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RULES OF
THE GEORGIA DEPARTMENT OF HUMAN SERVICES

CHAPTER 290-1-8

RULES AND REGULATIONS AUTHORIZING CONSUMER
REPORTS FOR FOSTER CARE YOUTH

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290-1-8-.01 Legal Authority. These rules are adopted and published pursuant to the Official Code of Georgia Annotated (O.C.G.A.) § 49-5-42 and § 49-5-43. Authority O.C.G.A. §§ 49-5-42 and 49-5-43.

290-1-8-.02 Consumer Reports (Credit Reports) To Be Obtained for Youth in Foster Care

- (1) In order 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, the Department is authorized to obtain for each child in foster care under the responsibility of the state, who has attained sixteen (16) years of age, a copy of any consumer report (as defined in Section 603(d) of the Fair Credit Reporting Act, 15 USCS Section 1681a(d)), pertaining to the child each year until the child is discharged from the custody of the Department. The Department shall obtain such consumer reports as are required by the federal Department of Health and Human Services to receive federal funds under title IV-E of the Social Security Act. Each consumer report is to be provided without cost to the child.

- (2) Pursuant to its policies and procedures, the Department shall further ensure that each child in foster care under the responsibility of the state and who has attained sixteen (16) years of age receives assistance (including, but not limited to, any court-appointed advocate for the child) in interpreting and resolving any inaccuracies in the report.

290-1-8-.03 Authorization to Provide Information to Obtain Consumer Reports

- (1) In order to prevent conflict with federal law and to prevent the loss of federal funds provided to the Department pursuant to Title IV-E of the Social Security Act, the Department is authorized to disclose such information from its child abuse and neglect records as is necessary to do the following:
- a. Obtain consumer reports for the purpose of complying with Section 290-1-8-.02 of this Chapter; and
 - b. Ensure that the child receives assistance in interpreting and resolving any inaccuracies in the report
- (2) In order to comply with the requirement of 290-1-8-.03(1) above, the Department may disclose such information to the following:
- a. Entities providing consumer reports under the Fair Credit Reporting Act, 15 USCS Section 1681a(d);
 - b. Creditors or other persons or entities who have provided inaccurate information to entities providing such consumer reports; and
 - c. Individuals assisting youth in the custody of the Department to correct inaccurate information from consumer reports.
- (3) Information disclosed by the Department in order to comply with this Rule will continue to remain protected and confidential in accordance with relevant state and federal laws. Further disclosure of such information by an entity referenced in 290-1-8-.03(2) above must be made pursuant to state and federal law.