



Nathan Deal, Governor

Clyde L. Reese, III, Esq., Commissioner

---

Georgia Department of Human Services • Suite 29.250 • Two Peachtree Street, NW • Atlanta, Georgia 30303-3142 • Phone: 404-463-3390

## **RECOMMENDED MOTION TO AUTHORIZE PUBLIC COMMENT PERIOD FOR RULE-MAKING**

### **RULES AND REGULATIONS FOR PROVIDING CONSUMER REPORTS TO FOSTER YOUTH**

#### **Chapter 290-1-8**

#### **BACKGROUND**

The Georgia Department of Human Services, Division of Family and Children Services (the Department) proposes the adoption of new rules authorizing the Department to obtain consumer reports (credit reports) for children in the custody of the Department, who have attained the age of 16 and to assist these youth in interpreting and resolving any inaccuracies. Adoption of these rules will permit the Department to comply with Section 106(b) of the federal Child and Family Services Improvement and Innovation Act (P. L. 112-34), Section 475(5)(I) of Title IV-E of the Social Security Act, 42 U.S.C.A. Section 675(5)(I) and to meet the requirements for the receipt of federal funds under Title IV-E of the Social Security Act. Copies of the proposed rules and a synopsis detailing the main features of the proposed rules have been circulated to all members of the Board.

#### **PURPOSE FOR REVISING RULES**

O.C.G.A. Section 49-5-43 permits the Board of Human Services to adopt rules and regulations necessary to prevent conflict with federal law or the loss of federal funds as a result of Article 5 of Chapter 49 of the Official Code of Georgia Annotated. Section 106(b) of the federal Child and Family Services Improvement and Innovation Act (P. L. 112-34), Section 475(5)(I) of Title IV-E of the Social Security Act, 42 U.S.C.A. Section 675(5)(I) requires the Department, as a part of its IV-E State Plan meeting the requirements for federal funds under Title IV-E of the Social Security Act, to provide assurances that it will obtain consumer reports (credit reports) for each child in its custody, who

Aging Services | Child Support Services | Family & Children Services | Residential Child  
Care

*An Equal Opportunity Employer*

has attained the age of 16, and that each such child will receive assistance in interpreting and resolving any inaccuracies in the report. The purpose of this rule is to assure that the Division of Family and Children Services is able to comply with this requirement and to authorize the Department to provide information in its child abuse and neglect records necessary to obtain such consumer reports from credit reporting agencies and to provide information necessary to correct inaccurate information in consumer credit reports.

### **RECOMMENDED MOTION**

I move that the proposed Rules and Regulations Authorizing Consumer Reports for Foster Care Youth, be approved for initial release for public comment. A public hearing will be held at the Department on March 13, 2013 at 10:30 a.m. in the Board Room on the 29<sup>th</sup> floor of 2 Peachtree Street. The public comment period shall end on March 22, 2013. Based upon any oral or written comments, the Board will consider the proposed rule for final adoption at its regularly scheduled meeting on May 15, 2013.