Georgia Rules and Regulations
Administrative Bulletin for June 2026

OFFICE OF SECRETARY OF STATE
ADMINISTRATIVE PROCEDURE DIVISION
5800 Jonesboro Road
Morrow, GA 30260
(404) 909-8909

Final rules filed with the Georgia Secretary of State during the month of *June 2026:*

Table of Contents

Department	Rules List	Action	Filed	Effective	Page
80. RULES OF DEPARTMENT OF BANKING AND FINANCE	80-1-1-.11	amended	Jun. 16	July 6, 2026	5
	80-1-8-.01	amended	Jun. 16	July 6, 2026	7
	80-2-12-.02	amended	Jun. 16	July 6, 2026	9
	80-3-1-.07	adopted	Jun. 16	July 6, 2026	12
	80-3-4-.01	amended	Jun. 16	July 6, 2026	14
	80-5-1-.02	amended	Jun. 16	July 6, 2026	18
	80-12-2-.10	amended	Jun. 16	July 6, 2026	22
	80-12-4-.07	amended	Jun. 16	July 6, 2026	23
	80-12-5-.05	amended	Jun. 16	July 6, 2026	24
	80-12-10-.01	amended	Jun. 16	July 6, 2026	26
	80-12-11-.02	amended	Jun. 16	July 6, 2026	27
	80-14-1-.02	amended	Jun. 16	July 6, 2026	29
	80-14-2-.02	amended	Jun. 16	July 6, 2026	30
	80-14-5-.01, 80-14-5-.04	amended	Jun. 16	July 6, 2026	33
	80-15-1-.02	amended	Jun. 16	July 6, 2026	37
82. DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES	82-10-1-.01 --- 82-10-1-.30	adopted	Jun. 29	July 19, 2026	39

Department	Rules List	Action	Filed	Effective	Page
111. RULES OF DEPARTMENT OF COMMUNITY HEALTH	111-8-47-.03, 111-8-47-.15	amended	Jun. 11	July 1, 2026	71
	111-8-56-.15, 111-8-56-.26	amended	Jun. 30	July 20, 2026	73
160. RULES OF GEORGIA DEPARTMENT OF EDUCATION	160-4-2-.49	adopted	Jun. 9	June 29, 2026	75
183. RULES OF STATE ELECTION BOARD	183-1-12-.02, 183-1-12-.11	amended	Jun. 29	July 19, 2026	81
391. RULES OF GEORGIA DEPARTMENT OF NATURAL RESOURCES	391-3-21-.09	amended	Jun. 25	June 25, 2026	86
	391-4-2-.60, 391-4-2-.66, 391-4-2-.67, 391-4-2-.72	amended	Jun. 25	July 15, 2026	89
505. PROFESSIONAL STANDARDS COMMISSION	505-2-.10	amended	Jun. 10	July 1, 2026	95
	505-3-.05	amended	Jun. 10	July 1, 2026	104
	505-3-.110, 505-3-.114	adopted	Jun. 10	July 1, 2026	112
671. GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY	671-1-.02	amended	Jun. 25	July 15, 2026	119
	671-2-.02	amended	Jun. 25	July 15, 2026	120
	671-3-.05, 671-3-.06, 671-3-.08, 671-3-.10, 671-3-.12	amended	Jun. 25	July 15, 2026	121
	671-4-.02	amended	Jun. 25	July 15, 2026	128
	671-6-.02	amended	Jun. 25	July 15, 2026	129

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

Department	Rules List	Action	Filed	Effective
82. DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES	82-14-1-.01 --- 82-14-1-.14	adopted	May 15, 2026	Jun. 4
111. RULES OF DEPARTMENT OF COMMUNITY HEALTH	111-3-11-.01	amended	May 14, 2026	Jun. 3
160. RULES OF GEORGIA DEPARTMENT OF EDUCATION	160-4-2-.49	adopted	June 9, 2026	Jun. 29
250. RULES OF GEORGIA STATE BOARD OF FUNERAL SERVICE	250-1-.04	amended	May 21, 2026	Jun. 10
	250-4-.03, 250-4-.04	amended	May 21, 2026	Jun. 10
	250-5-.10 --- 250-5-.12	amended	May 21, 2026	Jun. 10
	250-6-.01, 250-6-.02, 250-6-.05, 250-6-.06, 250-6-.08, 250-6-.09	amended	May 21, 2026	Jun. 10
	250-6-.10	adopted	May 21, 2026	Jun. 10
375. RULES OF DEPARTMENT OF DRIVER SERVICES	375-3-1-.07, 375-3-1-.23	amended	May 28, 2026	Jun. 17
391. RULES OF GEORGIA DEPARTMENT OF NATURAL RESOURCES	391-3-1-.02, 391-3-1-.03	amended	May 20, 2026	Jun. 9
	391-3-21-.09	amended	June 25, 2026	Jun. 25
560. RULES OF DEPARTMENT OF REVENUE	560-1-2-.01, 560-1-2-.02	amended	May 22, 2026	Jun. 11
	560-6-3-.01	amended	May 22, 2026	Jun. 11
	560-7-4-.01	amended	May 22, 2026	Jun. 11
	560-7-8-.34	amended	May 22, 2026	Jun. 11
	560-12-2-.03, 560-12-2-.20, 560-12-2-.62, 560-12-2-.64, 560-12-2-.107	amended	May 22, 2026	Jun. 11
	560-12-2-.109	repealed	May 22, 2026	Jun. 11
700. RULES OF GEORGIA STATE BOARD OF VETERINARY MEDICINE	700-2-.02	amended	May 18, 2026	Jun. 7
	700-6-.01	amended	May 14, 2026	Jun. 3

Department	Rules List	Action	Filed	Effective
	700-7-.03, 700-7-.04	amended	May 14, 2026	Jun. 3
	700-8-.01	amended	May 18, 2026	Jun. 7

Department 80. RULES OF DEPARTMENT OF BANKING AND FINANCE

Chapter 80-1. BANKS

Subject 80-1-1. APPLICATIONS, REGISTRATIONS AND NOTIFICATIONS

80-1-1-.11 Acquisition of Voting Control of Large Financial Institutions

(1) Notice and approval to acquire voting control of a large state chartered financial institution. No person shall (a) acquire voting control of any large financial institution or (b) initiate or actively propose in opposition to the board of directors of the large financial institution any corporate action by a large financial institution, in each case without the prior approval of the Department, pursuant to the notice and approval procedures set forth in Part 10 of Title 7. The person shall provide a certification to the Department, along with a copy of the actual notification to the affected large financial institution, that it has filed an application with the Department under this Section. No application for acquisition of voting control of a large financial institution shall be considered complete until such certification and copy of the required notification are filed and accepted by the Department.

(2) Exceptions.

(a) Any person who acquires voting control of a large financial institution solely for the purpose of investment shall not be subject to the requirement set forth in subsection (1)(a) of this Rule 80-1-1-.11.

(b) Any person who acquired voting control of a large financial institution prior to November 19, 2007, shall not be subject to the requirement set forth in subsection (1)(a) of this Rule 80-1-1-.11, although subsection (1)(a) shall apply to any subsequent acquisition of voting securities of such large financial institution by such person.

(c) Any person who is (i) registered as an "investment company" under the Investment Company Act of 1940 and (ii) eligible to report its holdings on a Schedule 13G under Rule 13d-1(c) promulgated under the Securities Exchange Act of 1934 shall not be subject to the requirement set forth in subsection (1) of this Rule 80-1-1-.11.

(d) Any person who has voting control of less than one percent of a large financial institution shall not be subject to the requirement set forth in subsection (1)(b) of this Rule 80-1-1-.11.

(3) Definitions.

(a) Acting in concert. For purposes of this Rule 80-1-1-.11, acting in concert may include, without limitation, any of the following:

1. knowing participation in a joint activity or interdependent conscious parallel action towards a common goal whether or not pursuant to an express agreement; or

2. a combination or pooling of voting or other interests in the securities for a common purpose pursuant to any contract, understanding, relationship, agreement or other arrangement, whether written or otherwise.

A person or company which acts in concert with another person or company ("other party") shall also be deemed to be acting in concert with any person or company who is also acting in concert with that other party, except that any tax-qualified employee stock benefit plan as defined in 12 CFR 192.25 will not be deemed to be acting in concert with its trustee or a person who serves in a similar capacity solely for the purpose of determining whether stock held by the trustee and stock held by the plan will be aggregated.

(b) Corporate action. For purposes of this Rule 80-1-1-.11, corporate action may include, without limitation, any of the following:

1. an extraordinary corporate transaction, such as a merger, reorganization or liquidation involving a large financial institution or any of its subsidiaries;

2. a sale or transfer of a material amount of assets of a large financial institution or any of its subsidiaries;

3. any change in the present board of directors or management of a large financial institution, including any plan or proposal to change the number or term of directors or to fill any existing vacancies on the board;

4. any material change in the present capitalization or dividend policy of a large financial institution;

5. any other material change to a large financial institution's business or corporate structure;

6. changes in a large financial institution's charter, bylaws or other instruments or other actions which may impede or facilitate the acquisition of control of a large financial institution by any person;

7. causing a class of securities of a large financial institution to be delisted from a national securities exchange or to cease to be authorized to be quoted in an inter-dealer quotation system of a registered national securities association;

8. a class of equity securities of a large financial institution becoming eligible for termination of registration pursuant to Section 12(g)(4) of the Securities Act of 1933; and

9. any action similar to any of those enumerated above.

(c) Large financial institution. A state-chartered financial institution or bank holding company having consolidated assets in excess of $ 5 billion in the aggregate, as determined as of the end of the most recent fiscal quarter of the financial institution or bank holding company, as applicable, and set forth in its most recent quarter end financial statements filed pursuant to the Securities Exchange Act of 1934.

(d) Person. An individual or a corporation, partnership, limited liability company, trust, association, joint venture, pool, syndicate, sole proprietorship, unincorporated organization, or any other form of entity not specifically listed in this paragraph.

(e) Solely for the purpose of investment. Held by the acquirer with no intention of participating in the formulation, determination or direction of the basic business decisions of the financial institution. Any person holding shares of a financial institution in a fiduciary capacity shall be deemed to hold such shares solely for the purpose of investment unless such person is acting in concert with a person other than its beneficiary. Any person exercising voting control in connection with a proposal of corporate action shall not be deemed to have acquired voting control solely for the purpose of investment intent.

(f) Voting control. The power of any person, acting directly or indirectly or acting in concert with one or more persons, to exercise the voting rights of five percent or more of any class of voting securities whether or not such voting rights are exercised by the shareholder with the rights to dispose of the shares giving rise to such voting rights. A person shall be deemed to have the power to vote securities that it has the right to acquire in the future.

Cite as Ga. Comp. R. & Regs. R. 80-1-1-.11

AUTHORITY: O.C.G.A. § 7-1-61.

HISTORY: Original Rule entitled "Acquisition of Voting Control of Large Financial Institutions" adopted. F. Nov. 20, 2007; eff. Dec. 10, 2007.

Amended: F. June 16, 2026; eff. July 6, 2026.

Department 80. RULES OF DEPARTMENT OF BANKING AND FINANCE

Chapter 80-1. BANKS

Subject 80-1-8. DORMANT ACCOUNTS

80-1-8-.01 Dormant Accounts: Service Charges

(1) Dormant accounts are hereby defined as follows:

(a) Demand Deposit Accounts are deemed to be dormant when the depositor, which for the purposes of this rule shall include a member in the case of credit unions and a shareholder in the case of savings and loan associations, has neither increased or decreased the amount of the deposit nor corresponded with the financial institution regarding the deposit for a period of not less than twelve months immediately preceding the determination.

(b) Time and Savings Deposits, including Certificates of Deposit, are deemed to be dormant when the depositor has neither increased or decreased the amount of the deposit or shares nor corresponded with the financial institution regarding the deposit or shares for a period of not less than five (5) years from the date upon which the deposit or share first became eligible for withdrawal.

(c) Certified and Official Checks shall be deemed to be dormant when they have not been presented for payment within two (2) years of the date of issue, or if the issuing financial institution has not had correspondence with the registered owner of the check for a period of two (2) years immediately preceding the determination of dormancy.

(d) For purposes of this regulation, the term, "Demand Deposit Accounts," shall include share draft accounts in the case of credit unions, as well as any "Time" or "Savings" account which by its terms is due and payable, either in whole or in part, within less than ninety days or upon less than ninety days notice by the depositor.

(e) For purposes of this regulation, the term "corresponded" or "correspondence" includes, but is not limited to:

1. any communication, indication of interest, or relationship set forth in O.C.G.A. § 44-12-197(a) (2)-(5); or

2. a depositor accessing an online account.

(2) Where the signature card or other evidence of the financial institution's contractual obligation relative to a deposit account does not make provision for maintenance or service charge on a dormant account as heretofore described, such a charge may be assessed in an amount not to exceed $5.00 per month. Service charges or maintenance charges assessed pursuant to contractual authority governing the account shall not exceed the greater of $5.00 per month or the per month service charge which the financial institution otherwise assesses against active accounts. Such service charge or maintenance charge may only be assessed after the account has been dormant for at least twelve months. No service charge or maintenance charge may be assessed for the dormancy period beyond the first twelve months in which the service charge or maintenance charge is first assessed. No service charge or maintenance charge may be assessed unless the financial institution provides written notice prior to the initial imposition of the charges pursuant to O.C.G.A. § 44-12-197(c)(1). Dormant account service charge or maintenance charge may be charged against the account at any time prior to escheat of the account balance under the provisions of the Disposition of Unclaimed Properties Act so long as the total service charge or maintenance charge does not exceed the amount which could have been assessed during the first twelve months of dormancy pursuant to the governing contract between the parties or this regulation.

Cite as Ga. Comp. R. & Regs. R. 80-1-8-.01

AUTHORITY: O.C.G.A. § 7-1-61**.**

HISTORY: Original Rule entitled "Dormant Bank Accounts" adopted. F. Apr. 21, 1966; eff. May 10, 1966.

Repealed: New Rule entitled "Dormant Accounts: Service Charges" adopted. F. June 9, 1972; eff. January 1, 1973, as specified by the Agency.

Amended: Authority changed. F. Aug. 28, 1975; eff. Sept. 17, 1975.

Amended: F. July 13, 1981; eff. August 2, 1981.

Amended: F. June 28, 1984; eff. August 1, 1984, as specified by the Agency.

Amended: F. July 28, 2003; eff. August 17, 2003.

Amended: F. Jan. 8, 2021; eff. Jan. 28, 2021.

Amended: F. June 16, 2026; eff. July 6, 2026.

Department 80. RULES OF DEPARTMENT OF BANKING AND FINANCE

Chapter 80-2. CREDIT UNIONS

Subject 80-2-12. CREDIT UNION LOANS

80-2-12-.02 Real Estate Loans

(1) A real estate loan shall be any loan secured by real estate where the credit union relies upon such real estate as the primary security for the loan. If the proceeds of the loan are used for the purchase of the real estate pledged, the loan will be presumed to be a real estate loan. Where the credit union relies substantially upon other factors, such as the general credit standing of the borrower, guaranties, or security other than real estate, the loan does not constitute a real estate loan, although as a matter of prudent underwriting it may also be secured by real estate, provided:

(a) Current credit information on the borrower and/or the guarantors is maintained to sufficiently show the credit worthiness of the borrower or guarantors is adequate to support the debt; and

(b) The other collateral is properly pledged to the credit union, protected by adequate hazard insurance, and supported by a statement of appraised or estimated value.

(2) A loan may be secured by a first lien although subordinate to another lien if:

(a) The credit union takes obligations of the borrower in an amount equal to the debt outstanding on the prior mortgage obligation plus the amount secured by such credit union's lien; and

(b) The credit union may at any time effect payment of the prior lien. In such case the credit union may require the borrower to make all mortgage payments to such credit union, with that credit union servicing the prior lien from such payments, provided that:

1. Where such "wrap around" arrangements are made, the credit union will obtain a statement from the borrower and the holder of the first lien that no further advances will be made to the borrower by the first lien holder and subject to its lien without the prior consent of the credit union, and that

2. The credit union may repay the first lien at its option with no penalty or a stated prepayment penalty.

(3) Conditions common to all real estate loans as to legal requirements and technical aspects shall be met, including but not limited to evidence of title search, recordation, an independent written appraisal or, in the alternative, a written estimate of market value in conformity with 12 CFR Part 722 (hereinafter "estimate"), and adequate insurance protection upon the insurable improvements with loss payable clause to the credit union. The lack of the foregoing technical requirements, while causing the loan to be technically defective, shall not be cause to consider the loan as nonconforming and in violation of law unless the total aggregate borrowings by the borrower exceed the unsecured lending limits of O.C.G.A. § 7-1-658, in which case the real estate collateral will not contribute to the "ample security" of the line.

(4) Nonamortized commercial real estate loans shall not exceed seventy-five percent (75%) of the fair market value of the property pledged. Exemptions from this loan to value ratio for first liens are as follows:

(a) Loans to the extent secured in whole or in part by guarantees or commitments to take over, insure, participate in, or purchase the same, made by any governmental agency of the United States or entities sponsored by the United States, including corporations wholly owned either directly or indirectly by the United States.

(b) Loans which are fully guaranteed or insured by this State or by a State Authority.

(c) Commercial loans made for operating funds, working capital, or similar purposes, (other than the purchase of, investment in, or development of real estate) predicated upon the credit standing of the borrower or endorser, guarantor or co-maker, or other such security, but on which real estate collateral (including second mortgages) is taken as precautionary measure against possible contingencies may be exempt from the restrictions and limitations imposed upon real estate loans, provided such loans are supported (in addition to adequate credit information and/or collateral documents) by a general purpose statement signed by the borrower or by a credit memorandum signed by a loan officer, stating the purpose for which the loan is made and sufficient to indicate the exemption is valid.

(d) Loans representing the sale by the credit union of other real estate acquired for debts previously contracted shall be exempt from the limitations as to property values and membership requirements exempted by O.C.G.A. § 7-1-650(9), but shall be subject to all other requirements of this regulation, provided that the amount so financed shall not be for a greater sum than the credit union's investments in such property.

(e) Loans which, when made, were either unsecured or secured by personalty, but which are now secured in whole or in part by liens on real estate taken in order to prevent loss on a debt previously contracted.

(5) All construction and development loans made or held by a credit union shall be exempt from the state loan to value and maturity limitations of this rule when made to comply with the following conditions:

(a) Loans having maturities not to exceed sixty (60) months may be made to finance the construction of industrial or commercial buildings where there is a valid and binding agreement entered into by a financially responsible lender to advance the full amount of the credit union's loan upon completion of the buildings.

(b) Loans having maturities not to exceed twenty-four (24) months may be made for residential construction or development purposes where the credit union holds a firm (or conditional) commitment to guarantee or insure from any instrumentality or corporation wholly-owned by the United States or by any Authority of this State as indicated in Rule 80-2-12-.02(4)(a) and (b) of this Rule, or where there is a take-out agreement by any financially responsible lender to advance the full amount of the credit union's loan upon completion of the dwelling.

(c) Temporary construction or development loans may be made by a credit union for a period not to exceed sixty (60) months where the loan is made to finance the construction of residential development which will exceed nine (9) units or industrial or commercial buildings, or for a period not to exceed twenty-four (24) months where the loan is made to finance construction of nine (9) or less residential units or farm buildings or to improve and develop land preliminary to such construction, without a prior commitment to guarantee or insure or take-out agreement by an instrumentality or corporation wholly-owned by the United States or of this State or any other financially responsible lending agency. The parties must actually intend the loan to be paid off or refinanced by a purchaser within the specified maturities and the lots, when development is residential, must be released periodically during the development of land for such purposes, and pro rata reductions must be made in the principal of the debt. All such temporary construction and development loans must be supported by a statement of purpose or intent, and if held beyond the construction or development periods, must be made to conform to the seventy-five percent (75%) and ninety-five percent (95%) limitations; otherwise, they will be held to be nonconforming real estate loans. For purposes of this Rule, 75% and 95% limitations are defined as loans for not more than 75% of the fair market value of the real estate in the case of a single maturity loan, or for not more than 95% of the fair market value of the real estate in the case of loans that must be regularly amortized.

(d) Commitments to guarantee, insure or purchase must be currently valid, and maturities of the loans may not be extended or loans held beyond the periods stipulated above.

(6) Except as otherwise provided in law or regulations, credit unions may not acquire directly or indirectly an ownership interest in real estate without the prior written approval of the Department.

Cite as Ga. Comp. R. & Regs. R. 80-2-12-.02

AUTHORITY: O.C.G.A. §§ 7-1-61**,** 7-1-262**.**

HISTORY: Original Rule entitled "Real Estate Loans" adopted. F. Aug. 15, 2007; eff. Sept. 4, 2007.

Amended: F. June 27, 2018; eff. July 17, 2018.

Amended: F. July 7, 2022; eff. July 27, 2022.

Amended: F. July 7, 2023; eff. July 27, 2023.

Amended: F. July 12, 2024; eff. Aug. 1, 2024.

Amended: F. June 16, 2026; eff. July 6, 2026.

Department 80. RULES OF DEPARTMENT OF BANKING AND FINANCE

Chapter 80-3. MONEY TRANSMISSION

Subject 80-3-1. DISCLOSURES, LOCATIONS, AUTHORIZED AGENTS, AND CUSTOMER INFORMATION

80-3-1-.07 Virtual Currency Kiosks

(1) Location Reporting: Virtual currency kiosk operators shall submit to the Department on a quarterly basis a report containing location information of each operators' virtual currency kiosks as required by O.C.G.A. § 7-1-699.10(9). Such report shall include:

(a) The street address where each virtual currency kiosk is located;

(b) The name of the business as displayed to the public at the location of each virtual currency kiosk;

(c) The name of the business the operator contracted with to place each virtual currency kiosk at the location; and

(d) The owner of each virtual currency kiosk, if different from the operator.

Such report shall be in a form as prescribed by the Department and must be uploaded to NMLS under "Document Uploads" as the "Georgia VC Kiosk Location Report" for the applicable quarter. Such report must be filed no later than forty-five (45) days after the end of each calendar quarter.

(2) Refunds: Virtual currency kiosk operators shall provide refunds as required by O.C.G.A. § 7-1-699.9. Refunds shall be provided to the consumer in fiat currency. The operator may provide options to the consumer on how to receive the refund, which shall include, at a minimum, electronic or wire transfers and paper check.

(3) Blockchain Analysis: Virtual currency kiosk operators must have a contractual relationship with an existing third party blockchain analysis firm. Such relationship must include, at a minimum, a preemptive analysis to identify and prevent high risk and sanctioned virtual currency wallets from being used at virtual currency kiosks. Such relationships shall comply with the requirements of Rule 80-3-1-.06.

(4) Policies and Procedures: Virtual currency kiosk operators must include a risk based method of monitoring customers that transact at the operator's virtual currency kiosks on a post-transaction basis to determine compliance with applicable federal and state law. Such policies and procedures shall be tested by the operator at the time of implementation and must be updated and modified as required to ensure that the policies remain effective.

Cite as Ga. Comp. R. & Regs. R. 80-3-1-.07

AUTHORITY: O.C.G.A. §§ 7-1-61**,** 7-1-690**.**

HISTORY: Original Rule entitled "Administrative Fines and Penalties" adopted. F. July 28, 2003; eff. August 17, 2003.

Amended: F. Sept. 1, 2004; eff. Sept. 21, 2004.

Amended: F. Aug. 15, 2005; eff. Sept. 4, 2005.

Amended: F. Aug. 22, 2006; eff. Sept. 11, 2006.

Amended: F. Aug. 15, 2007; eff. Sept. 4, 2007.

Amended: F. Aug. 4, 2008; eff. Aug. 24, 2008.

Amended: F. Nov. 2, 2010; eff. Nov. 22, 2010.

Amended: F. Nov. 7, 2013; eff. Nov. 27, 2013.

Amended: F. Jun. 10, 2014; eff. Jun. 30, 2014.

Amended: F. Jan. 6, 2016; eff. Jan. 26, 2016.

Note: Correction of non-substantive typographical error, duplicate entry of "**Amended:** F. Jan. 6, 2016; eff. Jan. 26, 2016." deleted from History. Effective Mar. 8, 2016.

Amended: F. June 29, 2017; eff. July 19, 2017.

Amended: F. June 27, 2018; eff. July 17, 2018.

Amended: F. Jan. 8, 2021; eff. Jan. 28, 2021.

Amended: F. July 7, 2021; eff. July 27, 2021.

Repealed: F. Dec. 16, 2021; eff. Jan. 5, 2022.

Adopted: New Rule entitled "Virtual Currency Kiosks" adopted. F. June 16, 2026; eff. July 6, 2026.

Department 80. RULES OF DEPARTMENT OF BANKING AND FINANCE

Chapter 80-3. MONEY TRANSMISSION

Subject 80-3-4. ADMINISTRATIVE FINES AND PENALTIES

80-3-4-.01 Administrative Fines

(1) Except as otherwise indicated, these fines and penalties apply to any person, partnership, association, corporation, or any other group of individuals, however organized, that is required to be licensed under Article 4 of Chapter 1 of Title 7. The Department, at its sole discretion, may waive or modify a fine based upon the financial resources of the person, gravity of the violation, history of previous violations, and such other facts and circumstances deemed appropriate by the department.

(2) All fines levied by the Department are due within thirty (30) days from the date of assessment and must be paid prior to renewal of the annual license, reapplication for a license, or any other activity requiring Departmental approval.

(3) In addition to any fines levied by the Department, the recipient of the fine may be subject to additional administrative actions for the same underlying activity.

(4) The Department establishes the following fines and penalties for violation of the laws and rules governing money transmitters.

(a) Books and Records. If the Department, in the course of an examination or investigation, finds that a licensee has failed to maintain its books and records according to the requirements of O.C.G.A. § 7-1-689 and Rules 80-3-1-.03, 80-3-1-.01(3), 80-3-2-.01, 80-3-1-.02(2), 80-3-3-.01, or 80-3-3-.02, such licensee shall be subject to a fine of one thousand dollars ($1,000) for each books and records violation listed in Rule 80-3-1-.03, 80-3-1-.01(3), 80-3-2-.01, 80-3-1-.02(2), 80-3-3-.01, or 80-3-3-.02.

(b) Operating Without Proper License. Any person who acts as a money transmitter prior to receiving a current license required under O.C.G.A. Article 4 of Chapter 1 of Title 7, or who acquires a money transmission business without its own license, or during the time a suspension, revocation or applicable cease and desist order is in effect, shall be subject to a fine of one thousand dollars ($1,000) per day.

(c) Felons. Any licensee that hires or retains a covered employee who is a felon as described in O.C.G.A. § 7-1-684(c), when such covered employee has not complied with the remedies provided for in O.C.G.A. § 7-1-684(c), for each conviction before such employment, shall be subject to a fine of five thousand dollars ($5,000) for each such covered employee.

(d) Locations and Authorized Agents. Any licensee that does not give timely notice to the Department of new locations or agents beyond those previously reported as required in O.C.G.A. § 7-1-686(d) and Rules 80-3-1-.03(2), and 80-3-1-.01(3), shall be subject to a fine of five hundred dollars ($500) for each location or agent not reported.

(e) Background Checks on Employees. Any licensee that does not obtain a criminal background check on each covered employee prior to the initial date of hire, retention, or transition of an existing employee to a covered employee as set forth in Rule 80-3-5-.04(1), shall be subject to a fine of one thousand dollars ($1,000) per occurrence. Proof of the required criminal background check must be retained by the licensee until five years after termination of employment by the licensee. Notwithstanding compliance with this requirement to perform a criminal background check prior to employment, failure to maintain criminal background checks as required will result in a

fine of one thousand dollars ($1,000) for each covered employee for which the licensee is missing this documentation.

