

Senate Bill 377

By: Senators Tillery of the 19th, Kirkpatrick of the 32nd, Burns of the 23rd, Payne of the 54th, Strickland of the 17th and others

**AS PASSED**

A BILL TO BE ENTITLED  
AN ACT

1 To amend Titles 15 and 49 of the Official Code of Georgia Annotated, relating to the courts  
2 and social services, respectively, so as to provide for the licensing of qualified residential  
3 treatment programs; to revise the definition of "qualified residential treatment program" to  
4 conform with federal law; to provide for definitions; to provide for related matters; to provide  
5 for an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by revising  
9 paragraph (60.2) of Code Section 15-11-2, relating to definitions relative to the juvenile code,  
10 as follows:

11 "(60.2) 'Qualified residential treatment program' means a program that:

12 (A) Has a trauma-informed treatment model that is designed to address the needs,  
13 including clinical needs as appropriate, of children with serious emotional or behavioral  
14 disorders or disturbances and, with respect to a child, is able to implement the treatment  
15 identified for the child by the assessment to determine appropriateness of placement as  
16 provided for in Code Section 15-11-219;

17 (B) Has registered or licensed nursing staff and other licensed clinical staff who:

- 18 (i) Provide care within the scope of their practice; ~~and~~  
 19 (ii) Are onsite according to the treatment model referred to in subparagraph (A) of  
 20 this paragraph; and  
 21 (iii) Are available 24 hours a day and seven days a week;  
 22 (C) To the extent appropriate, and in accordance with the child's best interests,  
 23 facilitates participation of family members in the child's treatment program;  
 24 (D) Facilitates outreach to the family members of the child, including siblings;  
 25 ~~(E) Documents~~ documents how the outreach is made, including contact information,  
 26 and maintains contact information for any known biological family and fictive kin of  
 27 the child;  
 28 ~~(F)(E)~~ Documents how family members are integrated into the treatment process for  
 29 the child, including post-discharge, and how sibling connections are maintained;  
 30 ~~(G)(F)~~ Provides discharge planning and family based aftercare support for at least six  
 31 months post-discharge; and  
 32 ~~(H)(G)~~ Is licensed pursuant to Chapter 5 of Title 49 in accordance with 42 U.S.C.  
 33 Section ~~471~~ 671(a)(10) and accredited in accordance with 42 U.S.C. Section  
 34 672(k)(4)(G)."

35 **SECTION 2.**

36 Title 49 of the Official Code of Georgia Annotated, relating to social services, is amended  
 37 by revising Code Section 49-5-3, relating to definitions relative to children and youth  
 38 services, by revising paragraph (3) and by adding a new paragraph to read as follows:

39 "(3) 'Child-caring institution' means any institution, society, agency, or facility, whether  
 40 incorporated or not, which either primarily or incidentally provides full-time care for  
 41 children through 18 years of age outside of their own homes, subject to such exceptions  
 42 as may be provided in rules and regulations of the board. Such term includes a qualified  
 43 residential treatment program."

44 "(15.1) 'Qualified residential treatment program' means a program as defined in Code  
45 Section 15-11-2."

46 **SECTION 3.**

47 This Act shall become effective upon its approval by the Governor or upon its becoming law  
48 without such approval.

49 **SECTION 4.**

50 All laws and parts of laws in conflict with this Act are repealed.