been approved by the Department and taught by an appropriately certified trainer in such program.~~

~~(o) Manual Holds.~~

~~1. Emergency safety interventions utilizing manual holds require at least one trained staff member to carry out the hold. Emergency safety interventions utilizing prone restraints require at least two trained staff members to carry out the hold.~~

~~2. Emergency safety interventions shall not include the use of any restraint or manual hold that would potentially impair the camper's ability to breathe or has been determined to be inappropriate for use on a particular camper due to a documented medical or psychological condition.~~

~~3. When a manual hold is used upon any camper whose primary mode of communication is sign language, the camper shall be permitted to have his or her hands free from restraint for brief periods during the intervention, except when such freedom may result in physical harm to the camper or others.~~

~~4. If the use of a manual hold exceeds 15 consecutive minutes, the facility director or his or her designee, who possesses at least the qualifications of the director and has been fully trained in the facility's emergency safety intervention plan, shall be contacted by a two-way communications device or in person and determine that the continuation of the manual hold is appropriate under the circumstances. Documentation of any consultations and outcomes shall be maintained for each application of a manual hold that exceeds 15 minutes. Manual holds shall not be permitted to continue if the restraint is determined to pose an undue risk to the camper's health given the camper's physical or mental condition.~~

~~5. A manual hold may not continue for more than 30 minutes at any one time without the consultation as specified in subparagraph (2) of this subparagraph, and under no circumstances may a manual hold be used for more than one hour total within a 24-hour period.~~

~~6. If the use of a manual hold on a camper reaches a total of one hour within a 24-hour period, the staff shall reconsider alternative strategies, document same, and consider notifying the authorities or transporting the camper to a hospital or mental health facility for evaluation.~~

~~7. The camper's breathing, verbal responsiveness, and motor control shall be continuously monitored during any manual hold. Written summaries of the monitoring by a trained staff member not currently directly involved in the manual hold shall be recorded every 15 minutes during the duration of the restraint. If only one trained staff member is involved in the restraint and no other staff member is available, written summaries of the monitoring of the manual hold shall be recorded as soon as is practicable, but no later than one hour after the conclusion of the restraint.~~

~~(p) Seclusion.~~

~~1. If used, seclusion procedures in excess of thirty (30) minutes must be approved by the director or designee. No child shall be placed in a seclusion room or area in excess of one (1) hour within any twenty-four (24) hour period without obtaining authorization for continuing such seclusion from the child's physician, psychiatrist, or licensed psychologist and documenting such authorization in the child's record.~~

~~2. A seclusion room or area shall only be used if a camper is in danger of harming himself or herself or others.~~

~~3. A camper placed in a seclusion room or area shall be visually monitored at least every 15 minutes.~~

~~4. A room or area used for the purposes of seclusion must meet the following criteria:~~

~~(i) The room or area shall be constructed and used in such ways that the risk of harm to the camper is minimized;~~

~~(ii) The room or area shall be equipped with a viewing window on the door so that staff can monitor the child;~~

~~(iii) The room or area shall be lighted and well-ventilated;~~

~~(iv) The room or area shall be a minimum fifty (50) square feet in area; and~~

~~(v) The room or area must be free of any item that may be used by the camper to cause physical harm to himself/herself or others.~~

~~5. No more than one camper shall be placed in the seclusion room or area at a time.~~

~~6. A seclusion room or area monitoring log shall be maintained and used to record the following information:~~

~~(i) Name of the secluded camper;~~

~~(ii) Reason for camper's seclusion;~~

~~(iii) Time of camper's placement in the seclusion room or area;~~

~~(iv) Name and signature of the staff member that conducted visual monitoring; and~~

~~(v) Time of the camper's removal from the seclusion room or area.~~

~~Statutory Authority: O.C.G.A. Sections 49-5-3, 49-5-12.~~

~~Rule 290-2-7-.10. Medical and Dental Care~~

~~(1) The Outdoor Child Caring Program shall have written policies and procedures for obtaining diagnosis and treatment of medical and dental problems.~~

~~(a) The Outdoor Child Caring Program shall have a written agreement with external physicians, dentists and other health care providers for medical emergencies and routine medical care.~~

~~(b) The Outdoor Child Caring Program shall instruct all staff members in the policies and procedures to be followed in an emergency.~~