(f) Authorized Agents. Any licensee that does not give notice of an authorized agent whose agency certificate has been revoked, suspended, cancelled, terminated, or voluntarily closed by the licensee as required by Rule 80-3-1-.03(2), shall be subject to a fine of five thousand dollars ($5,000) for each authorized agent revocation, suspension, cancellation, termination, or voluntary closure not reported in writing to the Department.

(g) Failure to Provide Receipt. In the event a licensee or its authorized agent does not provide the customer with a written receipt or other evidence of acceptance as required in Rule 80-3-1-.02(2), it shall be subject to a fine of one thousand dollars ($1,000) per transaction where the receipt was not provided.

(h) Failure to Notify or Obtain Approval from the Department of Change in Ownership, Change in Control, or Designation of Executive Officer. Any licensee or other person who fails to obtain the Department's prior approval of a change in ultimate equitable ownership through acquisition or other change in control or change in executive officer resulting from such change in ownership or change in control of the licensee in compliance with O.C.G.A. § 7-1-688 and Rule 80-3-2-.04, shall be subject to a fine of one thousand dollars ($1,000). Any licensee or other person who fails to timely notify the Department of a change in control not requiring approval in compliance with O.C.G.A. § 7-1-687, shall be subject to a fine of one thousand dollars ($1,000). Any licensee or other person who fails to timely notify the Department of a change in executive officer not resulting from a change in control or ownership in compliance with O.C.G.A. § 7-1-687, shall be subject to a fine of one thousand dollars ($1,000).

(i) Other Business Activities. Any licensee found to have violated any law of this state by conducting any other business that is not lawful in conjunction with money transmission, shall be subject to a fine of five thousand dollars ($5,000).

(j) Failure to File Timely or Accurate Call Reports. Any licensee who fails to file a timely Call Report as required through the Nationwide Multistate Licensing System and Registry within the designated time period or fails to file an accurate Call Report shall be subject to a fine of one thousand dollars ($1,000) per occurrence.

(k) Failure to Submit to Exam. The penalty for the refusal of a licensee to permit the Department to conduct an investigation or examination of its books, accounts, and records (after a reasonable request by the Department), shall be a five thousand dollars ($5,000) fine. Refusal shall require at least two attempts by the Department to schedule an examination or investigation.

(l) Consumer Complaints. Any licensee who fails to respond to a written consumer complaint or fails to respond to the Department regarding a consumer complaint, within the time periods specified in the Department's correspondence to such licensee, shall be subject to a fine of one thousand dollars ($1,000) for each occurrence.

(m) Bank Secrecy Act. If the Department, in the course of an examination or investigation, finds that a licensee has failed to comply with the Currency and Foreign Transactions Reporting Act of 1970 and its related regulations, including those set forth at 31 CFR Chapter X (together, the "Bank Secrecy Act") or the requirements referred to in Rules 80-3-6-.01, 80-3-6-.02, and 80-3-6-.03, such licensee shall be subject to a fine of one thousand dollars ($1,000) for each instance of non-compliance.

(n) Failure to Timely Disclose Change in Affiliation of Natural Person that Executed Lawful Presence Affidavit and Submission of New Affidavit. Any licensed money transmitter that fails to disclose that the owner or executive officer that executed the lawful presence affidavit is no longer in that position with the licensee within ten (10) business days of the date of the event necessitating the disclosure, shall be subject to a fine of one thousand dollars ($1,000). Any licensed money transmitter that fails to submit a new lawful presence affidavit from a current owner or executive officer within ten (10) business days of the owner or executive officer that executed the previous lawful presence affidavit no longer being in that position with the licensee, shall be subject to a fine of one thousand dollars ($1,000) per day until the new affidavit is provided.

(o) Failure to Timely Update Information on the Nationwide Multistate Licensing System and Registry. Any licensee that fails to update its information on the Nationwide Multistate Licensing System and Registry

("NMLSR"), including, but not limited to, amendments to any response to disclosure questions, within ten (10) business days of the date of the event necessitating the change, shall be subject to a fine of one thousand dollars ($1,000) per occurrence. In addition, the failure of a control person of a licensee to update the individual's information on the NMLSR, including, but not limited to, amendments to any response to disclosure questions by the control person, within ten (10) business days of the date of the event necessitating the change, shall subject the licensee to a fine of one thousand dollars ($1,000) per occurrence.

(p) Failure to Post Required License. Any licensee that fails to post a copy of its license in any physical location in this state where money transmission is conducted shall be subject to a fine of five hundred dollars ($500) for each instance of non-compliance.

(q) Prohibited Acts. Any licensee or other person who violates the provisions of O.C.G.A. §§ 7-1-691 and 7-1-692, shall be subject to a fine of one thousand dollars ($1,000) per violation or transaction that is in violation.

(r) Unauthorized Access to Customer Information. Any licensee that fails to provide the Department with notice of unauthorized access to customer information as required by Rule 80-3-1-.04, shall be subject to a fine of one thousand dollars ($1,000) a day until the notice is provided.

(s) Failure to Timely Increase the Amount of the Surety Bond. Any licensee that fails to increase the amount of the applicable surety bond when its average daily money transmission liability, as required by Rule 80-3-2-.03, exceeds the face amount of the surety bond by ten percent (10%) or more shall be subject to a fine of one thousand dollars ($1,000) per occurrence.

(t) Failure to Provide Refund. Any licensee that fails to provide the customer with a refund as required by O.C.G.A. § 7-1-691(6), within ten (10) days of a written request shall be subject to a fine of one hundred dollars ($100) per transaction where a refund was not timely provided.

(u) Failure to Notify Authorized Agents of Termination of License. Any licensee that fails to timely provide documentation to the Department that the licensee has notified its authorized agents of the suspension, revocation, surrender, or expiration of the licensee's license as required by O.C.G.A. § 7-1-683.1(d), shall be subject to a fine of five thousand dollars ($5,000).

(v) Money Transmission Service Provider Contracts. A licensee that fails to enter into a contract for material services where required or enters into a contract with a material service provider but fails to obtain the information required by Rule 80-3-1-.06 shall be subject to a fine of one thousand dollars ($1,000) per day.

(w) Failure to maintain tangible net worth. A licensee that fails to satisfy the net worth requirement in O.C.G.A. § 7-1-683.2, shall be subject to a fine of one thousand dollars ($1,000) per day that the net worth is not compliant with O.C.G.A. § 7-1-683.2.

(x) Virtual currency kiosk operators:

1. Failure to provide required disclosures. A virtual currency kiosk operator that fails to provide the disclosures required by O.C.G.A. §§ 7-1-699.1, 7-1-699.2, or 7-1-699.3, the updated disclosures required by O.C.G.A. § 7-1-699.4, or obtain the acknowledgment of the disclosures required by O.C.G.A. § 7-1-699.5, shall be subject to a fine of one thousand dollars ($1,000) per occurrence. However, a virtual currency kiosk operator licensee shall not be subject to such fine for providing additional disclosures to consumers.

2. Failure to provide a receipt: A virtual currency kiosk operator that fails to provide the receipt required by O.C.G.A. § 7-1-699.6, shall be subject to a fine of one thousand dollars ($1,000) per occurrence.

3. Fees: A virtual currency kiosk operator that collects or obtains fees, commissions, spreads, or any other charges related to a transaction initiated at a virtual currency kiosk that total more than 18% of the amount of the fiat currency exchanged or transmitted, as provided by O.C.G.A. § 7-1-699.7 shall be subject to a fine of five thousand dollars ($5,000) for each transaction the fee, commission, spread, or other charge was collected on.

4. Maximum Daily Transaction Limit: A virtual currency kiosk operator that fails to prevent consumers from transacting over the maximum daily transaction limit, as provided by O.C.G.A. § 7-1-699.8, shall be subject to a fine of ten thousand dollars ($10,000) for each occurrence.

5. Refunds: A virtual currency kiosk operator that fails to provide a refund where required under O.C.G.A. § 7-1-699.9 shall be subject to a fine of five thousand dollars ($5,000) for each occurrence.

6. General operations requirements: A virtual currency kiosk operator that fails to comply with the requirements of O.C.G.A. § 7-1-699.10, shall be subject to a fine of one thousand dollars ($1,000) per occurrence of non-compliance.

Cite as Ga. Comp. R. & Regs. R. 80-3-4-.01

AUTHORITY: O.C.G.A. §§ 7-1-61**,** 7-1-690**,** 7-1-694**.**

HISTORY: Original Rule entitled "Administrative Fines" adopted. F. Dec. 16, 2021; eff. Jan. 5, 2022.

Amended: F. July 7, 2022; eff. July 27, 2022.

Amended: F. July 7, 2023; eff. July 27, 2023.

Amended: F. June 18, 2025; eff. July 8, 2025.

Amended: F. June 16, 2026; eff. July 6, 2026.

Department 80. RULES OF DEPARTMENT OF BANKING AND FINANCE

Chapter 80-5. FINANCIAL INSTITUTIONS

Subject 80-5-1. SUPERVISION, EXAMINATION, REGISTRATION AND INVESTIGATION FEES AND ADMINISTRATIVE LATE FEES

80-5-1-.02 License and Supervision Fees for Check Cashers, Money Transmitters, Representative Offices, Mortgage Lenders, Mortgage Brokers, Mortgage Loan Originators, Installment Lenders, and Litigation Financiers; Due Dates

(1) Money transmitters.

(a) The annual license fee is one thousand nine hundred dollars ($1,900) for money transmitters.

(b) The annual renewal license fee is one thousand nine hundred dollars ($1,900) money transmitters and shall be due and must be received by the Department on or before the first day of December of each year. A licensee whose renewal application and annual license renewal fee is not received by the Department on or before December 1 may be assessed a late fine of three hundred dollars ($300) and cannot be assured of renewal of its license prior to January 1.

(c) An additional non-refundable application investigation fee of two hundred fifty dollars ($250) will be assessed.

(d) Applicants for Department approval of a change in ownership, change in control, or change in executive officer as set forth in O.C.G.A. § 7-1-688 shall pay a nonrefundable investigation, application, and processing fee of five hundred dollars ($500).

(2) Check Cashers.

(a) The annual license fee is three hundred dollars ($300).

(b) The annual renewal license fee is three hundred dollars ($300).

(c) An initial investigation and supervision fee shall be five hundred fifty dollars ($550) for the first year. It is not refundable, but if the license is granted it shall satisfy the annual fee for the first license period.

(d) Initial and renewal license fees shall also include an additional thirty dollars ($30) for the second and each additional location, plus a fee in an amount as directed by the Department to cover the cost of the required number of fingerprints for each individual background check.

(e) Annual renewal license fees shall be due and must be received by the Department on or before the first day of December of each year. A licensee whose renewal application and annual renewal license fee is not received by the Department on or before the first day of December of each year may be assessed a late fine of three hundred dollars ($300) and cannot be assured of renewal of its license prior to January 1.

(f) Applicants for Department approval of a change in ownership, change in control, or change in executive officer as set forth in O.C.G.A. § 7-1-705.1 shall pay a nonrefundable investigation, application, and processing fee of five hundred dollars ($500).

(3) Registrants of Georgia state representative offices as defined in O.C.G.A. § 7-1-1100 shall pay an annual registration fee of one thousand dollars ($1,000).

(4) Mortgage licensees.

(a) Lenders. The initial and renewal application and license fee for mortgage lenders shall be nine hundred dollars ($900). The initial fee of nine hundred dollars ($900) covers the main office. Any branch offices included in the initial application shall be assessed a fee of three hundred thirty dollars ($330) each. A fee of three hundred thirty dollars ($330) will be assessed for each additional office not initially registered, if such office is located in Georgia, and if mortgage lending activity is conducted at the office. An initial investigation fee of two hundred fifty dollars ($250) per applicant shall also apply. Subsequent renewal applications and license fees must be received on or before December 1 of each year or the applicant may be assessed a late fine of three hundred dollars ($300). A renewal application and license fee not received on or before the December 1 renewal application deadline of each year cannot be assured of issuance or renewal prior to January 1, at which time the license or registration will expire. Applicants may not conduct a mortgage business without a current license or registration.

(b) Brokers. The initial and renewal application and license fee for mortgage brokers shall be four hundred dollars ($400). The initial four hundred dollar ($400) fee covers the main office. Any branch offices located in Georgia shall be assessed a fee of three hundred thirty dollars ($330) each. Brokers include loan processors. Processors are defined in Rule 80-11-4-.07. Such a processor may have a separate main office and other branch offices where mortgage loan processing is done. The offices will be treated the same as brokers' offices. An initial investigation fee of two hundred fifty dollars ($250) per applicant shall also apply. Subsequent renewal applications and license fees must be received on or before December 1 of each year or the applicant may be assessed a late fine of three hundred dollars ($300). A renewal application and license fee that is not received on or before the December 1 renewal application deadline of each year cannot be assured of issuance or renewal prior to January 1, at which time the license or registration will expire. Applicants may not conduct a mortgage business without a current license or registration.

(c) Mortgage Loan Originators. The initial and renewal application and license fee for mortgage loan originators shall be two hundred dollars ($200). Subsequent renewal application fees must be received by the Department on or before December 1 of each year or the applicant may be assessed a late fine of two hundred dollars ($200). A renewal application is not deemed received until all required information, including a renewal fee in the appropriate amount and documentation showing that the requisite continuing education hours have been obtained, has been provided by the licensee. A renewal application, containing all of the required information along with the correct fees and proof of required continuing education that is not received by the Department on or before the December 1 renewal application deadline of each year cannot be assured of issuance or renewal prior to January 1, at which time the license or registration will expire. Applicants may not conduct mortgage loan origination activity without a current license.

(d) All late fees collected by the Department, net of the cost of recovery, which cost shall include any cost of hearing and discovery in preparation for hearing, shall be paid into the state treasury to the credit of the general fund or may be paid as provided in O.C.G.A. § 7-1-1018(e).

(e) Applicants for approval to acquire directly or indirectly ten percent (10%) or more of the voting shares of a corporation or ten percent (10%) or more of the ownership of any other entity licensed to conduct business as a mortgage lender and/or a mortgage broker under O.C.G.A. Article 13 (otherwise called change of control) shall pay a nonrefundable investigation, application and processing fee of five hundred dollars ($500).

(f) Application for an additional office of a licensee shall be accompanied by a nonrefundable fee of three hundred thirty dollars ($330), as provided in O.C.G.A. § 7-1-1006.

(5) Installment Lenders.

(a) The annual license fee is five hundred dollars ($500).

(b) The annual license renewal fee is five hundred dollars ($500) and must be received by the Department on or before the first day of December of each year. A licensee whose renewal application and annual license renewal fee is not received by the Department on or before December 1 may be assessed a late fine of three hundred dollars ($300) and cannot be assured of renewal of its license prior to January 1.

(c) An additional nonrefundable initial application investigation fee of two hundred fifty dollars ($250) will be assessed.

(d) Applicants for Department approval of a change in ownership, change in control, or change in executive officer as set forth in O.C.G.A. § 7-3-32 shall pay a nonrefundable investigation, application, and processing fee of five hundred dollars ($500).

(e) An application for an additional location of a licensee shall be accompanied by a nonrefundable fee of three hundred dollars ($300). An annual renewal fee of three hundred dollars ($300) per each approved additional location shall be due and must be received by the Department on or before the first day of December of each year.

(6) Litigation Financing registrants as defined in O.C.G.A. § 7-10-1 shall pay an initial registration fee of two thousand dollars ($2,000). Registrants shall pay an annual renewal registration fee of one thousand dollars ($1,000).

(7) The Department may discount or surcharge all supervision or license fees herein provided to assure funding of annual appropriations by the General Assembly.

(8) Any fees or charges imposed by the Nationwide Multistate Licensing System and Registry ("NMLSR") shall be independent of any fees charged by the Department. Applicants, licensees, and registrants will be responsible for any and all fees or charges imposed by NMLSR.

(9) All license, investigation, and supervision fees, late fees, fines, taxes owed to the Department, and assessed civil penalties must be paid prior to renewal, reinstatement, or reapplication for a license or any other approval from the Department.

Cite as Ga. Comp. R. & Regs. R. 80-5-1-.02

AUTHORITY: O.C.G.A. §§ 7-1-41**,** 7-1-61**,** 7-1-683**,** 7-1-685**,** 7-1-702**,** 7-1-704**,** 7-1-716**,** 7-1-721**,** 7-1-1004**,** 7-1-1005**,** 7-3-20**,** 7-3-32**.**

HISTORY: Original Rule entitled "Supervision Fees" adopted. F. Nov. 4, 1975; eff. Nov. 24, 1975.

Amended: F. June 8, 1976; eff. June 28, 1976.

Repealed: New Rule of the same title adopted. F. June 9, 1980; eff. July 1, 1980, as specified by the Agency.

Repealed: New Rule entitled "License Registration and Supervision Fees" adopted. F. May 24, 1982; eff. June 13, 1982.

Amended: F. June 28, 1984; eff. August 1, 1984, as specified by the Agency.

Amended: F. June 10, 1988; eff. June 30, 1988.

Repealed: New Rule of same title adopted. F. Sept. 4, 1990; eff. Sept. 24, 1990.

Amended: F. Oct. 15, 1993; eff. Nov. 4, 1993.

Amended: F. Sept. 26, 1995; eff. Oct. 16, 1995.

Amended: Rule retitled "License, Registration and Supervision Fees for Check Cashers and Sellers, Representative Offices and Mortgage Lenders and Brokers; Due Dates" adopted. F. July 14, 1998; eff. August 3, 1998.

Amended: F. Dec. 18, 2000; eff. Jan. 7, 2001.

Amended: Rule retitled "License, Registration and Supervision Fees for Check Cashers and Sellers, Money Transmitters, Representative Offices and Mortgage Lenders and Brokers; Due Dates". F. July 28, 2003; eff. August 17, 2003.

Amended: F. Sept. 1, 2004; eff. Sept. 21, 2004.

Amended: F. Aug. 15, 2005; eff. Sept. 4, 2005.

Amended: F. Aug. 22, 2006; eff. Sept. 11, 2006.

Amended: F. Aug. 15, 2007; eff. Sept. 4, 2007.

Amended: F. Aug. 4, 2008; eff. Aug. 24, 2008.

Amended: F. Dec. 15, 2008; eff. Jan. 4, 2009.

Amended: F. Aug. 17, 2009; eff. Sept. 6, 2009.

Amended: F. Aug. 2, 2011; eff. Aug. 22, 2011.

Amended: Title changed to "License and Supervision Fees for Check Cashers, Payment Instrument Sellers, Money Transmitters, Representative Offices and Mortgage Lenders and Brokers; Due Dates." F. June 10, 2014; eff. June 30, 2014.

Amended: F. Aug. 29, 2014; eff. Sept. 18, 2014.

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

Amended: F. June 15, 2015; eff. July 5, 2015.

Amended: F. June 20, 2016; eff. July 10, 2016.

Amended: New title "License and Supervision Fees for Check Cashers, Payment Instrument Sellers, Money Transmitters, Representative Offices, Mortgage Lenders, Mortgage Brokers, and Installment Lenders; Due Dates." F. Aug. 19, 2020; eff. Sept. 8, 2020.

Amended: F. Jan. 8, 2021; eff. Jan. 28, 2021.

Amended: F. July 7, 2022; eff. July 27, 2022.

Amended: New title, "License and Supervision Fees for Check Cashers, Money Transmitters, Representative Offices, Mortgage Lenders, Mortgage Brokers, Mortgage Loan Originators, and Installment Lenders; Due Dates." F. July 7, 2023; eff. July 27, 2023.

Amended: F. Dec. 20, 2024; eff. Jan. 9, 2025.

Amended: New title, "License and Supervision Fees for Check Cashers, Money Transmitters, Representative Offices, Mortgage Lenders, Mortgage Brokers, Mortgage Loan Originators, Installment Lenders, and Litigation Financiers; Due Dates." F. Oct. 2, 2025; eff. Oct 22, 2025.

Amended: F. June 16, 2026; eff. July 6, 2026.

Department 80. RULES OF DEPARTMENT OF BANKING AND FINANCE

Chapter 80-12. MERCHANT ACQUIRER LIMITED PURPOSE BANKS

Subject 80-12-2. APPLICATION PROCESS

80-12-2-.10 Approval of Executive Officers, Directors, Principal Shareholders, and Control Persons of MALPB Applicant and Proposed Holding Company of Applicant

(1) As part of the MALPB charter application process, the Department must approve the ownership and/or control of the applicant and the character and fitness of the directors and proposed executive officers, which includes, but is not limited to, the required positions of chief executive officer, chief information officer, and chief risk officer of the applicant. In order to make these determinations, the executive officers, directors, principal shareholders, and control persons of the MALPB will provide the Department any information or documents requested by the Department including, but not limited to: an independent credit report; any information necessary for submission to the Federal Bureau of Investigation, the Georgia Crime Information Center, and/or any other government agency or entity authorized to receive such information in order to perform a criminal history background check along with the applicable fees and any other required information in order that the Department may obtain the results of such criminal background checks; personal financial statements; and filed state, federal, and, if applicable, international income tax returns, including any amendments, for the previous two completed taxable years.

(2) As part of the MALPB charter application process, the Department must approve the ownership and/or control of the holding company and the character and fitness of the directors and proposed executive officers of the holding company. In order to make these determinations, the principal shareholders, executive officers, directors, and control persons of the holding company, if any, will provide the Department any information or documents requested by the Department including, but not limited to, an independent credit report.

(3) The requirements of Paragraph 2 of this Rule shall not apply to the principal shareholders, executive officers, directors, and control persons of a holding company that is a public company.

Cite as Ga. Comp. R. & Regs. R. 80-12-2-.10

AUTHORITY: O.C.G.A. §§ 7-1-61**,** 7-9-13**.**

HISTORY: Original Rule entitled "MALPB Applications" adopted. F. Dec. 3, 2013; eff. Dec. 23, 2013.

Amended: F. Dec. 20, 2024; eff. Jan. 9, 2025.

Amended: F. June 18, 2025; eff. July 8, 2025.

Amended: F. Oct. 2, 2025; eff. Oct. 22, 2025.

Amended: F. June 16, 2026; eff. July 6, 2026.

Department 80. RULES OF DEPARTMENT OF BANKING AND FINANCE

Chapter 80-12. MERCHANT ACQUIRER LIMITED PURPOSE BANKS

Subject 80-12-4. OPERATIONS OF MALPB

80-12-4-.07 Compliance with Other Requirements

(1) An MALPB shall comply with: the Unlawful Internet Gambling Enforcement Act of 2006, 31 U.S.C. § 5361 et seq., and the related rules and regulations found at 12 CFR Part 233 and 31 CFR Part 132; and all international, federal, and state laws, rules, and regulations that are applicable to the MALPB.

(2) Solely for purposes of the following laws, an MALPB shall be deemed to be a "financial institution" for purposes of complying with: information security requirements set forth in 12 CFR Part 364, including, but not limited to, Appendix B (Interagency Guidelines Establishing Information Security Standards) and Supplement A to Appendix B (Interagency Guidance on Response Programs for Unauthorized Access to Customer Information and Customer Notice); the rules and regulations in 31 CFR Chapter X, including, but not limited to, customer identification standards set forth at 31 U.S.C. § 5318(l) and 31 CFR § 1020.220, suspicious transaction reporting as set forth in 31 U.S.C. § 5318(g) and 31 CFR § 1020.320, and anti-money laundering requirements set forth at 31 U.S.C. § 5318(h) and 31 CFR § 1020.210; and the regulations set forth in 31 CFR Chapter V by the Office of Foreign Asset Control.

(3) An MALPB shall comply with the Payment Card Industry Data Security Standard ("PCI DSS") and such other data security standards recognized by the payment card networks in which the MALPB participates.

(4) An MALPB shall be in substantial compliance at all times with each payment card network risk program in which the MALPB participates.

Cite as Ga. Comp. R. & Regs. R. 80-12-4-.07

AUTHORITY: O.C.G.A. §§ 7-1-61**,** 7-9-13**.**

HISTORY: Original Rule entitled "Compliance with Other Requirements" adopted. F. Dec. 3, 2013; eff. Dec. 23, 2013.

Amended: F. June 16, 2026; eff. July 6, 2026.

Department 80. RULES OF DEPARTMENT OF BANKING AND FINANCE

Chapter 80-12. MERCHANT ACQUIRER LIMITED PURPOSE BANKS

Subject 80-12-5. BOOKS AND RECORDS

80-12-5-.05 Minimum Requirements for Books and Records

An MALPB must maintain the following books and records:

(a) All records required to be maintained by federal, state or, if applicable, international law, rules, or regulations, including, but not limited to, the rules enacted by the Department to carry out the provisions of the Act;

(b) All records required to be maintained by the applicable payment card networks;

(c) All contracts related to the MALPB's provision of merchant acquiring activities, including, but not limited to, contracts with payment card networks, merchants, affiliates, subsidiaries, eligible organizations, and support organizations;

(d) All records related to compliance with payment card network data security standards, such as Payment Card Industry Data Security Standard ("PCI DSS"), including, but not limited to, records indicating data security deficiencies by the MALPB, affiliates, subsidiaries, eligible organizations, support organizations, and merchants;

(e) All records related to the clearing and settlement of transactions through the payment card networks including, but not limited to, remittances to payment card networks;

(f) All reports or other compilation of data provided to payment card networks and/or merchants related to transactions;

(g) All records related to chargebacks, and business format change;

(h) Daily account of merchant funds broken down by merchant;

(i) Copies of all trust or custodial account agreements;

(j) Records of all complaints and records of disposition;

(k) Copies of examination reports prepared by any agency, division, or instrumentality of the United States, the State of Georgia or any other state, or any foreign country which report relates to the merchant acquiring activities of the MALPB;

(l) Copies of reports required to be prepared or submitted by the MALPB to any agency, division, or instrumentality of the United States, the State of Georgia or any other state, or any foreign country which report relates to the merchant acquiring activities of the MALPB;

(m) Copies of documents related to any adverse action taken by any agency, division, or instrumentality of the United States, the State of Georgia or any other state, or any foreign country, including, but not limited to, a revocation or suspension of a license or charter or the imposition of a fine or civil monetary penalties;

(n) Copies of all payroll records, including, but not limited to, federal and state withholding tax forms such as W-2s filed with the Internal Revenue Service by the MALPB on behalf of individuals employed by the MALPB;

(o) Employee files for all employees which shall include a criminal background check performed by a commercial entity as required by O.C.G.A. § 7-9-7 and Rule 80-12-4-.05;

(p) Subject to the limitations in O.C.G.A. § 7-9-12, a deposit record which contains a continuing itemized record of all activity in the deposit account;

(q) An income and expense register and all of the supporting documentation related to income and expenses;

(r) A daily statement for each business day properly supported by a general ledger showing daily activity to each asset, liability, and capital account;

(s) Minutes from all meetings of the MALPB's Board of Directors and the committees of the Board of Directors;

(t) A shareholder list;

(u) An investment register and investment safekeeping report;

(v) Information on transactions with holding companies, affiliates, and subsidiaries with respect to the terms and circumstances of such transactions and the basis of fees or other charges in order to determine compliance with Rules 80-12-9-.01 and 80-12-9-.02; and

(w) All records related to compliance with payment card network risk programs in which the MALPB participates.

Cite as Ga. Comp. R. & Regs. R. 80-12-5-.05

AUTHORITY: O.C.G.A. §§ 7-1-61**,** 7-9-13**.**

HISTORY: Original Rule entitled "Minimum Requirements for Books and Records" adopted. F. Dec. 3, 2013; eff. Dec. 23, 2013.

