

SENATE SUBSTITUTE TO HB 914:

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Title 49 of the Official Code of Georgia Annotated, relating to social services, so
 2 as to provide that certain school personnel who are required to report child abuse shall be
 3 notified by the department or governmental child protective agency upon receipt of such
 4 report and upon completion of its investigation; to provide for the bidding out of child
 5 welfare services state wide through contracts with community based providers; to provide
 6 for definitions; to provide for qualifications for contractors; to provide for contract standards;
 7 to provide for a review; to provide for procedures; to provide for related matters; to provide
 8 for a contingent effective date; to provide for an effective date; to repeal conflicting laws;
 9 and for other purposes.

10 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

11 **SECTION 1.**

12 Title 49 of the Official Code of Georgia Annotated, relating to social services, is amended
 13 by revising subsection (a) of Code Section 49-5-41, relating to persons and agencies
 14 permitted access to records, by adding a new paragraph to read as follows:

15 "(5.1) Within 24 hours of a school employee making a report of suspected child abuse
 16 pursuant to Code Section 19-7-5, the department or governmental child protective agency
 17 that received such report shall acknowledge, in writing, the receipt of such report to the
 18 reporting individual. Within five days of completing the investigation of the suspected
 19 child abuse, the department or governmental child protective agency shall disclose, in
 20 writing, to the school counselor for the school such child was attending at the time of the
 21 reported child abuse, advising as to whether the suspected child abuse was confirmed or
 22 unconfirmed. If a school does not have a school counselor, such disclosure shall be made
 23 to the principal."

24 **SECTION 2.**

25 Said title is further amended in Chapter 2, relating to the Department of Human Services, by
 26 adding a new Code section to read as follows:

27 "49-2-18.

28 (a) As used in this Code section, the term:

29 (1) 'Child welfare services' means those services relating to programs and protection for
30 children and youth conducted pursuant to Chapter 5 of this title, including, but not limited
31 to, adoption services, family preservation, independent living, emergency shelter,
32 residential group care, foster care, therapeutic foster care, intensive residential treatment,
33 foster care supervision, case management services, post-placement supervision, and
34 family reunification; provided, however, that child welfare services shall not include
35 child protection investigations.

36 (2) 'Division' means the Division of Family and Children Services of the Department of
37 Human Services.

38 (b) Beginning July 1, 2015, the division shall conduct a three-year pilot program for the
39 purpose of evaluating whether child welfare services should be privatized statewide. The
40 pilot program shall be established in three of the 15 regional service areas identified by the
41 division. The division should establish the pilot program in diverse areas of the state. The
42 division shall use a competitive bidding process to contract with a single community based
43 organization, which may be faith based, to administer all child welfare services for all
44 children in each region either directly or through a local network of providers; provided,
45 however, that the services provided directly by that community based organization shall
46 not exceed 35 percent of all child welfare services in the region. The competitive bidding
47 process shall be developed with input from community based providers, foster parents,
48 members of the faith community, and child advocacy organizations.

49 (c) There shall be created the Child Welfare Pilot Program Commission. The commission
50 shall be composed of seven members and shall be appointed as follows: three shall be
51 appointed by the Governor; two shall be appointed by the Lieutenant Governor; and two
52 shall be appointed by the Speaker of the House of Representatives. The commission shall
53 advise the division on the design and implementation of the pilot program and the
54 competitive bidding process for the provision of child welfare services through contracts
55 with community based organizations, including a federal Title IV-E Waiver Demonstration
56 Project for fixed funding if necessary.

57 (d) The division shall retain responsibility for the quality of contracted services and
58 programs and shall ensure that services are delivered in accordance with applicable federal
59 and state laws and regulations and in adherence to nationally recognized child welfare
60 performance outcome measures. Each community based organization in the administrator
61 role should receive payment by the division of a reasonable monthly administrative rate
62 and a case rate per child calculated as the total appropriated funds allocated for child

63 welfare services during the prior fiscal year divided by the monthly average number of
64 children served in the same fiscal year.
65 (e) The division shall evaluate the pilot program and submit a report regarding quality
66 performance, outcome measure attainment, and cost efficiency results to the Governor, the
67 Lieutenant Governor, and the Speaker of the House of Representatives no later than
68 January 1, 2018. Such report shall also include recommendations as to the expansion of
69 the pilot program statewide and identification of services which should be included in
70 privatization efforts. Beginning July 1, 2018, this pilot program shall be expanded to all
71 remaining 12 regions statewide over the following two years. The division shall be
72 authorized to establish such rules and regulations in order to execute the pilot program."

73 **SECTION 3.**

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

76 **SECTION 4.**

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