- ~~(2) All campers shall be examined annually by a licensed physician with an initial physical examination documented at least 30 days before being admitted to the camp.~~
- ~~(3) Facilities for medical isolation shall be available on the premises of the Outdoor Child Caring Program or at a facility recommended by a physician. No person with a contagious disease shall remain in the group during the contagious period.~~
- ~~(4) All campers shall have a dental examination by a licensed dentist or a dental hygienist working under the supervision of a licensed dentist at least once every 6 months.~~
- ~~(5) The Outdoor Child Caring Program shall comply with laws, rules, and regulations regarding immunization.~~
- ~~(6) The Outdoor Child Caring Program shall comply with laws, rules, and regulations for acquiring, storing, and administering medication.~~
- ~~(a) Medicines shall be contained in a locked cabinet or metal box at the Outdoor Child Caring Program.~~
- ~~(b) The medicine cabinet or box shall have a separate compartment for storing poisons and drugs for external use only.~~
- ~~(c) The Outdoor Child Caring Program shall develop and implement policies and procedures for the appropriate use and management of all types of medications. All direct care Outdoor Child Caring Program staff shall receive orientation on the policies and procedures. Such policies and procedures shall include the following~~
- ~~(d) Non-prescription medications. No camper shall be given a nonprescription medication by staff members of the Outdoor Child Caring Program unless the child exhibits symptoms that the medication is designed to relieve.~~
- ~~(e) Prescription medications. No camper shall be given a prescription medication unless the medication is prescribed for the camper by an authorized health care professional.~~
- ~~(f) Prescription medications shall only be given to a camper as ordered in the camper's prescription. An institution shall not permit medications prescribed for one camper to be given to any other camper.~~
- ~~(g) A camper's attending physician shall be notified in cases of dosage errors, drug reactions, or if the prescription medication does not appear to be effective. This information will be documented on the back of the Medication Administrative Record.~~
- ~~(h) Psychotropic medications. No camper shall be given psychotropic medications unless use is in accordance with the goals and objectives of the camper's service plan. Psychotropic medications must be prescribed by a physician who has responsibility for the diagnosis and treatment of the camper's~~

~~conditions that necessitate such medication. Continued use of psychotropic medications shall be reviewed by the prescribing physician every sixty days.~~

~~(i) An Outdoor Child Caring Program shall designate and authorize classes of staff, such as Outdoor Child Caring Program Staff, to handout medications and supervise the taking of medications. Only designated and authorized staff shall handout and supervise the taking of medication. Staff will ensure medication has been taken and campers are not sharing medication. If designated and/or authorized staff makes 3 medicine errors in 1 month's time, staff will need to repeat the course before being able to hand out medications. Course curriculum shall be available to the Department and copy of the test kept in the employee's file.~~

~~(j) An Outdoor Child Caring Program shall maintain a record of all medications handed out by authorized staff and taken by camper to include: name of camper taking medication, name of prescribing physician and date of prescription (if the medication is prescription or psychotropic), required dosage, date and time taken, dosage taken, and name and signature of staff member that handed out and supervised the taking of medication. No blanks shall be left on the Medication Administrative Record, if the camper is away this absence is to be documented on the MAR.~~

~~(k) All expired medications shall be discarded and not handed out for use.~~

~~(7) First aid supplies shall be available and administered by a trained staff member. If campers are away from the camp during the time they need to take their medication or over twenty hours, Camp staff shall keep medicines locked in the daypack and kept on the staff person who is responsible and trained to give medication.~~

~~(8) Persons administering medication shall have received appropriate training from a licensed/certified health professional. Documentation of training shall be filed in the individual's personnel record. Medication records shall include the medication given, the time, the dosage, and the name of the person administering the medication.~~

~~(9) Policies and procedures for dealing with medical emergencies such as bee stings, multiple insect bites, snake bites, hypothermia, etc. shall be developed. Staff shall be instructed as to their individual responsibilities and action to be taken.~~

~~(10) Staff shall inquire of each camper on a daily basis as to signs of illness, fever, rashes, bruises and injuries and shall provide or make arrangements for follow up care as the camper's condition may require and document such actions until the condition is resolved.~~

Statutory Authority: O.C.G.A. Section 49-5-12.

Rule 290-2-7-11. Education

~~(1) The Outdoor Child Caring Program shall ensure that each child attends an appropriate educational program (regular, special education or vocational education) designed to meet his/her educational need.~~

~~(2) Prior to or upon admission an Individual Education Plan shall be developed by the Camp staff, Camper, parent or Placement Agency and a certified teacher. The I.E.P. shall be incorporated in the Camper's individual service plan.~~

~~(3) The I.E.P. shall conform with the State Standards and shall be updated annually.~~

~~(4) Certified teachers shall be used for on-site schools.~~

~~Statutory Authority: O.C.G.A. Sections 49-5-3, 49-5-12.~~

~~Rule 290-2-7-.12. Campers' Records~~

~~(1) Each Camp shall maintain a permanent register with identifying information of all children accepted for service. In addition to other required documentation, each camper's record shall include:~~

~~(a) Name.~~

~~(b) Date of birth.~~

~~(c) Sex.~~

~~(d) Religion.~~

~~(e) Race.~~

~~(f) Names, addresses and phone numbers of parents, brothers, and sisters.~~

~~(g) Names, addresses and phone numbers of other persons who have a significant relationship with the child.~~

