

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

**AS PASSED SENATE**

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:

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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, 2027, and annually thereafter for the duration of the pilot  
50 program, the division shall submit a detailed written report on the implementation and  
51 effectiveness of the pilot program to the Governor, Speaker of the House of  
52 Representatives, President of the Senate, and chairpersons of the House Committee on  
53 Public and Community Health and the Senate Health and Human Services Committee.  
54 Such report shall also include recommendations as to the implementation of the pilot  
55 program into division operations and identification of screenings, clinical evaluations,  
56 training, services, and resources that shall be provided by the division.

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

59 (f) This Code section shall be repealed by operation of law on July 1 of the year following  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

61 **SECTION 2.**

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

64 **SECTION 3.**

65 All laws and parts of laws in conflict with this Act are repealed.