Amended: F. July 12, 2024; eff. Aug. 1, 2024.

Amended: F. Dec. 20, 2024; eff. Jan. 9, 2025.

Amended: F. June 18, 2025; eff. July 8, 2025.

Amended: F. June 16, 2026; eff. July 6, 2026.

Department 80. RULES OF DEPARTMENT OF BANKING AND FINANCE

Chapter 80-12. MERCHANT ACQUIRER LIMITED PURPOSE BANKS

Subject 80-12-10. CONTROL OVER MALPB

80-12-10-.01 Change in Director, Executive Officer, Principal Shareholder, or Control Person of MALPB

(1) The MALPB must provide the Department with written notice of any new director, control person, principal shareholder, or executive officer, which includes, but is not limited to a chief executive officer, a chief information officer, and a chief risk officer, prior to any such appointment or change taking effect, so that the Department can consider the character and fitness of such person. After receipt of the notice, the proposed executive officers, directors, principal shareholders, and control persons will provide the Department with any information or documents the Department may request including, but not limited to: an independent credit report; any information necessary for submission to the Federal Bureau of Investigation, the Georgia Crime Information Center, and/or any other government agency or entity authorized to receive such information in order to perform a criminal history background check along with the applicable fees and any other required information in order that the Department may obtain the results of such criminal background checks; personal financial statements; and filed state, federal, and, if applicable, international income tax returns, including any amendments, for the previous two (2) completed taxable years.

(2) The Department shall be given at least sixty (60) days written notice prior to the proposed appointment or change of director, executive officer, principal shareholder, or control person taking effect. If the Department does not issue a notice disapproving such person within sixty (60) days after receipt of the required written notice or extend the period during which a disapproval may be issued for another thirty (30) days, the proposed appointment or change of such person shall take effect. The period for disapproval may be further extended if the Department determines that the MALPB or proposed director, executive officer, principal shareholder, or control person has not furnished all the information required by this Rule or, in the Department's judgment, inaccurate information has been submitted. An appointment or proposed change may be made prior to expiration of the disapproval period if the Department issues a written notice of its intent not to disapprove the proposed director, executive officer, principal shareholder, or control person.

(3) The requirements of this Rule shall not apply to an entity that satisfies the definition of control person as a result of ownership of a holding company that is a public company.

Cite as Ga. Comp. R. & Regs. R. 80-12-10-.01

AUTHORITY: O.C.G.A. §§ 7-1-61**,** 7-9-13**.**

HISTORY: Original Rule entitled "Change in Director, Executive Officer, Principal Shareholder, or Control Person of MALPB" adopted. F. Dec. 3, 2013; eff. Dec. 23, 2013.

Amended: F. June 18, 2025; eff. July 8, 2025.

Amended: F. June 16, 2026; eff. July 6, 2026.

Department 80. RULES OF DEPARTMENT OF BANKING AND FINANCE

Chapter 80-12. MERCHANT ACQUIRER LIMITED PURPOSE BANKS

Subject 80-12-11. HOLDING COMPANY

80-12-11-.02 Change in Director, Executive Officer, Principal Shareholder, or Control Person of Holding Company

(1) The Department must approve in writing any new director, executive officer, principal shareholder, or control person of the holding company, prior to any such appointment or change taking effect, for the purpose of considering the character and fitness of such person. In order to make these determinations, such persons will provide the Department any information or documents requested by the Department including, but not limited to, an independent credit report.

(2) The Department shall be given at least sixty (60) days written notice prior to the proposed appointment or change of director, executive officer, principal shareholder, or control person taking effect. If the Department does not issue a notice disapproving the proposed director, executive officer, principal shareholder, or control person within sixty (60) days of receipt of the required written notice or extend the period during which a disapproval may be issued for another thirty (30) days, such person shall stand approved. The period for disapproval may be further extended if the Department determines that the holding company or proposed director, executive officer, principal shareholder, or control person has not furnished all the information required by this Rule or, in the Department's judgment, inaccurate information has been submitted. An appointment or proposed change may be made prior to expiration of the disapproval period if the Department issues a written notice of its intent not to disapprove the proposed director, executive officer, principal shareholder, or control person.

(3) The requirements of Paragraphs 1 and 2 of this Rule shall not apply to the principal shareholders, executive officers, directors, and control persons of a holding company that is a public company.

(4) At the time of the submission of an MALPB charter application or at any time thereafter, a holding company that is not a public company can make a written request to the Department for a waiver or modification of the requirements of Paragraphs 1 and 2 of this Rule. Such request shall set forth in detail the rationale for the requested waiver or modification. In evaluating such request the Department shall consider, among other factors, the financial condition of the MALPB and the holding company, financial support from the holding company to the MALPB, any recent findings in the most recent audits and reports of examinations of the MALPB and the holding company, condition of the MALPB, number of independent directors at the holding company, manner of appointment or election of directors or executive officers at the holding company, evaluation process for directors, executive officers, principal shareholders, and control persons of the holding company, corporate governance of the holding company, and activities of the holding company and affiliates. It shall be in the Commissioner's sole discretion to approve, conditionally or otherwise, or deny the request for a waiver or modification.

Cite as Ga. Comp. R. & Regs. R. 80-12-11-.02

AUTHORITY: O.C.G.A. §§ 7-1-61**,** 7-9-13**.**

HISTORY: Original Rule entitled "Change in Director, Executive Officer, Principal Shareholder, or Control Person of Holding Company" adopted. F. Dec. 3, 2013; eff. Dec. 23, 2013.

Amended: F. June 15, 2015; eff. July 5, 2015.

Amended: F. Oct. 2, 2025; eff. Oct. 22, 2025.

Amended: F. June 16, 2026; eff. July 6, 2026.

Department 80. RULES OF DEPARTMENT OF BANKING AND FINANCE

Chapter 80-14. INSTALLMENT LOANS

Subject 80-14-1. PLACE OF BUSINESS, ADVERTISING, AND OTHER REQUIREMENTS

80-14-1-.02 Location Managers

(1) A "location manager" shall mean an individual who supervises daily activities in Georgia of a licensee, whether at a main office or branch as defined in Rule 80-14-1-.01, and regardless of job title.

(2) No individual shall be permitted to manage a location in Georgia without being approved by the Department as a location manager. A location manager may be put in place subject to Departmental approval, but the Department must receive a complete application for approval within 30 calendar days of the placement. No individual may serve as the location manager of more than one location of a licensee.

(3) The Department shall conduct a criminal background check and require such other pertinent information to satisfy itself that the location manager will operate the location responsibly and in compliance with the laws and rules of this state.

(4) Notwithstanding any approval of the location manager by the Department, the licensee has full and direct financial responsibility for the lending activities of each location manager and full and direct responsibility for the training and supervision of the location manager. The licensee will supervise the location and location manager on an ongoing and regular basis and shall be accountable for the lending activities of the location and location manager. Any violation of the Georgia Installment Loan Act or the rules and regulations of the Department by a location manager shall be deemed to be a violation by both the licensee and the location manager.

Cite as Ga. Comp. R. & Regs. R. 80-14-1-.02

AUTHORITY: O.C.G.A. §§ 7-3-32**,** 7-3-51**.**

HISTORY: Original Rule entitled "Location Managers" adopted. F. Aug. 19, 2020; eff. Sept. 8, 2020.

Amended: F. July 7, 2023; eff. July 27, 2023.

Amended: F. Dec. 20, 2024; eff. Jan. 9, 2025.

Amended: F. June 16, 2026; eff. July 6, 2026.

Department 80. RULES OF DEPARTMENT OF BANKING AND FINANCE

Chapter 80-14. INSTALLMENT LOANS

Subject 80-14-2. BOOKS AND RECORDS

80-14-2-.02 Minimum Requirements for Books and Records

Each licensee shall maintain the following books, accounts, and records:

(a) Copies of all disclosure documents required by Rule Chapter 80-14-5;

(b) Samples of advertisements as required by Rule 80-14-1-.04;

(c) Copies of all written complaints by customers and written records of disposition;

(d) Copies of examination reports prepared by any agency, division or corporate instrumentality of the United States, the State of Georgia or any other state, which reports pertain to the installment lending business of the licensee or registrant and are not prohibited from being disclosed to the Department by state or federal law;

(e) Copies of reports required to be prepared and/or submitted by the licensee to any agency, division, or corporate instrumentality of the United States, the State of Georgia or any other state, which reports pertain to the installment lending business of the licensee and are not prohibited from being disclosed to the Department by state or federal law;

(f) Copies of all payroll records, including federal and state withholding tax forms, W-2's, and 1099 forms filed with the Internal Revenue Service by the licensee or its agent on behalf of individuals employed by the licensee in the installment lending business of the licensee;

(g) A cash book or daily report for each approved location in which all receipts and disbursements of any amount shall be entered. Separate spaces shall be provided for amounts received or charged as interest, fees, insurance premiums, recording fees and any other receipts or disbursements made by the licensee. All such entries shall be made on the exact date on which they occur. This cash book shall be balanced daily. This paragraph shall not prevent licensees from closing their books in the late afternoon, commonly known as providing for "late drawer" payments, so long as entries of loans and collections are made on their exact date;

(h) A general ledger which shall be posted at least monthly containing all assets, liabilities, capital, and income and expense accounts;

(i) All bank statements and bank reconciliations records which pertain to the installment lending business of the licensee;

(j) If the licensee defers installment loans, the deferred loan monthly journal required by O.C.G.A. § 7-3-11(6)(G);

(k) Copies of all credit report bills received from all credit reporting agencies;

(l) Employee file for each employee. The employee file must contain all documents related to hiring the employee, including criminal background check, date employment began, and a print out or screenshot confirming that the Department's public records were reviewed on NMLS Consumer Access to verify eligibility for employment with such review of the Department's public records taking place prior to the date of hire;

(m) Copies of all reports required to be filed with the Department or the Nationwide Multistate Licensing System and Registry, including any amended reports, for the previous five (5) years and all related work papers and supporting documentation that support the accuracy of the information contained in such reports;

(n) Copies of any required notifications required to be made to the Department pursuant to O.C.G.A. § 7-3-31(a) and (b) and supporting documentation; and

(o) Information security program materials maintained by the licensee in accordance with 16 C.F.R. Part 314, ("the Safeguards Rule") and Rule 80-3-1-.05, including, but not limited to, any risk assessment and incident response plan; and

(p) A separate account record for each installment loan transaction or renewal thereof, which shall include the following information:

1. Name and address of the licensee;

2. Loan number;

3. Date of the loan;

4. Name and address of each borrower and co-maker or endorser, if any;

5. Brief description of security, if any;

6. Actual amounts of individual charges shall be shown separately for interest and fees.;

7. Amount of loan;

8. If a renewal, the loan number of the previous loan;

9. Terms of repayment;

10. Payments received showing:

(i) Date of payment.

(ii) Amount paid on account.

(iii) Remaining balance.

(iv) Date to which account is paid.

(v) Any late charge collected, and date of collection;

11. Date of final payment on loan or expiration; and

12. Record of the amount, date, and reason for any refunds.

(q) A record of any confirmed or suspected fraud related to an unsolicited live check, including any investigation conducted by the licensee and the resolution of any confirmed or suspected fraud.

Cite as Ga. Comp. R. & Regs. R. 80-14-2-.02

AUTHORITY: O.C.G.A. §§ 7-3-30**,** 7-3-51**.**

HISTORY: Original Rule entitled "Minimum Requirements for Books and Records" adopted. F. Aug. 19, 2020; eff. Sept. 8, 2020.

Amended: F. July 7, 2021; eff. July 27, 2021.

Amended: F. July 7, 2022; eff. July 27, 2022.

Amended: F. July 12, 2024; eff. Aug. 1, 2024.

Amended: F. June 16, 2026; eff. July 6, 2026.

Department 80. RULES OF DEPARTMENT OF BANKING AND FINANCE

Chapter 80-14. INSTALLMENT LOANS

Subject 80-14-5. DISCLOSURE, CHARGES, AND MISCELLANEOUS

80-14-5-.01 Loan Contract, Disclosures, and Limitations

(1) Loan Contract; Contents.

(a) Every consumer loan transaction shall be pursuant to a written loan contract which may include a loan voucher, itemized statement of loan and charges, and disclosure statement. The loan contract shall be signed by the consumer and delivered to the consumer at the time it is executed by him or her. The loan contract shall be contained in a single document which may contain more than one page. Printed terms shall be printed in at least six-point standard type.

(b) In connection with every consumer loan transaction, the consumer shall be furnished a written itemized statement in clear terms and easily understood language which shall show the following: the transaction date, a description of the subject matter and amount of the transaction, a description of the collateral, if any, securing the consumer's obligations; the identity and address of the consumer and the identity and address of the creditor; a schedule of the payments; the amount of the actual cash advanced to or on behalf of the consumer; the amount of each class of insurance carried and the premium paid thereon, stated separately for each class of insurance; and an itemization of the exact amount of the interest, fees, and other charges, if any, showing each element thereof.

(c) The loan contract shall include immediately above the place for the signature for the parties the following notice:

NOTICE TO CONSUMER

1. Do not sign this agreement if it contains any blank spaces.

2. You are entitled to an exact copy of all papers you signed.

3. You have the right at any time to pay in advance the full amount due under this agreement and under certain conditions to obtain a partial refund of the interest charges.

4. If credit life insurance is required, you have the right to purchase either level term life insurance or reducing term life insurance coverage.

5. You are not required to purchase noncredit insurance as a condition of obtaining this loan.

(d) The creditor shall furnish the consumer with an exact copy of the loan contract including any loan voucher, itemized statement of loan charges, and disclosure statement after the agreement has been signed.

(e) With respect to every installment loan transaction, the creditor shall, at the time of the transaction, furnish to the consumer a written statement of the maximum number of payments required, the amount of such payments, and the exact due dates upon which each payment is due. The maximum number of payments and the amount and date of such payments need not be separately listed if the payments are stated in terms of a series of scheduled amounts.

(2) The following practices are prohibited in the making of an installment loan pursuant to the Georgia Installment Loan Act:

(a) Blank Agreements. Every contract evidencing an installment loan transaction shall be completed as to all essential provisions prior to the signing thereof by the parties. No licensee shall induce, encourage, or otherwise permit the consumer to sign a contract containing blank spaces. Blank spaces inapplicable to a transaction must be completed in a manner which reveals their inapplicability.

(b) Negotiable Instruments. No licensee shall take or otherwise arrange for the consumer to sign an instrument payable "to order" or "to bearer", other than a check, as evidence of the credit obligation of the consumer in an installment loan transaction.

(c) Balloon and Irregular Payments. Except for single payment loans, no licensee shall enter into a contract which contains or anticipates a schedule of payments under which the final payment exceeds the amount of any other payment by more than $1.00. A single payment loan shall be repayable on terms not to exceed ninety (90) days. All other installment payments shall be scheduled at regular intervals in equal amounts. Notwithstanding the requirement that payments be made at regular intervals for all loans except for single payment loans, the initial payment on an installment loan shall be due within a period not to exceed forty-five (45) days from the date on which the loan is made but no sooner than the regular interval for all other installment loan payments.

(d) Multiple Agreements to the following extent:

1. No authorized location of a licensee shall engage in any activity in connection with an installment loan by use of multiple agreements or otherwise as a result of which the authorized location of a licensee charges, contracts for, or receives any other or further amount in connection with an installment loan than that authorized by law for a single loan of a comparable amount.

2. No authorized location of a licensee shall split a consumer loan into separate agreements by spouses if as a result thereof the authorized location of a licensee charges, contracts for, or receives any other or further amount in connection therewith than as authorized by law for a single loan of a comparable amount; provided, however, that the authorized location of a licensee may make an installment loan to spouses jointly and severally if such loans do not arise out of substantially the same transaction.

(e) Non-Judicial Enforcement. Notwithstanding any other provision of law, no term of an agreement shall constitute authorization for a licensee to take possession of collateral by other than legal process unless such authorization is clearly, prominently and conspicuously disclosed to the consumer immediately above the place for his signature on the loan agreement or as an addition to the "NOTICE TO CONSUMER" specified in subsection (1)(c) of this Rule.

(3) Insurance Permitted.

(a) With respect to any installment loan transaction, the licensee shall not require any insurance other than insurance covering the loss of or damage to any property in which the creditor is given a security interest. Credit life and credit accident and sickness insurance if required by the licensee, may be provided by the licensee through an insurer authorized to issue such insurance in this State.

(b) If a licensee requires any insurance permitted under subsection (1) above in any consumer loan transaction, the consumer shall be given written notice of the option of providing such insurance through an existing policy or a policy independently obtained and paid for by the consumer. If the licensee requires credit life insurance, the licensee shall give the consumer written notice of the consumer's right to choose either level term life insurance or reducing term life insurance coverage. The licensee may for reasonable cause before credit is extended decline the insurance provided by the consumer.

(c) Any insurance offered by an installment lender licensee shall comply with any and all applicable insurance laws and regulations.

(4) Discharge of Security Interests. When the consumer is indebted to a particular licensee for two or more consumer loans, any security interest held by such licensee for any particular loan shall be discharged when the loan for which the security interest is held is paid irrespective of indebtedness to the licensee by the consumer on other outstanding installment loans. As a general rule, security interests in terms of property shall terminate as the debt

originally incurred with respect to each item is paid and in the case of the consolidation of two or more installment loans or any circumstances in which the general rule is not followed, the licensee may be required by the Department to show that his conduct with respect to such loan transactions was just, fair and reasonable. For the purposes of this Rule, the renewal of a consumer loan shall not be deemed to be payment thereof.

(5) Electronic Transactions Permitted. The provisions of the Uniform Electronic Transactions Act, O.C.G.A. § 10-12-1 *et seq*., applies to loans made pursuant to the Georgia Installment Loan Act. Nothing in the Act or the Department's rules shall be construed as prohibiting installment loans from being originated or closed remotely by a licensee.

(6) Other Purchases. If any loan within the Act is made in conjunction with the provision of any item, service, or commodity incidental to the advancement of funds, or if any other element is introduced into the transaction at the expense of the consumer, then the licensee shall provide to the consumer a separate written disclosure statement. The disclosure statement shall disclose, in no smaller than twelve-point type, the following:

(a) That the consumer does not have to purchase any such item, service, or commodity, or pay for such element, in order to obtain the loan.

(b) The cost to the consumer of any such purchase or element.

(c) The disclosure statement shall contain the consumer's signed acknowledgement of the consumer's understanding that such purchase or element is not required and of the specific cost to the borrower for each such item, service, commodity, or element.

(d) A copy of the signed document shall be provided to the borrower, and the licensee shall retain the original in the loan file.

(7) Receipt. Each consumer shall be provided with a written receipt for each cash payment made showing the licensee's name on record with the Department, the applicable loan number, the date of the payment, and the dollar amount of the payment.

(8) Credit Reporting. If a licensee will report the consumer's payment history or performance to a credit reporting agency during the term of the loan agreement, the licensee must disclose such reporting at the time the loan agreement is signed and must provide the consumer with the name(s) of any such credit reporting agencies to which the report will be provided.

Cite as Ga. Comp. R. & Regs. R. 80-14-5-.01

AUTHORITY: O.C.G.A. § 7-3-51.

HISTORY: Original Rule entitled "Loan Contract, Disclosures, and Limitations" adopted. F. Aug. 19, 2020; eff. Sept. 8, 2020.

Amended: F. Jan. 8, 2021; eff. Jan. 28, 2021.

Amended: F. July 7, 2022; eff. July 27, 2022.

Amended: F. June 16, 2026; eff. July 6, 2026.

80-14-5-.04 Unsolicited Live Checks

(1) "Live check" means a negotiable check or other negotiable instrument that may be used by a consumer to activate a loan regulated by the Georgia Installment Loan Act ("Act").

(2) The licensee must maintain in its office a system for:

(a) preventing the offering of an unsolicited live check to an individual who is not credit-worthy; and

(b) protecting the intended recipient of an unsolicited live check and the licensee in the event of the fraudulent conversion of the unsolicited live check.

(3) Any use of an unsolicited live check must contain:

(a) the ZIP+4 code and the name of the county of the recipient in the address line of the live check;

(b) a check number or other tracking number for the loan offered on the live check;

(c) the following statement, printed in 14 point size font boldface type on the face of the live check: "**This is a loan.**";

(d) the following statements printed on the face of the live check: "Cashing this check requires repayment of the loan plus potential charges. Read all terms.";

(e) the following statement printed clearly and conspicuously in the solicitation or accompanying disclosure statement: "You have the right to file a written complaint with the licensee via [mailing address or email address] and with the Department of Banking and Finance via email at NDFIDivision@dbf.state.ga.us." and,

(f) the name on record with the Department, unique identifier, and telephone number of the licensee.

(4) The terms of the loan resulting from an unsolicited live check must comply with the Act and the rules and regulations of the Department.

(5) The licensee may not offer or provide insurance or other ancillary products in conjunction with a loan obtained through an unsolicited live check.

(6) The licensee may not send an unsolicited live check to an individual who resides beyond the boundaries of a county in which the licensee has an approved location or beyond the boundaries of any contiguous county in which the licensee has an approved location. In the event a live check is negotiated by a consumer that resides outside the county in which the licensee has an approved location or resides more than twenty-five (25) miles from an approved location, the licensee must provide a means for the consumer to submit payments electronically without imposing a convenience fee pursuant to O.C.G.A. § 13-1-15.

Cite as Ga. Comp. R. & Regs. R. 80-14-5-.04

AUTHORITY: O.C.G.A. § 7-3-51.

HISTORY: Original Rule entitled "Unsolicited Live Checks" adopted. F. Aug. 19, 2020; eff. Sept. 8, 2020.

Amended: F. June 16, 2026; eff. July 6, 2026.

Department 80. RULES OF DEPARTMENT OF BANKING AND FINANCE

Chapter 80-15. LITIGATION FINANCING

Subject 80-15-1. REGISTRATION REQUIREMENTS AND ADMINISTRATIVE FINES

80-15-1-.02 Nationwide Multistate Licensing System and Registry

(1) Registration.

(a) All applications for registrations must be made through the Nationwide Multistate Licensing System and Registry ("NMLS") unless otherwise expressly exempted from this requirement by the Department in writing. Applications for initial registrations which are approved between November 1 and December 31 in any year will not be required to file a renewal application for the next calendar year. All fees are non-refundable.

(b) All registrations shall expire on December 31 of each year, and an application for renewal shall be made annually between November 1 and December 31 each year. Subsequent renewal applications and/or registration fees must be received on or before December 1 of each year or the renewal applicant will be assessed a late fee as set forth in Rule 80-5-1-.02. A renewal application is not deemed received until all required information and corresponding fees have been provided by the registrant. A proper renewal application not received on or before the December 1 renewal application deadline of each year cannot be assured of issuance or renewal prior to January 1, at which time the registration will expire. Unless a proper renewal application has been received any registration which is not renewed on or before December 31 will require the renewal applicant to file an initial application in order to conduct business as a litigation financier in the State after that date.

(2) The responsibility of applicants and registrants to update information in NMLS.

(a) It shall be the sole responsibility of each applicant for a registration and each registrant to keep current at all times its information on the NMLS. Amendments to any information on file with the NMLS must be made by the applicant or registrant within ten (10) business days of the date of the event necessitating the change. The Department shall have no responsibility for any communication not received by an applicant or registrant due to its failure to maintain current contact information on the NMLS as required.

(b) Amendments to the registration or any responses to disclosure questions by an applicant for a registration or a registrant must be made within ten (10) business days following the date of the event necessitating the change. Failure by an applicant for a registration to timely update the applicant's responses to disclosure questions may result in the denial of the application. In the case of a registrant, failure to timely update the registration or any disclosure information may result in the imposition of an administrative fine.

(c) It shall be the responsibility of each applicant for a registration and each registrant to ensure that its directors, officers, partners, and owners keep current at all times their information on the NMLS. Amendments to any information on file with the NMLS must be made by the director, officer, partner, or owner within ten (10) business days of the date of the event necessitating the change.

(d) Amendments to any responses to disclosure questions by a director, officer, partner, or owner must be made within ten (10) business days following the date of the event necessitating the change. Failure by a director, officer, partner, or owner of an applicant for a registration to timely update their responses to disclosure questions may result in the denial of the application. In the case of a registrant, failure by a control person to timely update any disclosure information may result in the imposition of an administrative fine.

(3) A registrant may challenge information entered by the Department into the NMLS. All challenges must be sent to the Department in writing addressed to the attention of the Deputy Commissioner of Non-Depository Financial Institutions. Once received, the Department shall consider the merits of the challenge raised and provide the registrant with a written reply that shall be the Department's final decision regarding the challenge.

Cite as Ga. Comp. R. & Regs. R. 80-15-1-.02

AUTHORITY: O.C.G.A. §§ 7-10-2**,** 7-10-10**.**

HISTORY: Original Rule entitled "Nationwide Multistate Licensing System and Registry" adopted. F. Oct. 2, 2025; eff. Oct. 22, 2025.

Amended: F. June 16, 2026; eff. July 6, 2026.

Department 82. DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES

Chapter 82-10. Drug Abuse Treatment and Education Programs

Subject 82-10-1. [Effective 7/19/2026] Drug Abuse Treatment and Education Programs

82-10-1-.01 [Effective 7/19/2026] Legal Authority

These rules are adopted and published pursuant to the Official Code of Georgia Annotated (O.C.G.A.) § 26-5-1 *et seq.*

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.01

AUTHORITY: O.C.G.A. § 26-5-6.

HISTORY: Original Rule entitled "Legal Authority" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.02 [Effective 7/19/2026] Title and Purpose

(1) These rules shall be known as the Rules and Regulations for Drug Abuse Treatment and Education Programs.

(2) The purpose of these rules is to provide minimal requirements for the licensing and survey of drug abuse treatment and education programs.

(3) These rules do not apply to the following:

(a) Licensed hospitals;

(b) Any crisis stabilization unit certified by the Department of Behavioral Health and Developmental Disabilities;

(c) Approved Emergency, Receiving, Evaluation and/or Treatment (ERET) facilities as defined in Chapter 82-8-1, "Emergency Receiving, Evaluating and Treatment Facilities"; and

(d) Licensed Narcotic Treatment Programs monitored by the State Opioid Treatment Authority.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.02

AUTHORITY: O.C.G.A. § 26-5-6.

HISTORY: Original Rule entitled "Title and Purpose" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.03 [Effective 7/19/2026] Definitions

In these rules, unless the context otherwise requires, the words and phrases set forth herein shall mean the following:

(1) "Ambulatory detoxification program" means a program for the medical management and other support for processes associated with the physical process of withdrawal from drugs in a non-residential setting. Persons treated in this setting are without unusual or significant medical risks or behavioral problems. Specific requirements for this program type are set forth in Rule 82-10-1-.20.

(2) "Behavior management" means those principles and techniques used by a facility to assist a client in facilitating self-control, addressing inappropriate behavior, and achieving positive outcomes in a constructive and safe manner. Behavior management principles and techniques shall be used in accordance with the client's treatment plan, written policies and procedures governing service expectations, treatment goals, safety, security, and these rules and regulations.

(3) "Branch" means a part-time (operating less than five days per week) substance abuse program at a site or location different from the location of the licensed program, yet which is operated as a part of the licensed program and is not separately licensed. Residential and ambulatory detoxification programs are excluded from operating as a branch program. Effective July 1, 2026, new branch programs are required to be separately licensed from the parent program.

