

Senate Bill 402

By: Senators Tillery of the 19th, Kirkpatrick of the 32nd, Dixon of the 45th, Walker III of the 20th, Anavitarte of the 31st and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to
2 programs and protection for children and youth, so as to establish a pilot program relating
3 to the provision of screenings, clinical evaluations, training, services, and resources for
4 autism spectrum disorder to children in foster care; to provide for definitions; to provide for
5 the Division of Family and Children Services of the Department of Human Services to
6 develop and implement such pilot program; to provide for a final report and
7 recommendations; to provide for rules and regulations; to provide for automatic repeal; to
8 provide for related matters; to provide for an effective date; to repeal conflicting laws; and
9 for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to programs and
13 protection for children and youth, is amended in Article 1, relating to children and youth
14 services, by adding a new Code section to read as follows:

15 "49-5-26.

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

17 (1) 'Autism spectrum disorder' means a neurobiological disorder or developmental
18 disability characterized by challenges with verbal communication, nonverbal
19 communication, social skills, and restricted or repetitive behaviors, as defined by the
20 most recent edition of the Diagnostic and Statistical Manual of Mental Disorders. Such
21 term shall also include autistic disorder, Asperger's syndrome, pervasive developmental
22 disorder not otherwise specified, and childhood disintegrative disorder.

23 (2) 'Caregiver' means a parent, legal guardian, foster parent, or kinship caregiver of a
24 child in foster care.

25 (3) 'Clinical evaluation' means a comprehensive process conducted by a healthcare
26 professional to diagnose whether a child has autism spectrum disorder and to develop a
27 treatment plan.

28 (4) 'Division' means the Division of Family and Children Services of the Department of
29 Human Services.

30 (5) 'Screening' means a relatively brief process using tools such as questionnaires or
31 surveys to identify potential developmental concerns indicating further clinical evaluation
32 is necessary to determine if a child has autism spectrum disorder.

33 (b) Subject to appropriations, the division shall develop and implement a five-year pilot
34 program for the purpose of providing screenings and clinical evaluations for autism
35 spectrum disorder to children in foster care and providing training, services, and resources
36 on autism spectrum disorder to regional directors, county directors, division supervisors,
37 division case managers, other division staff, healthcare providers, and caregivers. All or
38 part of such training, services, and resources may be provided online. The pilot program
39 shall be established in three regional service areas in the first year and shall be expanded
40 to additional regional service areas each subsequent year of the pilot program until all
41 regional service areas are included. To the extent possible, the pilot program should
42 prioritize screenings, clinical evaluations, and services for children in foster care who have

43 been diagnosed with attention deficit hyperactive disorder or reactive attachment disorder
44 or who have been prescribed psychotropic medications.

45 (c) As part of the pilot program, the division shall establish plans for the incremental
46 expansion of the pilot program, adopt strategies for effectively communicating with
47 caregivers, ensure sufficient medical consultants are available in regional service areas, and
48 provide technical assistance and dedicated staff for the pilot program.

49 (d) No later than July 1, 2031, the division shall submit a detailed written report on the
50 implementation and effectiveness of the pilot program to the Governor, Speaker of the
51 House of Representatives, President of the Senate, and chairpersons of the House
52 Committee on Public and Community Health and the Senate Health and Human Services
53 Committee. Such report shall also include recommendations as to the implementation of
54 the pilot program into division operations and identification of screenings, clinical
55 evaluations, training, services, and resources that shall be provided by the division.

56 (e) The division shall be authorized to establish such rules and regulations as may be
57 necessary to implement the pilot program established pursuant to this Code section.

58 (f) This Code section shall be repealed by operation of law on July 1 of the year following
59 the submittal of the report as provided in subsection (d) of this Code section."

60 **SECTION 2.**

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

63 **SECTION 3.**

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