~~(h) Name, address and phone number of an emergency contact.~~

~~(i) Date of admission.~~

~~(j) Birth Certificate or other document which establishes identity, if required for enrollment in public school.~~

~~(k) A copy of the intake study.~~

~~(l) Placement Agreement.~~

~~(m) Service plan.~~

~~(n) Documentation of case reviews and updates of service plan.~~

~~(o) Health records of immunizations, examinations, treatments recommended and received.~~

~~(p) Reports of significant events occurring during time camper was receiving care.~~

~~(q) Discharge data including date and to whom discharged.~~

~~(2) The Camp shall ensure that case records are kept confidential and inaccessible to unauthorized persons, safe from fire, damage or theft.~~

~~Statutory Authority: O.C.G.A. Sections 49-5-3, 49-5-12.~~

~~Rule 290-2-7-.13. Discharge~~

~~(1) The following persons shall be involved in planning the discharge of a camper from the Outdoor Child Caring Program:~~

~~(a) The camper,~~

~~(b) The camper's parents or placement agency,~~

~~(c) Outdoor Child Caring Program staff.~~

~~(2) The name, address, and relationship of the person to whom the camper is discharged shall be recorded.~~

~~(3) If, in the event of an emergency discharge, the Outdoor Child Caring Program is unable to plan for the discharge with the persons listed in these rules, the Outdoor Child Caring Program shall document circumstances surrounding the emergency discharge in the camper's record. Parents and placement agencies shall be advised of the policies related to emergency discharge prior to admission of a camper.~~

~~(4) The Outdoor Child Caring Program shall not discharge a camper to any one other than the parent or placement agency or an order from a court of competent jurisdiction.~~

~~Statutory Authority: O.C.G.A. Section 49-5-12.~~

~~Rule 290-2-7-.14. Buildings, Grounds, and Equipment~~

~~(1) Camps shall have access to a minimum of 10 acres per camper for the first 50 campers with an additional 5 acres per camper for each additional camper. Housing sites shall be located so as to provide visual separation of the groups.~~

~~(2) Housing sites shall not be subject to or in proximity to conditions that create or are likely to create offensive odors, flies, noise, traffic or any similar hazards.~~

- ~~(3) All camp sites shall be well drained and free from depressions in which water may stand. Natural sinkholes, pools, swamps or other surface collectors of water within 200 feet of the periphery of the camp shall be either drained or filled to remove the still surface water. Mosquito breeding shall be prevented in such areas containing water not subject to such drainage or filling.~~
- ~~(4) Grounds within the housing site shall be free from debris, noxious plants (poison ivy, etc.) and uncontrolled weeds or brush.~~
- ~~(5) The housing site shall provide a space for recreation reasonably related to the size of the program and the type of occupancy.~~
- ~~(6) Water shall be supplied from an approved public supply if available; if not available, the private system shall comply with Rules and Regulations for Water Supply Quality Control of the Georgia Department of Natural Resources.~~
- ~~(7) The use of a common drinking cup shall not be permitted.~~
- ~~(8) No tile or concrete sanitary sewers or septic tanks shall be allowed within a distance of fifty (50) feet, and no cesspool or septic tank open jointed drain fields shall be allowed within a distance of one hundred fifty (150) feet of the private water supply.~~
- ~~(9) Adequate and safe sewerage facilities with flush toilets shall be provided if water supply is available. Public sewers, subsurface septic tank seepage system or other type of liquid waste treatment and disposal system shall be provided. Raw or treated liquid waste shall not be discharged or allowed to accumulate on the ground surface.~~
- ~~(10) Where water supply is not available, sanitary type privies or portable toilets shall be provided. All such facilities shall be constructed as required by the Department. Privies, if provided, shall be maintained so as to prevent access of flies and animals to the contents therein, to prevent fly breeding and to prevent contamination of water supply.~~
- ~~(11) All facilities provided for excreta and liquid waste disposal shall be maintained and operated in a sanitary manner to eliminate possible health or pollution hazards.~~
- ~~(12) Water closets or privy seats for each sex shall be in the ratio of not less than one such unit for each fifteen (15) occupants, with a minimum of one (1) unit for each sex in common use facilities.~~
- ~~(13) Separate toilet accommodations for males and females shall be provided in common use areas. Toilets shall be distinctly marked "Male" and "Female."~~
- ~~(14) Housing shall be structurally sound, in good repair, maintained in a sanitary condition and shall provide protection to the occupants against the elements.~~
- ~~(15) Housing shall have flooring constructed of rigid materials, smooth finished, readily cleanable and so located as to prevent the entrance of ground and surface water.~~
- ~~(16) A balcony, upper story, attic or loft shall not be used for sleeping or group assembly.~~

