Georgia Rules and Regulations
Administrative Bulletin for March 2026

OFFICE OF SECRETARY OF STATE
ADMINISTRATIVE PROCEDURE DIVISION
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Final rules filed with the Georgia Secretary of State during the month of *March 2026:*

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Final rules filed with the Georgia Secretary of State that became effective *March 2026:*

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100. RULES OF GEORGIA BOARD OF CHIROPRACTIC EXAMINERS	100-3-.02	amended	Mar. 9, 2026	Mar. 29
	100-5-.02 --- 100-5-.04	amended	Mar. 9, 2026	Mar. 29
	100-9-.01	amended	Mar. 9, 2026	Mar. 29
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	160-5-1-.28	adopted	Feb. 19, 2026	Mar. 11

Department 100. RULES OF GEORGIA BOARD OF CHIROPRACTIC EXAMINERS

Chapter 100-3. EXAMINATIONS

100-3-.02 Accompanying Documents

All applications must be completed fully and accompanied by the following:

(a) A photograph taken within one (1) year prior to submission of the application.

(b) Certification of General College Training. All applicants for licensure shall submit proof of having completed two (2) years of general college training in schools or colleges approved by the Southern Association of Accredited Colleges or schools approved by virtue of reciprocity through such association. A full year consists of forty-five (45) quarter hours or thirty (30) semester hours. The Certification of General College Training form should be mailed to the college(s) attended by the applicant for the college to complete the number of quarter or semester hours earned by the applicant. No educational credit will be granted for any home extension or correspondence study.

1. All applicants for licensure who obtain general college training from foreign schools or colleges not approved by the Southern Association of Accredited Colleges shall submit proof that general college training is equivalent to that offered from a Doctor of Chiropractic Program accredited by the Council on Chiropractic Education (CCE) or an equivalent as determined by the Board as evidenced by its use for admission purposes. The Certification of Foreign General College Training form should be mailed to the college(s) attended by the applicant to be completed by the college.

(c) All applicants for licensure shall submit proof of graduation from a Doctor of Chiropractic Program accredited by the Council on Chiropractic Education (CCE) or an equivalent as determined by the Board.

1. Proof of graduation from a chiropractic school or college shall be a certified transcript of the applicant's grades attesting graduation from an approved chiropractic school or college. Such certified transcript shall be sent directly to the Board from the chiropractic school or college.

(d) All applicants (initial and re-examination) for licensure, after January 1, 1998, shall submit proof of having successfully passed Parts 1, II, III and IV of the National Board of Chiropractic Examiners examination.

1. Proof of having passed Parts I, II, III and IV of the National Board examination shall be a certified copy of the applicant's transcript of scores from the National Board of Chiropractic Examiners.

2. Any graduate between January 1, 1988, and January 1, 1998, are required to have passed Parts I, II, and III.

3. Applicants who graduated prior to January 1, 1988, are required to have passed Parts I and II. Please contact the National Board Administrative Offices and have them certify your scores to Georgia.

(e) Application fee as provided for in Rule 100-11-.01.

Cite as Ga. Comp. R. & Regs. R. 100-3-.02

AUTHORITY: O.C.G.A. §§ 43-9-6.1**,** 43-9-7**,** 43-9-8**.**

HISTORY: Original Rule entitled "Accompanying Documents" was filed and effective on June 30, 1965.

Amended: F. May 25, 1982; eff. June 14, 1982.

Amended: Rule repealed and a new Rule of same title adopted. F. Oct. 26, 1984; eff. Nov. 15, 1984.

Amended: Rule repealed and a new Rule of the same title adopted. F. Aug. 27, 1987; eff. Sept. 16, 1987.

Amended: F. Dec. 5, 1997; eff. Dec. 25, 1997.

Amended: F. Mar. 9, 2026; eff. Mar. 29, 2026.

Department 100. RULES OF GEORGIA BOARD OF CHIROPRACTIC EXAMINERS

Chapter 100-5. CONTINUING EDUCATION

100-5-.02 Approval of Educational Programs

(1) A chiropractor must obtain a minimum of twenty (20) hours of continuing education per annum. Of these twenty (20) hours, fifteen (15) must be in chiropractic clinical science and must be on a topic in compliance with the current scope of practice, four (4) hours must be in ethics or risk management, and one (1) hour must be in Georgia Laws and Rules (NOTE: non-resident chiropractors, licensed but not practicing in Georgia, may take an additional hour of continuing education in the chiropractic clinical sciences or risk management in lieu of the required hour in Georgia Laws and Rules).

(a) Approved areas of study to satisfy the fifteen (15) hours in chiropractic clinical science are:

1. Examination Procedures/Diagnoses

2. Adjustive Technique

3. Radiographic Technique/Safety

4. Diagnostic Imaging Interpretation

5. Nutrition

6. Research Trends

7. Physiological Therapeutics

8. Chiropractic Philosophy; a maximum of 3 hours credit in chiropractic philosophy will be considered by the Board for continuing education approval.

9. Clinical documentation which includes insurance billing/reporting/coding and procedures; a maximum of 4 hours credit in clinical documentation will be considered by the Board for continuing education approval.

(b) Approved areas of study to satisfy the four (4) hours in ethics or risk management are:

1. Risk Management

2. Chiropractic Medical/Legal

3. Public Health Issues

4. Professional Conduct/Boundaries Issues

5. Scope of Practice.

(c) Non-resident chiropractors, licensed but not practicing in Georgia, may take an additional hour of continuing education in the chiropractic clinical sciences or risk management in lieu of the required hour in Georgia Laws and Rules

(d) Courses specifically excluded from continuing education approval include, but are not limited to the following:

1. Practice Management or Practice Building.

2. Courses which have content beyond the scope of practice as defined by Georgia law.

(e) Current members of the Georgia Board of Chiropractic Examiners shall receive four (4) hours of continuing education credit in ethics or risk management and one (1) hour of continuing education credit in Georgia laws and rules during each year they serve on the Board.

(f) Licensees that assist with the administration of the National Board of Chiropractic Examiners National Board Examination shall receive fifteen (15) hours of clinical science continuing education credit per each examination administration, four (4) hours of continuing education credit in ethics or risk management and one (1) hour of continuing education credit in Georgia laws and rules.

(g) Up to fifteen (15) hours of continuing education in clinical sciences may be obtained per year by teaching clinical or chiropractic sciences courses at any Doctor of Chiropractic Program accredited by the Council on Chiropractic Education (CCE) or an equivalent as determined by the Board.

These hours shall be awarded in writing by the course director/dean at the college or school.

(2) Courses must be those in which actual attendance by the licensee shall be required. However, distance based learning courses offered via audio/visual electronic media, such as the internet, may be approved by the Board if the course meets the following criteria:

(a) The course must meet all of the requirements as cited in this Rule.

(b) The program must be test and time monitored to insure active participation by the licensee.

(c) No more than twenty (20) hours per biennial renewal period can be taken via audio/visual/electronic media, such as on-line/internet courses.

Cite as Ga. Comp. R. & Regs. R. 100-5-.02

AUTHORITY: O.C.G.A. §§ 43-1-24**,** 43-1-25**,** 43-9-4**,** 43-9-6.1**,** 43-9-11**.**

HISTORY: Original Rule entitled "Communications" adopted. F. and eff. June 30, 1965.

Repealed: New Rule entitled "Approval of Educational Programs" adopted. F. Apr. 17, 1985; eff. May 7, 1985.

Amended: F. June 24, 1988; eff. July 14, 1988.

Repealed: New Rule of same title adopted. F. May 7, 1996; eff. May 27, 1996.

Repealed: New Rule of same title adopted. F. July 22, 1997; eff. Aug. 11, 1997.

Repealed: New Rule of same title adopted. F. Sept. 3, 1999; eff. Sept. 23, 1999.

Repealed: New Rule of same title adopted. F. Nov. 19, 2002; eff. Dec. 9, 2002.

Repealed: New Rule of same title adopted. F. Apr. 30, 2008; eff. May 20, 2008.

Repealed: New Rule of same title adopted. F. Aug. 19, 2008; eff. Sept. 8, 2008.

Amended: F. Sept. 30, 2009; eff. Oct. 20, 2009.

Amended: F. Dec. 20, 2011; eff. Jan. 9, 2012.

Amended: F. Mar. 16, 2012; eff. Apr. 5, 2012.

Amended: F. Nov. 5, 2014; eff. Nov. 25, 2014.

Amended: F. Mar. 9, 2026; eff. Mar. 29, 2026.

100-5-.03 Reporting and Auditing of Hours

(1) At the time of license renewal, each licensee shall certify to the Georgia Board of Chiropractic Examiners that he/she has completed the continuing education required for license renewal by submitting proof to the third-party vendor of the official, Board-approved compliance system.

(2) The staff of the State Examining Boards shall audit the continuing education of a percentage of licensees determined by the Board, not to exceed 15%, of the licensed chiropractors, randomly selected, in the state per biennium for compliance with all rules and regulations.

Cite as Ga. Comp. R. & Regs. R. 100-5-.03

AUTHORITY: O.C.G.A. §§ 43-9-6.1**,** 43-9-11**.**

HISTORY: Original Rule entitled "Reporting and Auditing of Hours" adopted. F. July 22, 1997; eff. Aug. 11, 1997.

Amended: F. Mar. 9, 2026; eff. Mar. 29, 2026.

100-5-.04 Application for Approval and Responsibilities of Providers

(1) Chiropractic Colleges and/or schools accredited by the Commission on Chiropractic Education are awarded blanket approval to provide continuing education programs on topics which fall within the current scope of practice in Georgia.

(2) Professional associations (Georgia Chiropractic Association and Georgia Council on Chiropractic or their subsequent organizations) in Georgia are awarded blanket approval to provide continuing education programs on topics which fall within the current scope of practice in Georgia.

(3) All continuing education providers must assure that the courses taught are on a topic in compliance with the current scope of practice.

(4) All other continuing education providers must apply to the third-party vendor of the official, Board-approved compliance system for approval by the Georgia Board and must provide the following information to the board for consideration:

(a) Each sponsor or provider shall have an administrator whose responsibility is to maintain the criteria for quality in programming.

(b) Providers shall use qualified personnel to develop and present the programs, which shall utilize appropriate instructional materials and resources.

(c) Providers shall provide to the Board adequate advanced promotional information, material about target audiences, program content, and faculty credentials.

(d) Providers shall provide a means of registration of the participants at each program and maintain a record of attendance for a period of three years from the date of the program.

(e) Providers shall develop policies and procedures for the management of grievances.

(5) All continuing education providers seeking approval of the continuing education program by the Georgia Board of Chiropractic Examiners shall submit a Program Approval application to the third-party vendor of the official, Board-approved compliance system for each program presented. Program Approval applications should be submitted 60 days in advance of the program to be considered for approval.

(6) Providers shall provide each participant with adequate documentation of his/her successful completion of the program. The documentation shall include but is not limited to:

(a) Name and license number of participant;

(b) Name of provider;

(c) Name and title of program;

(d) Hours/CEU's completed;

(e) Date of completion;

(f) Authorizing signature; and

(g) Third-party vendor program approval number.

(7) Per O.C.G.A. § 43-9-11, the Georgia Board of Chiropractic Examiners reserves the right to audit and/or deny any continuing education provider who does not meet the criteria, laws, rules and regulations of the board pertaining to continuing education.

(8) The Board reserves the right for its representative to attend or conduct any on-sight audit of any continuing education program. Any fees associated with such audit must be waived by the provider. No continuing education credit would be awarded for such participation.

Cite as Ga. Comp. R. & Regs. R. 100-5-.04

AUTHORITY: O.C.G.A. §§ 43-1-25**,** 43-9-6.1**,** 43-9-7.2 **and** 43-9-11**.**

HISTORY: Original Rule entitled "Responsibilities of Providers" adopted. F. July 22, 1997; eff. Aug. 11, 1997.

Repealed: New Rule entitled "Application for Approval and Responsibilities of Providers" adopted. F. May 3, 2007; eff. May 23, 2007.

Amended: F. Nov. 30, 2009; eff. Dec. 20, 2009.

Amended: F. Mar. 9, 2026; eff. Mar. 29, 2026.

Department 100. RULES OF GEORGIA BOARD OF CHIROPRACTIC EXAMINERS

Chapter 100-9. ELECTRICAL THERAPEUTIC MODALITIES

100-9-.01 Electrical and Therapeutic Modalities

(1) Doctors of Chiropractic may utilize, in conjunction with adjustments, electrical and therapeutic modalities.

(a) Each chiropractor, who utilizes electrical and therapeutic modalities as listed in O.C.G.A. § 43-9-16(b), must be certified as required in Code Section 43-9-16(c).

(b) The responsibility for treatment using electrical and therapeutic modalities rests with the licensed Doctor of Chiropractic responsible for the patient receiving such care.

(c) Only chiropractors who are certified may administer electrical and therapeutic modalities.

(d) To become certified by the Board for use of electrical and therapeutic modalities, a license Doctor of Chiropractic must:

(2) Submit to the Georgia Board of Chiropractic Examiners official documentation of having obtained a minimum of 120 classroom hours of instruction in the proper utilization of electrical and therapeutic modalities.

(3) Official documentation shall mean transcripts or letters of certification from the institution or organization providing training.

(4) Programs accredited by the Council on Chiropractic Education (CCE) or an equivalent as determined by the Board are approved for purposes of this regulation.

(5) Programs not accredited by the Council on Chiropractic Education (CCE) must be approved by the Board prior to the course being offered and must provide instruction in the proper utilization of those procedures in accordance with the standards utilized by chiropractic schools.

Cite as Ga. Comp. R. & Regs. R. 100-9-.01

AUTHORITY: O.C.G.A. §§ 43-1-24**,** 43-1-25**,** 43-9-6.1**,** 43-9-16**.**

HISTORY: Original Rule entitled "Fees" was filed on May 25, 1982; eff. June 14, 1982 as Rule 100-8-.01.

Amended: F. Aug. 25, 1982; eff. Sept. 14, 1982.

Amended: Rule renumbered as 100-9-.01. F. July 25, 1984; eff. Aug. 14, 1984.

Amended: Rule repealed and a new Rule of the same title adopted. F. Apr. 17, 1985; eff. May 7, 1985.

Amended: Rule renumbered as 100-10-.01 and a new Rule entitled "Electrical Therapeutic Modalities" adopted. F. Dec. 2, 1986; eff. Dec. 22, 1986.

Amended: F. Jan. 13, 1999; eff. Feb. 3, 1999.

Amended: New title "Electrical and Therapeutic Modalities." F. June 14, 2018; eff. July 4, 2018.

Amended: F. Mar. 9, 2026; eff. Mar. 29, 2026.

Department 100. RULES OF GEORGIA BOARD OF CHIROPRACTIC EXAMINERS

Chapter 100-12. APPROVED CHIROPRACTIC SCHOOLS OR COLLEGES

100-12-.01 Approved Chiropractic Schools or Colleges

(1) The Board shall accept graduates of a Doctor of Chiropractic Program accredited by the Council on Chiropractic Education (CCE) or an equivalent as determined by the Board.

(2) As required from a Doctor of Chiropractic Program accredited by the Council on Chiropractic Education (CCE) or an equivalent as determined by the Board, all faculty of Board approved chiropractic schools and colleges must possess a Doctor of Chiropractic degree or a related first professional degree that has been earned from a college or university accredited by an accrediting body recognized by the U. S. Secretary of Education or its foreign equivalent.

(3) The Board's list of approved foreign chiropractic schools and colleges presently includes the following foreign institutions:

(a) Anglo-European College of Chiropractic

13/15 Parkwood Road

Bournemouth, Dorset ENGLAND BH5 2DF

(b) Canadian Memorial Chiropractic College

1900 Bayview Avenue

Toronto, Ontario CANADA M4G 3E6

(c) Macquarie University

Chiropractic Program

Centre for Chiropractic and Osteopathy

P.O. Box 178

Summerhill, New South Wales, AUSTRALIA 2130

(d) Royal Melbourne Institute of Technology

School of Chiropractic and Osteopathy

Plenty Road, P.O. Box 96

Bundoora, Victoria, AUSTRALIA 3083

(4) The failure of any of these schools or colleges to maintain accreditation from a Doctor of Chiropractic Program accredited by the Council on Chiropractic Education (CCE) or an equivalent as determined by the Board or a Board

approved successor, if any, or to comply with the rules and regulations established by the Board shall be grounds for removal from the Board's approved list.

Cite as Ga. Comp. R. & Regs. R. 100-12-.01

AUTHORITY: O.C.G.A. §§ 43-1-24, 43-1-25, 43-9-6.1 and 43-9-16.

HISTORY: Original Rule entitled "Approved Chiropractic Schools or Colleges" adopted. F. Jan. 22, 1996; eff. Feb. 11, 1996.

Repealed: New Rule of same title adopted. F. Dec. 18, 2007; eff. Jan. 7, 2008.

Repealed: New Rule of same title adopted. F. Feb. 22, 2008; eff. Mar. 13, 2008.

Amended: F. May 30, 2018; eff. June 19, 2018.

Amended: F. Mar. 9, 2026; eff. Mar. 29, 2026.

Department 110. RULES OF GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS

Chapter 110-9. JOB TAX CREDIT PROGRAM

Subject 110-9-1. JOB TAX CREDIT PROGRAM REGULATIONS

110-9-1-.02 Designation of Tier Status of Georgia Counties/Designation of Less Developed Census Tract Areas

(1) **Timetable and Effective Dates for Designation of Tier Status of Georgia Counties/Designation of Less Developed Census Tract Areas.** Using the most current data available from the Department of Labor and the United States Department of Commerce, the commissioner of community affairs shall rank and designate all 159 counties in Georgia. And using the most current data available from the Department of Labor and the United States Department of Commerce, the commissioner of community affairs shall rank and designate certain less developed census tract areas.

(a) For the purpose of determining the number of new jobs created, business enterprises shall use their first tax year that begins on or after January 1 of the calendar year in which a census tract is designated as less developed or in which a county is designated as a tier 1, tier 2, tier 3, or tier 4 county, unless otherwise approved by the commissioner of community affairs.

(2) **Ranking and Designation of Tier Status of Georgia Counties.** A combination of the following factors will be used in ranking counties: highest unemployment rate for the most recent 36-month period; lowest per capita income for the most recent 36-month period; and highest percentage of residents whose incomes are below the poverty level according to the most recent data available.

(a) Counties ranked and designated as the first through seventy-first least developed counties shall be classified as tier 1, counties ranked and designated as the seventy-second through one hundred sixth least developed counties shall be classified as tier 2, counties ranked and designated as the one hundred seventh through one hundred forty-first least developed counties shall be classified as tier 3, and counties ranked and designated as the one hundred forty-second through one hundred fifty-ninth least developed counties shall be classified as tier 4.

(b) The factors used in ranking counties will all be given equal weight.

(c) In the case of a tie that would place tied counties in two different categories (tier 1, tier 2, tier 3, or tier 4), the tie will be broken in the following manner: the county with the highest average unemployment rate will be in the lower category (e.g., tier 1 if the split is between tier 1 and tier 2). If the counties are tied on highest average unemployment rate, the county with the lowest average per capita income will be in the lower category. If the counties are tied on both highest average unemployment rate and lowest average per capita income, the county with highest percentage of poverty will be in the lower category. If the counties are tied on all three categories, the commissioner of community affairs shall determine which county falls into each category.

(3) **Ranking and Designation of Ten or More Contiguous Census Tracts as Less Developed Areas.** Using data from the Department of Labor and the United States Department of Commerce, a combination of the following factors will be used in ranking counties in order to help determine the less developed census tract areas: highest unemployment; lowest per capita income; and highest percentage of residents whose income is below the poverty level. The county that ranks seventy-first from the bottom on these factors will be the benchmark county used to determine which census tracts are potentially eligible for inclusion in a less developed census tract area.

(a) All census tracts in the state and the benchmark county will be ranked using the following factors: highest unemployment; lowest per capita income; and highest percentage of residents whose income is below the poverty

level. Data used to rank the tracts and the benchmark county will be from the Department of Labor and the United States Department of Commerce. All census tracts that are equal or lower in rank than the benchmark county will be eligible for inclusion in a less developed census tract area if they can be grouped as part of 10 or more contiguous census tracts that are also eligible for inclusion in a less developed census tract area.

(b) Groupings of 10 or more eligible census tracts will be determined according to the following rules:

1. all eligible census tracts will be grouped into less developed census tract areas that are as large as possible but never in groupings of less than 10;

2. groupings may cross county boundaries; and

3. all census tracts in a grouping must be contiguous.

(c) All factors used in ranking census tracts and counties for the purpose of determining less developed census tract areas will be given equal weight.

(4) **Redesignation of Tier Status of Georgia Counties/Designation of Less Developed Census Tract Areas Based on a Period of Economic Distress.** Any tier 3 county which, in the opinion of the commissioner of community affairs, undergoes a sudden and severe period of economic distress caused by the closing of one or more business enterprises located in such county may be eligible for tier 2 designation. Also, any tier 2 county which, in the opinion of the commissioner of community affairs, undergoes a sudden and severe period of economic distress caused by the closing of one or more business enterprises located in such county may be eligible for tier 1 designation. In addition, any area composed of ten or more contiguous census tracts which undergoes a sudden and severe period of economic distress caused by the closing of one or more business enterprises located in such area may be eligible for designation as a less developed census tract area; or any area composed of one or more contiguous census tracts which, in the opinion of the commissioner of community affairs, with the agreement of the commissioner of economic development, is or will be adversely impacted by the loss of one or more jobs, businesses, or residences as a result of an airport expansion, including noise buy-outs, or the closing of a business enterprise located within such area which, in the opinion of the commissioner of community affairs, with the agreement of the commissioner of economic development, results or will result in a sudden and severe period of economic distress.

(a) In order to receive consideration for designation as a tier 2 or tier 1 county based on a sudden and severe period of economic distress caused by the closing of one or more business enterprises, a county must request designation from the commissioner of community affairs and must show actual job losses that exceed the following threshold criteria:

1. If the unemployment rate of the county has exceeded the state's average unemployment rate for the previous 3 months, the dislocation must amount to at least 2 percent of the county's labor force.

2. If the unemployment rate of the county was equal to or less than the state's average unemployment rate for any of the previous 3 months, the dislocation must amount to at least 4 percent of the county's labor force.

3. Documentation of the closing of the business enterprise must generally be provided in the form of a letter from such business enterprise validating the closure, documentation of the closure on the web site (for business enterprises subject to the WARN ACT) for the State Entity designated to receive WARN ACT notices, and local press releases announcing such closure and the effect of such closure on the community. For purposes of this provision, a closure will be defined based on the WARN ACT; Public Law 100-379 Section 2(a)(2) as the permanent shutdown of a single business establishment, or one or more facilities or operating units within such establishment, if the shutdown results in an employment loss at the establishment during any 30-day period for 50 or more employees excluding any part-time employees.

(b) Counties/census tract areas designated as tier 2 or tier 1 counties or as less developed census tract areas under the provisions of this paragraph will remain designated for one year. After one year, such counties/census tract areas

may ask the commissioner of community affairs to be redesignated for additional years if documentation is provided that demonstrates a continuing period of economic distress. Documentation of continuing distress should include:

1. Information on the local community's efforts to fill the affected space and create new jobs;

2. Details on the impact of the business loss on: (a) the local community; and (b) the state;

3. Information on the current job market in the affected area of the local community; and

4. Any additional information to be considered for such designation.

(c) No designation pursuant to this paragraph shall displace or remove any other county/census tract area designated as a tier 2 or tier 1 county or as a less developed census tract area pursuant to paragraphs (2) or (3) of Department Rule 110-9-1-.02.

(d) In order to receive consideration for designation as a less developed census tract area based on the closing of one or more business enterprises, an area must request designation from the commissioner of community affairs and must provide documentation sufficient to support that major job losses have occurred or will occur within such area. Any portion of one or more such contiguous census tracts may be currently designated as part of an existing less developed census tract area. In addition, one or more such contiguous census tracts must meet the criteria in paragraph (3)(b) 2) and (3)(b) 3) of Department Rule 110-9-1-.02. Notwithstanding any provision of this subparagraph to the contrary, any area composed of one or more contiguous census tracts which is or will be adversely impacted by the loss of one or more jobs, businesses, or residences as a result of an airport expansion, including noise buy-outs, may be designated as a less developed census tract area. In order to be considered for designation as a less developed census tract the area requesting designation must show actual job losses that exceed the following threshold criteria:

1. If the unemployment rate of the area requesting designation has exceeded the state's average unemployment rate for the previous 3 months, the dislocation must amount to at least 2 percent of the area's labor force.

2. If the unemployment rate of the area requesting designation was equal to or less than the state's average unemployment rate for any of the previous 3 months, the dislocation must amount to at least 4 percent of the area's labor force.

3. Documentation of the closing of the business enterprise must be provided in the form of a letter from such business enterprise validating the closure, documentation of the closure on web site (for business enterprises subject to the WARN ACT) for the State Entity designated to receive WARN ACT notices, and local press releases announcing such closure and the effect of such closure on the community. For purposes of this provision, a closure will be defined based on the WARN ACT; Public Law 100-379 Section 2(a)(2) as the permanent shutdown of a single business establishment, or one or more facilities or operating units within such establishment, if the shutdown results in an employment loss at the establishment during any 30-day period for 50 or more employees excluding any part-time employees.

(e) At any time, a request for designation based on a sudden and severe period of economic distress is sought that meets the criteria established in law and regulation, the commissioner may grant such designation for a specified period of time. At any time, a request for less developed census tract designation based on a sudden and severe period of economic distress is sought that meets the criteria established in law and regulation, the commissioner will determine if the request meets the provision for designation and obtain the agreement of the commissioner of economic development prior to issuing an opinion on the request.

(5) **Procedures to Ensure Business Enterprises Can Claim Credits in Future Years.** For business enterprises which plan a significant expansion in their labor forces, the following procedures ensure the business can claim credits in future years based on the pre-existing tier status, military zone designation, or less developed census tract designation and without regard to a particular county or census tract being reclassified in the annual ranking. A business enterprise which plans for growth and expansion of its labor force may file a notice of intent with the commissioner of community affairs to preserve the benefits associated with the tier status, military zone designation,

or less developed census tract designation in an area that has been reclassified (for example, bottom 40, tier 1, tier 2, or tier 3 county that has received a new ranking, or a less developed census tract in a tier 2, tier 3, or tier 4 community that has lost its designation). The notice of intent shall state the county/census tract area in which the business enterprise plans to locate or expand, the number of new jobs to be created, and the anticipated period in which these jobs will be created. The notice of intent may only be filed for business enterprises which plan to create jobs within three years of the date the notice of intent, except when evidence satisfactory to the commissioner of community affairs is submitted that demonstrates a high probability that significant job creation will result within the time-frame submitted in the notice of intent. Once accepted by the commissioner, the notice of intent will preserve the prior county tier status, military zone designation, or census tract designation and allow the business enterprise to claim the related job tax credits for the three-year time-frame protected by the notice of intent provided all other program requirements are satisfied as specified in these regulations and in the O.C.G.A. § 48-7-40, 48-7-40.1, and 36-62-5.1.

(a) The Notice of Intent procedures described in these regulations are intended to protect companies, for the limited period of three years, from the results of the annual re-ranking of counties and census tracts. These procedures, however, do not protect companies from changes in law unless otherwise specified in law. Protection provided by Notices of Intent include the following potential impacts from re-ranking: changes in business eligibility due to ranking outside of bottom 40 counties, changes in tax credit amount, changes in job threshold, changes in limitations in the amount of tax liability that may be offset, and changes in ability to apply credits against payroll withholding.

(b) Notices of Intent must be filed on or before March 31st of the calendar year first affected by the change in county or census tract designation; however, if the annual rankings are published after January 1, the Notice of Intent shall be due within ninety (90) days of such publication, whichever occurs later. The business must include the name of the business, the location address of the business establishment creating the jobs, the type of business establishment including the NAICS code, and a valid contact on the submitted Notice of Intent.

(c) Notices of Intent apply to the three-year period that begins January 1st of the year in which the Notice of Intent is filed, unless evidence satisfactory to the commissioner of community affairs is submitted that demonstrates a high probability that significant job creation will result within a future three-year time frame specifically outlined in the Notice of Intent. However, in no case may the period secured by the Notice of Intent extend beyond three consecutive years nor beyond five years from the date of filing the initial Notice of Intent.

(d) Only new jobs created during the three-year Notice of Intent period are eligible to claim the tax credit benefits preserved by the Notice of Intent. Maintained jobs, which are eligible for five years of credits, may still claim these benefits after the Notice of Intent period has lapsed.

(e) Notices of Intent may be updated or amended by any business enterprise not more often than once a year. Should a county be reclassified to a more beneficial tier status during the Notice of Intent period, the business enterprise may elect to claim tax credits based on the more beneficial ranking for any new jobs created.

(6) **Job Tax Credit Program Alternative for Tax Years Beginning 2020, 2021, and 2022**.

(a) Personal Protective Equipment (PPE) manufacturer job tax credits are claimed as provided in Department of Revenue Regulation 560-7-8-.66.

(b) These regulations are further amended by adding a new subsection related to designation of counties as less developed areas and tax credits for certain business enterprises, to read as follows:

1. For the taxable years beginning in 2020, 2021, and 2022, a taxpayer with a business enterprise that in the taxable year beginning on or after January 1, 2019, and before December 31, 2019, was claiming a job tax credit shall have the option to utilize the number of new full-time employee jobs that the taxpayer claimed in such taxable year or to continue calculating their credit as in prior years based on the number of net new full-time employee jobs that the taxpayer added during the tax year (for the years 2020, 2021, and 2022).

Cite as Ga. Comp. R. & Regs. R. 110-9-1-.02

AUTHORITY: O.C.G.A. §§ 36-62-5.1**,** 48-7-40**,** 48-7-40.1**.**

HISTORY: Original Rule entitled "Designation of Tier Status of Georgia Counties/Designation of Less Developed Census Tract Areas" adopted as ER. 110-9-1-0.2-.02. F. June 16, 1995; eff. June 14, 1995, the date of adoption.

