

House Bill 984

By: Representatives Cox of the 102<sup>nd</sup>, Carter of the 175<sup>th</sup>, Jerguson of the 22<sup>nd</sup>, Sheldon of the 105<sup>th</sup>, and Coan of the 101<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated,  
2 relating to children and youth services, so as to revise definitions and add a new definition  
3 relating to children's transition care centers; to change certain provisions relating to licensing  
4 and inspection of child welfare agencies; to provide for related matters; to repeal conflicting  
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to  
9 children and youth services, is amended by revising paragraphs (1), (2), and (4) of Code  
10 Section 49-5-3, relating to definitions, as follows:

11 "(1) 'Child-caring institution' means any institution, society, agency, or facility, whether  
12 incorporated or not, which either primarily or incidentally provides full-time care for  
13 children through 18 years of age outside of their own homes, subject to such exceptions  
14 as may be provided in rules and regulations of the board. This term includes children's  
15 transition care centers.

16 (2) 'Child-placing agency' means any institution, society, agency, or facility, whether  
17 incorporated or not, which places children in foster homes for temporary care or for  
18 adoption. This term includes children's transition care centers."

19 "(4) ~~Reserved.~~ 'Children's transition care center' means a transition center which  
20 provides a temporary, home-like environment for medically fragile children, technology  
21 dependent children, and children with special health care needs, up to 21 years of age,  
22 who are deemed clinically stable by a physician but dependent on life-sustaining  
23 medications, treatments, and equipment and who require assistance with activities of  
24 daily living to facilitate transitions from a hospital or other facility to a home or other  
25 appropriate setting. Such centers are designated sites that provide nursing care, clinical

1 support services, and therapies for a period of one to 14 days for short-term stays and up  
 2 to 12 months to facilitate transitions to a home or other appropriate setting."

### 3 **SECTION 2.**

4 Said article is further amended by revising subsection (i) of Code Section 49-5-12, relating  
 5 to licensing and inspection of child welfare agencies, and adding a new subsection as  
 6 follows:

7 "(i) Child-caring institutions and child-placing agencies, when licensed in accordance with  
 8 this Code section, may receive needy or dependent children from their parents, guardians,  
 9 custodians, or persons serving in loco parentis for special, temporary, or continued care.  
 10 Parents, guardians, custodians, or persons serving in loco parentis to such children may  
 11 sign releases or agreements giving to such institutions or agencies custody and control over  
 12 such children during the period of care. Child-caring institutions and child-placing  
 13 agencies which are children's transition care centers may receive medically fragile children  
 14 from their parents, guardians, custodians, or persons serving in loco parentis for special,  
 15 temporary, or continued care to facilitate transitions from a hospital or other facility to a  
 16 home or other appropriate setting.

17 (i.1) A children's transition care center shall serve no more than 20 children at a time.  
 18 Children's transition care center services shall be available to all families in this state,  
 19 including those whose care is paid for through the Department of Community Health or the  
 20 Department of Human Resources or by insurance companies that cover home health care  
 21 services or private duty nursing care in the home. Each children's transition care center  
 22 location shall be physically separate and apart from any other facility licensed by the  
 23 Department of Human Resources under this chapter and shall provide the following  
 24 services: respite care, registered nursing or licensed practical nursing care, transitional care  
 25 for the facilitation of transitions to a home or other appropriate setting and reunion of  
 26 families, medical day care, weekend camps, and diagnostic studies typically done in the  
 27 home setting."

### 28 **SECTION 3.**

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