~~(17) All outside openings in kitchen and dining rooms shall be protected with screening of 16 mesh or less.~~

~~(18) All screen doors shall be tight, in good repair and equipped with self-closing devices.~~

~~(19) All living quarters and service rooms shall be provided with properly installed, operable heating equipment capable of maintaining a temperature of at least 50° Fahrenheit if during the period of normal occupancy the temperature in such quarters falls below 50° Fahrenheit.~~

~~(20) Any stoves or other sources of heat utilizing combustible fuel shall be installed and vented in such a manner as to prevent fire hazards and a dangerous concentration of gases. No portable heaters other than those operated by electricity shall be provided in sleeping areas. If a solid or liquid fuel stove is used in a room with wooden or other combustible flooring, there shall be a concrete slab, insulated metal sheet or other fireproof materials on the floor under each stove, extending at least eighteen (18) inches beyond the perimeter of the base of the stove.~~

~~(21) Any wall or ceiling within eighteen (18) inches of a solid or liquid fuel stove or a stovepipe shall be of fireproof material. A vented metal collar shall be installed around a stovepipe or vent passing through a wall, ceiling, floor or roof. Such vent or chimney shall extend above the peak of the roof.~~

~~(22) When a heating system has automatic controls, the controls shall be of the type which cut off the fuel supply upon the failure or interruption of the flame or ignition, or whenever a predetermined safe temperature or pressure is exceeded. All steam and hot water systems shall be provided with safety devices arranged to prevent hazardous pressures and excessive temperatures.~~

~~(23) All heating equipment shall be maintained and operated in a safe manner to eliminate possibilities of fire.~~

~~(24) Electrical wiring and lighting fixtures shall be installed and maintained in a safe condition.~~

~~(25) Bathing and hand washing facilities, supplied with hot and cold water shall be provided for the use of all occupants. These facilities shall be clean and sanitary and maintained in good repair.~~

~~(26) There shall be a minimum of one (1) showerhead per fifteen (15) persons. Showerheads shall be spaced at least three (3) feet apart, with a minimum of nine (9) square feet of floor space per unit. Adequate dry dressing space shall be provided in common use facilities. Shower floors shall be constructed of non-absorbent, properly constructed floor drains. Separate shower facilities shall be provided for each sex. When common use shower facilities for both sexes are in the same building, they shall be separated by a solid nonabsorbent wall extending from the floor to ceiling or roof, and shall be plainly designated "Male" or "Female."~~

~~(27) If laundry service is not otherwise provided, laundry facilities supplied with hot and cold water under pressure shall be provided for the use of all occupants.~~

~~(28) Bedding provided by the Outdoor Child Caring Program shall be clean and sanitary. All bedding shall be laundered or otherwise sanitized between assignment to different campers.~~

~~(29) Linens shall be changed as often as required for cleanliness and sanitation, but not less frequently than once a week.~~

~~(30) Bedwetters shall have their linens changed as often as they are wet.~~

~~(31) Adequate personal storage area shall be available for each child to separate his or her clothing from other children's personal belongings.~~

~~(32) Boys and girls shall not share the same sleeping unit.~~

~~(33) A separate bed, bunk or cot shall be available for each person. Tripledeck beds are prohibited. Beds shall be spaced in a manner which will provide a walk space on at least one side and at least one end of each bed.~~

~~(34) Food service facilities and program shall meet Chapter 290-5-14 Rules and Regulations for Food Service, Georgia Department of Human Resources.~~

~~(35) Poisonous and toxic materials shall be properly identified, stored separately from food and properly used. Poisonous polishes shall not be used on eating and cooking utensils.~~

~~(36) Persons with wounds or communicable diseases shall be prohibited from handling food.~~

~~(37) Food handlers shall practice good hygienic practices.~~

~~(38) Floors, walls and ceilings shall be kept clean and in good repair.~~

~~(39) Adequate lighting shall be provided and shall be properly protected from breakage.~~

~~(40) The kitchen area and cooking equipment shall be properly vented.~~

~~(41) Pets shall not be allowed in the food storage, preparation or dining area.~~

~~(42) Durable, clean containers of adequate size and tight fitting lids shall be conveniently located to each housing unit for storage of garbage and other refuse.~~

~~(43) Provisions shall be made for collection of refuse at least once a week, or more often if necessary. The disposal of refuse, which includes garbage, shall be in accordance with requirements of Chapter 290-5-14 Rules and Regulations for Food Service, Georgia Department of Human Resources.~~

~~(44) Storage facilities and areas shall be maintained in a sanitary condition.~~

~~(45) A vector control program shall be maintained to insure effective control of all insects and rodents in buildings and on the premises.~~

~~(46) If chemical control is needed to supplement good sanitation practices, proper pesticides shall be used in strict accordance with label instructions.~~