Amended: Permanent Rule of same title adopted. F. Aug. 17, 1995; eff. Sept. 6, 1995.

Amended: F. Feb. 27, 1998; eff. Mar. 19, 1998.

Amended: F. Dec. 11, 2000; eff. Dec. 31, 2000.

Repealed: New Rule of same title adopted. F. Apr. 23, 2002; eff. May 13, 2002.

Amended: F. Apr. 18, 2003; eff. May 8, 2003.

Amended: F. Aug. 21, 2006; eff. Sept. 10, 2006.

Amended: F. Jan. 14, 2008; eff. Feb. 3, 2008.

Repealed: New Rule of same title adopted. F. Oct. 30, 2009; eff. Nov. 19, 2009.

Amended: F. Oct. 22, 2013; eff. Nov. 11, 2013.

Amended: F. Dec. 2, 2016; eff. Jan. 1, 2017, as specified by the Agency.

Amended: F. Feb. 28, 2017; eff. Feb. 8, 2017, as specified by the Agency.

Amended: F. Aug. 22, 2018; eff. Sept. 11, 2018.

Amended: F. June 2, 2020; eff. June 22, 2020.

Amended: F. Sep. 14, 2020; eff. Oct. 4, 2020.

Amended: F. Nov. 23, 2020; eff. Dec. 13, 2020.

Amended: F. Sep. 9, 2022; eff. Sep. 29, 2022.

Amended: F. Mar. 9, 2026; eff. Mar. 29, 2026.

Department 125. BOARD OF CORRECTIONS

Chapter 125-2. DEPARTMENTAL OPERATIONS

Subject 125-2-1. PERSONNEL

125-2-1-.06 Training

(1) Employees of the Department of Corrections shall be required to participate in applicable training programs designed to foster and improve individual competence, increase operational effectiveness, and achieve established correction goals.

(a) Wardens/Superintendents and Deputy Wardens/Superintendents will be encouraged to participate in scheduled Department of Corrections training programs and/or other training courses designated by the Department of Corrections to improve their management and operational skills.

(b) All new Correctional Officers shall be required to enter the Basic Correctional Officer Training Course conducted by or under the auspices of the Department of Corrections within 120 days of employment.

(c) Other departmental personnel shall be required to complete applicable specialized training programs, such as Fire Safety, Food Service, Records Management, Counseling, etc., as scheduled and conducted by or under the auspices of the Department of Corrections.

(d) All state institutions that do not have a Tactical Squad shall maintain a Correctional Emergency Response Team. Correctional Emergency Response Teams members shall be required to successfully complete specialized riot and disturbance control training and periodic refresher training in these skills. Such training shall be approved and coordinated by the Department of Corrections Staff Training Section. Institutions having previously organized tactical squads will be exempt from this rule.

(e) Selected personnel shall be required to undergo specified training as designated by the Commissioner of the Department of Corrections from time to time.

(f) Employees shall be encouraged to broaden their understanding of existing and proposed offender rehabilitation programs and methods through use of the institutional library resources and other educational facilities.

(2) All employees of the Department of Corrections and employees of County Correctional Institutions who are authorized to exercise power of arrest shall successfully complete the program of required training mandated by the Georgia Peace Officer Standards and Training Council and any required annual in-service training. Any employee authorized to carry firearms shall re-qualify biennially with all types of firearms authorized and assigned. Only those employees who are authorized to carry a weapon will be required to complete such biennial re-qualification. Employees who may be required to use other control items such as tear gas, riot batons, and other control weapons, shall be appropriately familiarized with their use.

(a) Certification of Correctional Officers.

1. Within 120 days of initial employment, a correctional officer must be entered in the Basic Correctional Officer Training Course.

2. The Basic Correctional Officer Training course shall, at a minimum, meet the requirements established by the Georgia Peace Officer Standards and Training Council and shall be conducted by the Georgia Corrections Academy.

3. The Director of the Training Academy or his successor shall submit verification to the Director of Personnel in the Department of Corrections that the state employee has met the training requirements mandated by the Georgia Peace Officer Standards and Training Act.

4. The Director of Training shall submit verification to the Warden of the respective county correctional institution that the county employee has met the training requirements mandated by the Georgia Peace Officer Standards and Training Act.

5. A correctional officer who fails to complete satisfactorily the basic training course shall be dismissed.

6. A correctional officer who has not successfully completed the basic training course shall not be assigned to any post involving direct contact with inmates, except to receive on-the-job training supervised by a trained employee. Neither shall a correctional officer who has not successfully completed the basic training course be assigned any duties which require the exercise of police officer power, including but not limited to exercising the power of arrest.

7. An employee who has not been certified by the Director of Training as having qualified with firearms shall not be issued a firearm or authorized to carry one by the Department.

8. Any applicant who has a domestic violence conviction may not be hired as a sworn officer requiring Peace Office Standards and Training (P.O.S.T.) certification. Any current P.O.S.T.-certified employee who is convicted of domestic violence may not possess any firearms or ammunition and may be subject to disciplinary action to include termination.

(3) Department personnel who instruct in courses mandated by the Georgia Peace Officer Standards and Training Council shall be certified by the Council. Department personnel who instruct in courses conducted by the Department of Corrections on a regular basis shall be certified as having successfully completed a department approved instructor training program.

Cite as Ga. Comp. R. & Regs. R. 125-2-1-.06

AUTHORITY: O.C.G.A. §§ 35-8-2**,** 42-2-11**,** 42-5-53**,** 42-5-55**.**

HISTORY: Rule entitled "Training", f. as Rule 415-2-1-.06 on Nov. 14, 1984; eff. December 4, 1984, renumbered as Rule 125-2-1-.06. F. June 28, 1985, eff. July 20, 1985, as specified by the Agency.

Amended: F. Jan. 2, 1990; eff. Jan. 22, 1990.

Amended: F. Jan. 9, 1997; eff. Jan. 29, 1997.

Amended: F. Nov. 6, 1998; eff. Nov. 26, 1998.

Amended: F. July 23, 2001; eff. August 12, 2001.

Amended: F. Mar. 31, 2026; eff. Apr. 20, 2026.

Department 125. BOARD OF CORRECTIONS

Chapter 125-3. INSTITUTIONAL AND CENTER OPERATIONS

Subject 125-3-1. CUSTODY AND SECURITY

125-3-1-.06 Control of Critical Materials

Any item that may be used to aid in or accomplish an escape, create a disturbance or which represents a hazard to the safety and security of the institution shall be placed under control and maintained under the strict supervision of institutional officials and/or employees. The following controls shall be instituted at each institution:

(a) Control of firearms and related equipment:

1. The institutional weapons arsenal shall be located in a safe and secure installation outside the inmate housing and activities area. Weapons, ammunition, gas and related emergency control equipment not currently in use shall be maintained in this secure location.

2. No firearms or other dangerous weapons, including knives, shall be permitted inside any institutional compound except in secure guard walks at those institutions so configured. All employees as well as law enforcement agents or others shall be required to deposit firearms or other dangerous instruments in the weapons storage facility prior to entering the institution. Exceptions to this rule shall be: in the event of a Riot or other serious disturbance at the institution during which, in the judgement of the Warden/Superintendent, it becomes necessary for him to undertake special emergency measures in his efforts to re-establish control, and employees certified to use less-than-lethal devices and/or munitions that meet the definition of a firearm in 18 U.S.C. § 921, 26 U.S.C. § 5845, or any regulation enacted pursuant thereto, may carry such weapons inside an institutional compound with the consent of the Warden/Superintendent.

3. Discharge of any weapon by an employee while in duty status is prohibited, except: as authorized on training ranges; under those circumstances where such action becomes essential to establish, maintain, or regain control of any offender or a facility; when required for the protection of oneself or others; or as necessary in order to prevent or control felonious actions.

4. Under no circumstances shall any inmate be permitted to gain access to any firearm, ammunition or any other critical equipment or supplies.

(b) Control of keys:

1. Each State and County Institution shall establish and maintain an accurate inventory list of all institutional keys to include identification and location of each lock, the number of keys in existence for each, and the location of each key.

2. No inmate shall be issued nor permitted to come into possession of any institutional key except for vehicle keys being used under the controlled conditions described in paragraph 125-3-1-.05(c).

3. Only officials, Correctional Officers, and necessary institutional employees shall be permitted to have possession of institutional keys.

4. Under no circumstances shall any institutional key be placed where it may be copied, imprinted, used, stolen, or otherwise come into the control or possession of an inmate.

5. Each institutional key shall be identified by an assigned number and its copy number. Lock boxes with numbered hooks on which keys shall be accounted for shall be provided and these boxes shall be maintained in such a manner

as to preclude any inmate gaining access. Each institution shall establish and maintain an accurate, strict, and continuous key accountability procedure. Frequent validating inventories shall be performed.

6. Keys which are no longer directly associated with a pertinent lock or locking device shall be promptly removed from the system and destroyed or otherwise disposed of in a secure manner.

(c) In order to prevent inmate access to potential escape aids, each State and County Institution shall maintain a strong and secure tool room facility in an area apart from the inmate housing and activity areas.

1. An accurate inventory of all tools shall be established and a continuous chain of accountability maintained.

2. A Correctional Officer or other designated employee shall be charged with the responsibility for the inventory, check-in, check-out and control of tools.

3. The tool inventory shall be adjusted for accession of new tools and withdrawal of worn or broken tools.

4. Return of broken or worn tools shall be required. Disposition of obsolete, worn, damaged, or broken tools shall be accomplished in a manner and at a place where such items do not become accessible to inmates.

5. Tools to be used inside the institution (e.g. hacksaws, chisels, bolt or wire cutters, pipe wrenches, etc.) shall be held to the absolute minimum required to perform the task and used under the direct supervision of a Correctional Officer or supervisory employee until the tool is returned to the tool room.

(d) Each State and County Institution shall maintain a safe and secure storage area for flammables, explosives, poisons, and similar dangerous or controlled items. Such items shall be strictly accounted for and shall be issued, transported, used or returned to the controlled storage area only under the direct supervision of a Correctional Officer or employee qualified in the inventory, use and storage of such materials. All medicines of any type whatsoever shall be maintained under lock and key in the most secure manner achievable and shall be absolutely inaccessible to inmates.

(e) Preventing the introduction of contraband into the institution or its detection and confiscation should it enter requires that all officials and employees at the institution remain fully alert to such possibilities and provide close supervision of inmates and their activities at all times.

1. Periodic searches of all inmates, all cells, dormitories, work areas and frequent searches as well as careful supervision of all Trustees shall be undertaken.

2. Correctional Officers overseeing visits to inmates (Chapter 125-3-4), employees inspecting inmate mail (Chapter 125-3-3) and Correctional Officers inspecting incoming vehicular traffic and supplies shall be particularly alert to detect and prevent the introduction of contraband into the institution and shall use all of the technical means and other legal methods at their disposal to achieve this objective.

3. Contraband is defined as any article that is not officially issued by institutional authorities; purchased through official channels; specifically authorized by written institutional policy; or individually authorized by the Warden/Superintendent or his designated representative.

4. It shall be unlawful for any person to obtain or procure for or give to a convict a gun, pistol, or any other weapon, or intoxicating liquor or amphetamines, or biphetamines, or any other hallucinogenic drugs, or other drugs, regardless of the amount, or any other article or item, without the knowledge and consent of the Warden or his Deputy Warden in charge. Any person who knowingly violates the provisions of this Section shall be guilty of a felony and upon conviction thereof, shall be imprisoned for not less than one, not more than five (5) years.

5. "Any inmate found to be in possession of a gun, pistol, or any other weapon, any intoxicating liquor, amphetamines, biphetamines, or any other hallucinogenic drugs or other drugs, regardless of the amount, or any other item given to said inmate in violation of subsection (a) of this Code Section shall be prosecuted as set forth in Code Section 42-5-19."

Cite as Ga. Comp. R. & Regs. R. 125-3-1-.06

AUTHORITY: O.C.G.A. §§ 42-2-11**,** 42-5-18**,** 42-5-19**,** 42-10-2**.**

HISTORY: Rule, entitled "Control of Critical Materials," filed as Rule 451-3-1-.06 on November 14, 1984; effective December 4, 1984, renumbered as Rule 125-3-1-.06. Filed June 28, 1985; effective July 20, 1985, as specified by the Agency.

Amended: F. Jan. 2, 1990; eff. Jan. 22, 1990.

Amended: F. Mar. 31, 2026; eff. Apr. 20, 2026.

Department 464. GEORGIA PEACE OFFICER STANDARDS AND TRAINING COUNCIL

Chapter 464-1. ORGANIZATION

464-1-.02 Membership Terms

The Georgia Peace Officer Standards and Training Council shall consist of twenty-two (22) voting members and five (5) advisory members. Voting members and advisory members shall serve as dictated by O.C.G.A. § 35-8-3.

(a) The following eleven (11) members shall be ex officio members of the council, as full voting members by reason of their office:

1. An appointee of the Governor who is not the Attorney General;

2. The Commissioner of the Department of Public Safety of his/ her designee;

3. The President of the Association of Chiefs of Police or his/her designee;

4. The President of the Georgia Sheriffs' Association or his/her designee;

5. The President of the Georgia Municipal Association or his/her designee;

6. The President of the Association County Commissioners of Georgia or his/her designee;

7. The President of the Peace Officers' Association of Georgia or his/her designee;

8. The Commissioner of the Department of Corrections or his/her designee;

9. The Chairman of the State Board of Pardons and Paroles or his/her designee;

10. The President of the Georgia Prison Wardens' Association or his/her designee;

11. The Director of Investigations of the Georgia Bureau of Investigation or his/her designee;

(b) Six (6) members shall be appointed by the Governor for terms of four years, their initial appointments. Appointments shall be made so that there are always on the Council the following persons:

1. One chief of police;

2. Two municipal police officers other than a chief of police;

3. One county sheriff;

4. One city manager or mayor;

5. One county commissioner;

6. No person shall serve beyond the time he/she holds the office or employment by reason which he/she was initially eligible for appointment. Vacancies shall be filled in the same manner as the original appointment and successors shall serve for the unexpired term. Any member may be appointed for additional terms.

(c) Two (2) members who are peace officers shall be appointed by the Governor for terms of four (4) years:

1. Neither person shall serve beyond the time he/she is actively employed or serves as a peace officer. Vacancies shall be filled in the same manner as the original appointment, and successors shall serve for the unexpired term.

(d) Five (5) Advisory members appointed by the Council shall serve on the Council in an advisory capacity only without voting privileges;

(e) Membership on the Council does not constitute public office and no member shall be disqualified from holding public office by reason of membership.

(f) The Chairman of the Council may appoint additional advisory board members based on areas of expertise in order to meet the objectives of the Council. Such additional advisory members shall serve in an advisory capacity only, without voting privileges; without compensation; and shall serve at the discretion of the Chairman.

(g) Unexcused absence of an advisory board member on two (2) or more occasions during the calendar year shall be cause for removal.

Cite as Ga. Comp. R. & Regs. R. 464-1-.02

AUTHORITY: O.C.G.A. § 35-8-3**.**

HISTORY: Original Rule entitled "General Definitions" adopted. F. Feb. 12, 1971; eff. Mar. 4, 1971.

Repealed: New Rule entitled "Incidents of Membership" adopted. F. Sept. 2, 1975; eff. Sept. 22, 1975.

Repealed: New Rule entitled "Membership; Terms" adopted. F. July 7, 1978; eff. July 27, 1978.

Amended: F. Mar. 13, 1985; eff. Apr. 2, 1985.

Amended: F. July 5, 1991; eff. July 25, 1991.

Repealed: New Rule of same title adopted. F. Mar. 19, 1998; eff. Apr. 8, 1998.

Amended: F. Sept. 27, 2004; eff. Oct. 17, 2004.

Amended: New title, "Membership Terms." F. Mar. 24, 2026; eff. Apr. 13, 2026.

464-1-.06 Scheduling of Council and Committee Meetings

(1) The Council shall meet quarterly in the months of March, June, September, and December of each year.

(2) Council Committee Meetings shall occur quarterly in the months of January, April, July, and October of each year.

(3) The Council and its Committees may hold emergency meetings as necessary.

Cite as Ga. Comp. R. & Regs. R. 464-1-.06

AUTHORITY: O.C.G.A. § 35-8-7(1)**.**

HISTORY: Original Rule entitled "Staff-Executive Director" adopted. F. Sept. 2, 1975; eff. Sept. 22, 1975.

Repealed: New Rule entitled "Administrative Assignment" adopted. F. July 7, 1978; eff. July 27, 1978.

Repealed: F. Mar. 2, 1988; eff. Mar. 22, 1988.

Amended: New Rule entitled "Scheduling of Council and Committee Meetings" adopted. F. Mar. 24, 2026; eff. Apr. 13, 2026.

464-1-.07 Data Gateway User Limitations

Users at all levels granted access to the Georgia POST Data Gateway must use the information contained therein for official public safety business.

Cite as Ga. Comp. R. & Regs. R. 464-1-.07

AUTHORITY: O.C.G.A. § 35-8-7(2)**.**

HISTORY: Original Rule entitled "Funds; Property" adopted. F. July 7, 1978; eff. July 27, 1978.

Repealed: F. Mar. 2, 1988; eff. Mar. 22, 1988.

Amended: New Rule entitled "Data Gateway User Limitations" adopted. F. Mar. 24, 2026; eff. Apr. 13, 2026.

Department 464. GEORGIA PEACE OFFICER STANDARDS AND TRAINING COUNCIL

Chapter 464-13. SPECIALTY AND VOLUNTARY CERTIFICATIONS

464-13-.19 Latent Print Examiner Certification

Each person applying for Latent Print Examiner Certification must:

(1) Complete the required core courses as prescribed by the Council within 36 months of the start date of the first required course;

(2) Currently assigned to Latent Print Examiner duties;

(3) Complete the initial latent proficiency test from an ISO/IEC 17043 accredited provider within twelve (12) months from the date of completion of the last required core course as prescribed by the Council.

(4) Maintain an administrative file documenting completion of required annual latent proficiency tests.

Cite as Ga. Comp. R. & Regs. R. 464-13-.19

AUTHORITY: O.C.G.A. § 35-8-7(16)**.**

HISTORY: Original Rule entitled "Latent Print Examiner Certification" adopted. F. Dec. 21, 2015; eff. Jan. 10, 2016.

Amended: F. Mar. 24, 2026; eff. Apr. 13, 2026.

Department 478. RULES OF THE STATE PERSONNEL BOARD

Chapter 478-2. FLEXIBLE BENEFITS PROGRAM

478-2-.01 Definitions

(1) "Act" means the legislative act that authorized the establishment of a flexible employee benefit plan and is designated in the Official Code of Georgia Annotated as Article 3 of Chapter 18 of Title 45.

(2) "Active" means an eligible employee for whom the employee's cost of the coverage is stated as a payroll deduction or reduction.

(3) "Administrative Fee" means the cost added to the benefit(s) selected to cover the administrative expenses of the Flexible Benefit Program.

(4) "Administrator" means the Department of Administrative Services or the Commissioner of the Department of Administrative Services.

(5) "After-Tax Premium" or "After-Tax Contribution" means the contract rate approved by the Council for a specific benefit or health care spending account contribution transmitted directly to the Flexible Benefits Program by the employee or extended beneficiary or the contract rate for after-tax options that have been approved by the Council to be offered through payroll deductions.

(6) "After-Tax Option" means any benefit option that is approved by the Council to be offered to employees through payroll deductions and for which the cost of the option is not a reduction of gross salary for the purposes of federal or state income taxes or FICA taxes.

(7) "Approved Leave of Absence Without Pay" means a period of time approved by the appropriate organizational official during which the employee is absent from work and is not paid wages or salary.

(8) "At Work" means that the employee is at the employee's customary place of employment, on paid leave for conditions other than illness or injury, or performing his normal duties at a place other than the place of employment or in a non-scheduled work period, must be able to perform normal duties on that day.

(9) "Annuitant" means a retired employee or surviving spouse or dependent child who receives a monthly retirement benefit from the Employees' Retirement System (ERS), Judicial Retirement System (JRS), Legislative Retirement System (LRS), Teachers Retirement System, or the Public School Employees Retirement System (PSERS).

(10) "Beneficiary" means the person, individual, trust, or estate named by the employee to receive the value of the insurance proceeds at the employee's death.

(11) "Benefit" or "Benefits" means any of the types of offerings under the Flexible Benefits Program.

(12) "Benefit Salary" means the amount of compensation used to calculate certain salary based coverage. This compensation is intended to be normal, regular, non-temporary, and shall include base salary and any special salary supplements that are intended to be regular and not of short duration. This salary amount shall not exceed the amount on which retirement contributions are calculated.

(13) "Cafeteria Plan" means a plan which meets the requirements of the Regulations of the Internal Revenue Service under Internal Revenue Code (IRC) 125.

(14) "Commissioner" means the Commissioner of the Department of Administrative Services as created by the Official Code of Georgia Annotated 45-20-4.

(15) "Community Service Board" means a public community mental health, mental retardation, and substance abuse board established pursuant to the Official Code of Georgia Annotated 37-2-6.

(16) "Contractor" and "Supplier" and "Vendor" are synonymous and mean a company or corporation approved to provide one or more benefit types under the Flexible Benefits Program.

(17) "Contribution" means the amount to be reduced by a salary agreement transferred to the Administrator for the employee's health care and/or dependent care flexible spending accounts.

(18) "Council" and "Employee Benefit Plan Council" are synonymous and mean the governing body as created in O.C.G.A. 45-18-51.

(19) "Coverage" means the type, tier, and option of the benefit(s) offered to an eligible employee pursuant to the contract(s) or policy(ies).

(20) "Department," "Employing Entity or Entity," and "Agency" are synonymous and mean any of the separate and distinct employing entities defined as a State Employer, an Educational Institution, a County Department of Family and Childrens Services, County Department of Health, a Community Service Board, the Federal-State Shipping Point Inspection, or the Georgia Firefighters Pension Fund, that employs an employee as defined in these regulations.

(21) "Dependent" means any eligible spouse, dependent child under the age of 26, or disabled child and as more specifically defined by the Cafeteria Plan.

(22) "Dependent Care Flexible Spending Account" or "DCFSA" means the reimbursement account for eligible dependent care expenses as defined by the Flexible Benefit Plan Document and IRS Regulations.

(23) "Dependent Child" means natural or legally adopted child(ren) of an eligible employee and/or his or her spouse, including legal ward or guardianship, who are either under age 26; or age 26 or more, if disabled before age 26 and incapable of self-sustaining employment by reason of mental incapacity or physical disability.

(24) "Educational Institution" means any separate and distinct local school system, regional educational services agency, and county or regional library whose heads are legally authorized to appoint employees to positions and whose heads have elected to participate in the Flexible Benefits Program administered by the Department of Administrative Services.

(25) "Employee" means a member of the General Assembly or a person who works full-time for the state and receives his compensation in a direct payment from a department, agency, authority, or institution of state government; a county department of family and children services, or a county department of health; the Federal Shipping Point Inspection Service; the Georgia Firefighters' Pension Fund; a member of any local board of education; and public school teachers and public school employees as defined in Code Sections 20-2-880 and 20-2-910, exclusive of the members, employees, and officials of the Board Regents of the University System of Georgia.

(26) "Employer" means the State of Georgia and the department, agency, or entity from which the employee receives his compensation.

(27) "Extended beneficiary" means the individual who was covered as an active or retired employee or employee on approved leave of absence without pay; or a person who was covered as a spouse or eligible dependent of an active or retired employee or employee on approved leave of absence without pay on the day the dental option, health care spending account or vision option was lost as a result of a qualifying event under the requirements of federal law and regulation known as the Consolidated Omnibus Budget Reconciliation Act (COBRA), as amended; and further defined and expanded under the Health Insurance Portability and Accountability Act (HIPAA) of 1996 to include a child who is born to the covered person, adopted or placed for adoption by a qualified beneficiary while on COBRA continuance.

(28) "Extended coverage" means coverage required to be made available by federal law or regulation to an extended beneficiary under the dental option(s), the health care spending account or vision plan option(s) of the Flexible Benefit Plan upon the occurrence of a qualifying life event.

(29) "Flexible Benefits Program" or "Flexible Benefit Plan" or "Plan" or "Program" means the combination of approved benefits authorized for establishment by O.C.G.A. 45-18-52 and offered to all eligible employees. Benefit options are those authorized in the Flexible Benefit Plan Document.

(30) "Flexible Benefit Plan Document" means the legal document required by the Regulations of the Internal Revenue Service for a cafeteria plan under IRC 125. Statutory benefit options as allowed by IRC 125 and authorized by the Council shall be incorporated in the Flexible Benefit Plan Document.

(31) "Fund" means any moneys received and accounted for on behalf of the Flexible Benefits Program.

(32) "Health Care Flexible Spending Account" or "HCFSA" means the reimbursement account for eligible health care expenses are defined by the Flexible Benefit Plan Document and IRS Regulations.

(33) "Insurance option" or "plan option" means any specific benefit offering under the Flexible Benefits Program approved by the Council.

(34) "Participant" means an individual enrolled in the Flexible Benefits Program as an eligible Employee, Retired employee, COBRA beneficiary, survivor, or eligible dependent.

(35) "Plan Year" means the twelve-month period beginning on January 1 and ending on the following December 31.

(36) "Premium" means the cost to the employee for each insurance option offered under the Flexible Benefits Program.

(37) "Qualifying Life event" or "Change in Status" means an event as defined by federal law or regulation that authorizes eligibility for extended coverage or a change in coverage election. Qualifying events include a change in employment or family status such as: termination of employment (except for gross misconduct), employee layoff, reduction of employee's hours below the minimum number required for coverage eligibility as an active employee, end of twelve (12) month leave without pay period, covered employee's death, divorce or legal separation from the covered employee, or any reason for which a dependent child would otherwise become ineligible for coverage under the applicable option.

(38) "Retired Employee" means a former state employee, former teacher, or former public school employee who met the eligibility criteria when active, and who receives a monthly benefit from the Employees' Retirement System (ERS), Judicial Retirement System (JRS), Legislative Retirement System (LRS), Teachers Retirement System (TRS), or the Public School Employees Retirement System (PSERS).

(39) "Retiring Employee" means a covered employee who is eligible to receive an immediate retirement benefit payment from the Employees' Retirement System (ERS), Judicial Retirement System (JRS), Legislative Retirement System (LRS), Teachers Retirement System (TRS), or the Public School Employees Retirement System (PSERS).

(40) "Salary deduction" means an agreement between the employee and the employer, on behalf of the Council, to deduct an amount from the employee's wages for the purpose of purchasing or contributing to the purchase of benefits as allowed under federal and state laws.

(41) "Salary reduction" means an agreement between the employee and the employer, on behalf of the Council, to reduce an employee's wages for the purpose of purchasing benefits as allowed under federal and state laws.

(42) "Spouse" means an individual who is legally married to a Participant as determined under Georgia law, and who is treated as a spouse under the Code and the Section 125 Cafeteria Plan.

(43) "State Employer" means all separate and distinct divisions and subdivisions of state governments, including authorities, county departments of family and children services, or county departments of health, whose heads are legally authorized to appoint employees to positions. "State Personnel Board" or "Board" means the State Personnel Board established by Article IV, Section III, Paragraph I of the Constitution of the State of Georgia.

(44) "State Personnel Board" or "Board" means the State Personnel Board established by Article IV, Section III, Paragraph I of the Constitution of the State of Georgia.

(45) "Surviving Spouse" means the living spouse of a deceased active or retired employee who was covered under the Flexible Benefits Program.

(46) "Third-Party Administrator" or "TPA" means the third-party flexible benefits eligibility and enrollment system administrator for the Flexible Benefits Program.

Cite as Ga. Comp. R. & Regs. R. 478-2-.01

AUTHORITY: O.C.G.A. §§ 45-18-50**,** 45-18-51**,** 45-18-52**,** 45-18-53**.**

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Amended: F. Jan. 29, 1991; eff. July 1, 1990, as specified by the Board.

Amended: F. Feb. 14, 1991; eff. Jan. 10, 1991, as specified by the Board.

Repealed: New Rule of same title adopted. F. Apr. 22, 1997; eff. Apr. 9, 1997, as specified by the Board.

Amended: F. Oct. 28, 2009; eff. Aug. 27, 2009, as specified by the Board.

Amended: F. Mar. 11, 2026; eff. Feb. 3, 2026, as specified by the Board.

478-2-.02 Organization

(1) **Establishment of the Council.** The Governor shall appoint an Employee Benefit Plan Council consisting of the following members:

(a) The five members of the State Personnel Board who shall serve for terms of office which correspond with their terms of office on the State Personnel Board;

(b) Two department heads who have employees eligible to participate in the employee benefit plans, which department heads shall serve for terms of office of four years provided, however, that the initial term of one of such appointees shall be two years; and provided, further, that the office of such a member shall be vacant if he ceases to be a department head;

(c) Two State employees who are eligible to participate in the employee benefit plans, which State employees shall serve for terms of office of four years, provided, however, that the initial term of one of such appointees shall be two years; and provided, further, that the office of such a member shall become vacant if he ceases to be a State employee; and

(d) One member from a corporation domiciled in the State of Georgia that insures or administers employee benefit plans, which member shall serve for a term of office of four years.

(2) **Filling of a Vacancy**. Successors to the members of Council shall have the same qualifications and shall be appointed by the Governor for terms of office of four years and until their successors are appointed and qualified. A

vacancy on the Council shall be filled by the Governor, who shall appoint a successor who possesses the same qualification as his or her predecessor and who will serve for the unexpired term.

(3) **Organization of the Council.** The chair of the Council shall be appointed by the Governor.