(4) "Corrective Action Plan" or "CAP" means a plan developed by the facility in response to a violation identified on a written report of survey or investigation that contains the steps or actions that have been taken, or are planned, to address or correct the violation and the anticipated date of the correction.

(5) "Department" means the Department of Behavioral Health and Developmental Disabilities, or its successor.

(6) "Drug abuse treatment and education program" or "program" or "DATEP" means any system of treatment or therapeutic advice, or counsel provided for the rehabilitation of drug dependent persons and shall include programs offered in residential and/or nonresidential settings. Specific requirements for these program types are set forth in Rules 82-10-1-.19 through 82-10-1-.25.

(7) "Drug dependent person" means a person who is in imminent danger of becoming dependent upon or addicted to the use of drugs or who habitually lacks self-control as to the use of drugs or who uses drugs to the extent that their health is substantially impaired or endangered, or their social or economic function is substantially disrupted.

(8) "Drug" means any substance defined as a drug by federal or Georgia law or any other chemical substance which may be used in lieu of a drug to obtain similar effects, with the exception of alcohol and its derivative.

(9) "Emergency safety interventions" means those behavioral intervention techniques that are authorized under an approved emergency safety intervention plan and are utilized by properly trained staff in an urgent situation to prevent a client from doing immediate harm to self or others.

(10) "Emergency safety intervention plan" means the plan developed by the facility utilizing a nationally recognized, Department-approved, evidence-based, training program for emergency safety intervention. The plan shall clearly identify the emergency safety interventions staff may utilize and those that may never be used.

(11) "Final adverse finding" means the finding(s) set forth in or upheld by a report of the Department, order or decision of the Commissioner, agreement between a facility and the Department, or formal order as of the date of:

(a) The issuance of a ruling by the Superior Court or Commissioner of the Department of Behavioral Health and Developmental Disabilities on any appeal from a decision of a state administrative law judge, a hearing officer, or a hearing examiner pursuant to a contested case involving the imposition of a sanction;

(b) The finalization by operation of law of a decision of a state administrative law judge, a hearing officer, or a hearing examiner when no appeal is made;

(c) The disposition of a contested case by settlement between the parties; or

(d) The expiration of the time allotted for a facility to contest a sanction imposed by the Department, if the facility does not properly contest the sanction within that time period.

(12) "Governing body" means the county board of health, the partnership, the corporation, the association, or the person or group of persons who maintains and controls the facility and who is legally responsible for the operation.

(13) "Investigation" means any examination by the Department of Behavioral Health and Developmental Disabilities, or its representatives, of a facility, including but not necessarily limited to the premises, staff, persons in care, and documents pertinent to an allegation(s) of non-compliance or a reportable incident. Investigations may be initiated at any time and may be announced or unannounced at the discretion of the Department.

(14) "License" means the official permit issued by the Department of Behavioral Health and Developmental Disabilities which authorizes the holder to operate a drug abuse treatment and education program for the term provided therein.

(15) "Manual hold" means the application of physical force, without the use of any device, for the purpose of restricting the free movement of a client's body. A manual hold does not include briefly holding the client without undue force to calm or comfort the client, holding the client by the hand or by the shoulders or back to walk the client safely from one area to another where the client is not forcefully resisting the assistance, or assisting the client in voluntarily participating in activities of daily living.

(16) "Mechanical restraint" means a device attached or adjacent to the client's body that is not a prescribed and approved medical protection device, and that he or she cannot easily remove, that restricts freedom of movement or normal access to his or her body.

(17) "Medical protection device" means a device used to aid in the healing process or prevent exacerbation of an injury or wound by restricting the normal access of the resident to his or her body or parts. A medical protective device is not used for behavioral restraint. The intended use for medical protective devices is for medical reasons such as promoting healing in a wound or preventing exacerbation of an injury that may lead to complications. A device used for management of behavioral issues is not a medical protective device.

(18) "Narcotic Treatment Program" means any system of treatment provided for chronic heroin or opiate-like drug-dependent persons that administers narcotic drugs under physicians' orders either for detoxification purposes or for maintenance treatment in a rehabilitative context offered by any county board of health, partnership, corporation, association, or person or groups of persons engaged in such administration.

(19) "Outpatient Drug Treatment Program" means a non-residential program staffed by professional and paraprofessional persons that provides structured drug treatment or therapeutic services, primarily counseling and other supportive services for drug dependent persons and is not classified as an ambulatory detoxification program or Specialized Day Treatment Program. Specific requirements for this program type are set forth in Rule 82-10-1-.24.

(20) "Parent program" means the licensed program that develops and maintains administrative controls of Subunits and Branches of the program.

(21) "Physician extender" means a licensed Physician Assistant (PA) or Advanced Practice Registered Nurse (APRN), qualified by training and experience as determined by the supervising physician, who conduct assessments, develop treatment plans, manage documentation and communicate with other healthcare providers under a designated supervising physician through an approved job description (for PAs) or nurse protocol agreement (for APRNs).

(22) "Reportable incident" means any event that involves an immediate threat to the care, health or safety of a facility's client which either happens at the facility or is connected with the care the client received from the facility.

(23) "Residential intensive treatment program" means a residential program staffed by professional and paraprofessional persons which provide highly structured treatment and therapeutic activities that focus on stabilization, abstinence, and skills required for recovery; are not classified as a residential sub-acute detoxification program. Specific requirements for this program type are set forth in Rule 82-10-1-.21.

(24) "Residential sub-acute detoxification program" means a residential program for drug dependent persons which includes the medical management and other support for processes associated with the physical withdrawal from

drugs in a residential setting, staffed by professional and paraprofessional persons, which is not in a licensed hospital or designated emergency receiving, evaluating and/or treatment facility. Specific requirements for this program type are set forth in Rule 82-10-1-.19.

(25) "Residential transitional treatment program" means a residential program which provides therapeutic services to drug dependent persons, who are transitioning to the community or to other treatment modalities, and who, typically, lack a stable living situation and require variable levels of therapeutic services. Specific requirements for this program type are set forth in Rule 82-10-1-.22.

(26) "Seclusion" means the involuntary confinement of a client alone in a room or in any area of a room from which the client is prevented from leaving, regardless of the purpose of the confinement. The practice of "restrictive time-out" (RTO) is seclusion and may not be utilized except in compliance with the requirements related to seclusion. The phrase "prevented from leaving" includes not only the use of a locked door, but also the use of physical or verbal control to prevent the client from leaving.

(27) "Specialized day treatment program" means a non-residential program specifically for drug dependent persons staffed by professional and paraprofessional persons that provides structured treatment or therapeutic services, utilizing activity schedules as part of its operational method; it is not classified as an ambulatory detoxification or outpatient drug treatment program. Specific requirements for this program type are set forth in Rule 82-10-1-.23.

(28) "Special program" means a program specifically for drug dependent persons that provides a system of therapeutic services which does not fit into existing DATEP program classifications. Specific requirements for this program type are set forth in Rule 82-10-1-.25.

(29) "Subunit" means a full-time program for drug dependent persons operating semi-autonomously in a different location from the Parent program, which may provide different modalities of services, and must independently meet the licensing requirements and shall be separately licensed.

(30) "Survey" means any monitoring visit or other inquiry by the Department of Behavioral Health and Developmental Disabilities, or its representatives, of a facility, including but not necessarily limited to the premises, staff, persons in care, and documents pertinent to initial and continued licensing so that the Department may determine whether a facility is operating in compliance with licensing requirements or has violated any licensing requirements. Surveys may be announced or unannounced at the discretion of the Department.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.03

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Definitions" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.04 [Effective 7/19/2026] Governing Body

Each licensed facility shall have a clearly identified governing body. The chairperson or chief executive officer of the governing body shall complete a statement of responsibility on behalf of the governing body acknowledging the governing body's responsibility for the operation of the facility in accordance with these rules in connection with any application for a license on a form provided by the Department. If a facility is individually owned, then the owner(s) will complete the statement of responsibility.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.04

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Governing Body" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.05 [Effective 7/19/2026] Licenses

(1) No governing body shall operate a drug abuse treatment and education program in the state without first obtaining a license or provisional license. A licensed facility may offer one or more of the program services described in these rules.

(2) Effective July 1, 2026, new branch programs, as defined in Rule 82-10-1-.03, are required to operate with a separate license from the parent program. Those that are in existence prior to July 1, 2026, may continue to have a shared licensure structure until such time any change is made to the functioning of the program (additional services, changes in the number of people served, changes in ownership/governing body, etc.).

(3) **License.** A license will be issued, upon presentation of evidence satisfactory to the Department, that the facility is in compliance with these rules and all applicable federal and state laws for the handling and dispensing of drugs, and all state and local health, safety, (including fire, sanitation, building) and zoning requirements. A license shall remain in force and effect for a period determined by the Department unless sooner suspended or revoked by the Department. Such license shall describe each type of service and program that the licensee is authorized to provide. Any changes in authorized services and programs shall be reported to the Department. The Department will determine whether a new license is required.

(4) **Provisional license.** A provisional license may be issued for a period not to exceed ninety (90) days to a facility that has substantially complied with all requirements for a regular license. Provisional licenses shall be renewed at the discretion of the Department only in cases of extreme hardship and in no case for longer than ninety (90) days. The obligations and conditions of a provisional license shall be the same as those of a license unless otherwise provided for by the Department. Such provisional license shall describe each type of service and program that the licensee is authorized to provide. Any changes in authorized services and programs shall be reported to the Department. The Department will determine whether a new license is required.

(5) **Qualifications requirement.** To obtain or retain a license or provisional license, the administrator of the facility and its employees must be qualified, as defined in these rules, to administer or work in a program. However, the Department may require additional reasonable verification of the qualifications of the administrator and employees either at the time of application for a license or provisional license or at any time during the license period.

(6) **License is non-transferable**. A license or provisional license to operate a facility is nontransferable for a change of location or governing body. Each license or provisional license shall be returned to the Department in the following cases: changes in location, governing body, facility closure or the license is suspended or revoked.

(7) **Exclusions.** The following types of entities are not subject to these specific rules:

(a) Narcotic Treatment Programs which are licensed/monitored by the State Opioid Treatment Authority;

(b) Licensed hospitals not operating separate and distinct drug abuse treatment programs as classified by the Department;

(c) Designated Emergency Receiving, Evaluation and/or Treatment (ERET) facilities that are not operating drug abuse treatment programs as defined herewithin;

(d) Licensed individual professionals operating in compliance with their state practice acts but do not offer or purport to offer "Drug Abuse Treatment and Education Programs";

(e) Organizations or persons that provide supportive services (i.e., residence, transportation, etc.) to drug dependent persons but do not offer or purport to offer "Drug Abuse Treatment and Educational Programs." Support services under the direct control of licensed programs must be a part of the licensed program; and

(f) Organizations or persons that provide treatment, therapeutic advice, or counsel for the rehabilitation of drug dependent persons that do not fall under one of the program types defined herewithin these Rules (specifically, Residential Sub-acute Detoxification Programs, Ambulatory Detoxification Programs, Residential Intensive Treatment Programs, Specialized Day Treatment Programs, Outpatient Drug Treatment Programs, or Special

Programs, all as defined in Rule 82-10-1-.03). Examples of organizations or person that meet this exception include primary care clinicians and mental health therapy providers who are not providing services under one of the program types defined herein.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.05

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Licenses" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.06 [Effective 7/19/2026] Accreditation

The Department may, in its discretion, issue a license to a facility that provides proof of accreditation by an accreditation agency approved by the Department, if the accreditation agency's requirements are substantially equivalent or more stringent than the requirements of these rules. The license may be issued without an on-site visit by the Department, however, the Department reserves the right to perform an on-site survey of accredited facilities. Any denial, suspension, or revocation of such accreditation shall result in similar licensure actions, and the governing body shall be required to apply for a new license. For the purpose of this rule, proof of accreditation shall include a copy of the facility's most recent accreditation report together with any supplemental recommendations or reports. Such reports shall be submitted to the Department whenever received by a facility and whenever requested by the Department.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.06

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Accreditation" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.07 [Effective 7/19/2026] Applications

(1) An application for a license to operate a drug abuse treatment and education program shall be submitted to the Department on forms provided by the Department, as well as requested updating information, and shall include assurances satisfactory to the Department that the facility is in compliance with all applicable federal and state laws for the handling and dispensing of drugs, with professional practice acts, and all state and local health, safety, sanitation, building, and zoning requirements.

(2) False or misleading information. An application for a license must be truthfully and fully completed. In the event that the Department has reason to believe that an application has not been completed truthfully, the Department may require additional verification of the facts alleged. The Department may refuse to issue a license where false statements have been made in connection with an application or any other documents required by the Department.

(3) The Department may deny the application of any governing body with a DATEP license that has been suspended, restricted, or revoked within the past twelve (12) months.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.07

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Applications" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.08 [Effective 7/19/2026] Reporting Incidents to the Department

(1) The facility shall report all reportable incidents to the Department within twenty-four (24) hours; provided, however, legal action involving the juvenile justice system is not required to be reported.

(2) Reportable incidents include the following incidents involving a facility's clients:

(a) Death;

(b) Serious injury requiring medical attention beyond first aid;

(c) Rape;

(d) Assault;

(e) Battery;

(f) Abuse;

(g) Neglect;

(h) Exploitation;

(i) External disaster or emergency effecting operation of the facility;

(j) Injury beyond first aid from an emergency safety intervention; and

(k) Any incident which results in federal, state, or private legal action by or against the facility which affects any child or the conduct of the facility.

(3) Reports of reportable incidents shall be made in a form acceptable to the Department, and the Department may specify a methodology and/or an online platform or system through which such reports must be electronically submitted.

(4) The Department may request the facility to conduct an investigation of any reportable incident. If so requested, the facility shall provide the Department with a detailed investigative report within seven (7) days of the Department's request. At the request of the facility, and for good cause shown, the Department may in its discretion allow the facility additional time to complete and submit such investigative report.

(5) Where required by O.C.G.A. § 30-5-4, the facility shall also report incidents to an appropriate law enforcement agency or prosecuting attorney.

(6) **Child abuse reports.** Whenever the facility has reason to believe that a client who is a minor in care has been subjected to child abuse it shall cause a report of such abuse to be made to the child welfare agency providing protective services as designated by the Department of Human Services (Division of Family and Children Services) or in the absence of such an agency to an appropriate police authority or district attorney in accordance with the requirements of O.C.G.A. § 19-7-5. A copy of such report shall also be filed with the Department.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.08

AUTHORITY: O.C.G.A. § 26-5-1 et seq.

HISTORY: Original Rule entitled "Reporting Incidents to the Department" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.09 [Effective 7/19/2026] Surveys, Investigations and Corrective Action Plans

(1) **Survey.** The Department is authorized to conduct a survey to determine whether a facility is operating in compliance with licensing requirements or has violated any licensing requirements. Such surveys may be initiated at

any time, in the discretion of the Department, and may continue during the pendency of any action initiated by the Department. After initial licensure, the Department shall conduct on-site surveys of each facility on a regular basis. The Department may authorize third party audits or surveys of facilities for the purpose of determining whether a facility is in compliance with these rules.

(2) **Investigation.** Where the Department determines that a rule violation related to a complaint or a reportable incident may have occurred, the Department may initiate an investigation. Such investigations may be initiated at any time, in the discretion of the Department, and may continue during the pendency of any action initiated by the Department.

(3) **Cooperation with survey and investigation.** The facility shall cooperate with any survey or investigation conducted by the Department and shall provide, without delay, reasonable and meaningful access to the facility's premises, and information pertinent to licensure including staff and persons in care. The Department shall have the authority to require the production of any documents related to the initial and continued licensing of any facility.

(4) **Violations report.** If violations of any licensing rules are identified, the facility will be given a written report of the violation that identifies the rule violated; provided however, that the names and identifying information regarding the complainants are classified as confidential. Nothing in this rule shall be construed to require the Department to release the name or identifying information regarding a complainant without first obtaining proper authorization from such complainant. Nor shall this rule be construed to require the Department to release any other confidential or privileged information without first obtaining proper authorization.

(5) **Violations dispute.** The facility may offer an explanation for or dispute the Department's findings of violation(s) of licensing rules within ten (10) days of a survey or investigation report showing such finding(s). When the Department transmits the survey or investigation report to the facility, the Department shall include instructions for how such an explanation or dispute can be made, and the facility must make such explanation or dispute as directed in those instructions. At a minimum, the instructions must include directions on how the facility can initiate an administrative action, as provided for in the Rules and Regulations for Licensure Enforcement and Sanctions, Chapter 82-14-1. However, the Department may (but is not required to) provide for a prior process of administrative review by the Department before the matter is ripe for administrative action before agencies or courts outside the Department.

(6) **Corrective action plan.** The facility shall develop a corrective action plan within fifteen (15) days of a written report of violations.

(a) If the initial corrective action plan is unacceptable to the Department, the facility will be provided with at least one (1) opportunity to revise the unacceptable corrective action plan.

(b) The facility shall comply with the corrective action plan accepted by the Department.

(c) Where the Department determines that the facility either has not filed an acceptable corrective action plan or has not complied with the accepted corrective action plan, the Department may initiate one or more sanctions as described in the Rules and Regulations for Licensure Enforcement and Sanctions, Chapter 82-14-1.

(d) The Department may require the facility to develop an "internal corrective action plan" which does not need to be submitted to the Department, except at the request of the Department. The "internal corrective action plan" must meet all other requirements of a corrective action plan.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.09

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Surveys, Investigations and Corrective Action Plans" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.10 [Effective 7/19/2026] Administration

(1) **Program purpose**. A licensed facility shall develop and implement written policies and procedures that specify its philosophy, purpose, and program orientation. Such policies and procedures shall identify the target population served including the ages of the clients, how the needs of the target population are met, and substances used.

(2) **Program operations.** A licensed facility shall develop and implement written policies and procedures for operations to include:

(a) A description of the range of treatment and services provided by the program to be reviewed annually and updated as needed, specifying which American Society of Addiction Medicine (ASAM) levels of care will be offered, what services will be provided directly by the program, and what services are provided in cooperation with available community or contract resources;

(b) The process for intake, assessment, admission, treatment planning, and evaluation of treatment;

(c) Discharge summaries and aftercare plans;

(d) The protection of client's rights (including but not limited to those rights set forth in Rule 82-10-1-.26) and confidentiality of client records;

(e) The appropriate use of behavior management and emergency safety interventions; and

(f) When the facility administers medications, policies and procedures related to medication administration.

(3) **Administrator.** The governing body of the facility shall designate an administrator who shall be authorized to manage the facility. The clinical director may serve as the administrator.

(4) **Clinical director.** The governing body of the facility shall designate a clinical director who is responsible for all treatment services provided.

(5) **Finances.** The governing body shall provide for the preparation of an annual budget and approve such budget. Copies of the current year's budget and expenditure records shall be maintained for examination and review by the Department.

(a) The administrator and all persons authorized to receive and disburse operating funds shall be authorized by the governing body to do so.

(b) The facility shall develop and implement a written schedule of client fees. The schedule shall identify all fees which are chargeable to clients and a copy of the schedule shall be provided to the client, or parent, or guardian, or responsible party upon request, during the admission process and subsequently upon request.

(c) A financial audit shall be completed annually by a certified public accountant or other external qualified audit approved by the governing body.

(6) **Client records**. A written record of each client assessed, and each client admitted to the program must be maintained by the program.

(a) **Contents.** Each client record shall include all information necessary to monitor the client's condition and contain at least the following information:

1. Basic identifying information including name, address, telephone number, date of birth, sex, and race;

2. If applicable, the names, addresses, and telephone numbers of parents, or guardians, or responsible parties;

3. Persons to notify in case of an emergency if different from above;

4. The name of the client's attending physician, if any;

5. All records of screening and assessment, including a comprehensive psychosocial history;

6. If applicable, documentation of why the client was not admitted for treatment and suggested referrals given to client;

7. Written consent as required in rule 82-10-1-.13;

8. Documentation of orientation as required in rule 82-10-1-.13;

9. Rights of the client (state and federal, including but not limited to those client's rights set for the in Rule 82-10-1-.26) including confidentiality and signed by the client;

10. Treatment plan and treatment notes (including drug administration records if applicable);

11. Results of laboratory tests, as appropriate;

12. Discharge summary and aftercare plan;

13. Any other records relating to the client's treatment and stay in the program such as written grievances, reports about discipline to include any use of emergency safety interventions if an incident resulting in injury occurs while the patient is at the facility location, observations, etc.

14. A statement of confidentiality, including to whom records may be released, how they may be released, etc.; and

15. Releases of information, as applicable.

(b) **Confidentiality and retention of client records.** Written policies and procedures shall be established and implemented for the maintenance and security of client records specifying who shall supervise the maintenance of such records, who shall have custody of such records, and to whom records may be released, how they may be released and for what purposes they may be released. Confidentiality, release, and retention of client records must comply with 42 CFR, Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records.

(c) The Department shall have access to all client clinical records for the purpose of determining compliance with licensure requirements.

(7) **Personnel records.** A facility shall maintain written records for each employee and the administrator. Each individual file shall include:

(a) Identifying information such as name, address, telephone number, emergency contact person(s);

(b) A ten (10) year employment history or a complete employment history if the person has not worked ten (10) years;

(c) Records of applicable licenses and educational qualifications as required by these rules;

(d) Record of tuberculosis testing upon hire, with additional evaluation to exclude disease as clinically indicated;

(e) Record of annual tuberculosis risk assessment and symptom evaluation, with testing as clinically indicated;

(f) Record of random drug screening;

(g) Date of employment;

(h) The person's job description or statements of the person's duties and responsibilities;

(i) Documentation of training and orientation required by these rules;

(j) Any records relevant to the employee's performance including at least annual performance evaluations; and

(k) The results of employment and criminal background checks conducted by the facility prior to employment indicating that the employee has no history of violence or abuse which would pose a risk to clients receiving services through the treatment program. If a criminal background check by the Department is required by law, this documentation requirement may be met by the presence of an official notice of an eligible determination by the Department, or an order of a court of competent jurisdiction finding the employee eligible for employment by the program under applicable law.

(8) **Emergency services.** During non-operating hours, the facility must make provisions for twenty-four (24) hour emergency services or a telephone "hot line" to assist a client in a crisis situation. This information must be provided to the client upon admission.

(9) **HIV/AIDS**. A licensed facility shall provide HIV/AIDS education, risk assessment and the provision of HIV counseling and testing, either directly or by referral.

(10) **Priority access.** Written policies and procedures must be developed for providing priority in access to services and admissions to programs for drug dependent pregnant females.

(11) **Drug-free workplace.** Written policies and procedures shall be established and implemented to provide for a drug-free workplace. Pre-employment and ongoing random urine drug screens shall be utilized for all facility employees. Each sample collected shall be screened for opiates, methadone, amphetamines, cocaine, benzodiazepines, THC and other drugs either as indicated by the Department or the employer.

(12) **Referral to other programs.** Each program shall have a formal plan of cooperation with other programs in the state for referral of clients to allow for continuity of care for drug dependent persons or for emergency hospitalization. The licensed programs must have identified resources that would be available to continue the drug dependent person's care and to have worked out referral/transfer arrangements where appropriate.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.10

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Administration" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.11 [Effective 7/19/2026] Staffing

(1) The facility shall have sufficient types and numbers of staff as required by these rules to provide the treatment and services offered to clients and outlined in its program description.

(2) Staff subject to professional practice acts must be in compliance with the state practice acts.

(3) Counseling services are provided by individuals qualified by education, and experience to provide substance abuse counseling and who are licensed/certified if required by state practice acts.

(4) The medical responsibility for each client will be vested in a licensed physician who oversees all medical services provided by the program. Physician extenders may be utilized to the extent allowed by state practice acts.

(5) Each facility shall have available professional mental health consultation to review selected cases and to provide assistance to the staff in client management or for referral for psychiatric services.

(6) The clinical director must be either a Doctor of Medicine licensed to practice in this state, or an independently licensed practitioner who is licensed to provide treatment, therapeutic advice or counsel for the rehabilitation of drug

dependent persons in compliance with state practice acts, or a certified addiction counselor under the supervision of the medical director.

(7) Employment and criminal background checks shall be conducted prior to employment, and no person may be employed by the facility who has a history of violence, exploitation, or abuse which would pose a risk to the clients being treated by the facility, or who is otherwise prohibited by law from being employed by the facility. If a criminal background check by the Department is required by law, the criminal background check requirement may be met by an eligible determination by the Department, or an order of a court of competent jurisdiction finding the employee eligible for employment by the program under applicable law.

(8) Staff training and orientation. Prior to working with clients, all staff who provide treatment and services shall be oriented in accordance with these rules and shall thereafter receive additional training in accordance with these rules.

(a) Orientation shall include instructions in:

1. The facility's written policies and procedures regarding its program purpose and description; client rights, responsibilities, and complaints (including but not limited to those client's rights set forth in Rule 82-10-1-.26); confidentiality; and other policies and procedures that are relevant to the employee's range of duties and responsibilities, including the use of standard precautions for infection control, use of behavior management and emergency safety interventions, and information about HIV/AIDS;

2. The employee's assigned duties and responsibilities; and

3. Reporting client progress and problems to supervisory personnel and procedures for handling medical emergencies or other incidents that affect the delivery of treatment or services.

(b) Additional training consisting of a minimum of thirty (30) clock hours of training or instruction shall be provided annually for each staff member who provides treatment services to clients. Such training shall be in subjects that relate to the employee's assigned duties and responsibilities.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.11

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Staffing" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.12 [Effective 7/19/2026] Physical Plant and Safety

(1) **Required approvals.**

(a) A facility shall be in compliance with all applicable local health, sanitation, building, and zoning requirements.

(b) A facility shall be in compliance with all applicable laws and rules issued by the state fire Marshall, the proper local fire marshal or state inspector, and shall have a certificate of occupancy if required.

(2) All buildings and grounds shall be constructed and maintained in a safe manner and in accordance with these rules.

(3) A facility shall have appropriate and sufficient space to meet the programmatic needs of its clients and carry out the facility's array of services. Such space shall include areas conducive to privacy for counseling and group activities, reception/waiting areas, and bathrooms which assure privacy for collection of urine specimens.

(4) **Residential sleeping areas.**

(a) For residential programs initially licensed or expanded after September 29, 2013, sleeping areas shall contain not less than sixty (60) square feet of usable floor space per resident in multiple use bedrooms and not less than one hundred (100) square feet of usable space in single bedrooms.

(b) Each resident shall be provided with his or her own personal space and furnishings for storage of clothes and personal belongings.

(c) Each resident shall be provided with his or her own personal bed and mattress. Clean sheets, pillows, and pillowcases, blankets or bed covering shall be provided and sheets and pillowcases shall be changed as needed, but at least weekly.

(d) Bedrooms shall be provided with outside ventilation by means of windows, air conditioners, or mechanical ventilation. All rooms that have windows that can be opened without special devices shall have window screens inserted and the windows and screens must be in good repair.

(5) **Residential lavatory and bathing facilities.**

(a) For residential programs initially licensed or expanded after September 29, 2013, there shall be at least one (1) lavatory (water basin and toilet) with hot and cold water for every six (6) residents or fraction thereof. Lavatories that contain more than one (1) toilet shall contain stalls for individual privacy. All lavatories shall be properly ventilated.

(b) For residential programs initially licensed or expanded after September 29, 2013, there shall be at least one (1) shower or bathtub with hot and cold water for every ten (10) residents or fraction thereof. Bathtubs and shower stalls shall be equipped with non-slip surfaces.

(6) **Residential dining areas.** There shall be a separate furnished dining area for serving meals that contains not less than ten (10) square feet of usable floor space for each resident being served.