~~(47) Swimming pools shall be constructed in accordance with Department design standards and all pools shall be maintained and operated as required by local regulations and standards of the Department. Other swimming areas (lake, creeks, etc.) shall be kept clean of hazardous trash and debris.~~

~~(48) Documentation of current and approved fire, health, and safety inspections shall be kept on file at the Outdoor Child Caring Program. Copies of the inspection reports shall be submitted to the Department when the signed application for licensure is submitted and annually thereafter.~~

~~(49) Fire drills shall be held at least 8 times a year. Written records of the drills shall be maintained.~~

~~(50) There shall be a disaster preparedness plan for staff and residents to follow for meeting disasters and emergencies such as fires or severe weather. The plan shall include procedures and action to be taken in case of adverse weather conditions such as extremely low temperatures, storms, tornadoes, etc. All staff members shall know the procedures and action to be taken for meeting disasters and emergencies.~~

~~(51) Horses and other animals maintained in any camp shall be quartered at a reasonable distance from any sleeping, living, eating or food preparation area.~~

~~(a) Stables and corrals shall be located as to prevent contamination of any water supply. Manure shall be removed from stalls and corrals as often as necessary to control flies.~~

~~(b) Horses, dogs or other domestic animals or pets shall not be permitted on a bathing beach or in water in the area used for waterfront activities.~~

~~(52) All dogs, cats and other warm blooded pets owned or under the supervision of an occupant of any Camp shall be currently vaccinated against rabies in compliance with the law.~~

~~(a) Written records shall be kept on the type of vaccinations and the date of vaccinations.~~

~~(b) The premises shall be kept free of stray animals.~~

~~(53) Primitive campsites shall be maintained and operated in a safe and healthful manner.~~

~~(a) Drinking water used at primitive camps and on hikes and trips away from permanent campsites shall be from a source known to be safe (free of coliform~~

~~organisms) or shall be rendered safe before used in a manner approved by the Department of Human Resources.~~

~~(b) Primitive campsites which are not provided with approved toilet facilities shall have a separate toilet area designated for each sex at a minimum ratio of one (1) toilet seat per 15 persons. Slit trenches or cat holes with a readily available supply of clean earth backfill or other disposal methods approved in writing by the Department of Health shall be utilized for the disposal of human excreta in these areas. Toilet areas shall be located at least one hundred and fifty (150) feet from a stream, lake or well and at least seventy-five (75) feet from a campsite, tent or other sleeping or housing facility.~~

~~(c) Solid wastes which are generated in primitive camps should be disposed of at an approved sanitary landfill or similar disposal facility. Where such facilities are not available, solid wastes shall be disposed of daily by burial under at least two (2) feet of compacted earth cover in a location which is not subject to inundation by flooding. Burying is not recommended.~~

~~(d) Hot water and detergent shall be used to wash all food utensils after each meal at primitive campsites. Where group dishwashing is practiced, all utensils shall be immersed for at least two (2) minutes in a lukewarm chlorine bath containing at least 50 ppm of available chlorine at all times. Where chlorine is used, a three-compartment vat or three containers are required for washing, rinsing and immersion.~~

~~(e) No dish, receptacle or utensil used in handling food for human consumption shall be used or kept for use if chipped, cracked, broken, damaged or constructed in such a manner as to prevent proper cleaning sanitizing.~~

~~(f) Disposable or single use dishes, receptacles or utensils used in handling food shall be discarded after one use.~~

~~(g) Eating utensils shall not be stored with foods or other materials and substances and shall be stored in clean dry containers.~~

~~(h) Persons who handle food and/or eating utensils for the group shall maintain personal cleanliness, shall keep hands clean at all times and shall thoroughly wash the hands with soap and water after each visit to the toilet. They shall be free of local infection commonly transmitted through the handling of food or drink and free of communicable disease.~~

~~(i) Food shall be stored in clean and dry containers that provide protection from insects, rodents and wildlife. Hazardous substances, medicines, etc., shall not be stored in containers with food.~~

Statutory Authority: O.C.G.A. Sections 49-5-3, 49-5-12.