(a) Each year, the Council shall elect a vice-chair at the last scheduled meeting of the calendar year for a term of one year. A vice-chair shall be eligible for election to a successive term. If the office of the vice-chair is vacated for any reason before the expiration of his term, the Council shall elect a successor at its next meeting.

(4) **Meetings**. Meetings of the Council shall be scheduled at the discretion of the Council chair. Where feasible, the meetings will be scheduled in conjunction with the meetings of the State Personnel Board as provided in Georgia Law, Chapter 20, Title 45. All meetings of the Council shall be open to the public.

(5) **Quorum**. Six members shall constitute a quorum. When fewer than ten members have been appointed to the Council, a quorum shall consist of the majority of the members currently serving on the Council. A majority of affirmative votes of the members in attendance is necessary for the transaction of any business or discharge of any duties by the Council.

(6) **Minutes**. The time and place of each meeting of the Council, names of the Council members present, all official acts of the Council, and the votes of each member except when the acts are unanimous shall be recorded in the official minutes of the Council. When requested a Council member's approval or dissent, with the reasons therefore shall be recorded in the minutes. The Commissioner shall cause the minutes to be transcribed and presented for approval or amendment at the next meeting. The minutes or a true copy thereof, certified by a majority of the Council, shall be open to inspection by the departments and the public.

(7) **Participation**. The Commissioner and the departments shall have the right to attend or be represented at, and to participate in meetings of the Council, but shall be without voting power.

(8) **Compensation of Members**. The Employee Benefit Plan Council members shall receive no compensation, but shall receive reimbursement for expenses or an expense allowance per day as follows:

(a) Council members who are also Board members shall receive the same expense allowance per day as that allowed in Georgia Law Chapter 20, Title 45, provided that only one allowance for the same day of Board meetings or official business shall be permitted.

(b) Council members who are in State employment shall be reimbursed by the State department in which employed for all necessary expenses that may be incurred in the performance of their duties. Such reimbursement shall be in conformity with regulations published by the appropriate State officials.

(c) Council members who are not in State employment shall receive an expense allowance in the same amount as that authorized for the General Assembly and shall be payable from the funds allocated to the Department of Administrative Services.

(9) **Functions, Powers, and Duties of the Council.** The Employee Benefits Plan Council shall prescribe the general policies by which the Plan shall be administered. Specific functions of the Council are:

(a) to adopt specific regulations to govern the administration of the Plans after review of proposed regulations for a minimum of thirty (30) days;

(b) to adopt specific benefit plan features after a review of proposed benefit plan(s).

(c) to approve the contractor(s) after evaluation of proposals from any qualified entity for providing any part of the benefits, other than health benefits, authorized by the Council;

(d) to approve self-insurance or self-administration as permitted by law in whole or in part for flexible benefit plan features, other than for health benefits.

(e) to adopt other employee benefit plans authorized for tax-advantage under IRC. All eligibility and administrative policies of other plans approved by this provision shall be incorporated into the respective plans.

(f) to authorize DOAS to assess an administrative fee.

(g) The Council delegates to the Commissioner authority to effect administrative changes to the Flexible Benefit Plan and applicable documents, as prescribed by rules, regulations and state and federal law.

(10) **Functions, Powers, and Duties of the Commissioner**. The Commissioner of the Department of Administrative Services shall be the Executive Secretary to the Council and shall provide the Council with staff support and other assistance as necessary in the performance of the Council's duties. He or she shall employ such personnel as may be necessary to carry out his or her duties and responsibilities and is authorized to delegate duties and responsibilities at his or her discretion.

(a) Executive Officer. The Commissioner of Department of Administrative Services shall be the executive officer for the administration of the flexible benefit plans and shall administer the Flexible Benefits Program in accordance with the regulations and policies of the Council.

(b) Custodian of Funds. The Commissioner shall be the custodian of all funds as may be required by the implementation of the Plan. The Commissioner shall establish procedures for accounting for all income from any source which shall constitute a fund in trust on behalf of the employees. Any amounts remaining in such fund after expenses have been paid shall be retained wholly for the benefit of the employees.

(c) Recommend Regulation Amendments. The Commissioner shall recommend to the Council amendments to the regulations, cause all regulations to be published, made available to the employing entities, and maintained electronically. He or she shall distribute copies of proposed regulations and approved regulations in conformity with requirements of Georgia Law Chapter 20, Title 45.

(d) Invite Proposals. The Commissioner shall, prior to entering into any contract to provide benefits, invite proposals from and allow a reasonable time for qualified corporations or entities to bid on providing approved Plan benefits.

(e) Execute Contracts. The Commissioner is authorized to execute a contract or Contracts to provide the benefits as approved in the Plan. Such contract or contracts may be executed with one or more corporations licensed to transact business in Georgia.

(f) Develop and Publish Plan Document(s). The Commissioner shall cause to be developed a summary plan document or certificate of coverage for each benefit or group of benefits. The plan document must include the approved schedule of benefits, eligibility requirements, termination of coverage, to whom claims should be submitted, and other administrative requirements. The Commissioner shall cause the plan document(s) to be available electronically on the Department of Administrative Services website and in print, upon request.

(g) Establish Procedures for Administration. The Commissioner shall, in consultation with the departments, establish procedures for the effective administration of the Flexible Benefits Program. Such procedures shall be maintained electronically and available upon request to the employing entities.

(h) Establish Procedures for Quality Assurance. The Commissioner shall, in consultation with the departments, establish procedures and criteria for assuring that Flexible Benefit Plan and employee records are maintained accurately and in compliance with These regulations and contract provisions, and that claims for benefits can be accurately and timely presented to the contractor.

(11) **Functions and Duties of the Employing Entities**. Each employing entity or agency is charged with complying with these regulations. Statements made by the staff of the departments that are in conflict with these regulations, the contracted schedule of benefits, or the summary plan document shall not be binding on the Administrator or Contractor.

(a) Liability Limited. The Council, the various departments, and their employees shall not incur any liability for errors or omissions made in the performance of the agreement between the departments and agencies and the employee.

(b) Enroll Eligible Employees. Each employing entity shall offer the Plan to all persons who are eligible under these regulations and adhere to the responsibilities in Rule 3(4) of these regulations.

(c) Retain Departmental Optional Plans. Each State Employer shall have the option to determine whether or not the employees within that employing entity shall continue payroll deductions for any optional plans that were in operation on January 1, 1986. Each Educational Institution shall have the option to determine whether or not the employees of that educational institution shall continue payroll deductions for any optional plans that were in operation on January 1, 1991. Continuation of any optional plan(s) shall be limited to the same type benefits and the same insurer. Departments may increase coverage amounts of various insurances but are not permitted to change the structure of the optional plan. Departments shall have the discretion of allowing continued enrollment in the optional plan(s). When continued enrollment is permitted, the departments shall be requested by the Administrator to convert, prior to April 1, 1988, enrollment in the optional plan(s) to the enrollment period as defined in Section 478-2-05. If the departments comply with the request, all future enrollment periods for that agency's sponsored optional plans shall be in accordance with these regulations.

(d) Educational Institution Election. Each Educational Institution shall have the option to select to participate in the Plan, as announced by the Administrator. Such election shall be filed with the Administrator in sufficient time for conducting an open enrollment period consistent with the following Plan Year. Termination of an election may occur only at the end of a Plan Year and after a twelve-month written notice to the Administrator. Termination of the election cannot be effectuated for a minimum of twenty-four months following the first effective date of coverage under the Plan.

(e) Educational Institution's Administrative Fee. Each Educational Institution that elects to participate in the Plan may pay a pro rata share of the administrative cost of operating the Plan. The Commissioner shall determine the fee on an annual basis and notify the Educational Institutions.

Cite as Ga. Comp. R. & Regs. R. 478-2-.02

AUTHORITY: O.C.G.A. §§ 45-18-51 **to** 45-18-58**.**

HISTORY: Original Rule entitled "Organization" adopted. F. Sept. 25, 1986; eff. Aug. 8, 1986, as specified by the Board.

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Amended: F. Mar. 11, 2026; eff. Feb. 3, 2026, as specified by the Board.

478-2-.03 General Provisions

(1) **Applicability.** All employees who become eligible for coverage under the Flexible Benefit Plan shall be enrolled or permitted to change coverage type only in accordance with these regulations; all employing entities covered by the Act shall administer the Plan and any departmental sponsored optional plans in accordance with these regulations.

(2) **Conformity with Federal Requirements.** This Plan shall be administered in accordance with the applicable federal laws, including but not limited to the Internal Revenue Code of 1986, as amended, and any other applicable federal laws and the regulations promulgated there under.

(3) **Records.** The Plan records shall be maintained as directed by the Commissioner in accordance with the provisions of the Georgia Records Act and the applicable provisions of Title 33 of the Official Code of Georgia Annotated. Each employing entity shall maintain the employee personnel and payroll records in accordance with the Georgia Records Act.

(a) Minimum Record Standards. Employees complete their enrollment in the Third-Party Administrator's Enrollment Portal. Enrollment records are stored and maintained in the Third-Party Administrator's enrollment portal. Such records are maintained as confidential pursuant to Article 3 of Title 45 of the Official Code of Georgia annotated and shall not be disclosed except as necessary to accomplish the purposes of the administration of the plan or as otherwise authorized in writing by the employee.

(4) **Employing Entity Responsibilities.** The employing entities must comply with the following responsibilities as outlined below.

(a) Deduct Employee Premium and/or Contribution Amounts. Each employing entity is authorized to deduct or reduce from salary or wages voluntarily designated amounts by the employees when enrolling in any option offered by the Council, unless participation in a specific benefit is not allowed by underwriting or other contractual requirements.

(b) Collect Premiums for Employees on Suspension or Approved Leave Without Pay. Each employing entity is responsible for informing an employee or suspension or approved leave without pay that the appropriate premium and contribution amounts must be paid in order to maintain coverage for the insurance and health care flexible spending account options selected by the employee. Employees on suspension or an approved leave of absence without pay shall remit the premiums and contributions to the Third-Party Administrator through the direct bill process in accordance with procedures established by the Administrator.

(c) Remit Employee Premium Amounts. Each employing entity shall make every effort to remit the amount of premiums and/or contributions deducted or reduced from the employee's compensation within five (5) working days following the invoice/statement from the Third-Party Administrator.

(d) Provide Certification of Employment Information. Each employing entity, unless the Administrator instructs otherwise, shall provide certification of employment information to the benefit contractor at the time of an employee claim.

(e) Modify Payroll Systems. When applicable, the employing entity shall modify the payroll systems, manual or mechanized, to comply with the salary reduction aspects of the Plan. The employing entity shall also modify the process to apply the appropriate premiums from the Third-Party Administrator, calculate the taxable income applicable for each employee, report the taxable income to each employee, and report taxable income to the Internal Revenue Service.

(f) Audit Employing Entity Subdivision Payrolls. Any employing entity having organizational subdivisions shall audit the payroll systems including the enrollment participation, type of benefits, and effective date of coverage, for all participations of the employing entity and its organizational subdivisions. Such audits shall be conducted in accordance with generally accepted government auditing standards. Upon request of the Administrator or the Council, employing entities shall provide a copy of any such audit for review.

(g) Protect the Privacy of Enrollment Information. The Administrator and Third-Party Administrator shall share enrollment information only with designated employees of the employing entity who assist with the Flexible Benefit Program. Each employing entity shall ensure that the Third-Party Administrator is promptly notified whenever such an employee is no longer permitted to review and share enrollment and eligibility information about Participants. The employing entity shall ensure that designated employees are properly trained to protect the privacy and security of the enrollment information.

(5) **Employee and Employing Entity Responsibilities.** The employee and employing entity share the responsibility for assuring that the premium payments and spending account contributions for the options selected are being accurately deducted or reduced from the employee's compensation. Both the employee and the employing entity share the responsibility for assuring compliance with all contractual and administrative requirements.

(6) **Employee's Responsibility.** The Employee is responsible for the requirements as outlined below.

(a) Benefit Enrollment for New Employees. Each new employee must make benefits elections through the designated flexible benefits enrollment portal or by contacting the TPA's benefits center within thirty-one (31) calendar days of the hire date. If no elections are made, the employee's coverage will default to no coverage.

(b) Beneficiary Designation. The employee is responsible for the accuracy of his Flexible Benefit Program beneficiary designation for the employee life, accident insurance, and accidental death and dismemberment options in the eligibility and enrollment portal. Benefits will be paid on the basis of the most recent update to the beneficiary section in the eligibility and enrollment portal. If there is a conflict regarding the payment of benefits, proceeds will be paid in accordance with applicable laws, regulations, policies and contracts.

(c) Medical Underwriting. The employee is responsible for the completion of all phases of the medical underwriting process when required by contract for the requested type or level of insurance coverage. If the employee fails to complete all phases of the required process by the established deadlines, then the employee's request will remain at the current selection level or the guaranteed amount.

(d) Dependent Verification. The employee is required to submit documentation as required by the Plan to verify the eligibility of Dependents within the timeframe allotted by the Plan. Any Dependents not verified within the Plan's allotted time shall not be eligible for Coverage until the next annual Open Enrollment period or subsequent Qualifying Life Event as described in these regulations. The third-party administrator shall process all requests for dependent verification.

(7) **Eligibility and Enrollment Appeals.** An employee/participant may request an appeal of an eligibility or enrollment matter by contacting the Third-Party Administrator. All appeals are processed according to Administrator's published appeal procedures.

(8) **Medical Underwriting Appeals.** The employee may appeal medical underwriting decisions in accordance with specific insurance contract provisions. Should the initial negative decision be reversed, coverage will be effective the first of the month following the approval of the appeal.

(9) **Enrollment for Employees When Eligibility Information Not Provided.** If the Third-Party Administrator was not provided with eligibility information from the employing entity in order for an employee to make benefit selections, the employee shall be provided the opportunity to enroll under the same conditions that would have applied had the employee been offered benefits in accordance with these Regulations. The employee shall be given 31 days from the print date on the enrollment packet from the Third-Party Administrator to enroll.

Cite as Ga. Comp. R. & Regs. R. 478-2-.03

AUTHORITY: O.C.G.A. § 45-18-52**.**

HISTORY: Original Rule entitled "General Provisions" was filed on Sept. 25, 1986; having become effective Aug. 8, 1986, as specified by the Board.

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478-2-.04 Eligibility

(1) **Active State Employees**. Employees who are actively at work, on approved leave with pay other than personal sickness or disability, or on suspension with pay may participate in the Flexible Benefit Plan if the employee is a regular full-time employee who works a minimum of thirty (30) hours per week and whose duties are expected to require at least nine (9) months of service. Contingent workers of the Labor Department, employees who are working on a temporary, seasonal, or intermittent basis, and employees working in sheltered workshop operated by a county family and children services, mental health subdivisions or other employing entities are not eligible to participate in the Program. Eligible employees are as follows:

(a) a member of the General Assembly or a full-time employee of the General Assembly;

(b) a person who works full time and receives his or her compensation in a direct payment from a state department, agency, community service board, authority, or institution of State government, exclusive of the Board of Regents of the University System of Georgia;

(c) a person who works full time and receives his compensation from a county department of family and children services or a county department of health;

(2) **Active Educational System Employees.** Active Educational System Employees include a member of any local board of education, public school teachers and public school employees as defined in Georgia Official Code Annotated Sections 20-2-880 and 20-2-910. Employees, who are not considered temporary or emergency employees, and who are actively at work or on approved leave with pay, other than sick or disability, may participate in the Flexible Benefit Plan if the employee receives pay from one of the educational institutions that has elected to participate in the Plan and who meets the work requirements, as follows:

(a) Persons serving in a certificated position and who work at least 17.5 hours per week;

(b) Employees who work at least 17.5 hours per week for a county or regional library;

(c) Persons serving a non-certificated position and who work at least 20 hours per week or 60% of the time normally required for these positions, if that's more than 20 hours per week; and

(d) Persons eligible for the Public School Employees Retirement System and who work at least fifteen (15) hours per week or 60% of the time normally required for these positions. if that is more than fifteen (15) hours per week, and

(e) Any person, other than an employee in a professionally certified capacity ort position, employed not less than half time and compensated in a charter school in this state established pursuant to either Article 31 or Article 31A of Title 20, Chapter 2 of the Official Code of Georgia Annotated, if such charter school elects to participate in the flexible benefit plan upon initial approval of its charter or, if such charter school is an existing charter school, upon renewal of its charter.

(3) **Employees on Leave without Pay**. Active employees who are eligible to participate in the Flexible Benefits Program may continue all insurance options in which enrolled by paying the required after-tax premium during a period of "approved leave of absence without pay" for a period up to twelve (12) months, subject to the conditions in these regulations. An employee will be considered to have one (1) continuous period of leave without pay if the

employee returns to work for a period of time, and fails to have three (3) or more consecutive payroll deductions or reductions during the return to work.

(4) **Employees on Suspension without Pay**. Employees who are eligible to participate in the Flexible Benefits Program may continue all insurance options in which enrolled by paying the required after tax premiums during a period of "suspension without pay" for a period of up to twelve (12) months, subject to the conditions in these regulations.

(5) **Employees on Military Leave.** Military leave is the period of time during which an employee is ordered to military duty or the period, as provided by law, during which an employee is attending military training. Employees who are eligible to participate in the Flexible Benefits Program may continue the coverages and options, consistent with policy and contractual limitations of each benefit option. If payroll deductions are not applicable, the employee shall remit the premiums and contributions to the Third-Party Administrator through the direct bill process.

(6) **Employees on Military Reservist Activation Leave.** Military Reservist Activation Leave is the period of time during which an employee is activated on an emergency basis. Employees who are eligible to participate in the Flexible Benefits Program may continue the coverages and options, consistent with policy and contractual limitations of each benefit option. If payroll deductions are not applicable, the employee shall remit the premiums and contributions to the Third-Party Administrator through the direct bill process.

(7) **Employees on Reduced Working Hours Due to a Disability.** Employees who are eligible to participate in the Flexible Benefits Program, but due to disability are placed on reduced working hours by the employing entity, may continue the options for which enrolled by paying the required after-tax premiums during the period of reduced working hours. The premium payments for coverage shall not exceed twelve (12) calendar months, and will be subject to the following condition:

(a) Notification to the Employing Entity. The employing entity shall require documentation as necessary to provide certification that the employee is physically or mentally incapable of working the required hours to be considered full-time.

(b) Documentation and Approval. Appropriate documentation may include but is not limited to certification from a qualified medical practitioner that outlines the disability and the timeframe for which the employee is required to remain on reduced working hours. The employing entity may require periodic recertification of the disabling condition and circumstances in order to substantiate the period of coverage continuation. The employing entity shall notify the Third-Party Administrator of the employee's approval for reduced working hours.

(8) **Spouse.** An Active Employee shall be entitled to enroll the Employee's spouse upon employment, during open enrollment, or Qualifying Life Event.

(9) **Dependent Child.** An Active Employee shall be entitled to enroll eligible dependent children upon employment, during Open Enrollment, or Qualifying Life Event.

(10) **Disabled Dependents.** Dependent children who are disabled before age 26, and incapable of self-sustaining employment by reason of mental incapacity or physical disability, are eligible for coverage if:

(a) The disabled child is already a participant and turning age 26. To maintain eligibility, the employee must submit documentation of the disability within 31 days of the child reaching age 26; or

(b) The child was disabled before age 26 and is enrolling as a newly eligible dependent. The employee must provide proof of the child's disability and submit the DOAS/HRA Disabled Dependent Certification Form within 31 days of enrollment in order for the disabled dependent child to enroll in flexible benefits.

(c) Active employees may enroll their disabled dependents who were disabled prior to age 26 during Open Enrollment if they submit the proof of the disability within 31 days of the enrollment.

(d) The completion and approval of the disability certification with the State Health Benefit Plan does not satisfy the requirements for the Flexible Benefits Plan Disability certification process.

(11) **Dependent Verification.** The Plan shall require each Participant wishing to add a Dependent to coverage to affirm their Dependency status and show proof of Dependent status.

(a) Dependency status shall be verified at the following times:

i. At initial enrollment in the Plan;

ii. During any Qualifying Life Event;

iii. During each open enrollment period (but if Participant is merely continuing to cover a current Dependent(s) then affirmation that such Dependent continues to be a Dependent shall be sufficient; and

iv. During any Dependent Verification audit as determined by the Administrator.

(b) The completion and approval of the Dependent Verification audit with the State Health Benefit Plan does not satisfy the Flexible Benefits Plan Dependent Verification process.

(12) **Retired Employees Enrolled in the Dental Option.** Employees who were eligible to participate and were enrolled as an active employee in the dental option of the Flexible Benefits Program at the time of retirement on or after April 1, 1997, shall be eligible to continue the dental coverage and option in which enrolled if:

(a) The employee is eligible to immediately receive an annuity from the Employees Retirement System, Legislative Retirement System, Teachers Retirement System, Public School Employees Retirement System, or the Judicial Retirement System.

(b) A retired employee shall be entitled to continue dental coverage for the spouse upon Retirement, provided the spouse was enrolled in dental coverage prior to the employee's retirement.

(13) **Surviving Spouse of an Employee Enrolled in a Dental Option**. The surviving spouse of a deceased employee may continue dental coverage provided the spouse is immediately eligible to receive a monthly benefit from the Employees Retirement System, Legislative Retirement System, Teachers Retirement System, Public School Employees Retirement System, or the Judicial Retirement System. The spouse may elect coverage as a surviving spouse, or if an active employee, through payroll reduction but cannot elect double or dual coverage under this provision.

(14) **Surviving Spouse of a Retired Employee Enrolled in a Dental Option.** The surviving spouse of a retired employee may continue dental coverage provided the retired employee and spouse were enrolled in the dental option and the spouse is immediately eligible to receive a monthly benefit from the Employees Retirement System, Legislative Retirement System, Teachers Retirement System, Public School Employees Retirement System, or the Judicial Retirement System.

(a) Restrictions on Surviving Spouse. The spouse may elect coverage as a surviving spouse, or if an active employee, through payroll reduction, but cannot elect double or dual coverage under this provision.

(b) Surviving Eligible Dependent Children. The surviving spouse may elect to continue coverage for surviving eligible dependent children already enrolled in the dental option.

(15) **Continuation of Coverage for a Dependent Child of a Deceased Employee**. Upon the death of an active or retired employee, an eligible dependent child who was covered under the family dental coverage and is the principal beneficiary under one of the retirement systems may continue coverage consistent with these regulations and the insurance contracts. The dependent child may not be covered under this provision if he or she is a covered dependent child under another active or retired employee, or is eligible as an active employee.

(16) **Extended Beneficiaries**. Persons who meet the definition of Extended Beneficiaries are eligible to participate in the dental and vision options and health care flexible spending account by paying the required after tax premiums or contributions as established by the Council.

(17) **Judicial Reinstatement of Employees**. Employees who were eligible to participate in the Flexible Benefits Program who are reinstated to employment by the State Personnel Board or the judiciary shall have coverage reinstated for themselves and any eligible dependents in accordance with the following:

(a) If the employment reinstatement occurs within twelve (12) months of discharge and back-pay for continuous employment is awarded, all retroactive premiums for the insurance options must be collected and claims incurred during the period may be filed for processing. Retroactive contributions for the health care flexible spending account may be waived by the Administrator; retroactive contributions for dependent care flexible spending account are not to be made.

(b) If the employment reinstatement occurs following a period longer than twelve (12) months after discharge and back-pay for continuous employment is awarded, coverage for the employee and previously covered dependents will be reinstated upon the employee's return to work or in accordance with judicial review. Medical underwriting and late entrant penalties will not apply for any reinstated coverages.

(c) If employment reinstatement occurs either within or in excess of twelve (12) months of discharge and retroactive pay is not awarded, coverage may be reinstated with the employee's return to work. Medical underwriting and late entrant penalties will not apply for any reinstated coverages.

Cite as Ga. Comp. R. & Regs. R. 478-2-.04

AUTHORITY: O.C.G.A. §§ 45-18-50**,** 45-18-52(a)**,** 45-18-54**.**

HISTORY: Original Rule entitled "Eligibility" was filed on September 25, 1986; having become effective August 6, 1986, as specified by the Board.

Amended: F. Jan. 29, 1991; eff. July 1, 1990, as specified by the Board.

Amended: F. Feb. 14, 1991; eff. Jan. 10, 1991, as specified by the Board.

Amended: F. Apr. 22, 1997; eff. Apr. 9, 1997, as specified by the Board.

Amended: F. Nov. 15, 2005; eff. Oct. 26, 2005, as specified by the Board.

Amended: F. Mar. 11, 2026; eff. Feb. 3, 2026, as specified by the Board.

478-2-.05 Effective Date of Coverage

(1) **Employment.** The employee's coverage under the Flexible Benefit Program shall become effective on the first of the month following employment for the full preceding calendar month if the employee is at work on that date. If the employee is not at work on that date, coverage will be effective on the date the employee returns to work. Coverage for eligible dependents will become effective on the date the employee's coverage is effective.

(2) **Re-employment during the Plan Year.** If the employee is reemployed within 30 days during the same Plan Year during which the employee previously participated in the Plan as an active employee, coverage under the Plan shall be re-instated after a full month of employment. The employing entity must reactivate payroll and remit premiums and contributions consistent with the options elected by the employee prior to termination, unless a qualifying change in family status occurred during the period of non-eligibility. The employee shall be considered re-employed during the Plan Year if the employee had one or more deductions or reductions prior to employment termination and subsequent re-employment. When the employee is not re-employed on the first workday of a calendar month, coverage will become effective the first of the month after a full month of employment, provided the employing entity remits all premiums and spending account contributions. If the employee is rehired after 30

days or more during the same plan year, the employee is considered a new hire and will receive enrollment information and is required to reenroll. New hires may select different coverage options from those selected prior to the termination from employment.

(3) **Change in Coverage due to Qualifying Life Event.** If the employee changes coverage to include eligible dependents based upon a qualifying life event, coverage for the dependents shall become effective as of the first day of the month following the Qualifying Life Event. Elections for any group health coverage (this does not include the Health Care Flexible Spending Account or stand-alone dental plans) as a result of a special enrollment period due to birth, adoption or placement for adoption for newborns and newly adopted children, shall be effective as of the date of such birth, adoption or placement for adoption as required by federal law.

(4) **Open Enrollment Change.** The effective date for new enrollments, a change in coverage amounts or the addition of eligible dependents shall be January 1, provided the employee is at work on that day and/or the contractor has approved insurance based on medical underwriting requirements.

(5) **Return from Suspension or an Approved Leave Without Pay Within the Same Plan Year.** If the employee is returning from suspension or an approved leave without pay during the same Plan Year in which the employee previously participated in the Plan, the benefit options and coverages previously selected by the employee will continue if the employees make all premium payments and health care flexible spending account contributions while on leave. The employee will be billed directly by the third-party administrator. If the employee failed to pay premiums for the insurance options and the health care flexible spending account during the leave without pay, the coverage will terminate. For employees on leave under the Family and Medical Leave Act, if coverage is terminated the employee has 31 days to request reinstatement upon returning to work. Dependent care flexible spending account contributions will be reinstated upon the employee's return to work.

(6) **Return From Suspension or an Approved Leave Without Pay Across Plans Years**. If the employee is returning from suspension or an approved leave without pay in the Plan Year following the Plan Year in which the employee previously participated in the Plan, the following provisions for benefit options and coverages shall apply.

(a) When the absence without pay is twelve (12) or less months and the Employee continued premiums and health care flexible spending contribution for continuous coverage during the leave without pay period, the employee shall have an opportunity to make enrollment elections for the current plan year upon the employee's return from leave. The employee shall have a 30-day enrollment window from the print date of enrollment packet from the Third-Party Administrator.

(b) When the absence without pay is less than six (6) months and the employee did not pay the insurance premiums and health care flexible spending account contributions, the employee will be provided an enrollment period subject to all conditions for enrollment of a current employee, such as medical underwriting, preexisting conditions and late entrant limitations.

(c) When the absence without pay is six (6) or more months and the employee did not pay the insurance premiums and health care flexible spending account contributions, coverages will be terminated in accordance with the Failure to Pay Premium provision. The employee shall be offered an opportunity to re-enroll in the same manner as is allowed during the open enrollment period. The employee shall be subject to all conditions for enrollment of a current employee, such as medical underwriting, preexisting conditions and late entrant limitations.

(7) **Upon Return from Suspension or Leave Without Pay Greater Than Twelve (12) Months**. If the employee is returning from a suspension or leave without pay of more than twelve (12) months and the employee paid the appropriate premium amounts for the insurance options, the employee shall be offered an open enrollment period as a continuing employee.

Cite as Ga. Comp. R. & Regs. R. 478-2-.05

AUTHORITY: O.C.G.A. §§ 45-18-51**,** 45-18-52(a)**.**

HISTORY: Original Rule entitled "Effective Date of Coverage" adopted. F. Sept. 25, 1986; eff. Aug. 6, 1986, as specified by the Board.

Amended: F. May 17, 1989; eff. January 19, 1989, as specified by the Board.

Amended: F. Jan 29, 1991; eff. July 1, 1990, as specified by the Board.

Amended: F. Feb. 14, 1991; eff. Jan. 10, 1991, as specified by the Board.

Amended: F. Apr. 22, 1997; eff. Apr. 9, 1997, as specified by the Board.

Amended: F. Mar. 11, 2026; eff. Feb. 3, 2026, as specified by the Board.

478-2-.06 Changes in Benefit Options and Amounts

(1) **Open Enrollment Period and Retiree Option Change Period**. The open enrollment period and retiree option change period shall be no longer than thirty (30) days duration and shall begin no earlier than four (4) months preceding the beginning of each plan year. The specific dates and duration shall be designated by the Commissioner or their designee. The open enrollment period and retiree option change period occur simultaneously and shall be announced in writing to the employees through the Department of Administrative Services website and other communications.

(a) Eligible active employees shall be given an opportunity to enroll or change benefit options during the open enrollment period.