(7) **Residential climate control and pest control**. A facility shall be maintained at a temperature range of sixty-five (65) degrees Fahrenheit (seventy-two (72) degrees if serving pregnant women, infants or small children) to eighty-two (82) degrees Fahrenheit, depending on the season of the year. An effective pest control system shall be implemented and documentation on file as to actions taken.

(8) **Off-site residences.** Facilities which provide off-site residences as a part of their programs must ensure that the residences also meet the above requirements.

(9) **Premises.** All grounds, space, and facilities, both those within the program and those regularly used by residents as an integral part of the program, shall be kept clean and free from hazards to health and safety and from litter.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.12

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Physical Plant and Safety" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.13 [Effective 7/19/2026] Food Service

(1) A residential facility which provides food service shall provide each resident with meals and snacks of food groups and serving sizes which meet the nutritional guidelines of the United States Department of Agriculture. Meals and snacks shall be varied daily. Modified diets based on medical or religious reasons shall be served as needed.

(2) If required by the local county board of health, a residential facility shall obtain a valid food service permit from the local county board of health. All residential facilities providing food services shall meet the following requirements:

(a) Food shall be stored, prepared, and maintained in a safe and sanitary manner commensurate with generally accepted and recognized food service standards.

(b) There shall be designated and separate space for food preparation and storage.

(c) All perishable and potentially hazardous foods shall be refrigerated at a temperature of forty (40) degrees Fahrenheit or below unless frozen. Freezer temperatures shall be maintained at zero (0) degrees Fahrenheit or below.

(d) Food shall be in sound condition, free from spoilage and contamination and shall be safe for human consumption when served to residents.

(e) Food service equipment and preparation areas shall be kept clean and free of accumulation of dust, dirt, food particles, and grease deposits.

(f) When non-disposable dishes, glasses, and flatware are used, they shall be properly cleaned by pre-rinsing and scraping, washing, sanitizing, and drying.

(3) Where a residential facility provides food services through contract or arranges for food services, the residential facility shall require that food served be safe for human consumption and that the meals/snacks provided meet the nutritional guidelines of the United States Department of Agriculture.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.13

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Food Service" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.14 [Effective 7/19/2026] Client Referral, Intake, Assessment, and Admission

(1) A program shall only accept referrals and shall only admit and retain clients whose known needs can be met by the program in accordance with the program's purpose and description. Written policies and procedures for client referral, intake, assessment, and admission shall be established and implemented and shall include the following:

(a) **Screening.** All persons referred to the program or who present themselves for services shall be initially screened to determine if the prospective client appears to meet the program's admission criteria. Such screenings shall be done by a staff person who has been determined to be qualified by education, training, experience, and who are licensed/certified if required by state practice acts to perform such screenings. Screening shall constitute an initial appraisal of the clients' dysfunctions and the types of services that appear needed. Persons whose needs cannot be met by the program shall not be admitted and should be referred to other programs that provide appropriate services. A record (log) will be kept of persons not admitted and reason(s) for not admitting. The program has the discretion to use information on clinical evaluations done within thirty (30) days.

(b) **Assessment.** All clients admitted to the program shall be evaluated by a staff person who has been determined to be qualified by education, training, and experience and who are licensed/certified if required by state practice acts to perform or coordinate the provision of such assessments. Such evaluations shall include a comprehensive assessment of the client's physical, emotional, behavioral, social, recreational, and educational status and needs. The program has the discretion to use current clinical information concerning a client transitioning from another licensed program, licensed hospital, or a state or federal agency, if there has not been a discontinuance in treatment.

1. **Medical Screening and Assessment.** The Medical Director shall document protocols for admission screening and assessment to include, at a minimum:

(i) Documentation of vital signs;

(ii) Laboratory tests ordered as clinically indicated, but at minimum, CBC, infectious disease screening (e.g., HIV, Hepatitis B, Hepatitis C), urinalysis (routine and microscopic), tuberculosis screening, urine drug screen (SAMHSA Panel), and pregnancy test for all females with childbearing potential between the ages of 12 and 55 years of age; and

(iii) **Nursing Assessment.** Determination by a registered nurse or physician/physician extender whether the client requires a physical and/or psychiatric examination by a physician/physician extender;

2. **History and Physical**. If an examination by a physician/physician extender is indicated, arrangements shall be made for such an examination as appropriate. The assessment shall also include circumstances leading to admission, mental status, support system, psychiatric and medical history, risk assessment for HIV, history of use of drugs, including the age of onset, duration, patterns, and consequences of use, family history of drug use, route of administration and previous treatment.

3. If a client has been referred for treatment from another facility, the results of a physical examination and laboratory tests from the other facility may be documented and used to assess physical status, provided that such physical examination was done within six (6) months of admission, and there has been no significant change in the physical status of the client. Further assessments or laboratory tests may be required depending upon the modality of treatment needed or the client's changing condition.

4. **Biopsychosocial assessment.** At the time of admission or as soon as clinically appropriate (but no longer than ten (10) working days), a comprehensive biopsychosocial assessment shall be done and shall document personal and social history, including current relationships, educational status, living arrangements, social habits, employment status, legal status and related areas.

(c) **Admission.**

1. **Informed consent.** Except as otherwise authorized by law, no person shall be admitted for treatment without written authorization from the client and parent, guardian, or responsible party, if applicable. The following information must be explained by a trained staff person to the client and other consenters and documented in the client's file:

(i) The program's services and treatment;

(ii) The specific condition that will be treated;

(iii) The expected charges for services including any charges that might be billed separately;

(iv) The client's rights and responsibilities (including but not limited to those rights and responsibilities set forth in Rule 82-10-1-.26);

(v) The rights of consenters to obtain information about the client's treatment, etc.; and

(vi) The procedures for complaint and question resolution.

2. **Orientation.** The program shall provide orientation to clients admitted for treatment within 24 hours of admission or at such time that the client appears able to hear and respond to requests, but in no event later than seventy-two (72) hours after admission. Clients must be reoriented as needed to ensure an understanding of the program. Orientation shall be done by a staff person who has been determined to be qualified by education, training, and experience to perform the task. The following information must be explained to the client and documented in the client's file:

(i) The expected benefits of the treatment that the client is expected to receive;

(ii) An explanation of comprehensive, individualized treatment planning;

(iii) The client's responsibilities for adhering to the treatment plan and the consequences of non-adherence;

(iv) The identification of the staff person(s) expected to provide treatment or coordinate the treatment;

(v) Program rules including requirements for conduct and the consequences of infractions;

(vi) Client's rights, responsibilities, and complaints (including but not limited to those rights and responsibilities set forth in Rule 82-10-1-.26);

(vii) The program's policies for use of behavior management and emergency safety interventions when necessary; and

(viii) Policies and procedures for visiting hours and communications with persons outside the program, if a residential program.

(d) Drug dependent pregnant females shall be given priority for admission and services when a program has a waiting list for admissions.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.14

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Client Referral, Intake, Assessment, and Admission" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.15 [Effective 7/19/2026] Treatment Plan

(1) A program must develop and implement a comprehensive, individualized treatment plan for each client. Such treatment plans shall be modified and updated as necessary, depending upon the clients' needs.

(2) **Initial treatment plan.** An initial treatment plan will be formulated at the time of admission after assessment (within a minimum of ten (10) working days) and will include the initial treatment recommendation for the client. The initial treatment plan may be documented in the program notes.

(3) **Comprehensive treatment plan.** The treatment plan must be comprehensive, individualized, formulated by a multi-disciplinary team with the input of the client, approved by an independently licensed practitioner or certified addiction counselor, completed within thirty (30) days of admission, and shall contain sufficient information about the client's expected treatment including:

(a) Descriptions of the client's problems and needs;

(b) Measurable goals and desired outcomes that are to be attained by the client, which include both long-term goals and short-term objectives leading to these goals;

(c) The interventions and services that the program will provide to help the client achieve the goals and desired outcomes;

(d) The expected course of treatment; and

(e) Identification of the staff person(s) who will provide treatment or coordinate the treatment.

(4) **Progress notes.** A program shall document the services received by the client and document chronological observations of the client's clinical course of treatment which includes the client's response to treatment and progress towards achieving goals and desired outcomes. Progress notes shall be documented by the staff member assigned the primary responsibility for the client's care and shall be legible and recorded in the client's plan. Progress notes shall be recorded as applicable:

(a) At the end of each shift in the client's medical record for residential detoxification programs;

(b) Following any contact with a client undergoing ambulatory detoxification or narcotic treatment;

(c) At least weekly for substance abuse treatment residences;

(d) Daily for day treatment programs;

(e) Whenever there are face-to-face contacts with the client for outpatient drug treatment programs;

(f) Whenever the client is observed to engage in a behavior which may affect a change in the treatment plan; and

(g) Immediately following the use of any emergency safety intervention with the client.

(5) Random urine drug screens are required for each client, the frequency of which is determined by the program to determine its effectiveness. Clinical directors may elect to rely upon presumptive urine screening results for client management. The program must demonstrate the ability to access confirmatory qualitative laboratory analysis.

(6) **Plan reviews.** Plans shall be reviewed and updated, as needed, by the staff member who has primary responsibility for coordinating or providing for the care of the client. Reviews shall be done whenever necessary as indicated by the client's needs or at least every thirty (30) days for residential and sixty (60) days for outpatient.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.15

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Treatment Plan" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.16 [Effective 7/19/2026] Medications

(1) If a program administers medications, written policies and procedures for prescription, administration and security of medications shall be established and implemented. Such policies and procedures shall include the following:

(a) Medications are prescribed by a physician/physician extender, and/or other practitioners as allowed by state law, and the risks and benefits of the prescribed medication are explained to the client (and parent, guardian, or responsible party if applicable) by the physician/physician extender or a staff person who has been delegated responsibility in writing by the physician to explain the risks and benefits. Documentation of such explanations of risks and benefits must be maintained by the program.

(b) The program may have written pre-medication screening protocols which are completed and approved by the physician. Such protocols shall include an assessment as required in Rule 82-10-1-.14.

(c) Unless self-administered, all medications are administered by a physician/physician extender, registered nurse, or licensed practical nurse.

(d) Any medications prescribed, administered or self-administered under supervision are documented on a medication administration record that is filed with the treatment plan, unless maintained as a clinical record at the client's bedside or in the medication room in a residential detoxification setting. The record must include:

1. Name of medication;

2. Date prescribed;

3. Dosage;

4. Frequency;

5. Route of administration;

6. Date and time administered; and

7. Documentation of staff administering medication or supervising self-administration.

(e) Adverse drug reactions and errors are reported to a physician/physician extender immediately and corrective action is initiated. Adverse drug reactions and error are recorded in the drug administration record and the treatment plan, and all persons who are authorized to administer medication or supervise self-medication are alerted.

(f) All medications shall be stored under lock and key when not being administered or self-administered.

(g) Program staff shall adhere to all federal and state laws and rules regarding controlled substances.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.16

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Medications" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.17 [Effective 7/19/2026] Quality Assurance

Written policies and procedures for an ongoing quality assurance process shall be established and implemented. Such processes shall identify areas of treatment or treatment problems to be addressed; establish and monitor criteria by which the quality and appropriateness of the treatment are to be measured; analyze the outcomes; make recommendations for change, as needed; and monitor changes to ensure problem resolution. Responsibility for administering and coordinating the quality assurance process shall be delegated to a staff person who has been determined to be qualified by education, training, and experience to perform such tasks. If the program provides medical services, the medical director shall be actively involved in the process.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.17

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Quality Assurance" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.18 [Effective 7/19/2026] Discharge Summary and Aftercare Plan

(1) A program must complete an individualized discharge summary for all discharged clients and also an aftercare plan for continuing services and support for those clients who complete their course of treatment.

(2) **Discharge summary.** A discharge summary shall be completed for all clients within seven (7) working days of discharge. A summary shall be completed by the person who has primary responsibility for coordinating or providing for the care of the client, and it shall include a final assessment of the client's status at the time of discharge, summary of progress towards treatment goals, and the reasons the client was discharged prior to completing treatment, if applicable.

(3) **Aftercare Plan.** Aftercare plans for continuing services and support shall be developed and completed prior to discharge for clients who complete treatment. The plan shall be completed by the person who has primary responsibility for coordinating or providing for the care of the client, and it shall include a final assessment of the client's status at the time of discharge, summary of progress towards treatment goals, a description of what services and supports the client is expected to need following discharge, and a description of potential barriers to overcome

to maintain a drug free lifestyle. Crisis service options must be included in the aftercare plan. The client must participate in aftercare planning, and if applicable, parents, or guardians, or responsible persons must participate whenever feasible. Clients who do not complete treatment should be offered crisis service options when possible.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.18

AUTHORITY: O.C.G.A. § 26-5-1 et seq.

HISTORY: Original Rule entitled "Discharge Summary and Aftercare Plan" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.19 [Effective 7/19/2026] Residential Sub-Acute Detoxification Program

(1) Programs offering residential sub-acute detoxification must meet Rules 82-10-1-.01 through 82-10-1-.18 and Rules 82-10-1-.26 through 82+-10-1-.27, in addition to the rules set forth in this Rule (82-10-1-.19).

(2) The program shall establish and implement written policies and procedures that address how the program manages the medical and detoxification services that it provides. The program shall operate twenty-four (24) hours a day.

(3) **Staffing.** Treatment is provided by qualified medical staff and other professionals who are qualified by education, training, experience, and who are licensed/certified if required by state practice acts to perform detoxification services that meet the needs of clients.

(a) **Medical staff.** The medical staff is headed by a medical director who is licensed to practice medicine in Georgia, and all other medical staff are licensed to practice in Georgia. The medical director must approve all medical policies and procedures, including assessment tools, treatment protocols, and emergency procedures. Such policies and procedures shall include provisions for an effective infection control program.

(b) **Director of nursing.** A licensed registered nurse determined qualified by education, training, and experience to supervise nursing services for detoxification shall be designated as the director of nursing.

(c) Physician/physician extender coverage shall be provided in accordance with the treatment protocol. At a minimum, there shall be on call physician/physician extender coverage 24 hours a day, and a physician/physician extender must be on site daily as medically indicated.

(d) Nursing coverage shall be provided in accordance with clients' needs as determined by the number and condition of client population. At a minimum, there shall be one registered or licensed practical nurse, working within their scope of practice, awake and on duty on premises 24 hours per day to respond to client needs.

(e) **Other medical services.**

1. **Diagnostic services.** Clinical laboratory services and x-ray services shall be provided in accordance with the Department of Community Health's Rules for Licensure of Clinical Laboratories, Chapter 111-8-10, and Rules for X-Ray, Chapter 290-5-22.

2. **Emergency medical services.** The program's medical policies and procedures include provisions for the delivery of emergency medical services, which services are either provided directly or through an established procedure specifying how emergency services will be accessed.

3. **Pharmaceutical services.** Pharmaceutical services are offered through a licensed pharmacy service in the community or by the program's own licensed pharmacist.

(4) **Admission.**

(a) Clients are admitted to treatment by the order of a physician/physician extender only after assessment and determination that the medical, emotional, and behavioral status of the client justifies admission. The initial detoxification care plan must be documented in the record and may be initiated by the order of the physician/physician extender following admission.

(b) An admission assessment of clients shall be performed by a physician/physician extender or registered nurse. If an assessment is done by other than a physician/physician extender, then the assessment must be communicated to physician/physician extender by telephone prior to the client's admission. The assessment must include:

1. Drug history including past detoxification episodes, and current use of drugs and medications;

2. Causes that triggered the present need for services;

3. Descriptions of medical risks and any behavioral or emotional problems;

4. Taking and documentation of vital signs;

5. Determination of whether a physical and/or psychiatric examination by a physician/physician extender is needed immediately and arrangements for such examination, if the assessment was done by a registered nurse. If the assessment is done by a physician/physician extender, it will include a physical examination; and

6. Laboratory tests will be ordered as clinically indicated, but at a minimum will include CBC, infectious disease screening (e.g., HIV, Hepatitis B, Hepatitis C), urinalysis (routine and microscopic), tuberculosis screening, urine drug screen (SAMHSA Panel), and pregnancy test for all females with childbearing potential between the ages of 12 and 55 years of age.

(5) **Treatment.**

(a) Within twenty-four (24) hours of admission, or the next normal business day if admission occurred on a weekend or holiday, the client must be seen by a physician/physician extender if the admission assessment was done by a registered nurse. If a physical examination is needed, such examination shall be done at that time.

(b) Within forty-eight (48) hours of admission, a complete detoxification care plan shall be developed by a registered nurse, or physician/physician extender. If not done by a physician/physician extender, the development of the plan shall be supervised and signed by a physician/physician extender. Any changes to the plan must be documented in the plan and reviewed and signed by the physician/physician extender. The plan shall address the nursing and medical procedures needed to stabilize the client and to manage the withdrawal.

(c) In addition to medical management, the program shall provide the client substance abuse counseling and support by staff who are determined qualified by training, education, experience, and who are licensed/certified if required by state practice acts to provide such services. Such services shall be provided to clients as soon as it is determined that they can benefit from such services but no later than within three working days of admission.

(d) A discharge summary and aftercare plan, if applicable, shall be completed in accordance with Rule 82-10-1-.18.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.19

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Residential Sub-Acute Detoxification Program" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.20 [Effective 7/19/2026] Ambulatory Detoxification Programs

(1) Programs offering ambulatory detoxification must meet Rules 82-10-1-.01 through 82-10-1-.18 and Rules 82-10-1-.26 through 82-10-1-.27, in addition to the rules set forth in this Rule (82-10-1-.20).

(2) The program shall establish and implement written policies and procedures that address how the program manages the medical and detoxification services that it provides. The program shall be open and operate five (5) days a week with on-call physician/physician extender coverage as outlined below.

(3) **Staffing.** Treatment is provided by qualified medical staff and other professionals who are qualified by education, training, experience, and who are licensed/certified if required by state practice acts to perform detoxification services that meet the needs of clients.

(a) **Medical staff.** The medical staff is headed by a medical director who is licensed to practice medicine in Georgia, and all other medical staff are licensed to practice in Georgia. The medical director must approve all medical policies and procedures, including assessment tools, treatment protocols, and emergency procedures.

(b) **Medical coverage.** There shall be a physician/physician extender or registered nurse on duty and on premises during all hours of operation to provide oversight of other medical staff and to supervise client treatment and assess clients as needed. Each physician/physician extender employed by the program is determined qualified by training, education, and experience to manage detoxification treatment and assumes responsibility for the medical services provided by the staff.

(c) **On-call coverage.** A staff physician/physician extender shall provide twenty-four (24) hour, on-call coverage when the program is closed or a physician/physician extender is not present on the premises.

(d) On premises nursing coverage shall be provided in accordance with clients' needs as determined by the number and condition of the client population.

(4) **Other Medical Services.**

(a) **Diagnostic services.** Clinical laboratory services and x-ray services shall be provided in accordance with the Department of Community Health's' Rules for Licensure of Clinical Laboratories, Chapter 111-8-10, and Rules for X-Ray, Chapter 290-5-22.

(b) **Emergency medical services.** The program's medical policies and procedures include arrangements for the delivery of emergency medical services.

(c) **Pharmacy services.** Pharmaceutical services are provided through a licensed pharmacy in the community or the program's own licensed pharmacist.

(5) **Admission.**

(a) Clients are admitted to treatment by the order of a physician/physician extender only following assessment and determination that the medical, emotional, and behavioral status of the client and his or her support systems are adequate to justify admission to an ambulatory program. Persons treated in ambulatory detoxification settings are without unusual or significant medical or behavioral problems that would pose a significant risk to the safe completion of an ambulatory detoxification program. The initial detoxification care plan must be documented in the record and may be initiated by the order of the physician/physician extender following admission.

(b) An admission assessment of the client shall be performed by a physician/physician extender or registered nurse. If an assessment is done by other than a physician/physician extender, then the assessment must be communicated to a physician/physician extender by telephone prior to the client's admission. The assessment must include:

1. Drug history including past detoxification episodes, and current use of drugs and medications;

2. Causes that triggered the present need for services;

3. Descriptions of medical risks and any behavioral or emotional problems;

4. Taking and documentation of vital signs;

5. Determination of whether a physical and/or psychiatric examination by a physician/physician extender is needed immediately, and arrangements for such examinations, if indicated, if the assessment was done by a registered nurse;

6. Determination that the prospective client appears to have the support and supervision needed from family members and others to benefit from ambulatory treatment; and

7. Laboratory tests will be ordered clinically as indicated, but at a minimum will include: CBC, infectious disease screening (e.g., HIV, Hepatitis B, Hepatitis C), urinalysis (routine and microscopic), tuberculosis screening. urine drug screen (SAMHSA Panel), and pregnancy test for females with childbearing potential between the ages of 12 and 55 years of age.

(6) **Treatment.**

(a) Within twenty-four (24) hours of admission, or the next normal business day if admission occurred on a weekend or holiday, the client must be seen by the physician/physician extender if the admission assessment was done by a registered nurse. If a physical examination is needed, such examination shall be done at that time.

(b) Within forty-eight (48) hours of admission, a detoxification care plan shall be developed by a registered nurse, or physician/physician extender. If not done by a physician/physician extender, the development of the plan shall be supervised and signed by a physician/physician extender. Any changes to the plan must be documented in the plan and reviewed and signed by the physician/physician extender. The plan shall address the nursing and medical procedures and monitoring activity needed to stabilize the client and to manage the withdrawal.

(c) For the length of the detoxification care plan and while on medication, the client shall be required to visit the program at least once a business day for a check of vital signs and monitoring of medication by one of the medical staff.

(d) In addition to medical management services, the program shall provide the client counseling and support by staff who are determined qualified by training, education, experience, and who are licensed/certified if required by state practice acts to provide such services. Such services shall be provided to clients as soon as it is determined that they can benefit from such services but no later than within three (3) working days of admission.

(e) A discharge summary and an aftercare plan, if applicable, shall be completed in accordance with Rule 82-10-1-.18.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.20

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Ambulatory Detoxification Programs" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.21 [Effective 7/19/2026] Residential Intensive Treatment Programs

(1) Programs offering residential intensive treatment programs must meet Rules 82-10-1-.01 through 82-10-1-.18 and Rules 82-10-1-.26 through 82-10-1-.27, in addition to the rules set forth in this Rule (82-10-1-.21).

(2) Residential intensive treatment programs provide services for clients with significant substance abuse impairment, and who, typically, have not progressed in a less intensive setting, or lack support and require a highly structured and specialized environment, or are transitioning from detoxification.

(3) Client intake, assessment, and admission; treatment planning; and discharge and aftercare, if applicable, shall be done in accordance with Rules 82-10-1-.14, 82-10-1-.15, and 82-10-1.18. Additional admission requirements, including laboratory tests, may be required by facility policy and/or determination of the medical/clinical director.

(4) A program shall provide a minimum of eight (8) hours per day of various therapeutic services designed to enable the client to function without substance abuse. Such services shall be provided by persons who have been determined qualified by education, training, experience, and who are licensed/certified if required by state practice acts to render such services that meet the needs of clients.

(5) There shall be sufficient types and numbers of staff members on duty in the residence to provide for safe supervision of clients whenever clients are present.

(6) Provisions shall be made for mandatory education of children in care in accordance with O.C.G.A. § 20-2-690 *et seq*. or its successor statute.

(7) A program shall have a written agreement with a physician/physician extender for the provision of medical care.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.21

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Residential Intensive Treatment Program" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.22 [Effective 7/19/2026] Residential Transitional Treatment Programs

(1) Programs offering residential transitional treatment programs must meet Rules 82-10-1-.01 through 82-10-1-.18 and Rules 82-10-1-.26 through 82-10-1-.27, in addition to the rules set forth in this Rule (82-10-1-.22).

(2) Residential transitional treatment programs provide services on an intermediate basis for clients characterized as chronic substance abusers who are transitioning to the community or to other treatment modalities, and who, typically, lack a stable living situation and require variable levels of therapeutic services.

(3) Facilities that only provide housing for persons, such as half-way houses or temporary shelters, are not subject to licensure as residential transitional treatment programs, unless the residence offers treatment services or is a supportive service owned and/or controlled by a licensed program.

(4) Client intake, assessment, and admission; treatment planning; and discharge and aftercare shall be done in accordance with Rules 82-10-1-.14, 82-10-1-.15 and 82-10-1-.18. Additional admissions requirements, including laboratory tests, may be required by facility policy and/or determination of the medical/clinical director. The program has the discretion to use physical and biopsychosocial assessment information from another licensed program, licensed hospital, or a state or federal agency, if the client is transitioning directly from another program.

(5) The program shall provide at least five (5) or more hours per week of therapeutic services designed to enable the client to function without substance abuse. Such services shall be rendered by persons who have been determined qualified by training, education, experience, and who are licensed/certified if required by state practice acts to render such services.

(6) There shall be sufficient types and numbers of staff members on duty in the residence to provide for safe supervision of clients whenever clients are present.

(7) Provisions shall be made for mandatory education of children in care in accordance with O.C.G.A. § 20-2-690 *et seq.* or its successor statute.

(8) A program shall have a written agreement with a physician/physician extender for the provision of medical care.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.22

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Residential Transitional Treatment Programs" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.23 [Effective 7/19/2026] Specialized Day Treatment Programs

(1) Programs offering specialized day treatment programs must meet Rules 82-10-1-.01 through 82-10-1-.18 and Rules 82-10-1-.26 through 82-10-1-.27, in addition to the rules set forth in this Rule (82-10-1-.23).

(2) Specialized day treatment programs emphasize continued abstinence, development of social support network and necessary lifestyle changes, educational skills, vocational skills, social and interpersonal skills, the understanding of addictive disease, and the continued commitment to a recovery program. The program provides structured treatment or therapeutic services, utilizing activity schedules as part of its operational method, i.e., plans or schedules of days or times of day for certain activities. The programs utilize methods, materials, settings, and outside resources that are appropriate to the development levels and ages of clients, and age appropriate. These programs are provided over a period of several weeks or months and often follow detoxification or residential services. They may also utilize group and/or counseling and/or therapy. Such programs shall provide:

(3) Client intake, assessment, and admission; treatment planning; and discharge and aftercare shall be done in accordance with Rules 82-10-1-.14, 82-10-1-.15, and 82-10-1-.18. Additional admissions requirements, including laboratory tests, may be required by facility policy and/or determination of the medical/clinical director.

(4) Treatment must be provided by persons determined to be qualified by training, education, experience, and who are licensed/certified if required by state practice acts to render such services that meet the needs of the clients.

(5) Provisions shall be made for mandatory education of children in care in accordance with O.C.G.A. § 20-2-690 *et seq.* or its successor statute.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.23

AUTHORITY: O.C.G.A. § 26-5-1 et seq.

HISTORY: Original Rule entitled "Specialized Day Treatment Programs" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.24 [Effective 7/19/2026] Outpatient Drug Treatment Programs

(1) Programs offering outpatient drug treatment programs must meet Rules 82-10-1-.01 through 82-10-1-.18 and Rules 82-10-1-.26 through 82-10-1-.27, in addition to the rules set forth in this Rule (82-10-1-.24).

(2) Outpatient drug treatment programs provide a variety of structured treatment and therapeutic services intended to enable clients to function drug free and to learn social and psychological skills. Typically, these include services such as biopsychosocial assessment; group, individual, and family counseling; supportive counseling; substance abuse education; and therapeutic recreational activities. Such services shall be provided in part, outside normal business hours, so that clients who work or go to school can attend. Such programs shall provide:

(3) Client intake, assessment, and admission; treatment planning; and discharge and aftercare shall be done in accordance with Rules 82-10-1-.14, 82-10-1-.15, and 82-10-1-.18;

(4) Treatment must be provided by persons determined to be qualified by training, education, experience, and who are licensed/certified if required by state practice acts to render such services that meet the needs of the clients; and

(5) Substance abuse intensive outpatient programs (SAIOPs) shall be licensed as outpatient drug treatment programs.