Rule 290-2-7-.15. Reports

~~(1) The governing board shall submit on a timely basis such financial, statistical reports, and board minutes and other information as may be required by the Department.~~

~~(2) Reporting. Detailed written summary reports shall be made to the Department of Human Resources, Office of Regulatory Services, Residential Child Care Unit via email or fax on the required incident intake information form (IIF) within 24 hours. This report shall be made regarding serious occurrences involving children in care, including but not limited to:~~

~~(a) Death or serious injury (requiring extensive medical care and/or hospitalization of any camper in care);~~

~~(b) Suicide attempts;~~

~~(c) Abuse;~~

~~(d) Any federal, state or private legal action by or against the Camp which affects any child, the conduct of the Camp or any person affiliated with the Camp;~~

~~(e) Closure of a living unit due to disaster or emergency situations such as fires or severe weather; and~~

~~(f) Any injury requiring medical treatment beyond first aid that is received by a camper as a result of any emergency safety intervention.~~

~~(3) Child Abuse Reports. Whenever the outdoor child caring program has reason to believe that a child in care has been subjected to child abuse it shall cause a report of such abuse to be made to the child welfare agency of the county of occurrence providing protective services as designated by the Department of Human Resources (Division of Family and Children Services) or in the absence of such an agency to an appropriate police authority or district attorney in accordance with the requirements of O.C.G.A. Sec. 19-7-5. A copy of such report shall also be filed with the Office of Regulatory Services.~~

~~(4) The governing board of the Outdoor Child Caring Program shall report to the Department:~~

~~(a) Any change in administrator; and~~

~~(b) Any impending change that would necessitate a change in the conditions of the license, i.e., capacity, age range, sex, location or name.~~

~~Statutory Authority: O.C.G.A. Sections 19-7-5, 49-5-12.~~

Rule 290-2-7-.16. Application for License

~~(1) Application for licensure of an Outdoor Child Caring Program shall be made on forms provided by the Department. The application shall be verified by both the Executive Director and Chairman of the Governing Body.~~

~~(2) The following material shall be filed with the application:~~

~~(a) Certified copy of the current Articles of Incorporation (if incorporated).~~

~~(b) Certified copy of the current Bylaws (if applicable).~~

~~(c) A list of the name and address of the current members of the Governing Body and a notarized letter of acceptance from each.~~

~~(d) A list of the professional staff including their education and experience.~~

~~(e) Plan for financing including an itemized annual budget, base for any schedule of fees, letter from C.P.A. stating that the bookkeeping system will be set up so that an audit can be made at the end of each fiscal year.~~

~~(f) Copy of personnel policies and practices.~~

~~(g) Outline of the Outdoor Child Caring Program's proposed program.~~

~~(h) Copy of admission policies and procedures.~~

~~(i) Documentation of need:~~

~~(I) Written communications from community leaders in the field of child welfare indicating a need for the services proposed by the applicant; or~~

~~(II) Recent research data establishing a need for the services being proposed; or~~

~~(III) Evidence that the services will be used by referral sources.~~

~~(j) Manual of operating procedures as referred to in Section 290-2-7-.03.~~

~~(k) Written disclosure concerning the status of all applications previously made (whether granted, denied, or pending) and licenses previously obtained (whether currently in force, revoked or suspended) for outdoor camping activities in other jurisdictions by agencies in common control with or under common control of the applicant Agency or Outdoor Child Caring Program or with which the applicant Agency or Outdoor Child Caring Program intends to cooperate in the care and service of children. The aforementioned requirement of disclosure will also apply to all applications and licenses for agencies with whom the Administrator or individual board members of the applicant Agency or Outdoor Child Caring Program are affiliated in any capacity. The purpose of this provision is to disclose to the Department full and complete information concerning the prior and continuing efforts of the applicant Agency or Outdoor Child Caring Program, its~~

~~Executive Director and individual members of the governing body in child care activities in other jurisdictions.~~

~~(3) False or Misleading Information. The application for a license including the application for a criminal history background check must be truthfully and fully completed. In the event that the department has reason to believe that any required application has not been completed truthfully, the department may require additional verification of the facts alleged. The department may refuse to issue a license where false statements have been made in connection with the application or any other documents required by the department.~~

~~(4) A license to operate an Outdoor Child Caring Program is not transferable. A new application shall be filed when there is a substantial change in membership (50%) of the governing body.~~

~~(5) The Department shall consider each application filed and in its discretion, either deny said application, suspend consideration of said application until additional requested information is received, or issue a temporary license, based on a determination that the Outdoor Child Caring Program has made adequate provision to meet these Rules. An Outdoor Child Caring Program's initial license shall be a temporary license, valid for a specified period not to exceed one year.~~

~~(6) If the department finds that any outdoor child caring program applicant does not meet rules and regulations prescribed by the department but is attempting to meet such rules and regulations, the department may, in its discretion, issue a temporary license or commission to such outdoor child caring program, but such temporary license or commission shall not be issued for more than a one-year period.~~

~~(a) Upon presentation of satisfactory evidence that such institution is making progress toward meeting prescribed rules and regulations of the department, the department may, in its discretion, reissue such temporary license or commission for one additional period not to exceed one year.~~

~~(b) As an alternative to a temporary license or commission, the department, in its discretion, may issue a restricted license or commission which states the restrictions on its face.~~

~~(c) Upon consideration of an application for renewal of the initial temporary license granted to an Outdoor Child Caring Program the Department may, in its sole discretion, based on the Outdoor Child Caring Program's performance during the initial licensing period, either deny said renewal, issue a full one-year license, or issue an additional temporary license for a specified period not to exceed six months.~~