(b) Enrolled retirees shall be given an opportunity to change the dental coverage option to any dental option for which the Retiree is eligible.

(2) Medical underwriting may be required by contract for the insurance options. Employees on suspension or on an approved leave of absence without pay during the open enrollment period shall not be provided the opportunity to enroll or change coverages during the period; however, coverage may be discontinued. Extended beneficiaries shall be entitled to the same benefit choice in an applicable option of the Plan during the open enrollment period as if he or she were an active employee.

(3) Prior plan year elections will roll over if no selections are made, except for the Health Care Flexible Spending Account and Dependent Care Flexible Spending Account. Spending account options require re-enrollment each plan year.

(4) **Benefit Option Changes due to Qualifying Life Event.** The employee shall not be permitted to change the selected options during the plan year unless the employee has a Qualifying Life Event (QLE), which must be declared within thirty-one (31) days of the event. The effective date of the QLE will be the first of the month following the QLE. In cases of birth, adoption, or placement of a child for adoption, an employee must declare the event within 90 days of the event, and the effective date is the date of the event.

Cite as Ga. Comp. R. & Regs. R. 478-2-.06

AUTHORITY: O.C.G.A. §§ 45-18-51**,** 45-18-52(a)**.**

HISTORY: Original Rule entitled "Changes in Benefit Options and Amounts" adopted. F. Sept. 25, 1986; eff. Aug. 6, 1986, as specified by the Board.

Amended: F. May 22, 1987; eff. March 26, 1987, as specified by the Board.

Amended: F. May 17, 1989; eff. January 19, 1989, as specified by the Board.

Amended: F. Jan 29, 1991; eff. July 1, 1990, as specified by the Board.

Amended: F. Feb. 14, 1991; eff. Jan. 10, 1991, as specified by the Board.

Amended: F. Apr. 22, 1997; eff. Apr. 9, 1997, as specified by the Board.

Amended: F. Dec. 15, 2005; eff. Nov. 18, 2005, as specified by the Board.

Amended: F. Mar. 11, 2026; eff. Feb. 3, 2026, as specified by the Board.

478-2-.07 Extended Coverage (COBRA)

(1) **Extended Beneficiary**. Persons who lose coverage under the Plan and who meet certain requirements are eligible to continue coverage in the enrolled dental option, vision option, or health care flexible spending account, as required by federal law or these regulations for the periods designated by the qualifying event. Plan Year limitations and Plan requirements of the health care flexible spending account will apply. An Extended Beneficiary shall have the same opportunities for enrolling eligible dependents and changing coverage options as active employees. The Flexible Benefits Program will be administered in compliance with federal law or regulations under the Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

(a) Terminated Employee. An employee who terminates employment or is separated from employment for any reason other than for gross misconduct, or whose approved leave without pay expires shall be eligible to continue coverage under the plan for a period not longer than eighteen (18) months following the termination of coverage as an employee.

(b) Reduction of Required Hours. An employee who continues Flexible Benefit Plan eligibility under the definition of employee, except for working the required number of hours, shall be eligible to continue coverage under the Plan for a period not longer than eighteen (18) months following the end of the month in which the reduction of hours occurred. If the reduced hours take effect on a day other than the first workday of the month, the eighteen (18) month period would begin on the first of the month following termination of coverage through payroll deductions.

(c) Laid-off Employee. An employee who is determined to be a laid-off employee shall be eligible to continue coverage under the Plan for a period not longer than eighteen (18) months. The extended period begins on the first of the month following termination of coverage through payroll deductions.

(d) Spouse of Deceased Employee. The spouse of a deceased employee who is not eligible as a surviving spouse, an employee, or an annuitant, shall be eligible to continue coverage for a period not longer than thirty-six (36) months. Coverage under the Plan may be continued for the spouse and any eligible dependents. The extended period of coverage begins on the first of the month following termination of coverage through the employee's payroll deductions or if the employee is on an approved leave without pay, at the end of the month in which the employee died or the end of the following month if the premium has been paid.

(e) Surviving Dependent Child. An eligible dependent child of a deceased employee who is - not enrolled as an employee, a dependent of another employee, a surviving beneficiary under Section 478-2-.04, or as an annuitant, shall be eligible to continue coverage for himself under the Plan for a period not longer than thirty-six (36) months following the end of the month in which death occurred. The extended coverage period begins on the first of the month following termination of the employee's coverage through payroll deductions.

(f) Dependent Child. An eligible dependent child of an employee who is not eligible as an employee or an annuitant shall be eligible to continue coverage under the Plan for a period not longer than thirty-six (36) months following the end of the month in which the child is no longer eligible under the Plan.

(g) Legally Separated or Divorced Spouse. A legally separated or divorced spouse of an employee who is not as a surviving spouse, an annuitant or an employee shall be eligible to continue coverage for a period not longer than thirty-six (36) months. Coverage may be continued for the divorced or legally separated spouse and any eligible dependents, who are not covered dependents of the employee. The extended coverage period beings on the first of

the month following the month in which the legal separation documents were approved by a court of competent jurisdiction or the divorce was final.

(h) Employee Pending Approval of Retirement Benefit. An active employee who has made application for disability or service retirement and who may be eligible for retirement shall be eligible to extend coverage. The extended period of coverage begins on the first of the month following termination of coverage through the employee's payroll deductions or if the employee is on an approved leave without pay, at the end of the month in which the employee remitted the premium.

(2) **Disability under Social Security**. Coverage may be extended for an additional eleven (11) months for an extended beneficiary who at any time during the first sixty (60) days of the 18-month COBRA continuation period meets the Social Security definition of disability. Such disability shall be determined under Title II or Title XVI of the Social Security Act. The eleven (11) additional months of coverage applies to the disabled beneficiary and to non-disabled dependents who are entitled to COBRA continuation coverage. In order to be eligible for this additional extension, the beneficiary must notify the Third-Party Administrator of the determination by the end of the 18-month COBRA continuation period. Additionally, the extended beneficiary must notify the Administrator within thirty (30) days of the date of any final determination that the beneficiary is no longer disabled.

(3) **Departmental Notification Requirements**. The employing entity must notify the Third-Party Administrator of the employee's termination, death, layoff, or reduced hours within thirty (30) days following the event.

(4) **Notice of Divorce, Separation, and Cessation of Dependency.** The employee or other qualified beneficiary must notify the Third-Party Administrator within sixty (60) days of a divorce, legal separation, or a child ceasing to be a dependent under the applicable option of the Plan. Failure to provide such notice to the Administrator within the sixty (60) days will result in the loss of eligibility for extended coverage.

(5) **Notification due to employee's death, termination, or reduction of hours.** The Third-Party Administrator shall notify the extended beneficiary at his or her last known address regarding extended coverage. The Third-Party Administrator shall notify the extended beneficiary of the continuation rights within fourteen (14) days following notification from the employing entity of the employee's death, termination of employment, or reduction of hours. Notice to the employee's spouse other than employee termination or reduction of hours shall be deemed to be notification to all other beneficiaries of the contract.

(6) **Notification due to divorce, legal separation, or dependent child's coverage ineligibility.** The Third-Party Administrator shall notify the extended beneficiary of his or her continuation rights at the address specified by the employee within fourteen (14) days following notification from the employee of a divorce, legal separation, or the dependent child's coverage ineligibility as a dependent.

(7) **Extended Beneficiary's Election Period**. The extended beneficiary may elect to continue coverage within a period of sixty (60) days following the Administrator's notification to the extended beneficiary or during the sixty (60) days following coverage termination under the appropriate provision. Coverage will be reinstated by payment of the premium retroactively to the coverage termination under the employee's contract.

(8) **Extended Beneficiary's Independent Election**. Each beneficiary eligible for extended coverage shall be afforded the opportunity to make an independent election to continue coverage in the enrolled option, provided the beneficiary is not enrolled as an employee, spouse, or dependent. If a beneficiary, either the employee or spouse of a covered employee makes an election to provide coverage for the other extended beneficiary, the election shall be binding on that other beneficiary. An election on behalf of a minor child can be made by the child's parent or legal guardian. An election on behalf of an eligible beneficiary who is incapacitated can be made by the legal representative of the beneficiary.

(9) **Payment for Extended Beneficiary Coverages**. The applicable premium for the dental and vision option shall be 102% of the rate furnished by the Contractor and approved by the Council; the applicable contribution for the health care flexible spending account shall be 102% of the employee's elected contribution. The Third-Party Administrator will direct bill for the premiums. Payment for the initial premium must be made no later than forty-

five (45) days following election to continue coverage. Thereafter, premium payments must be made no later than thirty (30) days from the due date.

(10) **Multiple Qualifying Events**. If additional qualifying events occur which provide for a thirty-six (36) month maximum period during the period when an extended beneficiary is covered, the maximum period of coverage may be extended to a maximum of thirty-six (36) months for a spouse or dependent child, plus any additional months as a result of disability under Title II or Title XVI of the Social Security Act. The maximum period of extended coverage as a result of one or more qualifying events shall begin on the day following termination of coverage as a result of the first qualifying event.

(11) **Limitation for Individuals Added to Coverage of Extended Beneficiary**. An individual who is not covered under a plan on the day before the qualifying event cannot be qualified as a beneficiary with respect to that qualifying event and enrolled in the extended coverage. This limitation does not apply for a child who is born to or placed for adoption with a covered employee during the period of extended coverage.

(12) **Penalty Payment due to Failure to Notify the Third-Party Administrator.** If the Third-Party Administrator fails to notify the extended beneficiary of the continuation rights within the required time limits as a result of failure of the employing entity to notify the Third-Party Administrator, any penalty payment required of the Administrator shall be billed to the employing entity who failed to notify the Third-Party Administrator.

Cite as Ga. Comp. R. & Regs. R. 478-2-.07

AUTHORITY: O.C.G.A. § 45-18-52(a).

HISTORY: Original Rule entitled "Termination of Coverage' was filed on September 25, 1986; having become effective on August 8, 1986, as specified by the Board.

Repealed: New Rule entitled "Extended Coverage" adopted. F. May 17, 1989; eff. January 19, 1989, as specified by the Board.

Amended: F. Jan. 29, 1991; eff. July 1, 1990, as specified by the Board.

Amended: Rule retitled "Extended Coverage (COBRA)." F. Apr. 22, 1997; eff. Apr. 9, 1997, as specified by the Board.

Amended: F. Mar. 11, 2026; eff. Feb. 3, 2026, as specified by the Board.

478-2-.08 Termination of Coverage

(1) **Termination from Employment**. Termination from employment includes resignation, retirement, abandonment of job, release from job, forfeiture of job, and all other types of termination. Extension of a leave of absence longer than twelve (12) months constitutes a termination of coverage for the purposes of the Plan. A period away from work for less than thirty (30) days will not be considered a termination. Insurance and health care and dependent care flexible spending account coverages will terminate at the end of the month following the month of the last reduction/deduction that was transmitted to the Administrator. This date will normally be the end of the month following the month in which separation or termination of employment occurred.

(2) **Reduction of Work Hours**. A reduction in work hours beyond the minimum required may result in a loss of eligibility to continue coverages and options under the Flexible Benefits Program, except as defined in 478-2-.04(7).

(a) If for any reason the number of worked hours is reduced for a covered state employee to less than thirty (30) hours per week, coverage shall terminate at the end of the month following the month in which the required premium was paid;

(b) If for any reason the number of worked hours is reduced for a covered employee of a participating educational institution to less than half-time or a minimum of seventeen and one-half (17 and 1/2) hours per week, coverage

shall terminate at the end of the month following the month in which the required premiums and/or contributions were paid;

(c) If for any reason the number of worked hours is reduced for a covered public school employee to less than sixty (60) percent of that required to perform the position duties, coverage shall terminate at the end of the month following the month in which the required premium and/or contribution was paid; however, the sixty (60) percent cannot be less than twenty (20) hours if the employee is a participant in the Teachers Retirement System and less than fifteen (15) hours if the employee is a participant in the Public School Employees Retirement System.

(3) **Failure to Return from an Approved Leave of Absence Without Pay**. If an employee who is on an approved leave of absence without pay fails to return to active employment or is absent more than twelve (12) months, coverage for the insurance options and health care flexible spending account will terminate at the end of the month for which the premium(s) and/or contribution(s) have been paid.

(4) **Failure to Remit Insurance Option Premiums and Health Care Flexible Spending Account Contributions**. Failure to remit the applicable insurance option premium amounts and health care flexible spending account contributions while on leave of absence without pay will terminate coverage at the end of the month for which the premium(s) and/or contribution(s) have been paid, unless provisions of section 478-2-.05 apply. When premium amounts and contributions are not paid, benefits will not be allowed during the period, unless such is due as a contractual provision of total disability.

(5) **Termination of Retiree Dental Coverage**. A retired employee may discontinue coverage at any time by advance notice to the Third-Party Administrator, without any entitlement to re-enroll at a later date. Discontinuation of coverage will become effective one (1) calendar month following written notification to the Administrator.

(6) **Termination of Extended Coverage**. Extended coverage for each extended beneficiary shall terminate on the earliest of the following dates:

(a) Eighteen (18) months after the qualifying event if coverage is due to termination of employment, separation due to retirement, or reduction in hours;

(b) Thirty-six (36) months after the qualifying event if the qualifying event were: (1) the death of the covered employee; (2) a divorce or legal separation from the employee; or (3) a dependent child ceased to qualify as a dependent under the applicable option.

(c) The date on which the Plan is discontinued for all employees in the same class as the covered employee; or

(d) The date any required premium or contribution is not made within the period designated in these Regulations.

Cite as Ga. Comp. R. & Regs. R. 478-2-.08

AUTHORITY: O.C.G.A. § 45-18-52(a)**.**

HISTORY: Original Rule entitled "Plan Benefits" was filed on September 25, 1986; having become effective on August 8, 1986, as specified by the Board.

Repealed: New Rule entitled "Termination of Coverage" adopted. F. May 17, 1989; eff. January 19, 1989, as specified by the Board.

Amended: F. Jan. 29, 1991; eff. July 1, 1990, as specified by the Board.

Amended: F. Apr. 22, 1997; eff. Apr. 9, 1997, as specified by the Board.

Amended: F. Mar. 11, 2026; eff. Feb. 3, 2026, as specified by the Board.

478-2-.09 Plan Benefits

(1) **Benefit Plan Components**. The Council is authorized to establish a flexible employee benefit plan. The plan may provide for deductions or salary reductions for group life insurance, disability insurance, supplemental health and accident insurance, health care or dependent care flexible spending accounts as authorized under Section 125 of the United States Internal Revenue Code of 1986, other types of employee welfare benefits, or for salary reductions for health premiums under Georgia Law Article 1 of Chapter 18, Title 45. The head of each department, agency, authority, or county department of health shall have the option to determine whether or not the employees within his or her respective agency shall continue any optional program that is in operation on January 1, 1986. The Council is further authorized to establish plans in connection with any plans, not implemented for employees on January 1, 1986, and authorized by the United States Internal Revenue Code for the purpose of making efficient use of the tax code.

(2) **Approval of Optional Plans**. The Council is authorized to approve any new optional employee benefit plans or any contracting with new or additional insurers under existing plans that authorize the deduction or reduction of voluntary designated amounts, including insurance, from the salaries of full-time employees after January 1, 1986. Optional programs under the Flexible Benefits Program offered to members of the General Assembly and employees of the General Assembly or any new programs must be approved by and at the discretion of the Legislative Services Committee.

(3) **Benefit Components**. Benefit components may be designated as pre-tax or after-tax options. Pre-tax options are those options for which premiums and/or contributions are allowed under the Flexible Benefit Plan Document as amended. After-tax options are those options for which premiums and/or contributions are not allowed under IRC 125 or for which the Council designates as a required or optional payroll deduction. All options shall be governed by the enrollment, termination and change provisions of the Flexible Benefit Plan Document and the Regulations of the Employee Benefit Plan Council.

(a) The pre-tax benefit components are approved as stated in the Flexible Benefit Plan Document as last amended and restated by the Council. The pre-tax benefit components are dental insurance, vision insurance, group-term life insurance (Employee), accidental death and dismemberment insurance, health care flexible spending account and dependent care flexible spending account.

(b) The after-tax benefit components are group-term life insurance (Employee, Spouse and Child), critical illness, hospital indemnity, cancer insurance, accident insurance, short-term and long-term disability insurance, long-term care insurance, and legal insurance.

(c) The individual plan components are determined by the benefit contractors and detailed in the summary plan descriptions and certificates of coverage, specific exclusions may apply.

(4) **Interpretation**. The Administrator is authorized to interpret the benefit components for contract execution and administration.

(5) **Modifications.** The Employee Benefit Plan Council reserves the right to modify any benefits, coverages, and eligibility requirements of the Flexible Benefits Program at any time, subject only to reasonable advance notice to its participants. When such a change is made, it will apply as of the effective date of the modification to any and all claims incurred by participants from that date forward, unless otherwise specified by the Employee Benefit Plan Council.

Cite as Ga. Comp. R. & Regs. R. 478-2-.09

AUTHORITY: O.C.G.A. §§ 45-18-52(a)**,** 45-18-54**.**

HISTORY: Original Rule entitled "Request for Plan Component Additions or Modifications" was filed on September 25, 1986; having become effective on August 8, 1986, as specified by the Board.

Repealed: New Rule entitled "Plan Benefits" adopted. F. May 17, 1989; eff. January 19, 1989, as specified by the Board.

Amended: F. Jan. 29, 1991; eff. July 1, 1990, as specified by the Board.

Amended: F. Apr. 22, 1997; eff. Apr. 9, 1997, as specified by the Board.

Amended: F. Mar. 11, 2026; eff. Feb. 3, 2026, as specified by the Board.

478-2-.10 Repealed

Cite as Ga. Comp. R. & Regs. R. 478-2-.10

AUTHORITY: O.C.G.A. § 45-18-51(g)**.**

HISTORY: Original Rule 478-2-.09 entitled "Request for Plan Component Additions or Modifications" was renumbered to 478-2-.10. F. May 17, 1989; eff. January 19, 1989, as specified by the Board.

Repealed: F. Mar. 11, 2026; eff. Feb. 3, 2026, as specified by the Board.

Department 505. PROFESSIONAL STANDARDS COMMISSION

Chapter 505-3. EDUCATOR PREPARATION RULES

505-3-.44 Art Education Program

(1) **Purpose.** This rule states field-specific content standards for approving initial educator preparation programs that prepare individuals to teach art in grades P-12, and supplements requirements in GaPSC Rule 505-3-.01 REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS and in GaPSC Rule 505-3-.03 FOUNDATIONS OF READING, LITERACY, AND LANGUAGE.

(2) **Requirements.**

(a) To receive approval, a GaPSC-approved educator preparation provider shall offer a preparation program described in program planning forms, catalogs, and syllabi addressing the following standards adapted from the standards published in 2025 by the National Association of Schools of Art and Design:

1. The program shall prepare candidates who understand the processes of creating, presenting, responding and connecting to visual and media arts. Candidates should demonstrate basic expressive, technical, procedural and organizational skills and conceptual insights which can be developed through studio art and design experiences. Instruction should include traditional and contemporary art and design processes.

2. The program shall prepare candidates who have an understanding of (1) the major styles and periods of art history, analytical methods and theories of criticism; (2) the development of past and contemporary art forms; (3) the important process of artistic creation from initial idea to finished artwork; (4) contending philosophies of art; and (5) the relationship of all of these to making art.

3. The program shall prepare candidates who have created and presented advanced work in at least one or more studio art areas demonstrating technical mastery.

4. The program shall prepare candidates who have functional competence with principles of visual organization, including the ability to work with visual elements in two and three dimensions. The candidates shall have functional knowledge of the management of the basic instructional technologies involved in drawing, painting, printmaking, photography, media arts, ceramics and sculpture.

5. The program shall prepare candidates who are able to connect an understanding of educational processes and structures with an understanding of relationships among the arts, sciences and humanities, in order to apply art competencies in teaching situations and to integrate art instruction into the total process of education. Specific competencies include:

(i) An understanding of artistic developmental theory and child development and the identification and understanding of psychological principles of learning as they relate to art education.

(ii) An understanding of the philosophical and social foundation underlying art in education and the ability to express a rationale for personal attitudes and beliefs.

(iii) Ability to assess aptitudes, experiential backgrounds, and interests of individuals and groups of students, and to devise learning experiences to meet assessed needs.

(iv) Knowledge of current methods and materials available in all fields and levels of art education.

(v) Basic understanding of the principles and methods in art education of developing curricula and the short-and long-term instructional units that comprise them.

(vi) The ability to accept, amend, or reject methods and materials based on personal assessment of specific teaching situations in art education.

(vii) An understanding of evaluative techniques in art education and the ability to apply them in assessing both the progress of students and the objectives and procedures of the curriculum.

(viii) Ability to organize continuing study and to incorporate knowledge gained into self-evaluation and professional growth.

(b) The program shall prepare candidates who meet the P-12 standards for the teaching of reading as specified in Rule 505-3-.03 FOUNDATIONS OF READING, LITERACY, AND LANGUAGE (paragraph (3) (g)).

Cite as Ga. Comp. R. & Regs. R. 505-3-.44

AUTHORITY: O.C.G.A. § 20-2-200.

HISTORY: Original Rule entitled "Mathematics Education Program" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

Repealed: Rule reserved. F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

Amended: New Rule entitled "Alternative Certification Program" adopted. F. Mar. 7, 2000; eff. Apr. 1, 2000, as specified by the Agency.

Repealed: New Rule entitled "Alternative Preparation Program" adopted. F. Nov. 9, 2001; eff. Dec. 1, 2001, as specified by the Agency.

Repealed: Rule reserved. F. Oct. 24, 2005; eff. Nov. 15, 2005, as specified by the Agency.

Adopted: New Rule entitled "Art Education Program." F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

Repealed: New Rule of same title adopted. F. Sep. 26, 2016; eff. Oct. 15, 2016, as specified by the Agency.

Amended: F. Aug. 10, 2023; eff. Aug. 15, 2023, as specified by the Agency.

Amended: F. Mar. 25, 2026; eff. Apr. 15, 2026, as specified by the Agency.

505-3-.45 Dance Education Program

(1) **Purpose.** This rule describes requirements and field-specific content standards for approving programs that prepare individuals to teach dance in grades P-12, and supplements requirements in GaPSC Rule 505-3-.01 REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS and in GaPSC Rule 505-3-.03 FOUNDATIONS OF READING, LITERACY, AND LANGUAGE.

(2) **Requirements.** To receive approval, a GaPSC-approved educator preparation provider shall offer a preparation program as described in program planning forms, catalogs, and syllabi addressing the following standards based on the competencies published in 2025 by the National Association of Schools of Dance (NASD):

(a) Theoretical and Historical Studies. Candidates will have comprehensive coursework in dance studies leading to knowledge of dance history, repertory, and ethnology; movement analysis; dance and movement sciences; and music theory and rhythmic timing.

1. Candidates will learn to analyze dance perceptively and evaluate it critically.

2. Candidates will develop working physical, verbal, and written vocabularies based on an understanding and interpretation of the common elements of dance and be able to employ this knowledge in analysis.

3. Candidates will be able to place dances in historical, cultural, and stylistic contexts, and perceive dance as an evolving arts discipline.

4. Candidates will be able to form, articulate, and defend individual critiques, critical analyses, and evaluations about dance.

5. Candidates shall have fundamental knowledge of the body and sufficient understanding of the fundamentals of developmental kinesiology to correlate student learning and development with age and physical motor skills.

(b) Technique Study. Candidates will have continuous and sequenced course-based instruction in technique, improvisation, composition, repertory, and individual performance competencies. Technique study and individual performance competencies will be continuous and sequential, and result in the attainment of an intermediate or advanced level comparable to proficiency required for a major in dance in at least two forms of technique.

1. Candidates will develop a physical and conceptual understanding of movement and its expressive possibilities, including issues associated with student health and safety.

2. Candidates will have opportunities to experience and develop an appreciation and understanding of dance forms and styles from a variety of cultures.

3. Candidates will develop the ability to explore and create movement through improvisation, repertory, compositional methods, and individual performance competencies, demonstrating an understanding of artistic intent, expressive clarity, and technical proficiency.

(c) Choreography and Artistic Production. Candidates will gain knowledge, skills, and dispositions through concentrated experience leading to proficiency in choreography and production through applied experiences.

1. Candidates will develop and infuse elements of creativity, aesthetics, historical styles and current trends in choreography to include expressiveness, theatricality and technical interpretation.

2. Candidates will plan instruction which includes a variety of choreographic perspectives, methods and processes.

3. As competent choreographers, candidates will be able to create expressive performances with various types of groups and in general classroom situations.

4. Program completion requirements must include two years of work in improvisation/composition; and choreography, performance, and production of original work.

(d) Teaching Competencies. Candidates will be able to teach dance at various levels to different age groups and in a variety of classroom, studio, and ensemble settings that include effective classroom, studio, and rehearsal management.

1. Candidates will understand child growth and development and principles of learning as they relate to dance.

2. Candidates will be able to assess, adapt, and plan educational programs for the aptitudes, experiences, socio-cultural backgrounds, and orientations to meet the needs of all learners.

3. Candidates will be knowledgeable of current methods, materials, and repertories available in various fields and levels of dance education appropriate to the teaching specialization.

4. Candidates will understand and apply the principles and methods of developing curricula and the sequence of methods and units to comprise them.

5. Candidates will understand assessment tools for formative and summative assessments.

(e) The program shall prepare candidates who meet the P-12 standards for the teaching of reading as specified in Rule 505-3-.03 FOUNDATIONS OF READING, LITERACY, AND LANGUAGE (paragraph (3) (g)).

Cite as Ga. Comp. R. & Regs. R. 505-3-.45

AUTHORITY: O.C.G.A. § 20-2-200.

HISTORY: Original Rule entitled "Mental Retardation Education Program" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

Repealed: Rule reserved. F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

Amended: New Rule entitled "Middle Grades Endorsement Program" adopted. F. May 9, 2002; eff. June 1, 2002, as specified by the Agency.

Amended: F. Aug. 20, 2004; eff. Sept. 15, 2004, as specified by the Agency.

Repealed: Rule reserved. F. Oct. 24, 2005; eff. Nov. 15, 2005, as specified by the Agency.

Adopted: New Rule entitled "Dance Education Program." F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

Repealed: New Rule of same title adopted. F. Sep. 26, 2016; eff. Oct. 15, 2016, as specified by the Agency.

Amended: F. Aug. 10, 2023; eff. Aug. 15, 2023, as specified by the Agency.

Amended: F. Mar. 25, 2026; eff. Apr. 15, 2026, as specified by the Agency.

505-3-.46 Drama Education Program

(1) **Purpose.** This rule states field-specific content standards for approving initial educator preparation programs that prepare individuals to teach drama in grades P-12, and supplements requirements in GaPSC Rule 505-3-.01 REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS and in GaPSC Rule 505-3-.03 FOUNDATIONS OF READING, LITERACY, AND LANGUAGE.

(2) **Requirements.**

(a) To receive approval, a GaPSC-approved educator preparation provider shall offer a preparation program described in program planning forms, catalogs, and syllabi addressing the following standards adapted from standards published in 2025 by the National Association of Schools of Theatre (NAST).

1. Production.

(i) The program shall prepare candidates who demonstrate competence in basic acting skills and techniques.

(ii) The program shall prepare candidates who can direct performances, including playwriting, analyzing scripts, blocking, and casting.

(iii) The program shall prepare candidates who can produce theatre productions, including creating and using scenery, lights, hair and make-up, sound properties, costume, props, special effects, and multimedia.

(iv) The program shall prepare candidates who can evaluate and assess productions.

(v) The program shall prepare candidates who understand the public relation aspect of theatre and that theatre is a business.

(vi) The program shall prepare candidates who can promote and publicize activities or productions.

(vii) The program shall prepare candidates who can demonstrate technical skills for artistic self-expression in at least one major area of production (for example, acting, design/technology, playwriting, directing).

2. Repertory.

(i) The program shall prepare candidates who are familiar with theatre literature of various historical periods, cultural sources, and modes of presentation.

(ii) The program shall prepare candidates who acquire experience with specific repertoires through performance, academic study, and attendance at productions.

3. Theoretical and Historical Studies.

(i) The program shall prepare candidates who understand theatre as a social and aesthetic experience.

(ii) The program shall prepare candidates who understand (a) contending philosophies of theatre, (b) the development of past and contemporary theatre forms, (c) major styles and periods of theatre history and dramatic literature, (d) theories of criticism, and (e) the fundamental and integral relationships of all these to the theatre performance.

4. Technology. The program shall prepare candidates that have acquired a working knowledge of applicable technologies and equipment related to their area(s) of specialization in theatre education.

5. Synthesis. The program shall prepare candidates with knowledge and the working application of the function of theatre in school and society, including content appropriateness, and legal and ethical issues.

6. Teaching Competencies.

(i) Candidates will be able to teach drama at various levels to different age groups and in a variety of classroom, studio, and ensemble settings that include effective classroom, studio, and rehearsal management.

(ii) Candidates will understand child growth and development and principles of learning as they relate to drama.

(iii) Candidates will be able to assess, adapt, and plan educational programs for the aptitudes, experiences, socio-cultural backgrounds, and orientations to meet the needs of all learners.

(iv) Candidates will be knowledgeable of current methods, materials, and repertories available in various fields and levels of drama education appropriate to the teaching specialization.

(iv) Candidates will understand and apply the principles and methods of developing curricula and the sequence of methods and units to comprise them.

(v) Candidates will understand assessment tools for formative and summative assessments.

(b) The program shall prepare candidates who meet the P-12 standards for the teaching of reading as specified in GaPSC Rule 505-3-.03 FOUNDATIONS OF READING, LITERACY, AND LANGUAGE (paragraph (3) (g)).

Cite as Ga. Comp. R. & Regs. R. 505-3-.46

AUTHORITY: O.C.G.A. § 20-2-200.