(6) Admission laboratory testing requirements will be conducted as clinically indicated.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.24

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Outpatient Drug Treatment Programs" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.25 [Effective 7/19/2026] Special Programs

(1) Structured programs that do not fit into existing program classifications but meet the requirements of these rules will be licensed as special programs. These programs may be part of other licensed programs or may be individually licensed.

(2) Programs offering special programs must meet Rules 82-10-1-.01 through 82-10-1-.18 and Rules 82-10-1-.26 through 82-10-1-.27.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.25

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Special Programs" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.26 [Effective 7/19/2026] Client's Rights and Complaints

(1) A program shall establish and implement written policies and procedures regarding the rights of clients, and the handling and resolution of complaints. At a minimum, the program must ensure that its clients enjoy the rights and responsibilities listed herein.

(2) Such policies and procedures shall include a written notice of rights which shall be provided to each client and parent, guardian, or responsible party, if applicable, when the client receives orientation. The required notice shall contain the following items:

(a) Right to a humane treatment or habilitation environment that affords reasonable protection from harm, exploitation, and coercion;

(b) Right to be free from physical and verbal abuse;

(c) Right to be free from the use of physical restraints and seclusion unless it is determined that there are no less restrictive methods of controlling behavior to reasonably ensure the safety of the client and other persons:

(d) Right to be informed about the plan of treatment and to participate in the planning, as able;

(e) Right to be promptly and fully informed of any changes in the plan of treatment;

(f) Right to accept or refuse treatment, unless it is determined through established authorized legal processes that the client is unable to care for themselves or is dangerous to themselves;

(g) Right to be fully informed of the charges for treatment;

(h) Right to confidentiality of client records;

(i) Right to have and retain personal property which does not jeopardize the safety of the client or other clients or staff and have such property treated with respect;

(j) Right to converse privately, have convenient and reasonable access to the telephone and mail, and to see visitors, unless denial is necessary for treatment and the reasons are documented in the client's treatment plan;

(k) Right to be informed of the program's complaint policy and procedures and the right to submit complaints without fear of discrimination or retaliation and to have them investigated by the program within a reasonable period;

(l) Right to have access to their own client records and to obtain necessary copies when needed;

(m) Right to receive a written notice of the address and telephone number of that state licensing authority, i.e., the Department, which further explains the responsibilities of licensing the program and investigating client complaints which appear to violate licensing rules; and

(n) Right to obtain a copy of the program's most recent completed report of licensing survey from the program upon written request. The program is not required to release a report until the program has had the opportunity to file a written corrective action plan for the violations as provided for in these rules.

(3) Such policies and procedures shall also include provisions for clients and others to present complaints, either orally or in writing, and to have their complaints addressed and resolved as appropriate in a timely manner.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.26

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Client's Rights and Complaints" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.27 [Effective 7/19/2026] Behavior Management and Emergency Safety Interventions

(1) Behavior Management.

(a) The program shall develop and implement policies and procedures on behavior management. Such policies and procedures shall set forth the types of clients served in accordance with the program's purpose, the anticipated behavioral problems of the clients, and appropriate techniques of behavior management for dealing with such behaviors.

(b) Behavior management policies and procedures shall incorporate the following minimum requirements:

1. Behavior management principles and techniques shall be used in accordance with the treatment plan and written policies and procedures governing service expectations, treatment goals, safety, security, and these rules and regulations.

2. Behavior management shall be limited to the least restrictive appropriate method, as described in the client's treatment plan pursuant to rule 82-10-1-.15 and in accordance with the prohibitions as specified in these rules and regulations.

(c) Behavior management techniques shall be administered by trained staff and shall be appropriate for the client's known medical, behavioral, cognitive and/or physical status and needs. The following forms of behavior management shall not be used by program staff with clients receiving services through the program:

1. Assignment of excessive or unreasonable work tasks;

2. Denial of meals and hydration;

3. Denial of sleep;

4. Denial of shelter, clothing, or essential personal needs;

5. Denial of essential program services;

6. Verbal abuse, ridicule, or humiliation;

7. Manual holds, chemical restraints, mechanical restraints, or medical protection devices not used appropriately as emergency safety interventions;

8. Denial of communication and visits unless restricted in accordance with rule 82-10-1-.15;

9. Corporal punishment;

10. Seclusion or confinement of a client in a room or area which may reasonably be expected to cause physical or emotional damage to the client; or not used appropriately as an emergency safety intervention; and

11. Seclusion or confinement of a client to a room or area for periods longer than those appropriate to the client's known medical, behavioral, cognitive and/or physical status and needs, or confinement to a room or area without the supervision or monitoring necessary to ensure the client's safety and well-being.

(d) Program staff shall be made aware of each client's known or apparent medical and psychological conditions to ensure that the staff have adequate knowledge to deliver safe and healthy care to the client.

(e) Clients shall not be permitted to participate in the behavior management of other clients or to discipline other clients, except as part of an organized therapeutic self-governing program in accordance with accepted standards of clinical practice that is conducted in accordance with written policy and is supervised directly by designated staff.

(f) All forms of behavior management used by staff shall also be documented in case records to ensure that such records reflect behavior management problems.

(g) The program shall document appropriate corrective action when the program staff become aware of or observe the use of prohibited forms of behavior management.

(2) **Emergency Safety Interventions.**

(a) Emergency safety interventions may be used only by staff trained in the proper use of such interventions when it can be reasonably anticipated from a client's behavioral history, that a client may require the use of emergency safety interventions to keep either the client or others safe from immediate physical harm, and less restrictive means of dealing with the injurious behavior have not proven successful or may subject the client or others to greater risk of injury.

(b) No later than March 31, 2007 and ongoing thereafter, all program staff who may be involved in the use of emergency safety interventions, shall have evidence of having satisfactorily completed a nationally recognized training program for emergency safety interventions to protect clients and others from injury, which has been approved by the department and taught by an appropriately certified trainer in such program. At a minimum, the emergency safety intervention program that is utilized shall include the following:

1. Techniques for de-escalating problem behavior including client and staff debriefings;

2. Appropriate use of emergency safety interventions;

3. Recognizing aggressive behavior that may be related to a medical condition;

4. Awareness of physiological impact of a restraint on the client;

5. Recognizing signs and symptoms of positional and compression asphyxia and restraint associated cardiac arrest;

6. Instructions on how to monitor the breathing, verbal responsiveness, and motor control of a client who is the subject of an emergency safety intervention;

7. Appropriate self-protection techniques;

8. Policies and procedures relating to using manual holds, including the prohibition of any technique that would potentially impair a client's ability to breathe;

9. Agency policies and reporting requirements;

10. Alternatives to restraint;

11. Avoiding power struggles;

12. Escape and evasion techniques;

13. Time limits for the use of restraint and seclusion;

14. Process for obtaining approval for continual restraints and seclusion;

15. Procedures to address problematic restraints;

16. Documentation;

17. Investigation of injuries and complaints;

18. Monitoring physical signs of distress and obtaining medical assistance; and

19. Legal issues.

(c) Emergency safety interventions shall not include the use of any restraint or manual hold that would potentially impair the client's ability to breathe or has been determined to be inappropriate for use on a particular client due to a documented medical or psychological condition.

(d) The program shall have written policies and procedures for the use of emergency safety interventions, a copy of which shall be provided to and discussed with each client (as appropriate taking into account the client's known medical, behavioral, cognitive and/or physical status and needs) and the client's parents and/or legal guardians prior to or at the time of admission. Emergency safety interventions policies and procedures shall include:

1. Provisions for the documentation of each use of an emergency safety intervention including:

(i) Date and description of the precipitating incident;

(ii) Description of the de-escalation techniques used prior to the emergency safety intervention;

(iii) Environmental considerations;

(iv) Names of staff participating in the emergency safety intervention;

(v) Any witnesses to the precipitating incident and subsequent intervention;

(vi) Exact emergency safety intervention used;

(vii) Documentation every 15 minutes of the constant visual monitoring of a client in seclusion;

(viii) Beginning and ending time of the intervention;

(ix) Outcome of the intervention;

(x) Detailed description of any injury arising from the incident or intervention; and

(xi) Summary of any medical care provided.

2. Provisions for prohibiting manual hold use by any employee not trained in prevention and use of emergency safety interventions.

(e) Emergency safety interventions may be used to prevent runaways only when the client presents an imminent threat of physical harm to self or others, or as specified in the treatment plan.

(f) Program staff shall be aware of each client's medical and psychological conditions (e.g. obvious health issues, list of medications, history of physical abuse, etc.), as evidenced by written acknowledgement of such awareness, to ensure that the emergency safety intervention that is utilized does not pose any undue danger to the physical or mental health of the client.

(g) Clients shall not be allowed to participate in the emergency safety intervention of other clients.

(h) Immediately following the conclusion of the emergency safety intervention and hourly thereafter for a period of at least four (4) hours where the client is with a staff member, the client's behavior will be assessed, monitored, and documented to ensure that the client does not appear to be exhibiting symptoms that would be associated with an injury.

(i) Emergency safety intervention training shall be in addition to the annual training required in rule 82-10-1-.11 and shall be documented in the staff member's personnel record.

(j) All actions taken that involve utilizing an emergency safety intervention shall be recorded in the client's case record showing the cause for the emergency safety intervention, the emergency safety intervention used, and, if needed, approval by the clinical director, the staff member in charge of casework services, and the physician/physician extender who has responsibility for the diagnosis and treatment of the client's behavior.

(k) Programs shall submit a written report to the program's clinical director on the use of any emergency safety intervention immediately after the conclusion of the intervention and, if the client is a child or has an assigned legal guardian, shall further notify the client's parents or legal guardians regarding the use of the intervention. A copy of such report shall be maintained in the client's file.

(l) At least once per quarter, the program, utilizing a master agency restraint log and the client's case record, shall review the use of all emergency safety interventions for each client and staff member, including the type of intervention used and the length of time of each use, to determine whether there was a clinical basis for the intervention, whether the use of the emergency safety intervention was warranted, whether any alternatives were considered or employed, the effectiveness of the intervention or alternative, and the need for additional training. Written documentation of all such reviews shall be maintained. Where the program identifies opportunities for improvement as a result of such reviews or otherwise, the program shall implement these changes through an effective quality improvement plan.

(m) All forms of emergency safety interventions used by staff shall be documented in case records.

(n) **Manual Holds.**

1. Emergency safety interventions utilizing manual holds require all staff involved to be trained to carry out the hold.

2. Emergency safety interventions shall not include the use of prone restraint or the use of any restraint or manual hold that would potentially impair the client's ability to breathe or has been determined to be inappropriate for use on a particular client due to a documented medical or psychological condition.

3. When a manual hold is used upon any client whose primary mode of communication is sign language, the client shall be permitted to have his or her hands free from restraint for brief periods during the intervention, except when such freedom may result in physical harm to the client or others.

4. If the use of a manual hold exceeds fifteen (15) consecutive minutes, the clinical director or his or her designee, who possesses at least the qualifications of the clinical director and has been fully trained in the program's emergency safety intervention plan, shall be contacted by a two-way communications device or in person and determine that the continuation of the manual hold is appropriate under the circumstances. Documentation of any consultations and outcomes shall be maintained for each application of a manual hold that exceeds fifteen (15) minutes. Manual holds shall not be permitted to continue if the restraint is determined to pose an undue risk to the client's health given the client's physical or mental condition.

5. A manual hold may not continue for more than thirty (30) minutes at any one time without the consultation as specified in subparagraph (4) of this subparagraph, and under no circumstances may a manual hold be used for more than one (1) hour total within a twenty-four (24) hour period.

6. If the use of a manual hold on a client reaches a total of one hour within a twenty-four (24) hour period, the staff shall reconsider alternative treatment strategies, document same, and consider notifying the authorities or transporting the client to a hospital or mental health facility for evaluation.

7. The client's breathing, verbal responsiveness, and motor control shall be continuously monitored during any manual hold. Written summaries of the monitoring by a trained staff member not currently directly involved in the manual hold shall be recorded every fifteen (15) minutes during the duration of the restraint. If only one trained staff member is involved in the restraint and no other staff member is available, written summaries of the monitoring of the manual hold shall be recorded as soon as is practicable, but no later than one hour after the conclusion of the restraint.

(o) **Seclusion.**

1. Seclusion is only used as an emergency safety intervention for the immediate physical safety of the client and others during an emergency safety situation and when other less restrictive interventions have been determined to be ineffective. Seclusion shall not be used as a means of coercion, discipline, convenience, punishment or retaliation.

2. If used, seclusion of more than thirty (30) minutes must be approved by the clinical director or designee. No client shall be placed in a seclusion room more than one (1) hour within any twenty-four (24) hour period without obtaining authorization for continuing such seclusion from the client's physician/physician extender, psychiatrist, or licensed psychologist and documenting such authorization in the client's record.

3. A seclusion room shall only be used if a client is in danger of harming himself or herself or others. Seclusion shall be ceased when the emergency safety situation ceases and the client's safety and the safety of others can be ensured, even if the seclusion order has not expired.

4. A client placed in a seclusion room shall be provided with an explanation of the criteria for release from seclusion. During seclusion, the client shall be constantly visually monitored, with documentation at least every fifteen (15) minutes.

5. A room used for the purposes of seclusion must meet the following criteria:

(i) The room shall be constructed and used in such ways that the risk of harm to the client is minimized;

(ii) The room shall be equipped with a viewing window on the door or wall so that staff can monitor the client;

(iii) The room shall be lighted and well-ventilated;

(iv) The room shall be a minimum of fifty (50) square feet in area; and

(v) The room must be free of any item that may be used by the client to cause physical harm to himself/herself or others.

6. No more than one client shall be placed in the seclusion room at a time.

7. A seclusion room monitoring log shall be maintained and used to record the following information:

(i) Name of the secluded client;

(ii) Reason for client's seclusion;

(iii) Time of client's placement in the seclusion room;

(iv) Name and signature of the staff member that conducted visual monitoring;

(v) Signed observation notes; and

(vi) Time of the client's removal from the seclusion room.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.27

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Behavior Management and Emergency Safety Interventions" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.28 [Effective 7/19/2026] Enforcement and Sanctions

(1) The Department may refuse to grant an initial license, revoke a current license, or impose other sanctions as described in Rules and Regulations for Licensure Enforcement and Sanctions, Chapter 82-14-1.

(2) The Department may suspend any requirements of these rules and the enforcement of any rules where the Governor of the State of Georgia has declared a public health emergency.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.28

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Enforcement and Sanctions" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.29 [Effective 7/19/2026] Waivers and Variances

(1) The Department may, in its discretion, grant waivers and variances of specific rules upon application or petition being filed on forms provided by the Department. The Department may establish conditions which must be met by the program to operate under the waiver or variance granted. Waivers and variances may be granted in accordance with the following considerations:

(2) **Variance**. A variance may be granted by the Department upon a showing by the applicant or petitioner that the specific rule or regulation that is the subject of the variance request should not be applied as written because strict application of the rule would cause undue hardship. The applicant or petitioner must also show that adequate

standards affording protection for the health, safety and care of clients exist and will be met in lieu of the exact requirements of the rules or regulations in question.

(3) **Waiver.** The Department may dispense entirely with the enforcement of a rule or regulation by granting a waiver upon a showing by the applicant or petitioner that the purpose of the rule or regulation is met through equivalent standards affording equivalent protection for the health, safety and care of clients.

(4) **Experimental Variance or Waiver.** The Department may grant waivers and variances to allow experimentation and demonstration of new and innovative approaches to delivery of services upon a showing by the applicant or petitioner that the intended protections afforded by the rule or regulation which is the subject of the request are met and that the innovative approach has the potential to improve service delivery.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.29

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Waivers and Variances" adopted. F. June 29, 2026; eff. July 19, 2026.

82-10-1-.30 [Effective 7/19/2026] Severability

In the event that any rule, sentence, clause or phrase of any of these rules and regulations may be construed by any court of competent jurisdiction to be invalid, illegal, unconstitutional, or otherwise unenforceable, such determination or adjudication shall in no manner affect the remaining rules or portions thereof. The remaining rules or portions thereof shall remain in full force and effect, as if such rules or portions thereof so determined, declared or adjudged invalid or unconstitutional were not originally a part of these rules.

Cite as Ga. Comp. R. & Regs. R. 82-10-1-.30

AUTHORITY: O.C.G.A. § 26-5-1 **et seq.**

HISTORY: Original Rule entitled "Severability" adopted. F. June 29, 2026; eff. July 19, 2026.

Department 111. RULES OF DEPARTMENT OF COMMUNITY HEALTH

Chapter 111-8. HEALTHCARE FACILITY REGULATION

Subject 111-8-47. INTERMEDIATE CARE HOMES

111-8-47-.03 Administration

(1) Each intermediate care home shall be under the supervision of a licensed nursing home administrator. An administrator may serve as the administrator of not more than one facility, except that two facilities having common ownership or management located on the same premises may be served by a single administrator. Distinct part facilities sharing a common roof shall be considered one facility. In exceptional circumstances, a waiver may be granted by the Department for a period of six months.

(2) Each home shall be operated in accordance with policies approved by the Department. These policies shall include but not be limited to those governing admissions, transfers, discharges, physicians' and dental services, social services, intermediate resident care services, housekeeping, environmental sanitation, recreational services and health records.

(3) Each facility shall have a written transfer agreement in effect with one or more hospitals and nursing homes. Intermediate care homes that are a Distinct Part of a hospital or skilled nursing home will be considered to meet this requirement if acceptable provisions for the transfer of residents are included in the home's policies.

(4) There shall be a separate personnel folder maintained for each employee. This folder shall contain all personal information concerning the employee, including the application and qualifications for employment, physical examination and job title assigned. A current job description shall be available for each classification of employee but may be maintained separately from the personnel folder.

(5) The facility and its premises shall be used only for those purposes for which the facility is operated and permitted.

(6) In response to a reasonable request by a resident or visitor, privacy shall be afforded for private conversation and/or consultations.

(7) Criminal History Background Checks for Owners Required. Prior to the issuance of any new license, the owner of the business or agency applying for the license must comply with the requirements of the Rules and Regulations for Criminal Background Checks, Chapter 111-8-12.

(8) Criminal History Background Checks for Administrators Required. The home must obtain a satisfactory fingerprint records check determination for the person being considered for employment as an administrator. The records check determination must be done in compliance with the Rules and Regulations for Criminal Background Checks, Chapter 111-8-12.

(9) Criminal History Background Checks for Direct Access Employees Required. Prior to serving as a direct access employee, the home must obtain a satisfactory fingerprint records check determination for the person to be hired in compliance with the Rules and Regulations for Criminal Background Checks, Chapter 111-8-12.

Cite as Ga. Comp. R. & Regs. R. 111-8-47-.03

AUTHORITY: O.C.G.A. §§ 31-2-4 **et seq.,** 31-7-1 **et seq.**

HISTORY: Original Rule entitled "Administration" adopted. F. Jan. 27, 2017; eff. Feb. 16, 2017.

Amended: F. June 11, 2026; eff. July 1, 2026.

111-8-47-.15 Health of Employees

(1) Health Screenings. Each home shall have in place a health screening program designed to identify conditions that may place residents at risk for infection, injury, or improper care. The program shall include requirements and processes for initial, routine, and targeted health screenings for employees and contractors who interact with residents or conduct other activities with environmental impact.

(2) Screening for Tuberculosis (TB). Prior to starting work, all employees must be screened for TB in accordance with Centers for Disease Control and Prevention (CDC) guidelines for baseline screening and testing for health care personnel.

(3) Records. Copies or certificates of the health screenings shall be kept in the employee's personnel folder.

Cite as Ga. Comp. R. & Regs. R. 111-8-47-.15

AUTHORITY: O.C.G.A. §§ 31-2-4 **et seq.,** 31-7-1 **et seq.**

HISTORY: Original Rule entitled "Health of Employees" adopted. F. Jan. 27, 2017; eff. Feb. 16, 2017.

Amended: F. June 11, 2026; eff. July 1, 2026.

Department 111. RULES OF DEPARTMENT OF COMMUNITY HEALTH

Chapter 111-8. HEALTHCARE FACILITY REGULATION

Subject 111-8-56. NURSING HOMES

111-8-56-.15 [Effective 7/20/2026] Health of Employees

(1) Health Screenings. Each home shall have in place a health screening program designed to identify conditions that may place patients at risk for infection, injury, or improper care. The program shall include requirements and processes for initial, routine, and targeted health screenings of employees and contractors who interact with patients or conduct other activities with environmental impact.

(2) Screening for Tuberculosis (TB). Prior to starting work, all employees must be screened for TB in accordance with Centers for Disease Control and Prevention (CDC) guidance for baseline screening and testing for health care personnel.

(3) Records. Copies or certificates of health screenings shall be kept in the employee's personnel file.

Cite as Ga. Comp. R. & Regs. R. 111-8-56-.15

AUTHORITY: O.C.G.A. §§ 31-2-4 **et seq.,** 31-7-1 **et seq.**

HISTORY: Original Rule entitled "Health of Employees" adopted. F. Feb. 20, 2013; eff. Mar. 12, 2013.

Amended: F. June 30, 2026; eff. July 20, 2026.

111-8-56-.26 [Effective 7/20/2026] Background Screening and Employees

(1) Criminal History Background Checks for Owners Required. Prior to the issuance of any new license, the owner of the business or agency applying for the license must comply with the requirements of the Rules and Regulations for Criminal Background Checks, Chapter 111-8-12.

(2) Criminal History Background Checks for Administrators Required. The home must obtain a satisfactory fingerprint records check determination for the person being considered for employment as an administrator. The records check determination must be done in compliance with the Rules and Regulations for Criminal Background Checks, Chapter 111-8-12.

(3) Criminal History Background Checks for Direct Access Employees Required. Prior to serving as a direct access employee, the home must obtain a satisfactory fingerprint records check determination for the person to be hired in compliance with the Rules and Regulations for Criminal Background Checks, Chapter 111-8-12.

(4) Documentation of the nursing home's background screening shall be maintained for each employee.

Cite as Ga. Comp. R. & Regs. R. 111-8-56-.26

AUTHORITY: O.C.G.A. §§ 31-2-4 **et seq.,** 31-7-1 **et seq.,** 31-7-350 **et seq.**

HISTORY: Original Rule entitled "Background Screening of Employees" adopted. F. Feb. 20, 2013; eff. Mar. 12, 2013.

Amended: F. June 30, 2026; eff. July 20, 2026.

Department 160. RULES OF GEORGIA DEPARTMENT OF EDUCATION

Chapter 160-4.

Subject 160-4-2. DIVISION OF GENERAL INSTRUCTION

160-4-2-.49 High School Graduation Requirements for Students Enrolling in the Ninth Grade for the First Time in the 2023-2024 School Year and Subsequent Years

(1) **DEFINITIONS.**

(a) **Alternate Diploma -** the document awarded to students with the most significant cognitive disabilities who were assessed using the alternate assessment aligned to alternate academic achievement standards. The Alternate Diploma is standards-based and aligned with the state requirements for the regular High School Diploma, but it is not a regular High School Diploma. Therefore, an Alternate Diploma does not terminate Free and Appropriate Public Education (FAPE) for students with an Individualized Education Program (IEP).

(b) **Career, Technical and Agricultural Education (CTAE) Pathways** - three units in a coherent sequence that includes rigorous content aligned with industry-related standards leading to college and work readiness in a focused area of student interest.

(c) **Core Courses** - the category of courses in the areas of English Language Arts, Mathematics, Science, Social Studies, CTAE/World Languages/Fine Arts, and Health and Physical Education that can be used to meet the Unit of Credit Requirements for a High School Diploma. Core Courses are identified as "c" or "r" in the *State-Funded List of K-8 Subjects and 9-12 Courses*.

(d) **Elective Courses** - the category of courses beyond the Core Courses Unit of Credit requirements that can be used to satisfy the Elective Unit of Credit requirements for a High School Diploma. Elective Courses are identified as "e" in the *State-Funded List of K-8 Subjects and 9-12 Courses*.

(e) **Equivalent Substitute** - a secondary course with standards that have been reviewed by the Georgia Department of Education (Department) and have been approved by the Department as equivalent to relevant state-approved standards. Equivalent Substitute consideration is only necessary for Required Courses.

(f) **Georgia Alternate Assessment 2.0 (GAA 2.0)** - an alternate assessment based on alternate academic achievement standards for students with the most significant cognitive disabilities who require substantial adaptations and supports to access the general curriculum and require additional instruction focused on relevant life skills. Instruction for students with the most significant cognitive disabilities is based on extended content standards, which are aligned to the state content standards at a reduced depth, breadth, and complexity. The purpose of the GAA 2.0 is to ensure all students, including students with the most significant cognitive disabilities, are provided access to the state content standards and given the opportunity to demonstrate progress toward achievement of the state standards.

(g) **High School Certificate** - the document awarded to students who have earned 23 Units of Credit, but do not complete all of the Unit of Credit requirements for a High School Diploma.

(h) **High School Diploma** - the document awarded to students certifying that they have satisfied the Unit of Credit requirements for a high school graduation, as outlined in section (2) of this rule.

(i) **Individualized Education Program (IEP)** - a written statement for a child with a disability that is developed, reviewed, and revised in accordance with the Individual with Disabilities Education Act 2004. [34 C.F.R. § 300.22]

(j) **Required Courses** - the Core Courses, or their approved Equivalent Substitutes, that have been specifically designated for completion to earn Units of Credit for a High School Diploma. Required Courses are identified as "r" in the *State-Funded List of K-8 Subjects and 9-12 Courses*.

(k) **Significant Cognitive Disabilities** - significant intellectual disabilities or intellectual disabilities concurrent with motor, sensory or emotional/behavioral disabilities. Students with the most Significant Cognitive Disabilities require substantial adaptations and support to access the general curriculum, and require additional instruction focused on relevant life skills, and participate in the Georgia Alternate Assessment 2.0 (GAA 2.0).

(l) **Special Education Diploma** - the document awarded to students with disabilities assigned to a special education program who have completed their Individualized Education Program, but who have not completed all of the Unit of Credit requirements for a High School Diploma but who have nevertheless completed their IEP.

(m) **State-approved Standards** - course standards that have been adopted by the State Board of Education or approved by the Georgia Department of Education.

(n) **Unit of Credit** - evidence of successful course completion as demonstrated by a final course grade of 70 or higher on a numerical scale; or competency-based course completion as demonstrated by a pre-defined score on state-adopted or -approved assessment instruments.

(2) **REQUIREMENTS.**

(a) Local boards of education shall provide secondary school curriculum and instructional and support services that reflect the high school graduation and state assessment requirements and assist all students in developing their unique potential to function in society.

(b) Local boards of education shall require that:

1. Students who enroll from another state meet the graduation requirements for the graduating class they enter and the state assessment requirements as referenced in State Board of Education Rule 160-3-1-.07 *Testing Programs - Student Assessment*.

2. Students who enroll in the ninth grade for the first time in the 2023-2024 school year or subsequent years shall meet the graduation requirements specified in this rule and the assessment requirements specified in State Board of Education Rule 160-3-1-.07 *Testing Programs - Student Assessment*.