~~(7) An application for renewal of license shall be made no later than 60 days prior to the expiration of a Outdoor Child Caring Program's current license on forms provided by the Department. The application for renewal shall be verified by both the Administrator and~~

~~Chairman of the Governing Body and shall certify, unless noted otherwise therein, that all of these Rules have been and continue to be complied with and that all information previously filed with the Department is true and correct. All changes in membership of the Governing Body and personnel since the date of last application (whether for initial license or renewal) shall be fully documented, as to names, dates and circumstances.~~

~~(8) If an application for licensure is denied, or a license revoked, an application for a new license may not be filed within one year of such denial or revocation.~~

~~(9) Information required for relicensing shall be submitted on forms provided by the Department.~~

~~(10) The license shall be posted at some point near the entrance or part of the office that is open to view by the public.~~

~~Statutory Authority: O.C.G.A. Sections 31-2-4, 49-5-3, 49-5-12.~~

~~Rule 290-2-7-.17. Variances and Waivers~~

~~The Department may grant a variance to a rule when the variance is necessary because the rule is not applicable, or to allow experimentation and demonstration of new and innovative approaches to the delivery of services or the Outdoor Child Caring Program has met the intended purpose of the rule through equivalent rules. The Department may establish conditions which must be met by the Outdoor Child Caring Program in order to operate under the variance.~~

~~Statutory Authority: O.C.G.A. Sections 49-5-3, 49-5-12.~~

~~Rule 290-2-7-.18. Disaster Preparedness~~

~~The Outdoor Child Caring Program shall prepare for potential emergency situations that may affect the care of children by the development of an effective disaster preparedness plan that identifies emergency situations and outlines an appropriate course of action. The plan must be reviewed and revised annually, as appropriate, including any related written agreements.~~

~~(a) The disaster preparedness plan shall include at a minimum plans for the following emergency situations:~~

- ~~1. Local and widespread weather emergencies or natural disasters, such as tornadoes, hurricanes, earthquakes, ice or snow storms, or floods;~~
- ~~2. Manmade disasters such as acts of terrorism and hazardous materials spills;~~

~~3. Unanticipated interruption of service of utilities, including water, gas, or electricity, involving any placement homes within a local or widespread area;~~

~~4. Loss of heat or air conditioning in facilities, outdoor temporary structures or primitive natural environments where campers may be housed;~~

~~5. Fire, explosion, or other physical damage to facilities, outdoor temporary structures or primitive environments where campers may be housed; and~~

~~6. Pandemics or other situations where the campers' need for services exceeds the capacity and availability of services regularly offered by the Outdoor Child Caring Program.~~

~~(b) There shall be plans to ensure sufficient camp staff and supplies for campers to provide room, board and watchful oversight during the emergency situation.~~

~~(c) There shall be plans for the emergency transport or relocation of all campers, should it be necessary, in vehicles appropriate to the camper's needs. Additionally there shall be written agreements with any agencies which have agreed to receive the program's campers in these situations.~~

~~(d) The Outdoor Child Caring Program shall document quarterly disaster drills.~~

~~(e) The disaster preparedness plan shall include a requirement that the program notify the Department of the emergency situation as required by these rules and notify the parents, placement agency or lawful custodians of the camper's whereabouts and condition.~~

~~(f) The Outdoor Child Caring Program shall provide a copy of the internal disaster preparedness plan to the local Emergency Management Agency (EMA) and shall include the local EMA in development of the Outdoor Child Caring Program's plan for the management of external disasters.~~

~~(g) The Outdoor Child Caring Program's disaster preparedness plan shall be made available to the Department for inspection upon request.~~

~~(h) The Department may suspend any requirements of these rules and the enforcement of any rules where the Governor of the State of Georgia has declared a public health emergency.~~

Statutory Authority: ~~O.C.G.A. Sections 49-5-3, 49-5-12.~~

~~Rule 290-2-7-19. Inspections: Access by Department Staff~~

~~An application for license to operate an Outdoor Child Caring Program shall constitute consent by the Outdoor Child Caring Program for the staff of the Department to enter the premises or wherever campers are being cared for at any time during normal~~

~~business hours, with or without prior notice for the purpose of reviewing records, obtaining pertinent information and determining compliance with these Rules.~~

~~Statutory Authority: O.C.G.A. Sections 31-2-6, 49-5-8, 49-5-12.~~

~~Rule 290-2-7-20. Emergency Orders~~

~~(1) In accordance with O.C.G.A. 49-5-90et seq., notwithstanding other remedies available to the department which may be pursued at the same time, the commissioner or his designee may issue emergency orders. Such orders may include the following:~~

