

Senate Bill 216

By: Senators Brass of the 28<sup>th</sup>, Rhett of the 33<sup>rd</sup>, Walker III of the 20<sup>th</sup>, Robertson of the 29<sup>th</sup>,  
Esteves of the 6<sup>th</sup> and others

**AS PASSED SENATE**

**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 authorize respite care for foster parents for  
3 longer periods of time pursuant to circumstances delineated in rules and regulations  
4 established by the Department of Human Services; to revise terminology; to provide for  
5 related matters; to repeal conflicting 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 Code Section 49-5-8.1, relating to  
10 short-term babysitting of child in foster care and the reasonable and prudent parent standard,  
11 as follows:

12 "49-5-8.1.

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

14 (1) 'Caregiver' means a foster parent with whom a child in foster care has been placed.

15 (2) 'Occasional' means once per week or less on varying days and not exceeding twice  
16 per month.

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17 (3) 'Respite care' means occasional or short-term relief for a caregiver by a person or  
18 entity.

19 ~~(3)~~(4) 'Short-term' means no more than up to 72 consecutive hours or for such longer  
20 periods of time under such circumstances as may be promulgated by the department  
21 pursuant to rules and regulations.

22 (b) A caregiver may arrange for ~~occasional short-term babysitting~~ respite care of a child  
23 in foster care placed with such caregiver and allow individuals 18 years of age or older to  
24 supervise such child for purposes including, but not limited to, medical or other health care  
25 appointments for the caregiver, grocery or other shopping, personal grooming  
26 appointments, special occasions for the caregiver or caregivers, foster parent training  
27 classes, school related meetings, business meetings, adult social gatherings, or an  
28 ~~occasional~~ evening event out for the caregiver or caregivers.

29 (c) A caregiver shall use a reasonable and prudent parent standard in selecting and  
30 arranging for appropriate ~~babysitters for occasional short-term babysitting~~ respite care  
31 pursuant to this Code section.

32 (d) A caregiver shall make all reasonable efforts to provide the ~~babysitter~~ person or entity  
33 affording respite care with the following information before leaving the child with the  
34 ~~babysitter for short-term babysitting~~ person or entity affording respite care:

35 (1) Information about the child's emotional, behavioral, medical, and physical condition,  
36 if any, necessary to provide care for such child during the ~~short-term babysitting~~ respite  
37 care period;

38 (2) Any medication that should be administered to such child in foster care during the  
39 ~~short-term babysitting~~ respite care period; and

40 (3) Emergency contact information that is valid for the duration of the ~~short-term~~  
41 ~~babysitting~~ respite care period."

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**SECTION 2.**

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