HISTORY: Original Rule entitled "Middle Grades Education Program" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

Repealed: Rule reserved. F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

Amended: New Rule entitled "English to Speakers of Other Languages (ESOL) Endorsement Program" adopted. F. Dec. 3, 2002; eff. Jan. 1, 2003, as specified by the Agency.

Amended: F. Aug. 20, 2004; eff. Sept. 15, 2004, as specified by the Agency.

Repealed: Rule reserved. F. Oct. 24, 2005; eff. Nov. 15, 2005, as specified by the Agency.

Amended: New Rule entitled "Media Specialist Program" adopted. F. Dec. 13, 2005; eff. Jan. 15, 2006, as specified by the Agency.

Repealed: New Rule entitled "Drama Education Program" adopted. F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

Repealed: New Rule entitled "Theatre Education Program" adopted. F. Sep. 26, 2016; eff. Oct. 15, 2016, as specified by the Agency.

Amended: New title "Drama Education Program." F. Dec. 11, 2020; eff. Jan. 1, 2021, as specified by the Agency.

Amended: F. Aug. 10, 2023; eff. Aug. 15, 2023, as specified by the Agency.

Repealed: New Rule of same title adopted. F. Mar. 25, 2026; eff. Apr. 15, 2026, as specified by the Agency.

505-3-.50 Music Education Program

(1) **Purpose.** This rule states field-specific content standards for approving programs that prepare individuals to teach music in grades P-12, and supplements requirements in GaPSC Rule 505-3-.01 REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS, and in GaPSC Rule 505-3-.03 FOUNDATIONS OF READING, LITERACY, AND LANGUAGE.

(2) **Requirements.**

(a) To receive approval, a GaPSC-approved educator preparation provider shall offer a preparation program described in program planning forms, catalogs, and syllabi addressing the following standards based on the competencies published in 2025 by the National Association of Schools of Music (NASM):

1. Performance.

(i) Programs shall prepare candidates who demonstrate technical skills requisite for artistic self-expression in one or more major performance areas at a level appropriate for the particular music concentration.

(ii) Programs shall prepare candidates who demonstrate a working understanding of the repertory in their major performance area and the ability to perform from a cross section of that repertory.

(iii) Programs shall prepare candidates who demonstrate the ability to read at sight with fluency, demonstrating both general musicianship and, in the major performance area, a level of skill relevant to professional standards appropriate for the particular music concentration.

(iv) Programs shall prepare candidates who demonstrate knowledge and skills sufficient to work as a leader and in collaboration on matters of musical interpretation. Rehearsal and conducting skills are required as appropriate to the particular music concentration.

(v) Programs shall prepare candidates who demonstrate keyboard or an equivalent chordal accompaniment competency.

(vi) Programs shall prepare candidates who demonstrate growth in artistry, technical skills, collaborative competence, and knowledge of repertory through regular ensemble experiences. Ensembles should be varied both in size and nature.

2. Musicianship Skills and Analysis.

(i) Programs shall prepare candidates who demonstrate an understanding of the common elements and organizational patterns of music and their interactions, the ability to employ this understanding in aural, verbal, and visual analyses, and the ability to take aural dictation.

(ii) Programs shall prepare candidates who demonstrate sufficient understanding of and capability with musical forms, processes, and structures to use this knowledge and skill in compositional, performance, analytical, scholarly, and pedagogical applications according to the requisites of their specializations.

(iii) Programs shall prepare candidates who demonstrate the ability to place music in historical, cultural, and stylistic contexts.

3. Composition and Improvisation.

(i) Programs shall prepare candidates who demonstrate a working ability to compose, arrange, and improvise in one or more musical languages. These may include, but are not limited to, the creation of original compositions or improvisations, variations or improvisations on existing materials, experimentation with various sound sources, including digital/electronic, the imitation of various musical styles, and manipulation of the common elements in non-traditional ways.

4. History, Culture, and Repertory.

(i) Programs shall prepare candidates who demonstrate a working knowledge of music history through the present time.

(ii) Programs shall prepare candidates who demonstrate an acquaintance with repertories beyond the area of specialization. All students must be exposed to a large and varied body of music through study and attendance at recitals, concerts, opera, and musical theater productions, and other performances.

5. Technology.

(i) Programs shall prepare candidates who demonstrate a working understanding of how technology serves the field of music as a whole. These may include, but are not limited to, digital recording, sound engineering, and music production.

(ii) Programs shall prepare candidates who demonstrate a working knowledge of the technological developments applicable to their area of specialization.

6. Synthesis.

(i) Programs shall prepare candidates who work on musical problems by combining, as appropriate to the issue, their capabilities in performance; aural, verbal, and visual analysis; composition/improvisation; and history and repertory.

(ii) Programs shall prepare candidates who demonstrate a working understanding of interrelationships and interdependencies among various professions and activities that constitute the music enterprise.

7. Music Competencies for Teachers.

(i) Programs shall prepare candidates who are competent in conducting or facilitating both formal and informal musical experiences, able to create accurate and musically expressive performances with various types of performing groups, and in general classroom situations. Instruction in conducting may include score reading and the integration of analysis, style, performance practices, instrumentation, and conducting techniques.

(ii) Programs shall prepare candidates who are able to arrange and adapt music from a variety of sources to meet the needs and ability levels of individuals, school performing groups, and classroom situations.

(iii) Programs shall prepare candidates who demonstrate functional performance abilities in a chordal accompaniment instrument and voice appropriate to the candidate's teaching specialization.

(iv) Programs shall prepare candidates who demonstrate the ability to apply analytical and historical knowledge to curriculum development, lesson planning, and daily classroom and performance activities.

8. Teaching Competencies for Teachers.

(i) Programs shall prepare candidates who teach music at various levels to different age groups and in a variety of classroom and ensemble settings in ways that develop knowledge of how music works syntactically as a communication medium and developmentally as an agent of civilization. This competency includes effective classroom and rehearsal management.

(ii) Programs shall prepare candidates who demonstrate an understanding of child growth and development and an understanding of age-appropriate principles of learning as they relate to music.

(iii) Programs shall prepare candidates who demonstrate the ability to assess aptitudes, experiential backgrounds, orientations of individuals and groups of students, and the nature of subject matter, and to plan educational programs to meet assessed needs.

(iv) Programs shall prepare candidates who demonstrate knowledge of current methods, materials, and repertories available in various fields and levels of music education appropriate to the teaching specialization.

(v) Programs shall prepare candidates who demonstrate the ability to accept, amend, or reject methods and materials based on personal assessment of specific teaching situations.

(vi) Programs shall prepare candidates who demonstrate an understanding of evaluative techniques and the ability to apply them in assessing both the musical progress of students and the objectives and procedures of the curriculum.

(vii) Programs shall prepare candidates who demonstrate knowledge of content, methodologies, pedagogies, materials, technologies, and curriculum development in music education.

(b) Field Experiences/Clinical Practice. Programs shall prepare candidates who complete field experiences or clinical practice in choral, instrumental, and general music.

(c) The program shall prepare candidates who meet the P-12 standards for the teaching of reading as specified in Rule 505-3-.03 FOUNDATIONS OF READING, LITERACY, AND LANGUAGE (paragraph (3) (g)).

Cite as Ga. Comp. R. & Regs. R. 505-3-.50

AUTHORITY: O.C.G.A. § 20-2-200.

HISTORY: Original Rule entitled "Preschool Handicapped Education Program" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

Repealed: Rule reserved. F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

Amended: New Rule entitled "Early Childhood Science Endorsement Program" adopted. F. May 9, 2002; eff. June 1, 2002, as specified by the Agency.

Amended: F. Aug. 20, 2004; eff. Sept. 15, 2004, as specified by the Agency.

Repealed: New Rule entitled "School Psychologist Program" adopted. F. Oct. 24, 2005; eff. Nov. 15, 2005, as specified by the Agency.

Repealed: New Rule entitled "Music Education Program" adopted. F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

Amended: F. Sep. 26, 2016; eff. Oct. 15, 2016, as specified by the Agency.

Amended: F. Aug. 10, 2023; eff. Aug. 15, 2023, as specified by the Agency.

Repealed: New Rule of same title adopted. F. Mar. 25, 2026; eff. Apr. 15, 2026, as specified by the Agency.

505-3-.78 Curriculum and Instruction and Educational Leadership Tier 1 Program

(1) **Purpose.** This rule states requirements for programs resulting in certification in the two fields of Curriculum and Instruction and Educational Leadership Tier I, and it supplements requirements in GaPSC Rule 505-3-.01 REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(2) **Definitions.**

(a) Assessment Attempt: A candidate is considered to have attempted a state-approved assessment if it results in an official score on all parts of the assessment.

(b) Dual-field Program: An educator preparation program resulting in candidates meeting, through the completion of one degree program, all requirements and standards for two fields of certification as defined by two distinct Educator Preparation Rules.

(3) **Requirements.**

(a) Approval. To offer this dual-field program, the EPP must first be approved to offer both single-field programs. The dual-field program will be Developmentally approved through the GaPSC Substantive Change process. For subsequent approval reviews (First Continuing and Continuing), the dual-field program will be reviewed separately from the two single-field programs. After Developmental approval is granted for the dual-field program, the EPP is not required to maintain approval for the single-field programs.

(b) Admission. The EPP shall ensure candidates meet all admission requirements specified in GaPSC Rule 505-3-.63 CURRICULUM AND INSTRUCTION, and all Tier I admission requirements specified in GaPSC Rule 505-3-.77 EDUCATIONAL LEADERSHIP.

(c) Program Content. The EPP shall ensure candidates meet all standards and complete all requirements specified in GaPSC Rule 505-3-.63 CURRICULUM AND INSTRUCTION, and all the standards and requirements specified for Tier I preparation in GaPSC Rule 505-3-77 EDUCATIONAL LEADERSHIP.

(d) Partnerships and Clinical Experiences. The EPP shall assure that P-12 employers and partner schools and districts agree to support candidates in meeting all program field and clinical practice requirements. The EPP shall secure fully executed Partnership Agreements with employers of all candidates before candidates begin coursework.

(e) Assessments. Candidates must attempt the state-approved content assessment for Curriculum and Instruction and the state-approved content assessment for Educational Leadership Tier I prior to program completion.

(f) EPP Agreements. The EPP shall require each admitted candidate to sign an agreement acknowledging all program and certification requirements. The agreement will specify that requirements must be met for both fields of certification and that the state-approved content assessment for both fields must be attempted prior to program completion.

Cite as Ga. Comp. R. & Regs. R. 505-3-.78

AUTHORITY: O.C.G.A. § 20-2-200.

HISTORY: Original Rule entitled "Curriculum and Instruction and Educational Leadership Tier 1 Program" adopted. F. Dec. 18, 2024; eff. Jan. 1, 2025, as specified by the Agency.

Amended: F. Mar. 25, 2026; eff. Apr. 15, 2026, as specified by the Agency.

505-3-.79 Teacher Leadership and Educational Leadership Tier I Program

(1) **Purpose.** This rule states requirements for programs resulting in certification in the two fields of Teacher Leadership [a Service (S) field] and Educational Leadership Tier I [a Leadership (L) field], and it supplements requirements in GaPSC Rule 505-3-.01 REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(2) **Definitions.**

(a) Assessment Attempt: A candidate is considered to have attempted a state-approved assessment when the attempt results in an official score on all parts of the assessment.

(b) Dual-field Program: An educator preparation program resulting in candidates meeting, through the completion of one degree program, all requirements and standards for two fields of certification as defined by two distinct Educator Preparation Rules.

(3) **Requirements.**

(a) Approval. To offer this dual-field program, the EPP must first be approved to offer both single-field programs. The dual-field program will be Developmentally approved through the GaPSC Substantive Change process. For subsequent approval reviews (First Continuing and Continuing), the dual-field program will be reviewed separately from the two single-field programs. After Developmental approval is granted for the dual-field program, the EPP is not required to maintain approval for the single-field programs.

(b) Admission. The EPP shall ensure candidates meet all admission requirements specified in GaPSC Rule 505-3-.72 TEACHER LEADERSHIP, and all Tier I admission requirements specified in GaPSC Rule 505-3-.77 EDUCATIONAL LEADERSHIP.

(c) Program Content. The EPP shall ensure candidates meet all standards and complete all requirements specified in GaPSC Rule 505-3-.72 TEACHER LEADERSHIP, and all the standards and requirements specified for Tier I preparation in GaPSC Rule 505-3-77 EDUCATIONAL LEADERSHIP.

(d) Partnerships and Clinical Experiences. The EPP shall assure that P-12 employers and partner schools and districts agree to support candidates in meeting all program field and clinical practice requirements. The EPP shall secure fully executed Partnership Agreements with employers of all candidates before candidates begin coursework.

(e) Assessments. Candidates must attempt the state-approved content assessment for Teacher Leadership and the state-approved content assessment for Educational Leadership Tier I prior to program completion.

(f) EPP Agreements. The EPP shall require each admitted candidate to sign an agreement acknowledging all program and certification requirements. The agreement will specify that requirements must be met for both fields of certification and that the state-approved content assessment for both fields must be attempted prior to program completion.

Cite as Ga. Comp. R. & Regs. R. 505-3-.79

AUTHORITY: O.C.G.A. § 20-2-200.

HISTORY: Original Rule entitled "Teacher Leadership and Educational Leadership Tier I Program" adopted. F. Dec. 18, 2024; eff. Jan. 1, 2025, as specified by the Agency.

Amended: F. Mar. 25, 2026; eff. Apr. 15, 2026, as specified by the Agency.

Department 560. RULES OF DEPARTMENT OF REVENUE

Chapter 560-11. LOCAL GOVERNMENT SERVICES DIVISION

Subject 560-11-6. CONSERVATION USE PROPERTY

560-11-6-.09 Table of Conservation Use Land Values

(1) For the purpose of prescribing the 2026 current use values for conservation use land, the state shall be divided into the following nine Conservation Use Valuation Areas (CUVA 1 through CUVA 9) and the following accompanying table of per acre land values shall be applied to each acre of qualified land within the CUVA for each soil productivity classification for timber land (W1 through W9) and agricultural land (A1 through A9):

(a) CUVA #1 counties: Bartow, Catoosa, Chattooga, Dade, Floyd, Gordon, Murray, Paulding, Polk, Walker, and Whitfield. Table of per acre values: W1 1,075, W2 965, W3 876, W4 803, W5 736, W6 681, W7 639, W8 586, W9 534, A1 1955, A2 1,848, A3 1713, A4 1,570, A5 1,415, A6 1,264, A7 1,124, A8 986, A9 843;

(b) CUVA #2 counties: Barrow, Cherokee, Clarke, Cobb, Dawson, DeKalb, Fannin, Forsyth, Fulton, Gilmer, Gwinnett, Hall, Jackson, Lumpkin, Oconee, Pickens, Towns, Union, Walton, and White. Table of per acre values: W1 1,457, W2 1,320, W3 1,188, W4 1,076, W5 991, W6 931, W7 877, W8 805, W9 730, A1 2,142, A2 1,910, A3 1,699, A4 1,500, A5 1,342, A6 1,200, A7 1,075, A8 975, A9 877;

(c) CUVA #3 counties: Banks, Elbert, Franklin, Habersham, Hart, Lincoln, Madison, Oglethorpe, Rabun, Stephens, and Wilkes. Table of per acre values: W1 1,429, W2 1,244, W3 1,120, W4 1,076, W5 991, W6 906, W7 762, W8 620, W9 518, A1 1,630, A2 1,482, A3 1,326, A4 1,175, A5 1,023, A6 923, A7 758, A8 632, A9 534;

(d) CUVA #4 counties: Carroll, Chattahoochee, Clayton, Coweta, Douglas, Fayette, Haralson, Harris, Heard, Henry, Lamar, Macon, Marion, Meriwether, Muscogee, Pike, Schley, Spalding, Talbot, Taylor, Troup, and Upson. Table of per acre values: W1 1,050, W2 940, W3 852, W4 781, W5 679, W6 632, W7 550, W8 475, W9 385, A1 1,334, A2 1,195, A3 1,096, A4 978, A5 859, A6 712, A7 616, A8 477, A9 341;

(e) CUVA #5 counties: Baldwin, Bibb, Bleckley, Butts, Crawford, Dodge, Greene, Hancock, Houston, Jasper, Johnson, Jones, Laurens, Monroe, Montgomery, Morgan, Newton, Peach, Pulaski, Putnam, Rockdale, Taliaferro, Treutlen, Twiggs, Washington, Wheeler, and Wilkinson. Table of per acre values: W1 894, W2 828, W3 760, W4 696, W5 627, W6 564, W7 493, W8 427, W9 354, A1 988, A2 860, A3 799, A4 730, A5 650, A6 553, A7 453, A8 357, A9 259;

(f) CUVA #6 counties: Bulloch, Burke, Candler, Columbia, Effingham, Emanuel, Glascock, Jefferson, Jenkins, McDuffie, Richmond, Screven, and Warren. Table of per acre values: W1 884, W2 811, W3 740, W4 675, W5 602, W6 533, W7 462, W8 389, W9 316, A1 1,121, A2 984, A3 902, A4 828, A5 730, A6 607, A7 493, A8 378, A9 264;

(g) CUVA #7 counties: Baker, Calhoun, Clay, Decatur, Dougherty, Early, Grady, Lee, Miller, Mitchell, Quitman, Randolph, Seminole, Stewart, Sumter, Terrell, Thomas, and Webster. Table of per acre values: W1 947, W2 862, W3 784, W4 703,W5 621, W6 541, W7 462, W8 378, W9 297, A1 1,303, A2 1,182, A3 1,050, A4 913, A5 782, A6 656, A7 505, A8 382, A9 257;

(h) CUVA #8 counties: Atkinson, Ben Hill, Berrien, Brooks, Clinch, Coffee, Colquitt, Cook, Crisp, Dooly, Echols, Irwin, Jeff Davis, Lanier, Lowndes, Telfair, Tift, Turner, Wilcox, and Worth. Table of per acre values: W1 1,031, W2 933, W3 835, W4 740, W5 643, W6 550, W7 452, W8 357, W9 289, A1 1,320, A2 1,247, A3 1,124, A4 1,003, A5 880, A6 760, A7 586, A8 475, A9 349;

(i) CUVA #9 counties: Appling, Bacon, Brantley, Bryan, Camden, Charlton, Chatham, Evans, Glynn, Liberty, Long, McIntosh, Pierce, Tattnall, Toombs, Ware, and Wayne. Table of per acre values: W1 1,043, W2 940, W3 852, W4

758, W5 658, W6 567, W7 469, W8 374, W9 289, A1 1,221, A2 1,177, A3 1,056, A4 940, A5 822, A6 703, A7 586, A8 466, A9 349.

Cite as Ga. Comp. R. & Regs. R. 560-11-6-.09

AUTHORITY: O.C.G.A. §§ 48-2-12**,** 48-5-7**,** 48-5-7.4**,** 48-5-269**.**

HISTORY: Original Rule entitled "Table of Conservation Use Land Values" adopted. F. May 28, 1993; eff. June 17, 1993.

Repealed: New Rule of same title adopted. F. May 13, 1994; eff. June 2, 1994.

Repealed: New Rule of same title adopted. F. Mar. 1, 1995; Mar. 21, 1995.

Repealed: New Rule of same title adopted. F. Jan. 28, 1996; eff. Feb. 18, 1996.

Repealed: New Rule of same title adopted. F. Feb. 24, 1997; eff. Mar. 16, 1997.

Repealed: New Rule of same title adopted. F. Jan. 27, 1998; eff. Feb. 16, 1998.

Repealed: New Rule of same title adopted. F. Mar. 10, 1999; eff. Mar. 30, 1999.

Amended: F. Feb. 2, 2000; eff. Feb. 22, 2000.

Amended: F. Apr. 20, 2001; eff. May 10, 2001.

Repealed: New Rule of same title adopted. F. Apr. 17, 2002; eff. May 7, 2002.

Repealed: New Rule of same title adopted. F. May 19, 2003; eff. June 8, 2003.

Repealed: New Rule of same title adopted. F. Mar. 4, 2004; eff. Mar. 24, 2004.

Amended: F. Mar. 29, 2005; eff. Apr. 18, 2005.

Repealed: New Rule of same title adopted. F. Mar. 1, 2006; eff. Mar. 21, 2006.

Amended: F. Feb. 21, 2007; eff. Mar. 13, 2007.

Amended: F. Apr. 21, 2008; eff. May 11, 2008.

Repealed: New Rule of same title adopted. F. Apr. 15, 2009; eff. May 5, 2009.

Repealed: New Rule of same title adopted. F. Mar. 15, 2010; eff. Apr. 4, 2010.

Repealed: New Rule of same title adopted. F. Mar. 3, 2011; eff. Mar. 23, 2011.

Amended: F. Apr. 24, 2012; eff. May 14, 2012.

Amended: F. June 10, 2013; eff. June 30, 2013.

Amended: F. Apr. 22, 2014; eff. May 12, 2014.

Amended: F. May 18, 2015; eff. June 7, 2015.

Amended: F. Feb. 23, 2016; eff. Mar. 14, 2016.

Amended: F. Mar. 24, 2017; eff. Apr. 13, 2017.

Amended: F. Mar. 6, 2018; eff. Mar. 26, 2018.

Amended: F. Feb. 1, 2019; eff. Feb. 21, 2019.

Amended: F. Mar. 6, 2020; eff. Mar. 26, 2020.

Amended: F. Mar. 4, 2021; eff. Mar. 24, 2021.

Amended: F. May 4, 2022; eff. May 24, 2022.

Amended: F. Mar. 13, 2023; eff. Apr. 2, 2023.

Amended: F. Jan. 22, 2024; eff. Feb. 11, 2024.

Amended: F. Mar. 10, 2025; eff. Mar. 30, 2025.

Amended: F. Mar. 16, 2026; eff. Apr. 5, 2026.

Department 560. RULES OF DEPARTMENT OF REVENUE

Chapter 560-11. LOCAL GOVERNMENT SERVICES DIVISION

Subject 560-11-11. FOREST LAND PROTECTION

560-11-11-.12 Table of Forest Land Protection Act Land Use Values

(1) For the purpose of prescribing the 2026 current use values for conservation use land, the state shall be divided into the following nine Forest Land Protection Act Valuation Areas (FLPAVA 1 through FLPAVA 9) and the following accompanying table of per acre land values shall be applied to each acre of qualified land within the FLPAVA for each soil productivity classification for timber land (W1 through W9):

(a) FLPAVA #1 counties: Bartow, Catoosa, Chattooga, Dade, Floyd, Gordon, Murray, Paulding, Polk, Walker, and Whitfield. Table of per acre values: W1 1,075, W2 965, W3 876, W4 803, W5 736, W6 681, W7 639, W8 586, W9 534;

(b) FLPAVA #2 counties: Barrow, Cherokee, Clarke, Cobb, Dawson, DeKalb, Fannin, Forsyth, Fulton, Gilmer, Gwinnett, Hall, Jackson, Lumpkin, Oconee, Pickens, Towns, Union, Walton, and White. Table of per acre values: W1 1,457, W2 1,320, W3 1,188, W4 1,076, W5 991, W6 931, W7 877, W8 805, W9 730;

(c) FLPAVA #3 counties: Banks, Elbert, Franklin, Habersham, Hart, Lincoln, Madison, Oglethorpe, Rabun, Stephens, and Wilkes. Table of per acre values: W1 1,429, W2 1,244, W3 1,120, W4 1,076, W5 991, W6 906, W7 762, W8 620, W9 518;

(d) FLPAVA #4 counties: Carroll, Chattahoochee, Clayton, Coweta, Douglas, Fayette, Haralson, Harris, Heard, Henry, Lamar, Macon, Marion, Meriwether, Muscogee, Pike, Schley, Spalding, Talbot, Taylor, Troup, and Upson. Table of per acre values: W1 1,050, W2 940, W3 852, W4 781, W5 679, W6 632, W7 550, W8 475, W9 385;

(e) FLPAVA #5 counties: Baldwin, Bibb, Bleckley, Butts, Crawford, Dodge, Greene, Hancock, Houston, Jasper, Johnson, Jones, Laurens, Monroe, Montgomery, Morgan, Newton, Peach, Pulaski, Putnam, Rockdale, Taliaferro, Treutlen, Twiggs, Washington, Wheeler, and Wilkinson. Table of per acre values: W1 894, W2 828, W3 760, W4 696, W5 627, W6 564, W7 493, W8 427, W9 354;

(f) FLPAVA #6 counties: Bulloch, Burke, Candler, Columbia, Effingham, Emanuel, Glascock, Jefferson, Jenkins, McDuffie, Richmond, Screven, and Warren. Table of per acre values: W1 884, W2 811, W3 740, W4 675, W5 602, W6 533, W7 462, W8 389, W9 316;

(g) FLPAVA #7 counties: Baker, Calhoun, Clay, Decatur, Dougherty, Early, Grady, Lee, Miller, Mitchell, Quitman, Randolph, Seminole, Stewart, Sumter, Terrell, Thomas, and Webster. Table of per acre values: W1 947, W2 862, W3 784, W4 703,W5 621, W6 541, W7 462, W8 378, W9 297;

(h) FLPAVA #8 counties: Atkinson, Ben Hill, Berrien, Brooks, Clinch, Coffee, Colquitt, Cook, Crisp, Dooly, Echols, Irwin, Jeff Davis, Lanier, Lowndes, Telfair, Tift, Turner, Wilcox, and Worth. Table of per acre values: W1 1,031, W2 933, W3 835, W4 740, W5 643, W6 550, W7 452, W8 357, W9 289;

(i) FLPAVA #9 counties: Appling, Bacon, Brantley, Bryan, Camden, Charlton, Chatham, Evans, Glynn, Liberty, Long, McIntosh, Pierce, Tattnall, Toombs, Ware, and Wayne. Table of per acre values: W1 1,043, W2 940, W3 852, W4 758, W5 658, W6 567, W7 469, W8 374, W9 289.

Cite as Ga. Comp. R. & Regs. R. 560-11-11-.12

AUTHORITY: O.C.G.A. §§ 48-2-12**,** 48-5-7**,** 48-5-7.7**,** 48-5-269**.**

HISTORY: Original Rule entitled "Table of Forest Land Protection Act Land Use Values" adopted as ER. 560-11-11-0.40-.12. F. and eff. May 22, 2009, the date of adoption.

Amended: Permanent Rule of same title adopted. F. June 26, 2009; eff. July 16, 2009.

Repealed: New Rule of same title adopted. F. Mar. 15, 2010; eff. Apr. 4, 2010.

Repealed: New Rule of same title adopted. F. Mar. 3, 2011; eff. Mar. 23, 2011.

Amended: F. Apr. 24, 2012; eff. May 14, 2012.

Amended: F. June 25, 2013; eff. July 15, 2013.

Amended: F. Apr. 22, 2014; eff. May 12, 2014.

Amended: F. May 18, 2015; eff. June 7, 2015.

Amended: F. Feb. 23, 2016; eff. Mar. 14, 2016.

Amended: F. Mar. 24, 2017; eff. Apr. 13, 2017.

Amended: F. Mar. 6, 2018; eff. Mar. 26, 2018.

Amended: F. Feb. 1, 2019; eff. Feb. 21, 2019.

Amended: F. Mar. 6, 2020; eff. Mar. 26, 2020.

Note: Correction of non-substantive typographical error in paragraph (d), "316 W1 882" corrected to "W1 882", as requested by the Agency. Effective March 26, 2020.

Amended: F. Mar. 4, 2021; eff. Mar. 24, 2021.

Amended: F. May 4, 2022; eff. May 24, 2022.

Amended: F. Mar. 13, 2023; eff. Apr. 2, 2023.

Amended: F. Jan. 22, 2024; eff. Feb. 11, 2024.

Amended: F. Mar. 10, 2025; eff. Mar. 30, 2025.

Amended: F. Mar. 16, 2026; eff. Apr. 5, 2026.

Department 620. RULES OF GEORGIA STRUCTURAL PEST CONTROL COMMISSION

Chapter 620-2. GENERAL

620-2-.01 Definitions

The following definitions shall apply to all Chapters 620-1 through 620-11:

(a) Act - means the Structural Pest Control Act (Ga. L. 1955, p. 564 and all amendments thereto).

(b) Active infestation of termites - means any infestation of termites that is capable of continued attack on a structure.

(c) Adjacent outside areas - means outside areas contiguous to the structure(s) being treated.

(d) Alternate application technique - means an alternate method of application of termiticide which has been approved by the Commission; and has efficacy data supporting the use of such application technique reviewed and accepted by the Commission; and which is used in a manner consistent with the label and labeling of the termiticide being applied. The Commission, at its discretion, may accept, reject, cancel, suspend or modify any application, at any time, for approval as an alternate application technique.

(e) Applicant - means any person, firm, corporation or other business entity making application to engage in any operations or to become certified or registered under the provision of the Act.

(f) Bait and Baiting System - means any substance or mixture of substances and devices used for delivery of the substance(s) used as an attractant or food source for the purpose of controlling targeted pests consistent with the product's label and labeling directions.

(g) Bond - means a written instrument issued or executed by a bonding, surety, or insurance company licensed to do business in this State, or otherwise approved by the Commission, guaranteeing the fulfillment of the agreement between the licensee or business entity and their customer. It is a Surety Bond issued by a third party and does not include any warranty or guaranty only between the licensee and the customer.

(h) Computer Based Training - means any prerecorded or static presentation or session where there is no real time interaction with the speaker.

(i) Cellulosic Material - means any material containing cellulose found in a crawl space that could reasonably be expected to support or contribute to an infestation of termites.

(j) Certified Registered Employee - means any person of at least eighteen (18) years of age who meets the standards described in Rule 620-3-.01(4) and who has consequently been determined competent to use pesticides, including restricted use pesticides or pesticides with State restricted uses, as defined in the Act, in the performance of household pest control or the treatment of wood destroying organisms. Certified registered employees may not engage in fumigation without supervision by a certified operator.

