



Georgia Department of Human Services

Aging Services | Child Support Services | Family & Children Services

**RULES
OF
DEPARTMENT OF HUMAN SERVICES
OFFICE OF REGULATORY SERVICES**

**CHAPTER 290-9-2
RULES AND REGULATIONS FOR CHILD-PLACING AGENCIES**

SYNOPSIS OF PROPOSED RULE CHANGES

The Department of Human Services, Office of Inspector General, Residential Child Care Licensing Unit (“Department”) proposes the adoption of rule amendments to Chapter 290-9-2, entitled “Rules and Regulations for Child-Placing Agencies,” of the Rules of the Georgia Department of Human Services. Proposed amendments affect rules 290-9-2-.01, 290-9-2-.02, and 290-9-2-.06 of the current child-placing agency rules, set forth in Chapter 290-9-2. These rules are being amended to promote compliance with the provisions of HB 159. HB 159 was passed during the 2018 legislative session and revises general provisions relating to adoptions.

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

MAIN FEATURES OF THE RULE AMENDMENTS: The amendments to the Rules and Regulations for Child-Placing Agencies, Chapter 290-9-2, include the following:

- Rule 290-9-2-.01 has been amended to include the definitions of ‘biological father,’ ‘biological parent,’ ‘birth parent,’ ‘evaluator,’ ‘facilitator,’ ‘inducements,’ and ‘out-of-state licensed agency.’ In addition, the definitions of ‘child-placing agency’ and ‘child-placement’ have been updated to exclude services provided by an evaluator.
- Rule 290-9-2-.02 has been amended to include facilitators in the list of persons or entities that shall not engage in child placement activities unless licensed by the Department. This rule has been amended to prohibit inducements to part with a child as well as the advertisement of adoption services by certain persons or entities. In addition, this rule now requires child-placing agencies to include their license number issued by the Department on advertisements.
- Rule 290-9-2-.02 has been amended to include the provision that agencies must assess the appropriateness of placements. This provision was previously included within the definition of ‘child-placing agency.’
- Rule 290-9-2-.02 has been amended to provide that child-placing agency rules and regulations do not apply to parties to a power of attorney for the care of a child executed in accordance with applicable Georgia law.
- Rule 290-9-2-.06 has been amended to update provisions regarding payments and reimbursements, surrender of rights, revocation of surrenders, consents to adoption, and consents to contact.
- Rule 290-9-2-.06 has been amended to update adoption record storage provisions and to add the provision that adoption records shall be kept confidential.