~~(a) Emergency relocation of children when it is determined that the children are subject to an imminent and substantial danger.~~

~~(b) Emergency placement of a monitor or monitors in an outdoor child caring program upon a finding that the department's rules and regulations are being violated which threaten the health, safety, or welfare of children in care and when one or more of the following conditions are present:~~

~~1. The outdoor child caring program is operating without a license; or~~

~~2. The department has denied the application for the license or has initiated action to revoke the existing license; or~~

~~3. Children are suspected of being subjected to injury or life-threatening situations or the health or safety of a child or children is in danger.~~

~~(c) Emergency prohibition of admissions to an outdoor child caring program when children are in imminent and substantial danger and the outdoor child caring program has failed to correct a violation of rules and regulations within a reasonable time, as specified by the department. Such violation giving rise to the prohibition could jeopardize the health and safety of the children if allowed to remain uncorrected or is a repeat violation over a twelve month period.~~

~~(2) An emergency order shall contain the following:~~

~~(a) The scope of the order;~~

~~(b) The reasons for the issuance of the order;~~

~~(c) The effective date of the order if other than the date the order is issued;~~

~~(d) The person to whom questions regarding the order are to be addressed; and~~

~~(e) Notice of the right to a preliminary hearing.~~

~~(3) Unless otherwise provided in the order, an emergency order shall become effective upon its service to the owner, the director, or any other agent, employee, or person in charge of the institution at the time of the service of the order.~~

~~(4) Prior to issuing an emergency order, the commissioner or his designee may consult with persons knowledgeable in the field of child care and a representative of the institution to determine if there is a potential for greater adverse effects on children in care as a result of the emergency order.~~

~~Statutory Authority: O.C.G.A. Sections 31-2-6, 49-5-8, 49-5-12~~

~~Rule 290-2-7-.21. Enforcement and Penalties~~

~~(1) **Plans of Correction.** If the Department determines that either an Outdoor Child Caring Program or a facility applying to become licensed as an Outdoor Child Caring Program does not comply with the rules, the Department shall provide written notice specifying the rule(s) violated and setting a time for the agency not to exceed ten (10) working days within which to file an acceptable written plan of correction where the Department has determined that an opportunity to correct is permissible. If such plan of correction is determined not acceptable to the Department because it does not adequately correct the identified violation, the Department will advise the Outdoor Child Caring Program or facility applying to become licensed that the plan of correction is not acceptable. The Department may permit the camp to submit a revised plan of correction.~~

~~(a) The camp shall comply with an accepted plan of correction.~~

~~(b) Where the Department determines that either the Outdoor Child Caring Program or the facility applying to become licensed as an Outdoor Child Caring Program has not filed an acceptable plan of correction or has not complied with the accepted plan of correction, the Department may initiate an adverse action to enforce these rules.~~

~~(2) All adverse actions to enforce the Rules and Regulations for an Outdoor Child Caring Program shall be initiated in accordance with the Rules and Regulations for Enforcement of Licensing Requirements, Chapter 290-1-6, and O.C.G.A. Secs. 49-5-12 and 49-5-12.1, Penalties for Violation of Child Welfare Agency Laws and Regulations and Sec. 49-5-60 *et seq.* and the requirements set forth herein.~~

~~(3) **Required Notifications for Revocations and Suspensions.** The camp shall notify each child's parents and/or legal guardians of the Department's actions to revoke the license or seek an emergency suspension of the camp's license to operate.~~

~~(a) The official notice of the revocation or emergency suspension action and any final resolution, together with the Department's complaint intake phone number and website address, shall be provided by the camp to each current and prospective child's parents and/or legal guardians.~~

~~(b) The camp shall ensure the posting of the official notice at the camp in an area that is visible to each child's parents and/or legal guardians.~~

~~(c) The camp shall ensure that the official notice continues to be visible to each child's parents and/or legal guardians throughout the pendency of the revocation and emergency suspension actions, including any appeals.~~

~~(d) The camp shall have posted in an area that is readily visible to each child's parents and/or legal guardians any inspection reports that are prepared by the Department during the pendency of any revocation or emergency suspension action.~~

~~(e) It shall be a violation of these rules for the camp to permit the removal or obliteration of any posted notices of revocation, emergency suspension action, resolution, or inspection survey during the pendency of any revocation or emergency suspension action.~~

~~(f) The Department may post an official notice of the revocation or emergency suspension action on its website or share the notice of the revocation or emergency suspension action and any information pertaining thereto with any other agencies that may have an interest in the welfare of the children in care of the camp.~~

~~(g) The Department may suspend any requirements of these rules and the enforcement of any rules where the Governor of the State of Georgia has declared a public health emergency.~~

~~Statutory Authority: O.C.G.A. Sections 31-2-6, 49-5-8, 49-5-90 et seq.~~