



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

**RULES OF THE
DEPARTMENT OF HUMAN SERVICES**

**CHAPTER 290-2-30
RULES AND REGULATIONS GOVERNING
THE CHILD ABUSE REGISTRY**

SYNOPSIS OF PROPOSED RULE AMENDMENTS

The Division of Family and Children Services of the Georgia Department of Human Services proposes to amend Rules 290-2-30-.02 through 290-2-30-.07 of Chapter 290-2-30 of the Rules of the Department of Human Services, related to the “Child Protective Services Information System,” the Child Abuse Registry.

These amendments are required so that the rules governing the Child Abuse Registry will conform to Article 8 of Chapter 49-5 of the Official Code of Georgia Annotated, O.C.G.A. Section 49-5-180 et seq. (2020), as amended in the 2019 session of the Georgia General Assembly.

The proposed amendments include the following major changes:

- The addition of the definition of “final disposition of the criminal prosecution,” found in O.C.G.A. § 49-5-183(d)(2);
- Amendments providing that the child abuse registry shall contain only the names of individuals who were at least age 18 at the time such persons committed an act of abuse;

- A provision requiring the notification of an alleged child abuser that a child abuse investigator has substantiated that he or she committed an act of child abuse and that his or her name will be placed on the child abuse registry unless the substantiation is appealed in accordance with O.C.G.A. § 49-5-183. The time permitted to request an appeal to the Office of State Administrative Appeals (OSAH) is now 30 days from the date of receipt of such notice and the time to request a judicial review of the OSAH decision to the superior court is now 30 days from the date of the OSAH decision;
- A provision providing that the name of an alleged child abuser shall not be included on the child abuse registry until all appeals available to the alleged child abuser have been exhausted;
- A provision permitting the prosecuting attorney with jurisdiction over the criminal prosecution of child abuse charges to file a motion requesting postponement of hearing before the OSAH administrative law judge if conducting the hearing will impact the ability to prosecute the criminal case.
- A provision providing for the expungement of the name of an individual from the child abuse registry as provided in O.C.G.A. § 49-5-184 (2020).

It is not anticipated that the amendment of these rules will impose excessive regulatory cost on any client and it is not foreseeable that any cost to comply with the proposed amendments can be reduced by a less expensive alternative that fully accomplishes the duties required of the Department of Human Services, Division of Family and Children Services.