(c) **MINIMUM REQUIRED UNITS OF CREDIT.**

1. The chart below outlines the details of the minimum required Units of Credit for a High School Diploma.

Subject Area	Total Required Units of Credit	Required Units of Credit Details
English Language Arts	4	* 1 Unit Literature & Composition I (23.06160) or its Equivalent Substitute * 1 Unit Literature & Composition II (26.06170) or its Equivalent Substitute * 1 Unit of a Core Course in English Language Arts, identified as "c" in the *State-Funded List of K-8 Subjects and 9-12 Courses* * 1 Unit of a Core Course in English Language Arts, identified as "c" in the *State-Funded List of K-8 Subjects and 9-12 Courses*
Mathematics	4	* 1 Unit Algebra: Concepts &

Subject Area	Total Required Units of Credit	Required Units of Credit Details
		Connections (27.08110) or its Equivalent Substitute * 1 Unit Geometry: Concepts & Connections (27.08210) or its Equivalent Substitute * 1 Unit Advanced Algebra: Concepts & Connections (27.08310) or its Equivalent Substitute * 1 Unit of a Core Course in Mathematics, identified as "c" in the *State-Funded List of K-8 Subjects and 9-12 Courses*
Science	4	* 1 Unit Biology (26.01200) or its Equivalent Substitute * 1 Unit Physical Science (40.01100) or Physics (40.08100) or its Equivalent Substitute * 1 Unit Chemistry (40.05100) or Earth Systems (40.06400) or Environmental Science (26.06110) or an Equivalent Substitute * 1 Unit of a Science course from the approved *Fourth Science List*
Social Studies	3	* 1 Unit United States History (45.08100) or its Equivalent Substitute * 1 Unit World History (45.08300) or its Equivalent Substitute * ½ Unit American Government/Civics (45.05700) or its Equivalent Substitute * ½ Unit Personal Finance and Economics (45.06100) or its Equivalent Substitute
CTAE and/or World Languages and/or Fine Arts	3	* 3 Units of CTAE and/or World Languages and/or Fine Arts
Health and Physical Education	1	* 1 Unit Health and Physical Education: * 1 Unit Health and Personal Fitness Combined (36.05800); OR * ½ Unit Health (17.01100) and ½ Unit Personal Fitness (36.05100) or its Equivalent Substitute; OR * 3 Units of JROTC
Electives	4	* 4 Units of Elective Courses, identified as "e" in the *State-Funded List of K-8 Subjects and 9-12 Courses*
Minimum Total	23	

2. Units of Credit shall be awarded only for courses that include concepts and skills based on the State-approved Standards for grades 9-12. Units of Credit shall be awarded in accordance with State Board of Education Rule 160-4-2-.48 *Awarding Units of Credit and Acceptance of Transfer Credit and/or Grades*. Units of credit may be awarded for courses offered in the middle grades that meet the grades 9-12 requirements as outlined by the State-approved Standards. The IEP, if applicable, shall specify whether Core Courses taken as part of an IEP shall receive a Unit of Credit in a Core Course.

3. No Unit of Credit may be awarded for courses in which instruction is based on standards for grades K-8.

4. Students planning to attend a Technical College System of Georgia institution or enter the workforce immediately after graduation may pursue an Accelerated Career Diploma or a Work-Based Learning Diploma.

(i) Details for the requirements of the Accelerated Career Diploma Program are outlined in State Board of Education Rule 160-4-2-.34 *Dual Enrollment*.

(ii) The Work-Based Learning Diploma requirements include the secondary requirements of the Accelerated Career Diploma, as outlined in State Board of Education Rule 160-4-2-.34 *Dual Enrollment*, sections (2)(b)5(i) - (v), and the completion of two High Demand CTAE or Academic Career Pathways and at least four Work Based Learning Courses in a paid position in at least one of the two selected High Demand CTAE or Academic Career Pathways.

5. Completion of High School Diploma requirements does not necessarily qualify students for the HOPE Scholarship Program.

(d) **COURSES OF STUDY**.

1. Courses that may earn Units of Credit are listed in the *State-Funded List of K-8 Subjects and 9-12 Courses*.

(i) Required Courses are identified with an "r" and must be successfully completed to earn a Unit of Credit for a High School Diploma. A Required Course can only be substituted with an Equivalent Substitute, which has been reviewed and approved by the Georgia Department of Education.

(ii) Core Courses are identified with a "c". Core Courses may be selected within the content area to meet the unit requirements for a Core Course for a High School Diploma.

(iii) Elective Courses are identified with an "e". Elective Courses may be selected beyond the Required Course and Core Course requirements to meet the minimum unit of credit Elective requirements for a High School Diploma.

2. **English Language Arts (ELA):** Four Units of Credit in English Language Arts shall be required to earn a High School Diploma. This includes two Units of Credit in Required Courses: one Unit of Credit in Literature & Composition I (23.06160) or its Equivalent Substitute and one Unit of Credit in Literature & Composition II (23.06170) or its Equivalent Substitute; and two Units of Credit in Core Courses in ELA.

(i) Students seeking admission to a Technical College System of Georgia institution or planning to go directly into the workforce may fulfill one Unit of Credit in a Core Course in English Language Arts requirement by successfully completing all of the courses of an ELA-related CTAE+ Pathway identified the *State-Funded List of K-8 Subjects and 9-12 Courses*.

3. **Mathematics:** Four Units of Credit in Mathematics shall be required to earn a High School Diploma. This includes three Units of Credit in Required Courses: one Unit of Credit in Algebra: Concepts & Connections (27.08110) or its Equivalent Substitute and one Unit of Credit in Geometry: Concepts and Connections (27.08210) or its Equivalent Substitute and one Unit of Credit in Advanced Algebra: Concepts and Connections (27.08310) or its Equivalent Substitute; and one Unit of Credit in a Core Course in Mathematics.

(i) Students seeking admission to a Technical College System of Georgia institution or planning to go directly into the workforce may fulfill the Unit of Credit in Geometry requirement by successfully completing and passing all of the courses in the Carpentry Pathway within the Construction Career Cluster for CTAE.

(ii) Students seeking admission to a Technical College System of Georgia institution or planning to go directly into the workforce may fulfill the Unit of Credit in a Core Course in Mathematics requirement by successfully completing all of the courses of a mathematics-related CTAE+ Pathway identified in the *State-Funded List of K-8 Subjects and 9-12 Courses*.

4. **Science**: Four Units of Credit in Science shall be required to earn a High School Diploma. This includes three Units of Credit in Required Courses: one Unit of Credit in Biology (26.01200) or its Equivalent Substitute and one Unit of Credit of either Physical Science (40.01100) or Physics (40.08100) or its Equivalent Substitute, and one Unit of Credit of either Chemistry (40.05100), Earth Systems (40.06400), Environmental Science (26.06110) or an Equivalent Substitute; and one Unit of Credit in Science from the approved *Fourth Science List*.

(i) The fourth Science Unit of Credit may be used to meet both the fourth Unit of Credit in Science and an Elective Unit of Credit requirement.

(ii) Students seeking admission to a Technical College System of Georgia institution or planning to go directly into the workforce may fulfill the fourth Unit of Credit in Science requirement by successfully completing all of the courses in a science-related CTAE+ Pathway identified in the *State-Funded List of K-8 Subjects and 9-12 Courses*.

5. **Social Studies:** Three Units of Credit shall be required in social studies to earn a High School Diploma. This includes three Units of Credit in Required Courses: one Unit of Credit in United States History (45.08100) or its Equivalent Substitute and one Unit of Credit in World History (45.08300) or its Equivalent Substitute and one-half Unit of Credit in American Government/Civics (45.05700) or its Equivalent Substitute and one-half Unit of Credit in Personal Finance and Economics (45.06100) or its Equivalent Substitute.

6. **CTAE/World Languages/Fine Arts:** Three Units of Credit shall be required from the following areas to earn a High School Diploma: CTAE and/or World Languages and/or Fine Arts. Students are encouraged to select courses in a focused area of interest.

(i) **Career, Technical and Agricultural Education (CTAE) Pathways**: Students may earn three Units of Credit in a coherent sequence of CTAE courses through a self-selected pathway.

(ii) **World Languages**: All students are encouraged to earn two full Units of Credit in the same world language. Students planning to enter or transfer to a University System of Georgia institution or other four-year post-secondary institution must successfully complete two full Units of Credit in the same world language. Technical College System of Georgia institutions do not require World Languages for admissions.

(I) Students whose native language is not English may be considered to have met the World Languages expectation by exercising the credit in lieu of enrollment option if they demonstrate proficiency in their native language. A formal examination is not necessary if other evidence of proficiency is available. Credit awarded in lieu of enrollment is conferred by the local board of education. Acceptance of credit in lieu of enrollment for admission purposes is at the discretion of the postsecondary institution.

(iii) **Fine Arts**: Courses that qualify for Fine Arts Units of Credit are identified with the prefixes 50.XX, 51.XX, 52.XX, 53.XX, or 54.XX.

7. **Health and Physical Education:** One Unit of Credit in Health and Physical Education is required to earn a High School Diploma. This includes either: one Unit of Credit Health and Personal Fitness Combined (36.05800), or one-half Unit of Credit Health (17.01100) and one-half unit Personal Fitness (36.05100) or its Equivalent Substitute, or three Units of Credit of Junior Reserve Officer Training Corps (JROTC).

(i) Three (3) Units of Credit in JROTC may be used to satisfy the Health and Physical Education Unit of Credit requirement under the following conditions: 1) JROTC courses must incorporate the State-approved Standards for Health (17.01100) and Personal Fitness (36.05100) and 2) the local board of education must approve the use of JROTC courses to satisfy the required Unit of Credit in Health and Physical Education.

(e) **STUDENTS WITH SIGNIFICANT COGNITIVE DISABILITIES.**

1. Students with significant cognitive disabilities who entered the ninth grade for the first time prior to the 2020-2021 school year may graduate and receive a High School Diploma when the student's IEP team determines that the student has:

(i) completed an integrated curriculum based on the state-approved standards that includes instruction in Mathematics, English Language Arts, Science, and Social Studies as well as career preparation, self-determination, independent living and personal care to equal a minimum of 23 units of instruction, and

(ii) participated in the GAA during middle school and high school, and

(iii) reached the 22nd birthday OR has transitioned to an employment/education/ training setting in which the supports needed are provided by an entity other than the local school system.

2. Students with significant cognitive disabilities who entered the ninth grade for the first time on or after the 2020-2021 school year may graduate and receive an Alternate Diploma when the student's IEP team determines that the student has:

(i) completed an integrated curriculum based on the state-approved standards that includes instruction in Mathematics, English Language Arts, Science and Social Studies as well as career preparation, self-determination, independent living and personal care to equal a minimum of 23 units of instruction, and

(ii) participated in the GAA 2.0 or a state alternate assessment aligned to alternate academic achievement standards during middle school and high school, and

(iii) has transitioned to an employment/education/training setting in which the supports needed are provided by an entity other than the local school system.

(f) **LOCAL AUTHORITIES AND RESPONSIBILITIES.**

1. Local boards of education shall provide instructional support and delivery services. These services shall include, but are not limited to, the following:

(i) Counseling, advisement, career awareness, career interest and career demand inventories, and information to assist students in evaluating their academic skills, career-oriented aptitudes, and career interests for students in grades 6-12.

(ii) Record keeping and reporting services that document student progress toward graduation and include information for the school, parents and students.

(iii) Diagnostic and continuous evaluation services that measure individual student progress in meeting competency expectations for graduation.

(iv) Instructional programs, curriculum and course guides, and remedial opportunities to assist each student in meeting graduation requirements.

(v) Appropriate curriculum and assessment procedures for students who have been identified as having disabilities that prevent them from meeting the prescribed competency performance requirements.

Cite as Ga. Comp. R. & Regs. R. 160-4-2-.49

AUTHORITY: O.C.G.A. §§ 20-2-131**;** 20-2-140**;** 20-2-142**;** 20-2-149.4**;** 20-2-150(a)**;** 20-2-151(a), (b)**;** 20-2-154(a)**;** 20-2-159.3**;** 20-2-159.4**;** 20-2-160**;** 20-2-161.1**;** 20-2-161.2**;** 20-2-281(a), (c)**;** 20-2-327(c)**.**

HISTORY: Original Rule entitled "High School Graduation Requirements for Students Enrolling in the Ninth Grade for the First Time in the 2023-2024 School Year and Subsequent Years" adopted. F. June 9, 2026; eff. June 29, 2026.

Department 183. RULES OF STATE ELECTION BOARD

Chapter 183-1. GEORGIA ELECTION CODE

Subject 183-1-12. PREPARATION FOR AND CONDUCT OF PRIMARIES AND ELECTIONS

183-1-12-.02 [Effective 7/19/2026] Definitions

(1) As used in this rule, the term:

(a) "Ballot" shall have the meaning set forth in O.C.G.A. § 21-2-2.

(b) "Ballot scanner" shall have the meaning set forth in O.C.G.A. § 21-2-2.

(c) "Ballot Style" shall mean the specific offices, candidates, and questions displayed on an electronic ballot marker or paper ballot for voters according to their assigned precinct.

(d) "Electronic ballot marker" shall have the meaning set forth in O.C.G.A. § 21-2-2.

(e) "Election management system" is an electronic system that contains databases for elections, allows for the creation of ballots, generates ballot scanner memory cards, and computes tabulated results, amongst performing other election functions.

(f) "Electronic poll book" shall mean an electronic device that contains a list registered voters with sufficient information to look up voters, check them in, and encode voter access cards that bring up the correct ballot on an electronic ballot marker.

(g) "Election Superintendent" or "superintendent" means a county board of elections and registrations, a county board of elections, a judge of the probate court, or an elections supervisor or director so designated by a county board or judge of the probate court. For municipal elections, the term shall include the municipal counterparts set forth in O.C.G.A. § 21-2-2.

(h) "Enclosed space" shall mean that area within a polling place enclosed with a guardrail or barrier closing the inner portion of such area so that only such persons as are inside such guardrail or barrier can approach within six feet of the ballot box, voting compartments, voting booths, voting machines, electronic ballot markers, or ballot scanner.

(i) "Numbered list of voters" means one or more sheets of uniform size containing consecutively numbered blank spaces for the insertion of voters' names at the time of and in the order of receiving their ballots.

(j) "Opening of the Polls" shall mean the commencement of voting in a particular primary, election, or runoff. Opening of the polls does not refer to the unlocking or opening of the doors of the polling place. Similarly, the term "Closing of the Polls" shall mean the cessation of voting in a particular primary, election, or runoff and not the locking or closing of the doors of the polling place.

(k) "Poll officer" shall have the meaning set forth in O.C.G.A. § 21-2-2.

(l) "Polling place" shall have the meaning set forth in O.C.G.A. § 21-2-2.

(m) "Precinct" shall have the meaning set forth in O.C.G.A. § 21-2-2.

(n) "Voter Access Card" shall mean the electronic card issued to a voter which is inserted into an electronic ballot marker to bring up the voter's correct ballot.

(o) "Zero Tape" shall mean a tape printed out by a ballot scanner unit which shows that no votes have been tabulated by the scanner for that election.

(p) "Voting system" or "voting system components" shall include electronic ballot markers, printers, ballot scanners, election management systems, electronic poll books, and voter access cards.

Cite as Ga. Comp. R. & Regs. R. 183-1-12-.02

AUTHORITY: O.C.G.A. §§ 21-2-2**,** 21-2-31**.**

HISTORY: Original Rule entitled "Vote Recorders" adopted. F. July 24, 1968; eff. August 12, 1968.

Repealed: New Rule entitled "Direct Recording Electronic Voting Equipment" adopted. F. Aug. 30, 2002; eff. Sept. 19, 2002.

Amended: F. Oct. 24, 2003; eff. Nov. 13, 2003.

Amended: F. May 11, 2004; eff. May 31, 2004.

Amended: ER. 183-1-12-0.4-.02 adopted. F. Sept. 10, 2004; eff. Sept. 9, 2004, the date of adoption.

Amended: F. Dec. 28, 2005; eff. Jan. 17, 2006.

Repealed: New Rule of same title adopted. F. Oct. 29, 2009; eff. Nov. 18, 2009.

Repealed: New Rule of same title adopted. F. Mar. 17, 2011; eff. Apr. 6, 2011.

Repealed: New Rule entitled "Definitions" adopted. F. Jan. 23, 2020; eff. Feb. 12, 2020.

Amended: F. Aug. 15, 2024; eff. Sept. 4, 2024.

Repealed: F. Nov. 13, 2024, eff. Sept. 4, 2024.

Note: Rule 183-1-12-.02 filed Aug. 15, 2024 repealed effective Sept. 4, 2024, pursuant to Georgia Superior Court Final Judgement Order (see Department 183 Administrative History for details) the rule is null and void and reverted to the prior version (i.e., F. Jan. 23, 2020; eff. Feb. 12, 2020, as shown above). Effective November 13, 2024.

Amended: F. June 29, 2026; eff. July 19, 2026.

183-1-12-.11 [Effective 7/19/2026] Conducting Elections

(1) As each voter presents himself or herself at the polling place for the purpose of voting during the time during which the polls are open for voting, each voter shall be offered instruction by a poll officer in the method of voting on the voting system. In providing such instruction, the poll officers shall not in any manner request, suggest, or seek to persuade or induce any voter to vote any particular candidate, political party, or political body, or for or against any particular question.

(2) (a) When a person presents himself or herself at the polling place for the purpose of voting during the time during which the polls are open for voting, the person shall complete a voter certificate and submit it to the poll officers. The voter certificate may be an electronic or paper record. The poll officers shall verify the identity of the person and that the person is a registered voter of the precinct and, if so, shall approve the voter certificate and enter an appropriate designation on the electors list for the precinct reflecting that the voter has voted in the primary,

election, or runoff being conducted. The voter's name shall then be recorded in ink and entered on the appropriate numbered list of voters. "Numbered list of voters" means one or more sheets of uniform size containing consecutively numbered blank spaces for the insertion of voters' names at the time of and in the order of receiving their ballots.

(b) A poll officer shall then issue the voter an appropriate voter access card authorizing the voter to vote the correct ballot on the touchscreen or utilize the correct access code to manually bring up the correct ballot on the touchscreen. The voter shall then enter the enclosed space in the polling place and proceed to vote his or her choices. Upon making his or her selections, the voter shall cause the paper ballot to print, remove his or her printed ballot from the printer, remove the voter access card from the touchscreen component, review the selections on his or her printed ballot, scan his or her printed ballot into the scanner, and return the voter access card to a poll officer. Then the voter shall exit the enclosed area of the polling place.

(c) If an emergency situation makes utilizing the electronic ballot markers impossible or impracticable, as determined by the election superintendent, the poll officer shall issue the voter an emergency paper ballot that is to be filled out with a pen after verifying the identity of the voter and that the person is a registered voter of the precinct. Emergency paper ballots shall not be treated as provisional ballots, but instead shall be placed into the scanner in the same manner that printed ballots in the polling place are scanned. The election superintendent shall cause each polling place to have a sufficient amount of emergency paper ballots so that voting may continue uninterrupted if emergency circumstances render the electronic ballot markers or printers unusable. For any primary or general election for which a state or federal candidate is on the ballot, a sufficient amount of emergency paper ballots shall be at least 10% of the number of registered voters to a polling place. The poll manager shall store all emergency ballots in a secure manner and ensure that all used and unused emergency ballots are accounted for. All unused emergency ballots shall be placed into a secure envelope and sealed such that the envelope cannot be opened without breaking such seal.

(d) If an emergency situation exists that makes voting on the electronic ballot markers impossible or impracticable, the poll manager shall alert the election superintendent as soon as possible. The existence of an emergency situation shall be in the discretion of the election supervisor. However, if a poll manager is unable to contact the election superintendent after diligent effort, the poll manager shall have the ability to declare that an emergency situation exists at the polling place. The poll manager shall continue diligent efforts to contact the election superintendent, and shall inform the superintendent as soon as possible of the situation at the polling place. The election superintendent, in his or her discretion, shall either overrule or concur with the declaration of emergency circumstances. While the determination of an emergency situation is in the discretion of the election superintendent, the types of events that may be considered emergencies are power outages, malfunctions causing a sufficient number of electronic ballot markers to be unavailable for use, or waiting times longer than 30 minutes.

(3) At least once each hour during the time while the polls are open, the poll officers shall examine the enclosed space to verify that no unauthorized matter has been affixed to any voting system component or placed in the voting booth and that the voting system components have not been tampered with in any manner. Poll officers shall also check that no unattended ballots are left in the printer or anywhere in the enclosed space other than the appropriate ballot box. Any unattended ballots found in the enclosed space that do not belong to a voter currently in the enclosed space shall not be counted, but shall be secured and labelled as unattended ballots.

(4) The polling place shall be arranged in such a manner as to provide for the privacy of the elector while voting and to allow monitoring of each voting system component by the poll officers while the polls are open. The electronic ballot markers and ballot scanners used in the polling place shall be set up in a manner to assure the privacy of the elector while casting his or her ballot while maintaining the security of such units against tampering, damage, or other improper conduct. In addition, at least one ballot marking device shall be configured for voting by physically disabled voters in wheelchairs and provisions shall be made to provide for the privacy of such electors while voting.

(5) It shall be permissible under O.C.G.A. § 21-2-410 and shall not constitute assistance in voting under O.C.G.A. § 21-2-409 for poll officers to assist a voter in inserting the voter access card into the ballot marking device and in explaining the operation of the unit to the voter; provided that the poll officer shall withdraw from the voting booth prior to the voter making any selections. The poll officers shall not in any manner request, suggest, or seek to

persuade or induce any voter to vote for any particular candidate, political party, or political body, or for or against any particular question.

(6) Voters utilizing an audio tactile interface (ATI) device to vote on the ballot marking device without the assistance of any other individual shall not be considered as receiving assistance in voting and shall not be required to complete the forms required for receiving assistance in voting pursuant to O.C.G.A. § 21-2-409; however, if another person other than a poll officer is handling the printed ballot before it is inserted into the scanner, that person shall be considered as assisting.

(7) The poll officers shall confirm that voters deposit their ballots and return the voter access cards to the poll officers prior to leaving the enclosed space in the polling place. The poll officers shall arrange and configure the polling place and provide staffing at such places within the polling place to confirm that a voter will not leave the enclosed space with a ballot or voter access card.

(8) The election superintendent shall cause each polling place to be sufficiently staffed. At least one poll officer shall be assigned to assisting voters who have questions while they are in the voting booth but before they approach the ballot scanner. Another poll officer shall be stationed at every ballot scanner in use in the polling place while voting is occurring. The poll officer stationed at the ballot scanner shall offer each voter specific verbal instruction to review their printed paper ballot prior to scanning it. In addition to the preceding instruction, the poll officer stationed at the ballot scanner shall offer general instruction throughout the period while voting is occurring telling voters that sample ballots and magnifying devices are available to assist them in reviewing their paper ballot. The poll officer shall take all reasonable precautions not to view the selections on an elector's ballot unless it is required due to assistance requested by the elector. If a poll officer observes a voter attempting to leave the enclosed space with a paper ballot, the poll officer shall inform the voter of the consequence of not depositing his or her paper ballot into the ballot scanner prior to leaving the room.

(9) A voter may request information from poll officers concerning how to use the electronic ballot marker or any other voting system component at any time during the voting process. However, once the voter scans his or her ballot into the ballot scanner, even if the ballot is blank with no votes cast, such voter shall be deemed to have voted and may not thereafter vote again. If a voter leaves the room encompassing the enclosed space with his or her paper ballot and does not place that ballot into the appropriate ballot scanner or ballot box, that voter shall be deemed to have voted and may not thereafter vote again. A sign shall be placed at the exit of the enclosed space that informs every voter that ballots may not be removed from the enclosed space. Any paper ballot that is removed from the room encompassing the enclosed space shall not be counted and shall be marked as spoiled by a poll officer.

(10) (a) If a voter discovers that the ballot presented on the electronic ballot marker is not correct or, for a partisan primary, is not the ballot that the voter desired to vote, the voter shall immediately notify a poll officer. The poll officer shall cancel or void the ballot on the electronic ballot marker without attempting in any manner to see how the voter has voted and shall then take the necessary steps to provide the voter with the correct ballot and make any necessary corrections to the voter certificate of the voter, the electors list, and the numbered list of voters. If the error is due to equipment malfunction, the poll officer shall document the incident on a form developed by the Secretary of State. The poll manager shall inform the election superintendent immediately if one or more electronic ballot markers are associated with a significant number of incidents.

(b) If, while reviewing his or her printed ballot, the voter discovers that the printed ballot does not contain the proper ballot selections or that the voter was not issued the proper ballot, the voter shall immediately inform a poll officer. The poll officer shall spoil the paper ballot and take the necessary steps to allow the voter to make his or her selections again on the electronic ballot marker and cause the correct ballot to be issued. If the error is due to equipment malfunction, the poll officer shall document the incident on a form developed by the Secretary of State. The poll manager shall inform the election superintendent immediately if one or more electronic ballot markers are associated with a significant number of incidents.

(c) If the voter places his or her paper ballot into the ballot scanner or ballot box prior to notifying the poll officials of any errors in the ballot, the voter shall be deemed to have voted and shall not be permitted to cast another ballot.

(11) (a) If any voting system component malfunctions during the day of a primary, election, or runoff, the poll manager shall immediately notify the election superintendent and shall not allow any voter to use the component until and unless the malfunction is corrected. The poll manager shall utilize appropriate backup procedures so that voting is not interrupted due to any equipment malfunctions. The election superintendent shall immediately arrange for the repair of the voting system component or shall provide a replacement component as soon as practicable. A replacement component shall not be used unless it has been appropriately tested prior to its use.

(b) In the event that a ballot scanner malfunctions, the voter shall place their voted ballot in the emergency bin connected to the ballot box. The ballots in the emergency bin shall be counted when the ballot scanner is properly functioning, by a replacement ballot scanner brought to the polling place, or, if neither are available, by another scanner at the county elections office. Poll officers may scan ballots placed into the emergency bin through the ballot scanner or a replacement ballot scanner when doing so will not interfere with voting. A voter placing his or her ballot into the emergency bin is considered to have voted that ballot and shall not be permitted to cast another ballot.

(c) Accredited poll watchers shall be allowed to observe the process described in this rule; however, they must do so in a manner that does not interfere with poll officials or voters.

(12) Polling Place Wait Time Recordings

(a) On the day of any state or federal general primary, election, or runoff therefrom, the chief manager of a precinct shall measure and record the time a voter waits in line prior to checking into vote.

(b) The wait times shall be measured a minimum of three times while voting is occurring, in accordance with the following specifications:

1. Morning wait times shall be measured only during the hours between 7:00AM and 11:00AM.

2. Midday wait times shall be measured only during the hours between 11:00AM and 3:00PM.

3. Evening wait times shall be measured only during the hours of 3:00pm and 7:00PM.

(c) Such results shall be recorded on a form provided by the Secretary of State and provided electronically in a manner determined by the Secretary of State.

Cite as Ga. Comp. R. & Regs. R. 183-1-12-.11

AUTHORITY: O.C.G.A. §§ 21-2-31**,** 21-2-263**,** 21-2-409**,** 21-2-410**.**

HISTORY: Original Rule entitled "Conducting Elections" adopted. F. Jan. 23, 2020; eff. Feb. 12, 2020.

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

Amended: F. Sep. 22, 2021; eff. Oct. 12, 2021.

Amended: F. June 29, 2026; eff. July 19, 2026.

Department 391. RULES OF GEORGIA DEPARTMENT OF NATURAL RESOURCES

Chapter 391-3. ENVIRONMENTAL PROTECTION

Subject 391-3-21. GRANT PROGRAMS

391-3-21-.09 Regional Water Plan Grant Program

(1) Statutory Basis: O.C.G.A. Secs. 28-5-120 et seq. and Secs. 12-5-520 et seq.