(k) Certified Operator - means any person of at least eighteen (18) years of age who has been determined competent to use or supervise the use of pesticides, including restricted use pesticides or pesticides with State restricted uses, as defined in the Act in the category(ies) of Structural Pest Control in which they are currently certified.

(l) Commission - means the Structural Pest Control Commission.

(m) Commissioner - means the Commissioner of Agriculture of the Georgia Department of Agriculture.

(n) Designated Certified Operator - means a person who is currently a certified operator in one or more of the Structural Pest Control categories and who has been designated by a Licensee as being responsible for the pest control and reporting activities of said Licensee in the category(ies) in which he is certified.

(o) Device - means any piece of equipment of any form designed for the control of any pest when used in strict accordance with the device's label and labeling directions.

(p) Employee - means any person employed by a Licensee who is engaged in any phase of pest control. It does not include clerical, janitorial or other employees performing work unrelated to the actual evaluation or control of pest problems.

(q) Enforcement Agency - means the Georgia Department of Agriculture.

(r) Experience Relating to Service - means experience involving the inspection, application or direct supervision of the application of measures to control pests in each of the categories of Structural Pest Control.

(s) Fumigant - means any substance or combination of substances which emits or liberates a gas, fume, or vapor and which is applied for the purpose of destroying insects, rodents or other pests in Structural Pest Control.

(t) General Examination - means the portion of a certification examination assessing the core standards required of all examinees seeking to become a certified operator or certified registered employee and the specific standards related to industrial, institutional, and structural pest control. Such core standards include, at a minimum, label and labelling comprehension, safety, environmental consequences, knowledge about pests, knowledge about pesticides, equipment, application methods, laws and regulations, supervisory responsibility of noncertified applicators, and professionalism, each as more fully described in 40 C.F.R. 171.103(c), as amended, as well as the knowledge of industrial, institutional, and structural pest control, as more fully described in 40 C.F.R. 171.103(d)(7), as amended.

(u) Household Pest Control - means the use of any pesticide or device to control pests, including birds, that commonly enter structures, nest on or in structures, or invade structures. It does not include the control of mammals with the exception of commensal rodents and squirrels.

(v) Insecticide - means any substance or mixture of substances applied for the purpose of destroying or controlling insects or related pests.

(w) Labeling - means the written, printed or graphic matter on, attached to, or accompanying the pesticide or device, as well as any such material to which reference is made on the label or other written matter accompanying the pesticide or device.

(x) Licensee - means a business entity which holds a valid license to engage in the business of Structural Pest Control, subject to the provisions of the Act, provided; no licensee shall operate under more than one name, and a separate license shall be required for each different name under which a business entity operates. The Commission may reject a name, if in its opinion, it is likely to be confused with a previously issued licensee name or if it would be in violation of any state or federal requirements.

(y) Non-Repellent Pesticide - means a type of pesticide that does not limit or restrict the movement of targeted pests through a treated area or does not deter the targeted pest from consuming a bait containing the pesticide.

(z) Office - means any office of a Licensee which has one or more registered employees regularly engaged in any phase of Structural Pest Control under the charge of a Designated Certified Operator.

(aa) Partial Treatment - means the application of a pesticide and/or device, for the control of wood destroying organisms, to a limited and defined area of a structure. Such application may be made in conjunction with other approved control procedures. Such application shall be made at the volumes and concentrations specified on the products label and labeling.

(ab) Pesticide - for the purpose of this Act, the term "pesticide" shall be limited to: attractants, fumigants, fungicides, insecticides, repellents and rodenticides.

(ac) Reasonable Amount of Time - means the production of records required to be kept or kept in the normal course of business within 48 hours when requested by the Commission, Commissioner or the authorized representative of the Commissioner. However, in cases of accidental poisonings of humans or domestic animals or in cases of environmental contamination, the requested records may be required to be produced immediately.

(ad) Registered Employee - means any employee, at least eighteen (18) years of age, registered under the provisions of the Act.

(ae) Repellent - means any substance which may or may not be toxic to pests, but is generally employed for the purpose of preventing the entrance or attack of pests.

(af) Restricted Use Pesticide - means any pesticide as defined in this rule whose label bears one or more uses which have been classified as restricted by the Administrator of EPA or any use of a pesticide which, when used in accordance with the label or widespread and common practice, the Commissioner determines, after hearing, requires additional restrictions to protect the environment, including man, lands, beneficial insects, and any animal, crop or wildlife which is not a pest.

(ag) Retreatment For Termite Control - means the complete retreatment or partial treatment, at the required concentrations and volumes of termiticide to the minimum standards specified in Rule 620-6, of all areas of at least ten (10) feet in either direction from the point of any and all areas of termite reinfestation except as defined in Rule 620-6-.07(5).

(ah) Rodenticide - means any substance used to destroy or control rodents.

(ai) School - means any school, public or private, or licensed child daycare center. A school does not include colleges, universities, home schools, trade or adult education facilities.

(aj) Secretary - means the Commissioner of Agriculture of the State of Georgia.

(ak) Service container - means any container used to hold, store, or transport a pesticide or a pesticide use-dilution mixture. The term shall not mean any of the following: the original labeled container provided by the manufacturer, a measuring device or equipment used for the application of a pesticide.

(al) Structural Pest Control - means the control of household pests and wood destroying organisms including the making of inspections, the identification of pest infestations or infections, the application of pesticides or other substances and the use of mechanical devices or structural modifications for the purpose of preventing, controlling or eradicating pests in household structures, commercial buildings and other structures, including adjacent outside areas, as well as all phases of structural fumigation and the fumigation of railroad cars, trucks, ships and airplanes.

(am) Sub-office - means any office of a licensee having only one (1) registered employee who is under the charge of a Designated Certified Operator in a licensed office.

(an) Telephone Answering Service - means any office of a licensee having no registered employee.

(ao) Under the Direct Supervision of - unless otherwise prescribed by its labeling or regulations of the Commissioner, a pesticide shall be considered to be applied under the direct supervision of a Certified Operator if it is applied by a competent person acting under the instructions and control of a Certified Operator who is available within a reasonable time through conventional means of communication, if and when needed, even though the Certified Operator is not physically present at the time and place the pesticide is applied.

Cite as Ga. Comp. R. & Regs. R. 620-2-.01

AUTHORITY: O.C.G.A. § 43-45-8.

HISTORY: Original Rule entitled "Definitions-Scope" adopted. F. and eff. June 30, 1965.

Repealed: New Rule entitled "Scope" adopted. F. Oct. 25, 1966; eff. Nov. 13, 1966.

Repealed: New Rule entitled "Definitions" adopted. F. Feb. 14, 1985; eff. Mar. 6, 1985.

Amended: F. Feb. 23, 1990; eff. Mar. 15, 1990.

Amended: F. Oct. 3, 2000; eff. Nov. 1, 2000, as specified by the Agency.

Amended: F. Jan. 6, 2003; eff. Feb. 1, 2003, as specified by the Agency.

Repealed: New Rule of same title adopted. F. Feb. 27, 2007; eff. Mar. 19, 2007.

Amended: F. Mar. 11, 2014; eff. Mar. 31, 2014.

Amended: F. Mar. 19, 2026; eff. Apr. 8, 2026.

Department 620. RULES OF GEORGIA STRUCTURAL PEST CONTROL COMMISSION

Chapter 620-3. LICENSING

620-3-.01 Qualifications and Procedures

(1) All applications for licenses, certification and employee registration shall be made on the appropriate form required by the Commission and submitted to the Secretary of the Structural Pest Control Commission at the address provided on the Georgia Department of Agriculture's website.

(2) All licenses, certifications, employee registrations, and research fees, shall be for a period of two (2) years or fraction thereof and shall expire on June 30 in each odd numbered year. The two (2) year fee must be submitted, by check, money order or electronic fund transfer, with the application in the appropriate amount based upon the following:

Company License	$100.00
Research Fee per Company License	$70.00
Operator Certification	$100.00
Employee Registration	$10.00
Duplicate Registration Card	$10.00
Duplicate License (Sub Office)	$10.00

If an application and fee for renewal of any license, certification or employee registration is not received by the Secretary on or before its expiration date, the above fees shall double and shall be paid before a renewal is issued. No Company License shall be issued or renewed for any license period until the research fee has been paid, and the research fee shall not be subject to any late penalty. In no case shall a certification or license be renewed after more than ninety (90) days from the June 30 expiration date without reexamination or reapplication, nor shall any license be renewed or reissued within the two (2) year license period without payment of the double fee. When the research fees collected for any two (2)-year license period amount to $90,000, the Secretary shall forward such amount to the Chairman of the Entomology Division of the University of Georgia, covering $45,000 for each of the two fiscal years within that license period.

(3) In order to become a certified operator, the following requirements must be met:

(a) Application for certification examination shall be submitted to the Secretary. An examination fee of forty-five (45) dollars per category shall be required each time an examination is taken. If applicant fails part or all of the initial examination, they may retake the failed part(s) of the examination, upon reapplication and payment of another forty-five (45) dollars per category fee. If applicant fails an examination twice within a twelve (12)-month period, they may not subsequently retake the examination until six months has elapsed since the examination was last taken. The payment of all examination fees shall be by check, money order or electronic fund transfer.

(b) Before being approved for taking the certification examination to become a certified operator, the applicant must additionally provide the Commission with satisfactory evidence of his or her qualifications including one of the following:

1. Two (2) years of actual service experience as an employer, employee or owner-operator in the Structural Pest Control category(ies) in which certification is sought. One (1) year shall have been within the last five (5) years. Specialized category training under university or college supervision may be substituted for practical experience at the ratio of one (1) year of training for one-fourth (¼) year experience. Applicants for examination in the category of fumigation shall submit a list, with the application for examination, of at least 6 fumigation treatments in which the applicant participated.

2. A degree from a recognized College or University with advanced training or a major in entomology, sanitary or public health engineering, or related subjects and one (1) year of actual service experience within the last five years under appropriate supervision in the category(ies) in which certification is sought.

(c) Any person whose certification has previously been suspended or canceled for any reason other than failure to earn the required hours of recertification training credit shall apply in person to the Commission before he or she may retake the examination.

(d) All applicants for operator certification shall demonstrate competency in the use and handling of pesticides as determined by an appropriate and written examination, covering standards set forth in Title 40 of the Code of Federal Regulations, Paragraphs 171.103(c), 171.103(d)(7), and 171.103(d)(14), as applicable, by scoring a grade of at least seventy (70) percent on the General Examination and each category section in which certification is sought.

(e) A person who has passed the examination(s) must apply for and complete the requirements for certification within ninety (90) days of the date they are notified of passing the examination(s), otherwise reexamination will be required. Passing General Examination scores of noncertified applicants will be honored for one (1) year. Certified registered employees who are currently certified in good standing and who have passed the General Examination are not required to retake the General Examination in order to become a certified operator. Certified operators who are currently certified in good standing and who seek to add an operational category are not required to retake the General Examination after passing a category examination.

(4) In order to become a certified registered employee, the following requirements must be met:

(a) Application for certification examination shall be submitted to the Secretary. An examination fee of forty-five (45) dollars shall be required each time an examination is taken. If the examinee fails the initial examination, they may retake the examination upon payment of another forty-five (45) dollar fee. If the examinee fails the second examination, they may not subsequently retake the examination until thirty (30) calendar days have elapsed since the examination was last taken. The payment of all examination fees shall be by check, money order, or credit card.

(b) Before taking the certification exam, the applicant must document one of the following:

1. Current or prior licensure as a certified operator or registered employee in Georgia in the category(ies) in which certification is sought.

2. A structural pest control applicator certification in another state in category(ies) equivalent to the Georgia category(ies) in which certification is sought.

3. Completion of seventy (70) hours of on-the-job experience under the constant personal supervision of a currently certified operator, certified registered employee, or registered employee in the category(ies) in which certification is sought, or another person whom the Commission has approved as competent to supervise such experience and ten (10) hours of classroom training approved by the Commission and presented by a currently certified operator or other person whom the Commission has determined to be competent to deliver training.

Such documentation shall be on a form prescribed by the Commission.

(c) Any person whose registration has previously been suspended or canceled for any reason other than failure to earn the required hours of training credit shall apply in person to the Commission before they may retake the examination.

(d) Examinees shall demonstrate competency in the use and handling of pesticides as determined by an appropriate and written examination, covering standards set forth in Title 40 of the Code of Federal Regulations, Paragraphs 171.103(c) and 171.103(d)(7), as applicable, by scoring a grade of at least seventy (70) percent on the General Examination.

(e) A person who has passed the examination must apply for and complete the requirements for certification within ninety (90) days of the date they are notified of passing the examination(s), otherwise, reexamination will be required.

(f) Notwithstanding the above subsections of this Rule 620-3-.01(4), a certified registered employee transferring their employment between licensees within the two-year certification period need not recomplete the certification requirements described in this Rule and may be recertified as a certified registered employee upon notification to the Commission and payment for a new registration card by their new employer. The fee for issuance of a new registration card will be ten (10) dollars.

(5) All licenses shall be displayed in a conspicuous place in the licensed office and the duplicate in the sub-office. All operators and employees shall carry their certification and registration cards on their person at all times when they are soliciting or performing pest control.

Cite as Ga. Comp. R. & Regs. R. 620-3-.01

AUTHORITY: O.C.G.A. §§ 43-45-8**,** 43-45-9**,** 43-45-10**.**

HISTORY: Original Rule entitled "Certification Procedures and Qualifications" adopted. F. and eff. June 30, 1965.

Repealed: New Rule of same title adopted. F. Oct. 25, 1966; eff. Nov. 13, 1966.

Amended: F. Feb. 5, 1969; eff. Feb. 24, 1969.

Amended: F. Dec. 31, 1970; eff. Jan. 20, 1971.

Amended: ER. Rule 620-3-0.1-.01(5) was filed and effective on June 13, 1973, to remain in effect for 120 days or until the effective date of a permanent Rule covering the same subject matter is adopted, as specified by the Agency.

Amended: F. Jan. 10, 1974; eff. Jan. 30, 1974.

Amended: F. Jan. 23, 1979; eff. Feb. 12, 1979.

Amended: F. Dec. 21, 1981; eff. Jan. 10, 1982.

Repealed: New Rule entitled "Qualifications and Procedures" adopted. F. Feb. 14, 1985; eff. Mar. 6, 1985.

Amended: F. June 14, 1991; eff. July 4, 1991.

Amended: F. Mar. 17, 1995; eff. Apr. 6, 1995.

Repealed: New Rule of same title adopted. F. June 4, 1997; eff. July 1, 1997, as specified by the Agency.

Amended: F. Oct. 3, 2000; eff. Nov. 1, 2000, as specified by the Agency.

Amended: F. Jan. 6, 2003; eff. Feb. 1, 2003, as specified by the Agency.

Repealed: New Rule of same title adopted. F. Feb. 27, 2007; eff. Mar. 19, 2007.

Amended: F. Mar. 11, 2014; eff. Mar. 31, 2014.

Amended: F. Mar. 19, 2026; eff. Apr. 8, 2026.

620-3-.02 Responsibilities of the Licensee; Certified Operator; and Employee

(1) Each licensee shall designate a Certified Operator for each operational category, who may be the same person if certified in multiple categories, who shall be an employee of the licensee and be in charge of and actively participate in providing adequate personal supervision in the pest control operations of each office and any sub-offices with a duplicate license but are not limited to proper training of employees, review of paperwork for the operation for accuracy including but not limited to The Official Waiver of the Minimum Treatment Standards for the Control of Subterranean Termites and Official Georgia Wood Infestation Inspection Reports, reviewing proper pesticide application volumes, and ensuring the proper use, storage and disposal of pesticides, subject to the following:

(a) The licensee shall be responsible for the actions of its Designated Certified Operator. No Certified Operator may serve as Designated Certified Operator for more than one licensee except as provided in Rule 620-3-.02(1)(b) below.

(b) No pesticide application may be made by a licensee without a Designated Certified Operator. If a licensee loses a Designated Certified Operator through an unplanned separation or event of crisis, other than the intentional or forced transfer of a Designated Certified Operator from one licensee or office to another, the licensee shall notify the Commission immediately. A licensee who has lost their Designated Certified Operator may obtain the services of a Certified Operator who is in the employment of another licensee, and who may serve as the Designated Certified Operator for both licensees for not more than ninety (90) days. The licensee shall notify the Commission immediately of the dual service of such Designated Certified Operator.

(c) If the residence of the Designated Certified Operator is not within normal commuting distance or is more than 100 miles from the office or sub-office they are supervising, or if the Designated Certified Operator is employed in more than one (1) occupation, the Commission may require such Designated Certified Operator to appear in person or furnish information in writing to show that they are personally directing, supervising and controlling the pest control activities of the licensee.

(d) The Licensee shall permanently mark all the Licensee's vehicles and mobile equipment used regularly for sales and service, in bold-print letters not less than two (2) inches in height and on contrasting background, with the following information:

1. The name of the Licensee

The Licensee shall ensure that all privately owned vehicles and mobile equipment, during use for sales and service on behalf of the Licensee, are identified by the same information as required for the Licensee's vehicles by permanent markings firmly attached to the outside or prominently displayed inside the privately owned vehicle.

(e) The Licensee shall be responsible for registering all employees involved in the solicitation or performance of pest control work with the Secretary other than certified operators. No employee shall be allowed to solicit any business or perform any pest control work except in the presence of a certified operator, certified registered employee, or another registered employee until such employee has satisfied all requirements for employee registration or reregistration as set forth below:

1. Ten (10) hours of classroom training approved by the Commission and presented by a currently certified operator or other person whom the Commission has determined to be competent to deliver training in the following areas:

(i) State and Federal laws and regulations

(ii) How to read and interpret a pesticide label.

(iii) Handling of emergencies and spills, including signs and symptoms of common types of pesticide poisoning, emergency practical treatment for pesticide exposure, how to obtain emergency medical care and decontamination procedures.

(iv) Proper methods of storing, mixing, loading, transporting, handling, applying and disposing of pesticides.

(v) Safety and health issues including proper use of personal protective equipment, hazards posed by the toxicity and exposure of pesticides, including acute and delayed reactions and routes of exposure.

(vi) Potential adverse effects caused by various climatic or environmental conditions such as drift, run off, and groundwater contamination.

(vii) Integrated pest management.

2. Seventy (70) hours of on-the-job experience under the constant personal supervision of a currently certified operator, certified registered employee, or a currently registered employee in the category(ies) in which registration is sought, or another person whom the Commission has approved as competent to supervise such experience.

3. Documentation of applicant's training and on-the job experience by category. Such documentation shall be on a form prescribed by the Commission and such form shall be executed by the certified operators, certified registered employees, registered employees or other persons providing such training and experience and kept for two (2) years.

4. A score of at least seventy (70) percent on a written examination covering the classroom training. Examinations will be administered by the Commission or their authorized representatives. Any applicant who fails the written examination the first time may retake the examination at any subsequent testing session. Any applicant who fails the third or any subsequent examination must repeat the classroom training, but shall not be required to repeat the on-the-job experience before retaking the written examination. An examination fee of forty-five (45) dollars shall be required of the Licensee each time an employee takes the written examination.

5. Payment by the Licensee of a registration fee of ten (10) dollars to the Secretary within ninety (90) days of notification of passing the examination(s), otherwise reexamination will be required.

6. Issuance of an employee registration card by the Secretary. While waiting for the issuance of the registration card, an applicant may act as a registered employee for a period not to exceed 15 business days after notification of a passing grade and after payment of the registration fee by the Licensee until the registration card is received. In the event that a registration card is lost, a duplicate card may be issued by the Secretary for a ten (10) dollar fee.

7. Issuance of a new card by the Secretary for an employee who is employed by a new firm but who has previously satisfied the classroom training, on the job experience and other requirements for initial registration and is currently registered as an employee with another licensee. Fee for issuance of such a registration card will be ten (10) dollars.

8. All employee registrations shall expire on June 30 of each odd numbered year unless the registered employee has earned the hours of recertification training per category approved by the Commission prior to March 1 of each odd numbered year. The registration of any employee who becomes registered after October 1 of any even numbered year shall be eligible for renewal for the succeeding two (2)-year period without earning the required recertification hours. The Licensee shall pay the renewal fee of ten (10) dollars to the Secretary by June 30 for any employee who has earned the hours of approved training required, or who is otherwise eligible for renewal. Any renewal fee paid July 1 through September 30 shall be twenty (20) dollars. Any employee who fails to renew registration before October 1 must complete all requirements for initial registration before being registered again. The hours of Commission approved training required for reregistration for each two (2)-year period shall be:

Household Pest Control	8 hours
Wood Destroying Organisms	8 hours
Fumigation	3 hours

Computer-based training shall be limited to no more than 4 hours for Household Pest Control, 4 hours for Wood Destroying Organisms, and 1 hour for Fumigation.

9. The licensee shall register employees who are certified only in Honey Bee Control and Removal but are involved in the solicitation or performance of pest control work in Household Pest Control, Wood Destroying Organism Control, and/or Fumigation.

10. The Licensee shall notify the Secretary of employees involved in the solicitation or performance of pest control work who fail to become registered within 30 days of employment.

(f) Upon completion of every application of pesticide for structural pest control and upon the installation or modification thereof of any termite control system protecting a structure, the Licensee shall be responsible for providing to the owner, resident, or custodian of the property, a legible pesticide use record. The Licensee shall keep true and accurate records of all pesticide use. Such records shall be retained for a minimum period of two (2) years, shall be made available to the Commissioner or his authorized representative upon request in a reasonable amount of time, as defined in rule 620-2-.01(aa), and shall include all of the following information:

1. Customer name

2. Address of property treated

3. Name and telephone number of company

4. Name of applicator and registration or certification number

5. Specific area(s) treated

6. Brand name of pesticide product or system applied/installed

(i) EPA Registration number of the pesticide product or system applied/installed

(ii) Amount of pesticide or other material applied

(iii) Concentration of pesticide or other material applied

(iv) Method of application of the pesticide product or system applied/installed

7. Target pest(s) for which product was applied

8. Application date

9. Any post-application precautions which must be followed

10. Application start and completion times noting AM or PM for non-residential applications such as institutions, schools and non-residential commercial facilities.

(g) The Licensee shall provide a written and/or an electronic pesticide use record to the resident or custodian of the property. If an electronic record is provided, the property owner or custodian of the property must complete the electronic communication acknowledgement form, which shall include the following language:

Electronic Communication Acknowledgement Statement. In accordance with state regulations, pest control companies have a responsibility to provide you with a record every time a pesticide product and/or pest system is applied. This record is required to be provided to the property owner, resident, or custodian of the property. This record may include post-application precautionary information. Licensed and regulated by the Georgia Department of Agriculture, 19 Martin Luther King, Jr. Dive, Atlanta, Georgia 30334 (404) 656-3641.

I understand and request that my pesticide use records be provided or made available to me electronically.

_____

Signature of owner, resident or custodian of the property & Date

The form must be maintained either for as long as the contract remains in effect or for two (2) years past the expiration of the contract.

(h) The Licensee shall notify the Secretary in writing, within ten (10) days of any change of address or the opening or closing of any office.

(i) All licensees and certified operators shall furnish, to the Commission or the Commissioner upon request in a reasonable amount of time, any information relating to application for examination, affidavits for renewal, information on methods or materials used and such other information as may be required by the Commission or Commissioner.

(j) All certified operators shall be responsible for giving appropriate written or oral instructions to all persons working under their direct supervision relating to selection and use of appropriate pesticides, including proper formulation, dilution, dosages, and use precautions. Every employee shall take all reasonable measures to ensure that pesticides are applied in such a manner to avoid accidental injury or poisoning of humans and domestic animals, including, but not limited to, the removal and proper disposal of any spilled pesticide, and the proper disposal of unused pesticides and pesticide containers. All service vehicles shall contain a spill control kit that shall include an adequate amount of absorptive material to absorb the largest potential spill that is likely to occur from the use of that vehicle.

(k) No uncertified person may lawfully apply, under any circumstances, any restricted use pesticide or any State restricted use pesticide unless under the direct supervision of a certified operator that holds a certification in the appropriate operational category at the time of the application. In addition, the following conditions must be met:

1. Within the twelve (12)-month period preceding the application, the noncertified applicator must have received:

(i) Training in accordance with 40 CFR § 171.201(d); and

(ii) Instruction on the safe operation of any equipment that they will use for mixing, loading, transferring, or applying pesticides.

2. Before each use of a restricted use pesticide by a noncertified applicator:

(i) The certified operator must ensure that the noncertified applicator has access to the relevant product labeling at all times during its use;

(ii) Where the labeling of a pesticide product requires that personal protective equipment be worn for mixing, loading, application, or any other use activities, the certified operator must ensure that any noncertified applicator has clean, labeling-specific personal protective equipment in proper operating condition and that the personal protective equipment is worn and used correctly for its intended purpose;

(iii) The certified operator must provide to each noncertified applicator instructions specific to the site and pesticide used. These instructions must include labeling directions, precautions, and requirements applicable to the specific use and site, and how the characteristics of the use site (e.g., surface and ground water, endangered species, and local population), and the conditions of application (e.g., equipment, method of application, and formulation) might increase or decrease the risk of adverse effects. The certified operator must provide this information in a manner that the noncertified applicator can understand;

(iv) The certified operator must ensure that before each day of use, pesticide mixing, loading, transferring, or application equipment is in proper operating condition as intended by the manufacturer, and can be used without risk of reasonably foreseeable adverse effects to the noncertified applicator, other people, or the environment;

(v) The certified operator must ensure that a means to immediately communicate with the certified operator is available to each noncertified applicator who is using restricted use pesticides under their direct supervision;

(vi) The certified operator must create or verify the existence of the records required by 40 CFR § 171.201(e)(1)(i).

3. The certified operator must create or verify the existence of records documenting that each noncertified applicator has the qualifications required in 40 CFR § 171.201(d) before allowing the noncertified applicator to use restricted use pesticides under his or her direct supervision. For each noncertified applicator, the records must contain the following information:

(i) The noncertified applicator's printed name and signature;

(ii) The date the training requirement in 40 CFR § 171.201(d) was met;

(iii) The name of the person who provided the training; and

(iv) The title or a description of the training provided.

(l) All applications of pesticides other than pesticide products which are applied in enclosed stations in compliance with registered product label and labeling directions, by a Licensee to outdoor areas extending more than ten (10) feet from the structure shall be subject to the following requirements:

1. At the time of application, the Licensee shall be responsible for posting a sign at the primary point(s) of entry to the treated area(s).

2. Sign specifications shall include:

(i) The sign shall be at least 4" x 5" in size and made of sturdy, weather resistant material.

(ii) The printing shall be in contrasting colors to the background of the sign.

(iii) The bottom edge of the sign shall be eight (8) to twelve (12) inches above the ground.

(iv) The wording and format must include but need not be limited to the following:

"CAUTION" 72 point

11/16"

"PESTICIDE APPLICATION" and "KEEP OFF"

30 point

9/32"

SYMBOL 2"

"THIS SIGN..." 11 point

3/32"

(m) Use and labeling of service containers for transportation or temporary storage of pesticides: the contents of service container is required to be identified by including the brand name and EPA registration number of the product on the service container. The label of a pesticide product that is in a service container must be available to the person handling and/or applying the pesticide. Use of service containers shall not be permitted if the original label of the pesticide requires storage in the original container only or prohibits transfer to other containers.

Cite as Ga. Comp. R. & Regs. R. 620-3-.02

AUTHORITY: O.C.G.A. § 43-45-8**.**

HISTORY: Original Rule entitled "Responsibilities" adopted. F. and eff. June 30, 1965.

Repealed: New Rule entitled "Responsibilities of Licensee, Certified Operator, or Registered Employee" adopted. F. Oct. 25, 1966; eff. Nov. 13, 1966.

Amended: F. Feb. 5, 1969; eff. Feb. 24, 1969.

Amended: F. Oct. 23, 1969; eff. Nov. 11, 1969.

Amended: F. Jan. 23, 1979; eff. Feb. 12, 1979.

Repealed: New Rule entitled "Responsibilities of the Licensee; Certified Operator; and Employee" adopted. F. Feb. 14, 1985; eff. Mar. 6, 1985.

Amended: F. June 14, 1991; eff. July 4, 1991.

Amended: F. Dec. 22, 1992; eff. July 1, 1993, as specified by the Agency.

Amended: F. Sept. 14, 1995; eff. Oct. 4, 1995.

Repealed: New Rule of same title adopted. F. June 4, 1997; eff. July 1, 1997, as specified by the Agency.

Amended: F. Oct. 3, 2000; eff. Nov. 1, 2000, as specified by the Agency.

Amended: F. Jan. 6, 2003; eff. Feb. 1, 2003, as specified by the Agency.

Amended: F. Aug. 26, 2005; eff. Sept. 16, 2005, as specified by the Agency.

Repealed: New Rule of same title adopted. F. Feb. 27, 2007; eff. Mar. 19, 2007.

Amended: F. Mar. 11, 2014; eff. Mar. 31, 2014.

Amended: F. Aug 11, 2017; eff. September 1, 2017, as specified by the Agency.

Amended: F. Mar. 19, 2026; eff. Apr. 8, 2026.

620-3-.03 Recertification

(1) As a condition for biennial renewal of operator certification under the Act, all certified operators shall be subject to recertification every five (5) years under the standards contained in Title 40, Code of Federal Regulations, 171.103(c), 171.103(d)(7), and 171.103(d)(14), as applicable. Certified Operators shall complete one of the following requirements prior to expiration of the five (5) year certification period:

(a) Accumulate hours of creditable training at the rate of twenty-five (25) hours in Wood Destroying Organisms, twenty-five (25) hours in Household Pest Control, and twelve (12) hours in Fumigation. Such creditable training may consist of Commission approved seminars, short courses, workshops or other privately or publicly sponsored training programs that cover changes in technology and other subject matter necessary to ensure continued operator competence. Computer based training shall be limited to no more than 10 hours for Wood Destroying Organisms, 10 hours for Household Pest Control, and 5 hours for Fumigation. All creditable recertification training must be completed at least ninety (90) days prior to the expiration date of the operator certification.

(b) Pass a written examination.

(c) **Exception.** Certified operators who add an operational category during their five (5) year certification period shall be required to accumulate hours of creditable training for the added category at a rate of five (5) hours per full calendar year prior to their operator certification expiration for Wood Destroying Organisms and Household Pest Control and three (3) hours per full calendar year prior to their operator certification expiration for Fumigation. All creditable recertification training must be completed at least ninety (90) days prior to the expiration date of the operator certification.

(2) As a condition for biennial renewal of registered employee certification, all certified registered employees shall be subject to recertification every two (2) years under the standards contained in Title 40, Code of Federal Regulations, 171.103(c) and 171.103(d)(7), as applicable. Certified registered employees shall complete one of the following requirements prior to March 1 of the second year of the two (2) year certification period:

(a) Accumulate hours of creditable training at the rate of ten (10) hours in Wood Destroying Organisms and ten (10) hours in Household Pest Control. Such creditable training may consist of Commission approved seminars, short courses, workshops or other privately or publicly sponsored training programs that cover changes in technology and other subject matter necessary to ensure continued employee competence. Computer based training shall be limited to no more than 5 hours for Wood Destroying Organisms and no more than 5 hours for Household Pest Control.

(b) Pass a written examination.

(c) Exception. Persons becoming a certified registered employee after October 1st of the second year of the two (2) year recertification period need not complete the creditable training or written examination requirements described in Rule 620-3-.03(2)(a)-(b) above to qualify for recertification.

Cite as Ga. Comp. R. & Regs. R. 620-3-.03

AUTHORITY: O.C.G.A. §§ 43-45-8**,** 43-45-16**.**

HISTORY: Original Rule entitled "Cancellation and Revocation of License" adopted. F. and eff. June 30, 1965.

Repealed: New Rule entitled "Revocation of License, Certification or Registration" adopted. F. Oct. 25, 1966; eff. Nov. 13, 1966.

Repealed: New Rule entitled "Recertification" adopted. F. Jan. 23, 1979; eff. Feb. 12, 1979.

Amended: F. Sept. 12, 1983; eff. Oct. 2, 1983.

Repealed: New Rule of same title adopted. F. Feb. 14, 1985; eff. Mar. 6, 1985.

Amended: F. Sept. 11, 1992; eff. Oct. 1, 1992.

Repealed: New Rule of same title adopted. F. June 4, 1997; eff. July 1, 1997, as specified by the Agency.

Amended: F. Jan. 6, 2003; eff. Feb. 1, 2003, as specified by the Agency.

Amended: F. Mar. 11, 2014; eff. Mar. 31, 2014.

Amended: F. Mar. 19, 2026; eff. Apr. 8, 2026.

620-3-.04 Revocation of License, Certification or Registration

(1) A license, certification or registration may be suspended, canceled or revoked by the Commissioner, after notice and hearing, in accordance with requirements of the Georgia Administrative Procedure Acts for any violation of the Act or any rule promulgated thereunder, including, but not limited to:

(a) Misrepresentation for the purpose of defrauding, deceiving, or defrauding another;

(b) Making a false statement with knowledge of its falsity for the purpose of inducing another to act thereon to his detriment;

(c) Using methods or materials that are not suitable; or using any pesticide in a manner inconsistent with its labeling or other restrictions imposed by the Commission or Commissioner;

(d) Failing to give the Commission or the Commissioner or their authorized representative, upon request, true information regarding methods and materials used, work performed, or other information essential to the administration of the act.

(2) The certification of any certified operator or any certified registered employee who fails to renew as required by Section 620-3-.03 shall become revoked through operation of law upon the date of expiration of the certification.

Cite as Ga. Comp. R. & Regs. R. 620-3-.04

AUTHORITY: O.C.G.A. § 43-45-12**.**

HISTORY: Original Rule entitled "Revocation Procedures" was filed and effective on June 30, 1965.

Amended: Rule repealed and a new Rule of same title adopted. F. Oct. 25, 1966; eff. Nov. 13, 1966.

Amended: Rule repealed and a new Rule entitled "Revocation of License Certification or Registration" adopted. F. Jan. 23, 1979; eff. Feb. 12, 1979.

Amended: Rule repealed and a new Rule of same title adopted. F. Feb. 14, 1985; eff. Mar. 6, 1985.

Amended: Rule repealed and a new Rule of same title adopted. F. Jun. 4, 1997; eff. July 1, 1997, as specified by the Agency.

Amended: F. Mar. 19, 2026; eff. Apr. 8, 2026.

Department 620. RULES OF GEORGIA STRUCTURAL PEST CONTROL COMMISSION

Chapter 620-6. WOOD DESTROYING ORGANISMS

620-6-.01 Definitions-Wood Destroying Organisms

(1) Approved pesticide or termiticide - means a pesticide product currently registered by the Environmental Protection Agency and the Georgia Department of Agriculture, whose label bears use directions for the control of wood destroying organisms, and including any previously registered pesticide whose use is permitted under the terms of a suspension or cancellation order by the Administrator of the United States Environmental Protection Agency or the Commissioner.

(2) Comprehensive Soil Treatment - means the treatment of soils and masonry voids at or near ground level establishing a chemical treatment zone to protect a structure from attack from termites consistent with the requirements of Rule 620-6-.04(1)(a).

(3) Conditions Conducive To Infestation - means conditions that exist in a structure that favor the development of wood destroying organisms. These are limited to: cellulosic material underneath a building, wood in contact with the soil which has not been treated with preservatives to a minimum preservative retention rate designed for ground contact and ventilation of the under-floor space between the bottom of the floor joists and the earth that does not meet the requirements of the International Residential Building Code for one and two family dwellings, the latest edition as adopted and amended by the Georgia Department of Community Affairs.

(4) Defined Soil Treatment - means the treatment of select areas of a structure as directed and permitted by a product's label directions to protect a structure from attack from termites consistent with the requirements of Rule 620-6-.04(1)(b).

(5) Structure - means any building, regardless of its design or the type of material used in its construction, whether public or private, vacant or occupied, and adjacent outside areas.

(6) Wood Destroying Organisms Control - means the application of any and all measures for the purpose of controlling termites, powder post beetles, wood boring beetles, wood destroying fungi and any other wood destroying organism in structures and/or adjacent outside areas.

Cite as Ga. Comp. R. & Regs. R. 620-6-.01

AUTHORITY: O.C.G.A. § 43-45-8.

HISTORY: Original Rule entitled "Injunction" adopted. F. and eff. June 30, 1965.

Amended: New Rule of the same title adopted. F. Oct. 25, 1966; eff. Nov. 13, 1966.

Amended: New Rule entitled "Definitions-Wood Destroying Organisms" (formerly 620-7-.01) adopted. F. Feb. 14, 1985; eff. Mar. 6, 1985.

Repealed: New Rule of same title adopted. F. Jun. 4, 1997; eff. July 1, 1997, as specified by the Agency.

Amended: F. Aug. 26, 2005; eff. Sept. 16, 2005, as specified by the Agency.

Amended: F. Mar. 11, 2014; eff. Mar. 31, 2014.

Amended: F. Mar. 19, 2026; eff. Apr. 8, 2026.

620-6-.02 Contracts

(1) Every licensee shall issue a written contract to the property owner or owner's agent covering each job of Wood Destroying Organisms Control, setting forth the following:

(a) The specific type of minimum adequate control measure as defined in 620-6-.04.

(b) The effective date and the contract period;

(c) A diagram consisting of a reasonable depiction of the structure(s) to be treated, indicating the location of any visible active or previous infestation;

(d) The price to be charged, including an estimate of the cost of repairs, replacements or excavation, when such repairs, replacements or excavation are related to the control of Wood Destroying Organisms and are to be performed by the licensee;

(e) The specific terms of any guaranty or warranty and whether they apply to retreatment or repair of damages. Any contract for Wood Destroying Organism Jobs that offers any type of guaranty or warranty shall contain at the top of the first page one of the following statements, in at least one-eighth (1/8) inch letters and blocked in with a heavy black line:

1. This contract provides for retreatment of a structure but does not provide for the repair of damages caused by wood destroying organisms.

2. This contract provides for retreatment of a structure and the repair of damages caused by wood destroying organisms within the limits stated in this contract.

(f) If the licensee has an approved bond, whether or not the work under the contract is to be covered by the bond, and the details of coverage expressed in terms identical to those in the bond itself;

(g) Specific conditions for renewal including:

1. the amount of the renewal fee;

2. the number of years over which the renewal fee will remain fixed;

3. whether or not reinspections of the structure(s) under contract are to be made, and the approximate interval.

(h) Any provision for a limitation of liability based upon any modification or addition to the structure as depicted in the diagram referenced in subsection (b) above shall be set forth in the contract so that the homeowner understands that they are responsible for notifying the pest control company of any modifications or alterations which are made during any contract period.

(i) Contracts for residential structures, not exceeding two (2) units, may not limit the area to be treated.

(2) Every Wood Destroying Organism Control contract shall be signed by the property owner or owner's agent prior to performance of any control measures and the three (3) day right of cancellation shall be disclosed to every contractee in accordance with the Fair Business Practices Act of 1975, and rules of the Federal Trade Commission, 16 C.F.R. 429.

(3) Every Wood Destroying Organism Control contract for treatment that utilizes a bait or baiting system shall contain the following statement in at least one-eighth (1/8) inch letters and blocked in with a heavy black line "The removal of the bait or baiting system may result in a lack of termite protection".

(4) Subterranean termite control warranty only contracts may not be issued in place of a pre-construction treatment for subterranean termite control. These contracts shall be limited to one and two family dwellings and town homes. Every subterranean termite control contract for a control warranty only, without an initial treatment shall include:

(a) an initial inspection of the structure including a diagram consisting of a reasonable depiction of the structure(s), indicating the location of any visible previous infestation, date of inspection;

(b) type of minimum adequate subterranean termite control treatment of the infestation(s) as defined in Rule 620-6-.04 that will be performed beginning with the first occurrence of termite activity

(c) an annual inspection of the structure

(d) a statement, in at least one-eighth (1/8) inch letters and blocked in with a heavy black line, that states "This contract provides for the inspection of the structure, future treatment of the structure and for the repair of damages caused by wood destroying organisms within the limits stated in this contract"

(5) In addition to all other recordkeeping requirements, the licensee shall maintain reports of all monitoring, inspections and/or reinspections of the structure(s), baits or baiting systems and devices under contract. Such reports shall be provided to the property owner and a copy shall be maintained by the licensee for inspection by the enforcement agency, in a reasonable amount of time, for a period of two (2) years. The reports shall include the date of the monitoring, inspection or reinspection, name of the person performing the monitoring, inspection or reinspection and whether or not Wood Destroying Organisms or signs of termite activity were found.

(6) Copies of all contracts and supporting documentation (pesticide use records, diagrams of the structure and any Official Waiver Forms) shall be maintained by the licensee during the contract period and for a period of two (2) years following the date of expiration of the contract.

Cite as Ga. Comp. R. & Regs. R. 620-6-.02

AUTHORITY: O.C.G.A. § 43-45-8.

HISTORY: Original Rule entitled "Crimes" adopted. F. and eff. June 30, 1965.

Repealed: New Rule of same title adopted. F. Oct. 25, 1966; eff. Nov. 13, 1966.

Amended: F. Jan. 23, 1979; eff. Feb. 12, 1979.

Repealed: New Rule entitled "Contracts" (formerly 620-7-.02) adopted. F. Feb. 14, 1985; eff. Mar. 6, 1985.

Repealed: New Rule of same title adopted. F. Mar. 30, 1988; eff. Apr. 19, 1988.

Amended: F. Sept. 14, 1995; eff. Oct. 4, 1995.

Amended: F. Apr. 12, 1996; eff. Nov. 1, 1996, as specified by the Agency.

Repealed: New Rule of same title adopted. F. June 4, 1997; eff. July 1, 1997, as specified by the Agency.

Amended: F. Oct. 3, 2000; eff. Nov. 1, 2000, as specified by the Agency.

Amended: F. Jan. 6, 2003; eff. Feb. 1, 2003, as specified by the Agency.

Amended: F. Aug. 26, 2005; eff. Sept. 16, 2005, as specified by the Agency.

Amended: F. Mar. 11, 2014; eff. Mar. 31, 2014.

Amended: F. Aug 11, 2017; eff. September 1, 2017, as specified by the Agency.

Amended: F. Mar. 19, 2026; eff. Apr. 8, 2026.

620-6-.03 Official Georgia Wood Infestation Inspection Report

(1) The Official Georgia Wood Infestation Inspection Report shall be the written instrument for the purpose of certifying that a structure is apparently free from wood destroying organisms as a basis for transfer of real property and shall be issued only by a pest control operator certified in Wood Destroying Organisms. Such instrument shall carry a guarantee that, if an infestation of wood destroying organisms from which apparent freedom is certified, is found within ninety (90) days from date of issuance, the infested structure(s) shall be treated by the licensee, free of charge subject to the following:

(a) Subterranean Termites - Structures will receive a full minimum adequate treatment pursuant to Paragraph 620-6-.04(1)-(3). However, if a structure has received a full minimum adequate treatment within the past one (1) year, a partial treatment may be made to at least 10 feet in either direction of any and all areas of termite infestation except as defined in Rule 620-6-.07(5).

(b) Powder Post Beetles and Wood Boring Beetles - Structures will receive a minimum adequate treatment pursuant to Paragraph 620-6-.04(4).

(c) Wood Decaying Fungi - Structures will receive a minimum adequate treatment pursuant to Paragraph 620-6-.04(5).

(d) Drywood Termites - Structures will receive a minimum adequate treatment pursuant to Paragraph 620-6-.04(6).

(2) For the purpose of this Rule, the form for the Official Georgia Wood Infestation Inspection Report shall conform to the following format which constitutes a part of this Rule.

OFFICIAL GEORGIA WOOD INFESTATION INSPECTION REPORT

Company Name _____ License No. _____
Address _____
Telephone No. _____ Date Of Issuance _____
Seller _____ Inspector _____
File No. _____ Purchaser(s) _____

SCOPE OF INSPECTION

An inspection of the below listed structure(s) was performed by a qualified inspector employed by this firm to determine the presence or previous presence of an infestation of the listed organisms and is not intended to be a structural report. Neither is this a warranty as to absence of Wood Destroying Organisms. This report is subject to all conditions enumerated on the reverse side and is issued without warranty or guarantee except as provided in rule 620-6-.03 of the Rules Of The Georgia Structural Pest Control Act or subject to any treatment guarantee specified below:

Main structure _____
Other structures (specify) _____
Address of structure(s) _____

FINDINGS

Inspection Reveals Visible Evidence of:	Active Infestation		Previous Infestation	
	Yes	No	Yes	No
Subterranean Termites	☐	☐	☐	☐
Powder Post Beetles	☐	☐	☐	☐
Wood Boring Beetles	☐	☐	☐	☐
Drywood Termites	☐	☐	☐	☐
Wood Decaying Fungi (Not Mold & Mildews)	☐	☐	☐	☐

Were any areas of the structure obstructed or inaccessible? ☐ YES ☐ NO

If yes, list these areas (see item 3 on reverse side of form) _____

The following conditions conducive to infestation for Wood Destroying Organisms were found at the time of inspection. The location of these conditions conducive to infestation are indicated on the attached diagram:

Remarks/Additional Findings: _____

Note: If visible evidence of active or previous infestation is reported it should be assumed that some degree of damage is present and a diagram identifying the structure(s) inspected and showing the location of such evidence must be attached to this form. Evaluation of damage and any corrective action should be performed by a qualified inspector in the building trade approved by the purchaser and lending agency.

TREATMENT

The above described structure(s) was treated by this company as follows:

Organism	Treatment Date	Contract Expiration	Type Treatment (Chemical Barrier, Bait, Wood Treatment)
Subterranean Termites			
Powder Post Beetles			
Wood Boring Beetles			
Drywood Termites			
Wood Decaying Fungi			

The present treatment warranty(ies) is:

☐ Transferable to any subsequent owner of the property upon payment of a fee on or before the expiration date.
☐ Not transferable to any subsequent owner of the property.
☐ The above structure(s) are not covered by a treatment contract with this company

This structure has a current official waiver form issued by this company ☐ YES ☐ NO
If yes, a copy must be attached as part of this report.

CERTIFICATION

This is to certify that neither I nor the company has had or contemplates having any interest in the property involved, nor is acting in any association with any party to the transaction.

_____ Signature of Designated Certified Operator

_____ Signature of Purchaser or Legal Representative Acknowledging Receipt of Report

Copies to: ☐ Purchaser ☐ Mortgagee ☐ Realtor ☐ Seller

Revised 2026 - Replaces all previous editions

CONDITIONS GOVERNING THIS REPORT

1. This report is limited to the five organisms listed.
2. This report covers only those structures listed on the front.
3. Inspection, including sounding and/or probing, was performed in only those areas which were readily accessible. Inaccessible areas not inspected include, but are not limited to areas obstructed by, floor coverings, wall coverings, siding, fixed ceilings, insulation, furniture, appliances or other personal items. The inspection also included a check of company records to determine if the structure has been treated and/or under renewal contract with the company within the past two years for any of the covered organisms. A copy of any current Exception Form II or Official Waiver form for this structure must be included as part of this report.
4. Reporting of Wood Destroying Fungi on this report is intended to cover only white rot, brown rot or water conducting fungi infestations which occur below the first floor level. This report does not cover the reporting of molds and mildews. Structural Pest Control companies are not responsible for inspecting for molds.
5. The term Wood Boring Beetles as used on the reverse side means only those beetles which are known to establish and maintain a continuing infestation in structures, such as, but not limited to the Old House Borer.
6. Regardless of whether any visible evidence of infestation by any of the listed Wood Destroying Organisms is found during inspection, if an infestation of one or more of these organisms from which apparent freedom was certified is found within 90 days of issuance of this report the property shall receive, free of charge, a minimum adequate treatment for control of the infestation consistent with Rules 620-6-.03(1)(a), (b), (c), and (d), of the Georgia Structural Pest Control Act.
7. This is not a structural report. A wood destroying organism inspector is not ordinarily a construction or building trade expert and is therefore not expected to assess structural soundness. Evaluation and correction of damage which may have resulted from an active or previous infestation should be performed by a qualified inspector in the building trade, who is approved by the purchaser and the lending agency.
8. This report implies no responsibility on the part of the Georgia Department of Agriculture or the Georgia Structural Pest Control Commission to enforce or require anything other than treatment or retreatment to the minimum adequate treatment requirements specified in Rule 620-6-.04.
9. "Conditions Conducive To Infestation" means conditions that exist in a structure that favor the development of wood destroying organisms. These are limited to: cellulosic material underneath a building and wood in contact with the soil which has not been treated with preservatives to a minimum preservative retention designed for ground contact and ventilation of the under-floor space between the bottom of the floor joists and the earth that does not meet the requirements of the International Residential Building Code for one and two family dwellings, the latest edition as adopted and amended by the Georgia Department of Community Affairs. Any condition conducive to infestation, as defined above, that is known to have existed at the time of inspection and was not reported and is found within 90 days of the issuance date of this report shall be corrected free of charge by the licensee.
10. All sections of this document must be filled out completely.

Cite as Ga. Comp. R. & Regs. R. 620-6-.03

AUTHORITY: O.C.G.A. § 43-45-8.

HISTORY: Original Rule entitled "Official Georgia Wood Infestation Inspection Report" adopted. F. Feb. 14, 1985; eff. Mar. 6, 1985.

Repealed: New Rule of the same title adopted. F. Mar. 30, 1988; eff. Apr. 19, 1988.

Amended: ER. 620-6-0.2-.03 of same title adopted. F. and eff. Aug. 16, 1988, the date of adoption.

Amended: ER. 620-6-0.3-.03 adopted. F. and eff. Dec. 16, 1988, the date of adoption.

Amended: ER. 620-6-0.4-.03 of same title adopted. F. and eff. May 9, 1989, the date of adoption.

Amended: ER. 620-6-0.5-.03 adopted. F. and eff. Jan. 18, 1990, the date of adoption.

Amended: Permanent Rule of same title adopted. F. May 9, 1990; eff. May 29, 1990.

Amended: F. Sept. 14, 1995; eff. Oct. 4, 1995.

Repealed: New Rule of same title adopted. F. June 4, 1997; eff. July 1, 1997, as specified by the Agency.

Amended: F. Oct. 3, 2000; eff. Nov. 1, 2000, as specified by the Agency.

Amended: F. Aug. 26, 2005; eff. Sept. 16, 2005, as specified by the Agency.

Amended: F. Mar. 11, 2014; eff. Mar. 31, 2014.

Amended: F. Aug 11, 2017; eff. September 1, 2017, as specified by the Agency.

Amended: F. Mar. 19, 2026; eff. Apr. 8, 2026.

620-6-.04 Control Measures

"Control Measures" means the application of any and all measures for the purpose of controlling termites, powder post beetles, wood boring beetles, wood destroying fungi, and any other wood destroying organism in structures and/or adjacent outside areas. Such measures shall be made with applications and installations consistent with label requirements. Minimum adequate control measures shall be as set forth below.

(1) Minimum adequate subterranean termite control treatment for post construction shall include the following:

(a) For pesticide products applied as a comprehensive soil termiticide application consistent with registered label directions:

1. Removal of all cellulosic material from underneath the building and removal of any other debris which would interfere with inspection or treatment in such area.

2. Removal of all wooden contacts between buildings and outside soil, other than those wooden supports which have been treated with preservatives to a minimum preservative retention designed for ground contact. The top of all supports for untreated wooden members shall be no closer than six (6) inches to the soil. In no case shall the minimum clearance between untreated wood and soil be less than six (6) inches. This requirement shall apply only to those situations where wood is exposed and by design is not separated from the outside soil line by anything other than air space. Such clearance shall not apply to sill plates or other wooden members of a structure which may be physically closer to the earth than the required clearance but are by design enclosed by and insulated from the earth by brick, stucco or other construction material.

3. Removal of all wooden contacts between buildings and inside soil, other than those wooden supports which have been treated with preservatives to a minimum preservative retention designed for ground contact. In no case shall the minimum clearance between wood and soil in a crawl space be less than eighteen (18) inches.

4. Removal of all visible accessible termite tunnels.

5. Trenching of soil along the outside and inside of foundation walls and around pillars and other supports to a minimum depth of six (6) inches, but not lower than the top of the footing in contact with the soil. Rodding may be performed from the bottom of the trench to lower depths as required. When the top of any footing is exposed and not in contact with the soil, trenching should not extend below the bottom of the footing.

6. Application of approved termiticide.

(i) Approved termiticides shall be those registered by the United States Environmental Protection Agency (EPA) and the Georgia Department of Agriculture. Under no circumstances shall the concentration applied be lower than the minimum nor greater than the maximum concentration specified on the product label for the termiticide as a soil termiticide application.

(ii) Rate of application shall be four (4) gallons per ten (10) linear feet per foot of depth from the soil surface to the lesser of either the top of footings or a depth of four (4) feet applied to the trenches and backfill. Soil into which pipes extend from the structure, soil under expansion joints, and soil in any other critical point of potential termite entry must also be treated with the approved termiticide at the above application rate.

(iii) Measures must be taken to prevent the back siphoning of pesticides and the contamination of public water supplies during dilution and filling operations. Do not apply pesticide while precipitation is occurring in any area where the application would be impacted by the precipitation.

(iv) Precautions must be taken to prevent the contamination of wells or cisterns, in or close to the structure being treated.

7. Drilling of all tile, brick, concrete block or other type cavity walls, chimneys, hollow pillars or other similar structure parts and application of the approved termiticide at a rate of two (2) gallons per ten (10) linear feet. Drilling of concrete blocks or other hollow masonry parts shall be made into the large voids only, as opposed to the vertical mortar joints, at horizontal intervals of no more than twelve (12) inches. Application of the termiticide shall be made through drill holes no more than eighteen (18) inches above the lowest of the soil or slab surfaces contiguous to the opposite side of the vertical wall. In the case of uncapped hollow parts, the termiticide may be applied through the top opening, provided the termiticide is released no higher than eighteen (18) inches above the top of the footing.

8. Treatment of the entire inside perimeter walls of all earth filled porches beneath concrete slabs contiguous to the structure with an approved termiticide at the rate of four (4) gallons per ten (10) linear feet by one of the following:

(i) Making access openings, by removing a six (6) inch band of soil along the entire inside perimeter walls and applying the termiticide in the trench.

(ii) Drilling from the top of the entire perimeter of the slab at intervals of no more than twelve (12) inches and no more than twelve (12) inches from the perimeter wall and applying the termiticide.

(iii) Drilling, rodding, and applying the approved termiticide from the inside of the foundation at no more than twelve (12) inch intervals along the entire inside perimeter and as close as possible to the lower edge of the slab.

(iv) Drilling, rodding, and applying the approved termiticide from the sides of the earth fill along the entire perimeter provided no horizontal rodding distance shall exceed twenty (20) feet.

9. Treatment of all grade level slabs contiguous to the structure with an approved termiticide at the rate of four (4) gallons per ten (10) linear feet by drilling and applying along the entire distance where slab joins any part of structure at intervals of no more than twelve (12) inches and no more than twelve (12) inches from the structure wall.

10. Treatment of all structures with concrete slabs at or above grade level with an approved termiticide at the rate of four (4) gallons per ten (10) linear feet by one of the following:

(i) Treating from the inside by drilling through from the top of the slab and applying the approved termiticide at intervals of no more than twelve (12) inches and no more than twelve (12) inches from the outside edge of slab along the entire perimeter and at all other points of potential termite entry through the slab. After such application all holes shall be securely sealed to prevent any upward movement of the termiticide.

(ii) Treating from the outside by rodding and applying termiticide along and under the entire perimeter of the slab by inserting the rod as close as possible to the lower edge of the slab.

11. Treatment of monolithic slabs by trenching and application of the approved termiticide to the soil along the entire perimeter of the slab at the rate of four (4) gallons per ten (10) linear feet and to any openings through the slab.

(b) For pesticide products allowing a defined soil treatment consistent with individual product registered label directions:

1. Removal of all cellulosic material from underneath the building and removal of any other debris which would interfere with inspection or treatment in such area.

2. Removal of all wooden contacts between buildings and outside soil other than those wooden supports which have been treated with preservatives to a minimum preservative retention designed for ground contact. The top of all supports for untreated wooden members shall be no closer than six (6) inches to the soil. In no case shall the minimum clearance between untreated wood and soil be less than six (6) inches. This requirement shall apply only to those situations where wood is exposed and by design is not separated from the outside soil line by anything other than air space. Such clearance shall not apply to sill plates or other wooden members of a structure which may be physically closer to the earth than the required clearance but are by design enclosed by and insulated from the earth by brick, stucco or other construction material.

3. Removal of all wooden contacts between buildings and inside crawl space soil, other than those wooden supports which have been treated with preservatives to a minimum preservative retention designed for ground contact. In no case shall the minimum clearance between wood and soil in a crawl space be less than eighteen (18) inches.

4. Removal of visible accessible termite tunnels unless specified on the product label.

5. Application of approved termiticide.

(i) Approved termiticides shall be those registered by the United States Environmental Protection Agency (EPA) and the Georgia Department of Agriculture.

(ii) Trenching of soil along the outside foundation walls to a minimum depth of six (6) inches, but not lower than the bottom of the footing in contact with the soil. Rodding may be performed from the bottom of the trench to lower depths as required.

(iii) Treatment of all grade level slabs and earth filled porches beneath concrete slabs that are contiguous to the exterior of the structure, including any garage or carport slabs, with an approved termiticide by drilling and applying along the entire distance where slab joins any part of structure at intervals of no more than twelve (12) inches and no more than twelve (12) inches from the structure wall.

(iv) Measures must be taken to prevent the back siphoning of pesticides and the contamination of public water supplies during dilution and filling operations. Do not apply pesticide while precipitation is occurring in any area where the application would be impacted by the precipitation.

(v) Precautions must be taken to prevent the contamination of wells or cisterns, in or close to the structure being treated.

(c) For pesticide products, other than baits designed for the control of termites, applied for purposes other than as a soil termiticide application and when applied consistent with individual product registered label directions:

1. Removal of all cellulosic material from underneath the building and removal of any other debris which would interfere with inspection or treatment in such area.

2. Removal of all wooden contacts between buildings and outside soil other than those wooden supports which have been treated with preservatives to a minimum preservative retention designed for ground contact. The top of all supports for untreated wooden members shall be no closer than six (6) inches to the soil. In no case shall the minimum clearance between untreated wood and soil be less than six (6) inches. This requirement shall apply only to those situations where wood is exposed and by design is not separated from the outside soil line by anything other than air space. Such clearance shall not apply to sill plates or other wooden members of a structure which may be physically closer to the earth than the required clearance but are by design enclosed by and insulated from the earth by brick, stucco or other construction material.

3. Removal of all wooden contacts between buildings and inside crawl space soil, other than those wooden supports which have been treated with preservatives to a minimum preservative retention designed for ground contact. In no case shall the minimum clearance between wood and soil in a crawl space be less than eighteen (18) inches.

4. Removal of visible accessible termite tunnels unless specified on the product label.

5. Application of approved termiticide, taking all precautions necessary to prevent the contamination of wells or cisterns, in or close to the structure being treated. Unless prohibited by the product's label directions, all applications of liquid pesticide applied to the surface of non-decorative or non-finished wood and/or sheathing shall include a sufficient amount of a dye or marker to readily indicate the areas that have been treated.

(d) For pesticide bait products applied for the purpose of controlling termites:

1. Removal of all cellulosic material from underneath the building and removal of any other debris which would interfere with inspection or treatment in such area.

2. Removal of all wooden contacts between buildings and outside soil, other than those wooden supports which have been treated with preservatives to a minimum preservative retention designed for ground contact. The top of all supports for untreated wooden members shall be no closer than six (6) inches to the soil. In no case shall the minimum clearance between untreated wood and soil be less than six (6) inches. This requirement shall apply only to those situations where wood is exposed and by design is not separated from the outside soil line by anything other than air space. Such clearance shall not apply to sill plates or other wooden members of a structure which may be physically closer to the earth than the required clearance but are by design enclosed by and insulated from the earth by brick, stucco or other construction material.

3. Removal of all wooden contacts between buildings and inside crawl space soil, other than those wooden supports which have been treated with preservatives to a minimum preservative retention designed for ground contact. In no case shall the minimum clearance between wood and soil in a crawl space be less than eighteen (18) inches.

4. Removal of visible accessible termite tunnels unless specified on the product label.

5. All termite baits and baiting systems shall be monitored, consistent with the products label and labeling directions, for a minimum period of one year at no additional cost to the property owner when installed for pre-construction treatments or for treatments to control an infestation found during the coverage period of an Official Georgia Wood Infestation Inspection Report.

6. The initial installation of a baiting system shall include a reasonable depiction of the structure noting the approximate locations of all bait or monitoring stations. This diagram shall be maintained for two (2) years past the expiration date of the contract.

7. In addition to all other record keeping requirements, each time there is an inspection or monitoring of a baiting system, the licensee shall record the following:

(i) date of the inspection

(ii) results of the inspection for each station

(iii) notation of any stations that were not able to be monitored

(iv) notation of any additional stations that have been added

8. Application of an approved termiticide bait consistent with all product label directions.

(i) Approved termiticide bait shall be those registered by the United States Environmental Protection Agency (EPA) and the Georgia Department of Agriculture.

(2) Minimum adequate subterranean termite control treatments for pre-construction treatments shall include the following:

(a) For pesticide products applied as a soil termiticide application consistent with registered label and labeling directions:

1. Removal of all cellulosic material from underneath the building and removal of any other debris which would interfere with inspection or treatment in such area.

2. Removal of all wooden contacts between buildings and outside soil, other than those wooden supports which are known to have been treated with preservatives to a minimum preservative retention designed for ground contact. The top of all supports for untreated wooden members shall be no closer than six (6) inches to the soil. In no case shall the minimum clearance between untreated wood and soil be less than six (6) inches. This requirement shall apply only to those situations where wood is exposed and by design is not separated from the outside soil line by anything other than air space. Such clearance shall not apply to sill plates or other wooden members of a structure which may be physically closer to the earth than the required clearance but are by design enclosed by and insulated from the earth by brick, stucco or other construction material.

3. Removal of all wooden contacts between buildings and inside crawl space soil, other than those wooden supports which have been treated with preservatives to a minimum preservative retention designed for ground contact. In no case shall the minimum clearance between wood and soil in a crawl space be less than eighteen (18) inches.

4. Application of approved termiticide.

(i) Approved termiticides shall be those registered by the United States Environmental Protection Agency (EPA) and the Georgia Department of Agriculture. Under no circumstances shall the concentration applied be lower than the minimum nor greater than the maximum concentration specified on the product label for the termiticide used as a soil termiticide application. For each application a separate graph of the structure showing the specific areas treated, including any utility areas, shall be prepared. Such graph shall indicate the linear footage of the structure, total square footage of the structure and the volume applied to each area.

(ii) Rate of application shall be four (4) gallons per ten (10) linear feet per foot of depth from the soil surface to the lesser of either the top of footings or a depth of four (4) feet applied to the trenches and backfill. Soil into which pipes extend from the structure, soil under expansion joints, and soil in any other critical point of potential termite entry must also be treated with an approved termiticide at the above application rate. In all treatments, the final termiticide application must be completed within ninety (90) days after the earlier of:

(I). the granting of a local "certificate of occupancy" or other like certification that the structure is approved for occupancy;

(II). the actual occupancy of the structure by owner, tenant, or otherwise;

(III). the closing of a permanent loan on the structure; or

(IV). the completion of backfilling by the building contractor or owner.

(iii) Rate of application shall be two (2) gallons per ten (10) linear feet to all tile, brick, concrete block or other type cavity walls, chimneys, hollow pillars or other similar structure parts.

(iv) Rate of application to the fill under residential slab structures not exceeding two (2) units shall be at the minimum rate of one (1) gallon per ten (10) square feet.

(v) Measures must be taken to prevent the back siphoning of pesticides and the contamination of public water supplies during dilution and filling operations. Do not apply pesticide while precipitation is occurring in any area where the application would be impacted by the precipitation.

(vi) Precautions must be taken to prevent the contamination of wells or cisterns in or close to the structure being treated.

(b) For pesticide products or devices applied for the purpose of controlling termites other than as a soil termiticide application:

1. Removal of all cellulosic material from underneath the building and removal of any other debris which would interfere with inspection or treatment in such area.

2. Removal of all wooden contacts between buildings and outside soil, other than those wooden supports which have been treated with preservatives to a minimum preservative retention rate designed for ground contact. The top of all supports for untreated wooden members shall be no closer than six (6) inches to the soil. In no case shall the minimum clearance between untreated wood and soil be less than six (6) inches. This requirement shall apply only to those situations where wood is exposed and by design is not separated from the outside soil line by anything other than air space. Such clearance shall not apply to sill plates or other wooden members of a structure which may be physically closer to the earth than the required clearance but are by design enclosed by and insulated from the earth by brick, stucco or other construction material.

3. Removal of all wooden contacts between buildings and inside soil, other than those wooden supports which have been treated with preservatives to a minimum preservative retention designed for ground contact. In no case shall the minimum clearance between wood and soil in a crawl space be less than eighteen (18) inches.

4. Removal of visible accessible termite tunnels unless specified on the product label.

5. Application of the approved termiticide or device consistent with all product label directions. Unless prohibited by the product's label directions, all applications of liquid pesticide applied to the surface of non-decorative or non-finished wood and/or sheathing shall include a sufficient amount of a dye or marker to readily indicate the areas that have been treated.

(3) Minimum adequate treatment for pesticide product applied as an alternate application technique, as defined in Rule 620-2-.01(d), for subterranean termite control treatments made consistent with label directions shall include the following:

(a) Removal of all cellulosic material from underneath the building and removal of any other debris which would interfere with inspection or treatment in such area.

(b) Removal of all wooden contacts between buildings and outside soil other than those wooden supports which have been treated with preservatives to a minimum preservative retention designed for ground contact. The top of all supports for untreated wooden members shall be no closer than six (6) inches to the soil. In no case shall the minimum clearance between untreated wood and soil be less than six (6) inches. This requirement shall apply only to those situations where wood is exposed and by design is not separated from the outside soil line by anything other than air space. Such clearance shall not apply to sill plates or other wooden members of a structure which may be physically closer to the earth than the required clearance but are by design enclosed by and insulated from the earth by brick, stucco, or other construction material.

(c) Removal of all wooden contacts between buildings and inside crawl space soil, other than those wooden supports which have been treated with preservatives to a minimum preservative retention designed for ground contact. In no case shall the minimum clearance between wood and soil in a crawl space be less than eighteen (18) inches.

(d) Removal of visible accessible termite tunnels unless specified on the product label.

(e) Application of approved termiticide, taking all precautions necessary to prevent the contamination of wells or cisterns in or close to the structure being treated.

(f) Treatment applications must include all areas as specified in Rule 620-6-.04(1)(a), 620-6-.04(1)(b), or 620-6-.04(2)(a) except the area beneath concrete slabs of earth filled porches as specified in 620-6-.04(1)(b)(5)(iii).

(4) Minimum adequate treatment for control or prevention of wood boring beetles, including powder post beetles, wood borers, and old house borers, shall include the application of a pesticide registered by EPA and the Georgia Department of Agriculture, in strict accordance with the product's registered directions for use. When infestation is located in a crawl space, treatment shall include the installation of a polyethylene or other water impervious vapor barrier to at least seventy (70) percent of the exposed soil surface in the enclosed space and ensure that ventilation meets the current requirements of the International Residential Building Code, the latest edition as adopted and amended by the Georgia Department of Community Affairs.

(5) Minimum adequate treatment for control or prevention of wood destroying fungi shall include the following:

(a) When infestation is located in a crawl space, treatment shall include the installation of a polyethylene or other water impervious vapor barrier to at least ninety (90) percent of the exposed soil surface in the enclosed space and ensure that ventilation meets the current requirements of the International Residential Building Code, the latest edition as adopted and amended by the Georgia Department of Community Affairs.

(b) In addition to the above requirements, when an infestation of water conducting fungi is located in a crawl space, control measures shall include the following:

1. Cut the visible rhizomorphs and scrape visible fungal growth from the foundation walls

2. Removal of all wooden contacts between buildings and inside crawl space soil, other than those wooden supports which have been treated with preservatives to a minimum preservative retention designed for ground contact.

(6) Minimum adequate treatment for control of drywood termites shall include the application of an approved pesticide in strict accordance with the product's registered directions for use, or other such methods or techniques which, to the satisfaction of the Commission, have been demonstrated to be effective in controlling this pest.

Cite as Ga. Comp. R. & Regs. R. 620-6-.04

AUTHORITY: O.C.G.A. §§ 43-45-8**,** 43-45-16**.**

HISTORY: Original Rule entitled "Control Measures" adopted. F. Feb. 14, 1985; eff. Mar. 6, 1985.

Repealed: New Rule of same title adopted. F. Mar. 30, 1988; eff. Apr. 19, 1988.

Repealed: New Rule of same title adopted. F. Oct. 20, 1994; eff. Jan. 1, 1995, as specified by the Agency.

Amended: F. Sept. 14, 1995; eff. Oct. 4, 1995.

Repealed: New Rule of same title adopted. F. June 4, 1997; eff. July 1, 1997, as specified by the Agency.

Amended: F. Oct. 3, 2000; eff. Nov. 1, 2000, as specified by the Agency.

Amended: ER. 620-6-0.7-.04 adopted. F. and eff. Nov. 10, 2003, as specified by the Agency.

Amended: F. Mar. 4, 2004; eff. Mar. 24, 2004.

Amended: F. Aug. 26, 2005; eff. Sept. 16, 2005, as specified by the Agency.

Amended: F. Mar. 11, 2014; eff. Mar. 31, 2014.

Amended: F. Aug. 11, 2017; eff. Sept. 1, 2017, as specified by the Agency.

Amended: F. Jan. 7, 2019; eff. Feb. 1, 2019, as specified by the Agency.

Amended: F. Mar. 19, 2026; eff. Apr. 8, 2026.

620-6-.05 Inspection

The enforcement agency may inspect any property or structure treated or being treated for the control of wood destroying organisms and may collect samples of any treated material including soil to determine if treatment conforms to the Minimum Adequate Subterranean Termite Control as specified in this Chapter. Samples shall be taken as follows and analyzed by methods approved by the Commissioner:

(a) A single unit of use of the pesticide as purchased or a representative sample of the pesticide shall be taken from the original container in which it was purchased.

(b) A minimum of four (4) ounces of the diluted solution or emulsion shall be taken from the tank or sprayer in which the diluted pesticide is stored or from which it is being applied.

(c) A composite sample shall be taken for assay from any soil required to be treated for the control of termites under the provisions of this Chapter to determine if treatment conforms to the minimum requirements, as follows:

1. A subsample or core shall be taken from each ten (10) linear feet of treated soil or fraction thereof, up to a maximum of thirty (30) cores, along the inside and outside of the foundation wall, along the perimeter of the slab, or from the treated areas around pillars, chimneys and the like. In cases where treated area exceeds 300 linear feet, the thirty (30) cores shall be equally spaced throughout the treated area.

2. Cores shall be taken at approximately ten (10) foot intervals and shall be taken no more than four (4) inches from the foundation wall or other structural part.

3. Approximately two (2) inches of soil shall be removed from the soil surface where each core is to be taken.

4. A vertical core approximately three quarters of an inch (3/4") in diameter and four (4) inches deep shall be taken.

5. All cores shall be composited in a suitable container, sealed, labeled and sent to the Enforcement Agency for chemical analysis.

6. Any termite treatment, applied for the purpose of creating a soil barrier, shall be considered inadequate and the entire structure shall be retreated by the licensee within thirty (30) days after notification to the licensee by the Enforcement Agency, if within six (6) months from the date treatment is completed the composite sampling of the treated area is found to have a termiticide residue less than one (1) part per million for each 0.01% of the treatment solution applied. In no case shall the pesticide solution applied be less than the minimum concentration specified on the product label.

Cite as Ga. Comp. R. & Regs. R. 620-6-.05

AUTHORITY: O.C.G.A. § 43-45-8**.**

HISTORY: Original Rule entitled "Inspection" adopted. F. Feb. 14, 1985; eff. Mar. 6, 1985.

Repealed: New Rule of same title adopted. F. Oct. 20, 1994; eff. Jan. 1, 1995, as specified by the Agency.

Amended: F. Sept. 14, 1995; eff. Oct. 4, 1995.

Repealed: New Rule of same title adopted. F. June 4, 1997; eff. July 1, 1997, as specified by the Agency.

Amended: F. Oct. 3, 2000; eff. Nov. 1, 2000, as specified by the Agency.

Amended: F. Mar. 19, 2026; eff. Apr. 8, 2026.

620-6-.07 Correction of Deviations

(1) On every Wood Destroying Organism job which it inspects, the Enforcement Agency shall provide the Designated Certified Operator with an Inspection and WDO Corrective Action Report detailing any apparent deviations from the Minimum Adequate Treatment Standards found by an inspector, and which are not covered by an Official Waiver of the Minimum Treatment Standards for the Control of Subterranean Termites. The Waiver Form shall contain all of the following information and shall be equivalent to the following format:

OFFICIAL WAIVER

of the Georgia Minimum Treatment Standards for the Control of Subterranean Termites

CONDITIONS GOVERNING THE USE OF THE OFFICIAL WAIVER OF THE MINIMUM TREATMENT STANDARDS FOR THE CONTROL OF SUBTERRANEAN TERMITES

1. The Official Waiver of the Minimum Treatment Standards for the Control of Subterranean Termites is intended to be used ONLY in situations where it is not possible or practical to meet the minimum treatment standards established by the Georgia Structural Pest Control Commission.
2. The Official Waiver of the Minimum Treatment Standards for the Control of Subterranean Termites is not to be used to bypass the minimum treatment standards nor is it used to notify any agency of government that a termite treatment has been completed. For defined post construction soil treatments and preconstruction soil treatments, only items # 1, 2, and 3 are applicable.
3. By signing this document the property owner/agent acknowledges that the property identified will not receive a complete minimum treatment. Signing this document does not affect the terms of any guarantee between the property owner and the pest control company.
4. Each "no" must be explained in detail on the front of this document as to specifically what areas of the structure do not meet the treatment standards and why it is not possible to meet those treatment standards. Additional space is provided below.
5. All sections of this document must be filled out completely. Failure to comply with this requirement or failure to provide the explanation required in "Condition #4" above will constitute a violation involving misuse of this form and may render it void.

Name of Company	Inspector Name & Certification/Registration Number
Address of Company	
Owner of Property	Phone Number of Property Owner/Agent
Address of Structure Treated	

Note: A separate Official Waiver is required for each individual structure. Reproductions of the Official Waiver for multiple structures is not acceptable.

TERMITE CONTROL

Indicate with a check mark those items that do NOT meet the minimum treatment standards.

SOIL TREATMENTS

Date Job Completed _____

Type of Treatment (Check One)

☐ Comprehensive Post Construction Soil Treatment
☐ Defined Post Construction Soil Treatment
☐ Pre-Construction Soil Treatment

Alternate Application Technique? ☐ YES

Note: For defined post construction soil treatments and preconstruction soil treatments, only items # 1, 2, and 3 are applicable.

NO
☐ 1. All debris removed
☐ 2. Wooden contacts removed or insulated
☐ 3. Crawl space clearance 18 inches or greated
☐ 4. Termite tunnels removed
☐ 5. Foundation adequately trenched/rodded and treated
☐ 6. Voids adequately drilled/treated
☐ 7. Earth filled porches adequately drilled/treated
☐ 8. Contiguous slabs adequately drilled/treated
☐ 9. Slabs at/above grade adequately drilled/treated
☐ 10. Monolithic slabs adequately treated

NON SOIL PESTICIDE, DEVICE, BAIT, OR BAITING SYSTEMS

Date Job Completed _____

Note: All items pertain to both post-construction and pre-construction applications.

NO
☐ 1. All debris removed
☐ 2. Wooden contacts removed
☐ 3. Crawl space clearance 18 inches or greated
☐ 4. Barrier or baiting system installed consistent with label directions

Explain ***in detail*** what areas of the structure do not meet treatment standards and why it is not possible to meet these treatment standards. Also, attach a graph indicating the area(s) that were not treated to minimum standards. Failure to attach a graph and provide ***a detailed*** written explanation will void this document. Use other side if necessary.

Notice to property owners/agent do NOT sign this document until you have read and signed "CONDITIONS GOVERNING THE USE OF OFFICIAL WAIVER OF THE MINIMUM TREATMENT STANDARDS FOR THE CONTROL OF SUBTERRANEAN TERMITES" on this document. These "conditions" must be considered part of this document. You must receive a copy of this report and supporting graph at time of signing or service.

Signature of Property Owner/Agent _____ **Date** _____

Revised 2024 - Replaces all previous editions

The Licensee shall return the Inspection and WDO Corrective Action Report to the Enforcement Agency within thirty (30) days of its receipt confirming to the Enforcement Agency that all reported deviations from the Minimum Adequate Treatment Standards have been corrected.

(2) The Enforcement Agency may require the licensee to retreat with an approved termiticide any structure(s) initially treated with a registered pesticide as a soil termiticide application, which it finds within five (5) years after the initial treatment was not treated in accordance with the Minimum Adequate Treatment Standard, which were in effect on the date of initial treatment, whether or not such structure has been under renewal contract by the licensee beyond the original treatment contract period. If, however, a structure has been under continuous contract for more than five (5) years after initial treatment, retreatment may be required by the Enforcement Agency should

inadequacies in the Minimum Adequate Treatment Standards be detected within two (2) years after the expiration date of such contract.

(3) On all termite control treatments involving monitoring with a non-pesticidal bait or a registered pesticidal bait, or with any other similar pesticide, when the pesticidal bait or other pesticide is contained in its own receptacle and is not applied directly to the structure or used as a soil termiticide application, the Enforcement Agency may require the licensee to correct any deviations from the Minimum Adequate Treatment Standards in effect on the date of initial treatment. Such requirements may be made at any time the Enforcement Agency finds such deviations within five (5) years of the initial treatment, or if the structure(s) has been under continuous contract for more than five (5) years, corrections may be required by the Enforcement Agency within two (2) years of the expiration date of the contract. It should be understood that correction of deviations apply only to the removal of cellulosic debris, wood to earth contact, and removal of accessible termite tunnels and does not apply to the reinstallation of monitoring or toxicant baits or other pesticide treatments which may have been removed as a condition of the initial contract.

(4) The Enforcement Agency may inspect, for regulatory purposes, any structure within five (5) years of the initial verifiable treatment, or if the structure(s) has been under continuous contract for more than five (5) years, within two (2) years of the expiration date of the contract. The Enforcement Agency may inspect, for regulatory purposes, any structure having an Official Georgia Wood Infestation Inspection Report issued within two (2) years of the issuance of the Report.

(5) Any structure under contract with a licensee found by either the licensee or the Enforcement Agency to have three or more separate areas of active infestation from subterranean termites within a five (5) year period shall receive a complete retreatment in accordance with the Minimum Adequate Treatment Standards.

(6) The Enforcement Agency may require the licensee to treat, consistent with the requirements of Rule 620-6-.04, any structure which it finds was not treated consistent with the requirements of Rule 620-6-.04 or any structure which it finds an active infestation covered under a current warranty contract for Wood Destroying Organisms Control.

Cite as Ga. Comp. R. & Regs. R. 620-6-.07

AUTHORITY: O.C.G.A. § 43-45-8**.**

HISTORY: Original Rule entitled "Correction of Deviations" adopted. F. Feb. 14, 1985; eff. Mar. 6, 1985.

Amended: F. Sept. 14, 1995; eff. Oct. 4, 1995.

Repealed: New Rule of same title adopted. F. June 4, 1997; eff. July 1, 1997, as specified by the Agency.

Amended: F. Oct. 3, 2000; eff. Nov. 1, 2000, as specified by the Agency.

Amended: F. Aug. 26, 2005; eff. Sept. 16, 2005, as specified by the Agency.

Amended: F. Mar. 11, 2014; eff. Mar. 31, 2014.

Amended: F. Aug 11, 2017; eff. Sept. 1, 2017, as specified by the Agency.

Amended: F. Mar. 19, 2026; eff. Apr. 8, 2026.

Department 620. RULES OF GEORGIA STRUCTURAL PEST CONTROL COMMISSION

Chapter 620-7. HOUSEHOLD PEST CONTROL

620-7-.02 General Requirements

(1) Only those pesticides registered with the Environmental Protection Agency and/or the Georgia Department of Agriculture shall be permitted for use in Household Pest Control.

(2) All pesticides shall be used consistent with all directions, instructions and precautions on their labeling.

(3) A Household Pest Control contract shall be issued on all household pest control jobs in accordance with requirements of the Fair Business Practices Act of 1975, and the rules of the Federal Trade Commission, 16 C.F.R. 429, including disclosure by the licensee of the three (3) day right of cancellation. The terms of any contract extension beyond the original terms shall be indicated on the contract. Every Household Pest Control Contract shall be signed by the property owner or the owner's agent prior to the performance of any control measures.

(4) Copies of all Household Pest Control contracts shall be maintained by the licensee during the contract period and for a period of two (2) years following the date of the expiration of the contract.

Cite as Ga. Comp. R. & Regs. R. 620-7-.02

AUTHORITY: O.C.G.A. § 43-45-8**,** 43-45-16**.**

HISTORY: Original Rule entitled "Contracts" adopted. F. and eff. June 30, 1965.

Repealed: New Rule of same title adopted. F. Oct. 25, 1966; eff. Nov. 13, 1966.

Amended: F. Dec. 31, 1970; eff. Jan. 20, 1971.

Amended: F. Apr. 21, 1971; eff. May 11, 1971.

Amended: F. Jan. 23, 1979; eff. Feb. 12, 1979.

Amended: F. Dec. 21, 1981; eff. Jan. 10, 1982.

Amended: F. July 1, 1982; eff. July 21, 1982.

Amended: F. Sept. 12, 1983; eff. Oct. 2, 1983.

Repealed: New Rule entitled "General Requirements" adopted. F. Feb. 14, 1985; eff. Mar. 6, 1985.

Amended: F. Oct. 20, 1994; eff. Jan. 1, 1995, as specified of the Agency.

Repealed: New Rule of same title adopted. F. June 4, 1997; eff. July 1, 1997, as specified by the Agency.

Amended: F. Oct. 3, 2000; eff. Nov. 1, 2000, as specified by the Agency.

Amended: F. Mar. 19, 2026; eff. Apr. 8, 2026.

Department 620. RULES OF GEORGIA STRUCTURAL PEST CONTROL COMMISSION

Chapter 620-9. CONTROL AND REMOVAL OF HONEYBEES FROM STRUCTURES

620-9-.01 Definitions

(1) Honey Bee Control and Removal-means the control and removal of an established colony of honey bees from a structure by a Certified Honey Bee Control and Removal Operator without the use of pesticides.

(2) Certified Honey Bee Control and Removal Operator-means a person who engages in the business of honey bee control and removal without the use of pesticides.

(3) Structure-means any building, regardless of design or type of material used in its construction, whether public or private, vacant or occupied, and adjacent outside areas.

(4) Cavity-means any area within elements of construction of a structure that provides honey bees space for residence.

(5) Established honey bee colony-means any colony of honey bees that has established a nest in a cavity within a structure.

(6) Free-hanging swarm-means a mass of honey bees which temporarily cluster on an object.

(7) Open air hive-means a honey bee colony nest whose removal does not require modification or alteration of the structure.

(8) Cut-out-means any act, process, or method of removing an established honey bee colony from within a cavity that involves alteration to the structure.

(9) Trap-out-means any act, process, or method of removing honey bees by restricting their reentry leading them to abandon the nest.

(10) Under the Direct Supervision of-means a competent person who engages in Honey Bee Control and Removal acting under the instructions and control of a Certified Honey Bee Control and Removal Operator that is present on site during the removal job.

(11) Reentry point - means an entry point to the cavity where the nest is located.

Cite as Ga. Comp. R. & Regs. R. 620-9-.01

AUTHORITY: O.C.G.A. § 43-45-8.

HISTORY: Original Rule entitled "Definition of Terms: Structural Pest Control" was filed and effective on June 30, 1965.

Amended: Rule repealed and a new Rule entitled "Definition of Terms: Fumigation" adopted. F. Oct 25, 1966; eff. Nov. 13, 1966.

Amended: Rule repealed. F. Feb. 14, 1985; eff. Mar. 4, 1985.

Adopted: New Rule entitled "Definitions." F. Apr. 26, 2021; eff. July 1, 2021, as specified by the Agency.

Amended: F. Mar. 19, 2026; eff. Apr. 8, 2026.

620-9-.02 General Requirements

(1) Control and removal of honey bees from a structure must be made consistent with the following:

(a) The use of any "pesticide" as defined in Rule 620-2-.01(z), to control, remove, or eliminate honey bees in, on, or under a structure shall be considered household pest control.

(b) The use of any "pesticide" as defined in Rule 620-2-.01(z), to control, remove, or eliminate honey bees in, on, or under a structure is prohibited unless the licensee holds a Household Pest Control license.

(c) "Honey bee control and removal" is limited to the control and removal of honey bees. The control, removal, or elimination of other types of bees requires a Household Pest Control license as defined in Rule 620-2-.01(s).

(2) A honey bee control and removal contract shall be issued on all honey bee control and removal jobs in accordance with requirements of the Fair Business Practices Act of 1975, and the rules of the Federal Trade Commission, 16 C.F.R. 429, including disclosure by the licensee of the three (3) day right of cancellation. The terms of any contract extension beyond the original terms shall be indicated on the contract. The contract shall include a description of scope of work including the type of honey bee removal. Every honey bee control and removal contract shall be signed by the property owner or the owner's agent prior to the performance of any control measures.

(3) A cut-out, or open-air hive in a structure, honey bee control and removal job must include the removal of the honey bees, wax comb, honey, brood and other associated material and debris from the structure, filling the cavity in addition to sealing all possible reentry points to the cavity to inhibit reinfestation.

(4) Every contract for a trap-out honey bee removal job type must contain the following statement, "This job will only remove honey bees. The wax comb, honey, brood and other associated material will remain in the structure and may result in reinfestation and secondary pest issues."

(5) Any person engaging in honey bee control and removal must be a Certified Honey Bee Control and Removal Operator and must hold a Structural Pest Control Company License in the Operational Category of Honey Bee Removal.

(6) Before being issued a Honey Bee Removal Operator certification, the applicant must provide the Commission with satisfactory evidence of his or her qualifications including the following:

(a) Completed application form;

(b) Eight (8) hours of classroom training approved by the Commission and presented by a currently Certified Honey Bee Control and Removal Operator or other person whom the Commission has determined to be competent to deliver training in the following areas:

1. State and Federal laws and regulations on Honey Bee Control.

2. Honey bee identification and types of live honey bee removals (cut-out, trap-out, and swarm removal) including basic removal techniques.

3. Determining if there is an established honey bee colony, and how to locate a colony living inside of a structure.

4. Proper cut-out removal techniques including basic construction knowledge, recommended tools, finding and caging the queen, preventing future infestations, saving comb and hiving the bees.

5. Trap-out techniques and negative consequences of leaving honeycomb, honey pollen and brood inside a structure.

6. Eradication vs. Relocation including common insecticides/pesticides applied to honey bees by homeowners and PCOs.

7. Potential safety and health hazards.

(c) Participation in a minimum of three (3) honey bee removal jobs.

(d) A score of at least (70) percent on a written examination covering the training; and

(e) Payment of an Operator Certification Fee.

(7) **Recertification:** Certified Honey Bee Control and Removal Operators shall complete one of the following requirements prior to expiration of the five (5) year certification period:

(a) Complete a Commission approved five (5) hours of training such as a workshop, seminar, short course or training program that cover new information and subject matter necessary to ensure continued competence on Honey Bee Removal; or

(b) Complete the eight (8) hours of initial training required under Rule 620-9-.02(6)(b) and pass a written examination.

Cite as Ga. Comp. R. & Regs. R. 620-9-.02

AUTHORITY: O.C.G.A. § 43-45-8.

HISTORY: Original Rule entitled "Precautions to be Exercised" was filed and effective on June 30, 1965.

Amended: Rule repealed and a new Rule entitled "Fumigation" adopted. F. Oct. 25, 1966; eff. Nov. 13, 1966.

Amended: F. Jan. 23, 1979; eff. Feb. 12, 1979.

Amended: Rule repealed. F. Feb. 14, 1985; eff. Mar. 6, 1985.

Adopted: New Rule entitled "General Requirements." F. Apr. 26, 2021; eff. July 1, 2021, as specified by the Agency.

Amended: F. Mar. 19, 2026; eff. Apr. 8, 2026.

620-9-.03 Exceptions

(1) Persons working under the direct supervision of a Certified Honey Bee Control and Removal Operator.

(2) Removal of free-hanging swarms.

Cite as Ga. Comp. R. & Regs. R. 620-9-.03

AUTHORITY: O.C.G.A. § 43-45-8.

HISTORY: Original Rule entitled "Exceptions" adopted. F. Apr. 26, 2021; eff. July 1, 2021, as specified by the Agency.

Amended: F. Mar. 19, 2026; eff. Apr. 8, 2026.