(2) General Scope and Purpose of the Grant Program: The purpose of the grant program is to provide funds to eligible recipients in Georgia to support and incentivize local governments and other appropriate water users as they undertake implementation activities identified in the applicable Regional Water Plans.

(3) Eligible Recipients of the Grant: Eligible recipients of the Regional Water Plan Grant funds include local, regional and State units of government, local authorities which operate local government service delivery programs, regional commissions, resource conservation and development councils, local school systems, State college and universities, and State agencies. Local governments must have Qualified Local Government status as of the date of application, in compliance with the requirements of the Georgia Planning Act of 1989 and Service Delivery Strategy Law of 1997.

(4) General Terms and Conditions of the Grant: The general terms and conditions of the grant are:

(a) Regional Water Plan Grant projects must specifically identify the Regional Water Plan(s) and management practice(s) or other recommendation(s) from each plan that the project is designed to address.

(b) Applications will include a letter of endorsement signed by the Council Chair or their authorized signatory from the relevant Regional Water Planning Council or Councils that at a minimum describes how the project is consistent with the Council's implementation priorities and the vision and goals articulated in their Regional Water Plan(s).

(c) Project development pre-application meetings are not required but are strongly encouraged, especially for first-time applicants. Pre-application meetings with Division staff ensure the application satisfies the general requirements as well as more specific criteria.

(d) Maximum reimbursement for a Regional Water Plan Grant project is 60 90 percent of the total project cost. Therefore, each recipient must provide matching funds for a minimum of 10 percent of the total project cost.

(e) Types of activities that are eligible include:

1. undertaking programs to address long-term water needs through enhanced water conservation;

2. promoting agricultural, forestry, rural, and urban best management practices to improve water quality;

3. evaluating additional or alternate to existing surface water and/or groundwater supply sources;

4. developing and/or updating local utility master plans for water, wastewater and stormwater;

5. providing technical assistance to support implementation of Regional Water Plan(s) management practices; or

6. undertaking other specific implementation activities identified in the Regional Water Plan(s).

(f) Regional Water Plan Grant projects must conform to all applicable requirements of O.C.G.A. § 12-5-33(b) and O.C.G.A. § 12-5-520 et seq. and must be consistent with the policies and implementation actions in the Georgia Comprehensive State-wide Water Management Plan.

(5) Criteria for the Award: The Regional Water Plan Grant funds are limited and are contingent upon available funding. Each project proposal will be evaluated by the Division to determine if the proposed project is an eligible activity, and all eligible project proposals will be evaluated and selected for funding based on the selection criteria below. The Division reserves the right to coordinate with applicants as needed to modify project scopes and budgets to allow for modified project funding.

(a) Project proposals must specifically identify the Regional Water Plan or Plans and management practice(s) or other recommendation(s) from each plan that the project is designed to implement;

1. Projects that are located within the Metro Water District, or applicants who are located within the Metro Water District, are eligible to apply for a grant if all of the following apply:

(i) The project will provide benefits in one or more of the neighboring Water Planning Council regions,

(ii) The project addresses implementation of one or more management practices or other recommendations from the Regional Water Plans for those regions, and

(iii). The application is endorsed by the neighboring Water Planning Council(s) in those regions.

2. If the project addresses data or information needs, the applicant must 1) specify the connections between the data to be collected and specific management practice(s) or other recommendation(s) in the Regional Water Plan(s) and 2) demonstrate how the data to be collected will be applied or integrated in the Regional Water Plan(s) or plan implementation.

(b) Project proposals must be consistent with the implementation priorities and the vision and goals articulated in the applicable Regional Water Plan(s). To ensure this consistency, proposals must demonstrate significant coordination between the applicant, Council(s), and the Division during preparation of the application and throughout the awarded project;

(c) Project proposals must demonstrate the state, regional and/or local benefits of the project including but not limited to enhancing water supply or water quality improvements that also provide water supply benefits;

(d) Project proposals must demonstrate how the project will enable continued and new implementation of Regional Water Plan management practices or other Regional Water Plan recommendations;

(e) Project proposals must demonstrate how the effectiveness of the project will be evaluated (i.e., measure of success), and numerical measures should be used where appropriate;

(f) Project proposals should demonstrate collaboration with one or more Regional Water Planning Councils, cooperating partnerships, and/or multi-governmental agencies and local implementing actors;

(g) Project proposals should demonstrate coordination with other water management projects and activities within the watershed as well as projects conducted across jurisdictional boundaries;

(h) Project proposals should demonstrate any additional environmental benefits that are expected to result from the project;

(i) Project proposals should demonstrate cost effectiveness of both grant and match funds. Cost effectiveness is defined as having the largest possible impact with the funds available;

(j) If a project proposal includes water quality monitoring, a Sampling and Quality Assurance Plan (SQAP) will be required. The requirements for a SQAP are contained in EPD's Guidance On Submitting Water Quality Data For

Use By The Georgia Environmental Protection Division In 305(b)/303(d) Listing Assessments (SQAP), which can be found on the Division's website; and

(k) Project applicants who have received grant funds in past years but have *NOT* demonstrated successful administration of previous Section 319(h), Section 106, Section 604(b) or other grant funded projects may receive a reduction in points during project review. Successful administration includes but is not limited to: completing all project activities during the contract period, meeting all required deadlines, completing the project on time and on budget, expending all grant funds requested on project activities, and providing adequate documentation as requested by the Division.

(6) Additional points may also be awarded to projects that demonstrate:

(a) A match commitment of 30 percent of total project cost or higher;

(b) A match commitment from a source other than the lead organization; or

(c) Project proposals that demonstrate collaboration with multiple Regional Water Planning Councils.

(7) Directions and Deadlines for Applying: Applicants interested in applying for a Regional Water Plan Grant should contact the Division's Regional Water Planning Unit or visit the Division's website for specific application assistance. Any project proposal that does not satisfy all grant criteria or does not follow the Division's application requirements may not be reviewed or considered for funding.

Applications must be submitted online through the Division's grant administration portal. No paper or email applications will be considered for funding.

Additional grant information, application materials, assistance preparing an application and staff contact information may be found at the Division's website, www.epd.georgia.gov.

Deadline for submitting proposals: Applications for grant award will be solicited via advertisement on the web address above no later than July of each year; applications will be due no later than October; and selections will be made no later than February. Specific application timeframes will be available via the website above.

Cite as Ga. Comp. R. & Regs. R. 391-3-21-.09

AUTHORITY: O.C.G.A. §§ 12-5-520 **et seq.,** 28-5-120 **et seq.**

HISTORY: Original grant description entitled "Innovative Technology Grant Program" submitted Oct. 30, 2000.

Terminated: July 13, 2004.

Submitted: New grant description entitled "Regional Water Plan Seed Grant Program" received September 13, 2016.

Submitted: Apr. 18, 2019.

Amended: Submitted June 25, 2026.

Department 391. RULES OF GEORGIA DEPARTMENT OF NATURAL RESOURCES

Chapter 391-4. WILDLIFE RESOURCES DIVISION

Subject 391-4-2. HUNTING REGULATIONS

391-4-2-.60 General Regulations on Wildlife Management Areas

(1) It is unlawful for any person to place bait or any wildlife food on a Wildlife Management Area (WMA).

(2) It is unlawful for any person to consume or use alcoholic beverages on any WMA except in houses or at campsites on these areas; provided, however, that this provision does not apply to national forest lands.

(3) The use of paintballs, paintball guns and related activities is prohibited on WMAs except on WMAs located on national forest lands.

(4) Dogs entering WMAs must be kept on a leash or otherwise confined except when hunting or while training dogs during designated seasons and on designated areas. Dog owners are responsible for their dogs and any damage the dogs may do to wildlife not being legally hunted.

(5) Except for Public Fishing Areas, fishing on WMAs is allowed in accordance with statewide seasons and limits, unless otherwise indicated or posted at the WMA check station.

(6) U.S. Forest Service regulations shall apply on all WMAs located on National Forest lands.

(7) It is unlawful for any person to unreasonably disturb or annoy others through abrasive, insulting or threatening words or actions, or physically harm or threaten any other person, or disobey any lawful order of a law enforcement official or act in a manner resulting in a breach of the peace.

(8) Camping, pre-season scouting, hiking, picnicking, horse riding, canoeing, and other recreational uses are allowed year-round unless otherwise indicated or posted at the WMA check station or at a specific recreation site. The department may close specific sites as needed for management purposes by posting at the site.

(9) It is unlawful for any unauthorized person to close or restrict access to roads, trails or other access features using motor vehicles, signage, or other methods. Roads, trails and other access features may be closed at the discretion of the department.

(10) It is unlawful to shoot from a motor vehicle except that disabled hunters on a designated handicapped access road or hunters who have been issued a department Special Use Permit as specified in said permit may shoot from a vehicle provided such vehicle is stationary and not under power.

(11) It shall be unlawful for any person to possess a loaded firearm in designated camping areas except as provided in O.C.G.A. § 16-11-126.

(12) O.C.G.A. § 27-3-1.1 prohibits loaded long guns being carried in a motor vehicle on WMAs except for provisions stated in (10) above. Handguns may be loaded only as provided in O.C.G.A. § 16-11-126. A firearm shall be considered loaded if a shell is in the chamber or magazine except that muzzle-loading firearms are considered loaded only if a cap is on the nipple or powder is present on the frizzen pan. Crossbows must be un-cocked while being transported in a vehicle on a WMA.

(13) Suppressed firearms may be used for hunting on WMAs.

(14) Buckshot may be used to hunt deer and bear when hunting seasons for those species are open on a WMA, unless otherwise specified in 391-4-2-.70, and during such seasons, feral hogs and coyotes may be taken incidentally.

(15) The use of centerfire rifles to hunt at night is prohibited on WMAs, state parks, voluntary public access areas, and federal lands unless otherwise specified in 391-4-2-.73.

(16) The use of unmanned aircraft systems as defined in O.C.G.A § 6-1-4 to hunt wildlife, wild animals, or feral hogs on lands owned or managed by the department is prohibited.

Cite as Ga. Comp. R. & Regs. R. 391-4-2-.60

AUTHORITY: O.C.G.A. §§ 12-3-9**,** 27-1-4**,** 27-3-4**,** 27-3-12**.**

HISTORY: Original Rule entitled "Turkey" was filed on March 14, 1975; effective April 3, 1975.

Amended: Rule repealed. Filed December 9, 1975; effective December 29, 1975.

Amended: Rule entitled "Shooting Hours" adopted. Filed October 26, 1976; effective November 15, 1976.

Amended: Rule repealed and a new Rule of same title adopted. Filed September 16, 1977; effective August 26, 1977; the date of adoption, in accordance with Ga. L. 1977, pp. 396, 455.

Amended: Rule repealed. Filed September 6, 1978; effective September 26, 1978.

Amended: Rule entitled "Shooting Hours" adopted. Filed November 2, 1978; effective September 29, 1978, as specified by Certification of said Rule in accordance with Ga. Code Sec. 45-513(d).

Amended: Filed October 14, 1988; effective November 3, 1988.

Amended: F. Sept. 12, 1989; eff. Oct. 2, 1989.

Repealed: New Rule, same Title, adopted. F. Jun. 6, 1992; eff. Jun. 25, 1992.

Repealed: New Rule entitled "General Regulations on Wildlife Management Areas" adopted. F. Jun. 13, 2013; eff. July 3, 2013.

Repealed: New Rule of same title adopted. F. June 1, 2017; eff. June 21, 2017.

Repealed: New Rule of same title adopted. F. June 4, 2019; eff. June 24, 2019.

Amended: F. June 7, 2021; eff. June 27, 2021.

Repealed: New Rule of same title adopted. F. June 2, 2023; eff. June 22, 2023.

Amended: F. June 25, 2026; eff. July 15, 2026.

391-4-2-.66 Big Game Regulations on Wildlife Management Areas

(1) Two (2) deer may be killed during any one bonus deer hunt. However, on bonus hunts when antler restrictions are in effect, no more than one (1) of the two (2) deer allowed may be an antlered buck.

(2) On bonus deer hunts, hunters should not record deer on the harvest record nor enter it in the Georgia Game Check harvest reporting system, but deliver the deer on the date of kill to the Wildlife Resources Division check

station on the area where department personnel will provide a single-use tag. On all other deer hunts, the hunter's deer harvest record must be completed and the harvest must be reported pursuant to Rule 391-4-2-.03.

(3) All deer hunts are either sex unless otherwise specified in 391-4-2-.70.

(4) A hunter shall harvest no more than 1 gobbler per season on any single wildlife management area, department-managed property, the Oconee National Forest outside of wildlife management areas or the Chattahoochee National Forest outside of wildlife management areas, unless otherwise specified in 391-4-2-.70.

(5) Turkeys harvested on WMAs must be recorded on the hunter's harvest record and reported pursuant to Rule 391-4-2-.03.

(6) The head and hide of all bears killed during open seasons must be presented at the check station on same date as killed on hunt dates when the check station is staffed. If the check station is unstaffed, the hunter shall report the harvest pursuant to 391-4-2-.03.

(7) Sign in is required for all big game hunts unless otherwise specified in Rule 391-4-2-.70.

(8) Man-drives are prohibited during deer hunts. A man-drive is defined as an organized hunting technique involving three (3) or more hunters using a coordinated effort to drive animals from cover to another hunter for the purpose of shooting.

(9) During any quail or rabbit quota hunt, big game hunting and dog training are prohibited unless otherwise specified in Rule 391-4-2-.70.

Cite as Ga. Comp. R. & Regs. R. 391-4-2-.66

AUTHORITY: O.C.G.A. § 27-1-4.

HISTORY: Original Rule entitled "Big Game Regulations on Wildlife Management Areas" adopted. F. Jun. 13, 2013; eff. July 3, 2013.

Repealed: New Rule of same title adopted. F. May 26, 2015; eff. June 15, 2015.

Repealed: New Rule of same title adopted. F. June 1, 2017; eff. June 21, 2017.

Repealed: New Rule of same title adopted. F. June 4, 2019; eff. June 24, 2019.

Amended: F. June 7, 2021; eff. June 27, 2021.

Amended: F. June 25, 2026; eff. July 15, 2026.

391-4-2-.67 Small Game Regulations on Wildlife Management Areas

(1) During small game hunts, hunters may hunt any small game in season subject to state seasons, regulations and bag limits except as may otherwise be provided in Rule 391-4-2-.70 and:

(a) The daily bag limit on fox squirrels is 1 per hunter.

(b) The daily bag limit on bobwhite quail is 3 per hunter, unless otherwise specified in Rule 391-4-2-.70.

(c) During a quota hunt for any species, only drawn hunters and their party members may hunt.

(d) Non-quota quail hunting opens on the third Saturday in November.

(2) Sign-in is not required for small game hunting (including migratory birds) unless otherwise provided in Rule 391-4-2-.70.

(3) Small game and furbearer hunting are not allowed during big game quota hunts unless otherwise provided in Rule 391-4-2-.70.

(4) Small game hunters hunting on dates concurrent with deer and bear primitive weapons or firearm hunts must wear fluorescent orange or pink as specified in Rule 391-4-2-.04, except for dove hunters hunting on managed dove fields, furbearer hunters hunting at night, and waterfowl hunters hunting on managed waterfowl impoundments or other water bodies.

(5) Only waterfowl hunting can take place on managed impoundments during waterfowl hunting dates. Waterfowl on all other WMA locations may be taken any day of the waterfowl seasons whenever the area is open for small game hunting unless otherwise specified.

(6) On quota waterfowl hunts, hunters must hunt from assigned areas. Shooting hours begin in accordance with applicable federal regulations and end at 12:00 noon except that on the last Saturday of the season, hunters may shoot until sunset.

(7) No night hunting is allowed on any WMA except for raccoon, fox, opossum, or bobcat on open dates. Coyotes may be taken at night, with small game weapons, while hunting raccoon, fox, opossum, or bobcat. Centerfire weapons may not be used for hunting at night on WMAs.

(8) Raccoon, opossum, fox and bobcat may be hunted within statewide seasons during small game and furbearer dates, unless otherwise specified.

(9) Permitted alligator hunters may hunt during day or night on open small game and big game dates unless otherwise specified in Rule 391-4-2-.70.

(10) Coyotes and feral hogs may be taken during all hunts but weapon types are restricted to only those weapons allowed for the game species in season.

(11) Special coyote season:

(a) May 16-May 31 on department managed WMAs unless otherwise specified in 391-4-2-.70. Not open on State Parks, Voluntary Public Access Areas, or federal lands unless otherwise specified in Rule 391-4-2-.70.

(b) Hunters may use any weapon legal for small or big game unless otherwise specified in 391-4-2-.70.

(c) Hunters and any person accompanying a hunter afield shall wear a total of at least 500 visible square inches of daylight fluorescent orange or daylight fluorescent pink material as an outer garment above the waistline.

(d) Night hunting is prohibited.

(e) Feral hogs may not be taken unless otherwise specified in 391-4-2-.70.

(f) Dogs may not be used to hunt hogs unless otherwise specified in 391-4-2-.70. Where allowed, hunting dogs must be marked with the hunter's name and a valid telephone number.

(g) Hogs must be killed immediately upon capture.

(12) Unless otherwise specified in 391-4-2-.70, small game may be taken on WMAs by permitted falconers at any time during the state falconry season pursuant to O.C.G.A. 27-3-15 except during any quota big game or small game hunts for which the falconer has not been drawn.

(13) Centerfire rifles may be used for fox and bobcat during daylight hours from December 1 through the last day of February only if a non-quota big game season is open on the area, unless otherwise specified in Rule 391-4-2-.70.

Cite as Ga. Comp. R. & Regs. R. 391-4-2-.67

AUTHORITY: O.C.G.A. §§ 27-1-4, 27-3-24.

HISTORY: Original Rule entitled "Small Game Regulations on Wildlife Management Areas" adopted. F. Jun. 13, 2013; eff. July 3, 2013.

Repealed: New Rule of same title adopted. F. May 26, 2015; eff. June 15, 2015.

Repealed: New Rule of same title adopted. F. June 1, 2017; eff. June 21, 2017.

Repealed: New Rule of same title adopted. F. June 4, 2019; eff. June 24, 2019.

Amended: F. June 7, 2021; eff. June 27, 2021.

Repealed: New Rule of same title adopted. F. June 2, 2023; eff. June 22, 2023.

Amended: F. Sept. 9, 2025; eff. Sept. 29, 2025.

Amended: F. June 25, 2026; eff. July 15, 2026.

391-4-2-.72 Provisional Regulations for Recently Acquired Wildlife Management Areas

(1) Rules 391-4-2-.60 through 391-4-2-.68 apply to the wildlife management areas (WMA), herein, except as otherwise prescribed by the department.

(2) For the wildlife management areas herein, the department is authorized to prescribe hunt types, weapons restrictions, bag limits, antler restrictions, and any other special limitations, and to annually publish the same.

(3) Upatoi Ravines Natural Area

(a) Antlered bucks may be taken only if they have a minimum of 4 antler points 1 inch or longer on one side of the antlers or a minimum outside antler spread of fifteen (15) inches.

(b) Deer of either sex may be taken with archery equipment from the second Saturday in September through the last date of the statewide primitive weapons season.

(c) Firearms hunting for deer of either sex shall be limited to a quota of 75 hunters for each hunt:

1. for 3 days beginning on the third Friday in November; and

2. for 3 days beginning on the second Friday in December.

(4) Small game may be hunted during statewide seasons except that hunting bobcat, fox, fox squirrels, and quail is prohibited.

(5) Turkey hunting shall be limited to a quota of 5 hunters for each hunt:

(a) for 7 days beginning on the third Saturday of April; and

(b) for 7 days beginning on the first Saturday of May.

(6) Special regulations:

(a) No May coyote season.

(b) Horses and all-terrain vehicles may not be used.

(c) Camping is prohibited.

Cite as Ga. Comp. R. & Regs. R. 391-4-2-.72

AUTHORITY: O.C.G.A. §§ 27-1-4**,** 27-3-15**.**

HISTORY: Original Rule entitled "Special Deer Hunts for Physically Disadvantaged Deer Hunters" adopted. F. Sept. 6, 1996; eff. Sept. 26, 1996.

Repealed: New Rule entitled "Wildlife Management Areas, Federal Wildlife Areas and Other State Lands Legend" adopted. F. Apr. 30, 1999; eff. May 20, 1999.

Repealed: New Rule of same title adopted. F. May 29, 2001; eff. June 18, 2001.

Repealed: New Rule of same title adopted. F. May 30, 2003; eff. June 19, 2003.

Repealed: F. June 1, 2017; eff. June 21, 2017.

Adopted: New Rule entitled "Provisional Regulations for Newly Added Wildlife Management Areas." F. Feb. 10, 2020; eff. Mar. 1, 2020.

Repealed: F. June 8, 2021; eff. June 28, 2021.

Adopted: New Rule entitled "Provisional Regulations for Recently Acquired Wildlife Management Areas." F. May 2, 2024; eff. May 22, 2024.

Amended: F. June 25, 2026; eff. July 15, 2026.

Department 505. PROFESSIONAL STANDARDS COMMISSION

Chapter 505-2. CERTIFICATION

505-2-.10 Permit

(1) **Summary:** The Permit is a certificate designed for individuals who qualify to teach in specific fields based on a combination of work experience, specified educational requirements, and assessment(s). Permitted personnel include individuals with fluency in a language other than English; performing artists from the fields of art, dance, drama and music; Junior Reserve Officer's Training Corps (JROTC) personnel; and teachers and leaders from business, government, military, or other professions.

(2) **Fields of Issuance.** The following Permit fields are offered:

(a) Career and Technical Specializations

(b) Engineering and Technology

(c) World Languages

(d) Healthcare Science

(e) Junior Reserve Officer's Training Corps (JROTC)

(f) Performing Arts (Art, Dance, Drama and Music)

(g) Superintendent

(3) **Career and Technical Specializations.**

(a) Issuance.

1. Pass the GACE Ethics for Teachers Assessment.

2. Have at least two (2) years of occupational work experience in the area of specialization.

(i) The fields of Aviation-Flight Operations, Computer Animation and Electronics Technology have options that do not require occupational work experience. Please refer to the chart of licensure options HERE.

3. Satisfy minimum degree requirements and industry testing and/or licensure, which may be found HERE.

(i) With the exception of the specializations in (I) below, individuals meeting all other requirements except industry testing and/or licensure may be issued a Permit certificate. For those who do not meet the licensure requirement, it must be satisfied prior to extension of the Permit.

(I) The following fields require industry licensure for issuance of the initial Permit: Barbering, Esthetics, Cosmetology, and Nails.

4. Have the certificate requested by the employing Georgia local unit of administration (LUA) following procedures outlined in GaPSC Rule 505-2-.27 CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) First Extension- Five (5) Year Cycle.

1. Satisfy the Special Education requirement with a grade of B or better.

2. Complete industry testing and/or licensure if the field did not require it for initial issuance.

3. Pass the GACE Fundamentals of the Science of Reading literacy assessment.

4. Satisfy a locally-developed professional learning plan (PLP).

5. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule 505-2-.27 CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(c) Subsequent Extensions

1. Satisfy a locally-developed professional learning plan (PLP).

2. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule 505-2-.27 CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(4) **Engineering and Technology.**

(a) Issuance.

1. Pass the GACE Ethics for Teachers Assessment.

2. Hold a bachelor's degree or higher from a GaPSC-accepted accredited institution in engineering or the GaPSC-determined equivalent.

3. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule 505-2-.27 CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) First Extension- Five (5) Year Cycle.

1. Meet the following Special Georgia Requirements:

(i) Pass the GACE content knowledge assessment in Engineering and Technology.

(ii) Satisfy the Special Education requirement with a grade of B or better.

(iii) Pass the GACE Fundamentals of the Science of Reading literacy assessment.

2. Satisfy the locally-developed professional learning plan (PLP).

3. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule 505-2-.27 CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(c) Subsequent Extensions

1. Satisfy a locally-developed professional learning plan (PLP).

2. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule 505-2-.27 CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(5) **World Language.**

(a) Issuance.

1. Pass the GACE Ethics for Teachers Assessment.

2. Pass the appropriate GACE content knowledge assessment or pass the American Council on the Teaching of Foreign Languages (ACTFL) Oral Proficiency Interview (OPI) and Writing Proficiency Test (WPT) at the levels indicated in GaPSC Rule 505-2-.26 CERTIFICATION AND LICENSURE ASSESSMENTS.

3. Hold a bachelor's degree or higher from a GaPSC-accepted accredited institution, or the U.S. equivalent of a bachelor's degree or higher based on a GaPSC-accepted Foreign Credential Report (See GaPSC Rule 505-2-.29 EVALUATION OF CREDIT EARNED OUTSIDE OF THE U.S.).

4. Be proficient in English, as determined by the LUA.

5. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule 505-2-.27 CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) First Extension- Five (5) Year Cycle.

1. Satisfy the Special Education requirement with a grade of B or better.

2. Satisfy the locally-developed professional learning plan (PLP).

3. Pass the GACE Fundamentals of the Science of Reading literacy assessment.

4. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule 505-2-.27 CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(c) Subsequent Extensions.

1. Satisfy a locally-developed professional learning plan (PLP).

2. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule 505-2-.27 CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(6) **Healthcare Science.**

(a) Issuance.

1. Pass the GACE Ethics for Teachers Assessment.

2. Hold a valid healthcare professional license, registration, or certification that relates to the healthcare field and has been issued by an appropriate governing or regulatory body, which may be found HERE.

3. Have a minimum of two (2) years of occupational work experience in the healthcare field.

4. Hold an associate's degree or higher from a GaPSC-accepted accredited institution in a healthcare-related field.

5. Meet Standards of Conduct.

6. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule 505-2-.27 CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(i) First Extension- Five (5) Year Cycle.

7. Satisfy the Special Education requirement with a grade of B or better.

8. Satisfy the locally-developed professional learning plan (PLP).

9. Pass the GACE Fundamentals of the Science of Reading literacy assessment.

10. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule 505-2-.27 CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) Subsequent Extensions.

1. Satisfy a locally-developed professional learning plan (PLP).

2. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule 505-2-.27 CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(7) **Junior Reserve Officer's Training Corps (JROTC).**

(a) Issuance.

1. Pass the GACE Ethics for Teachers Assessment.

2. Hold a minimum of a high school diploma or GED.

3. Hold official military retirement orders, or a DD Form 214 Member Copy #4, with Block #24 reflecting honorable retirement from a branch of military service (Army, Air Force, Coast Guard, Marine Corps, or Navy). National Guard personnel may, in lieu of the DD Form 214, use NGB Form 22, with Block #24 reflecting honorable retirement.

4. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule 505-2-.27 CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) First Extension- Five (5) Year Cycle.

1. Hold a letter or certificate from a branch of military service verifying successful completion of all required JROTC instructor training for full branch certification.

2. Satisfy the Special Education requirement with a grade of B or better.

3. Satisfy the locally-developed professional learning plan (PLP).

4. Pass the GACE Fundamentals of the Science of Reading literacy assessment.

5. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule 505-2-.27 CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(c) Subsequent Extensions.

1. Satisfy a locally-developed professional learning plan (PLP).

2. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule 505-2-.27 CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(d) Salaries for JROTC instructors are not calculated in the same way as other certified personnel. Determination of JROTC instructor salary is negotiated by the LUA in accordance with United States Code, Title 10 Armed Forces, Part III, Chapter 102 Junior Reserve Officer's Training Corps and appropriate Georgia Department of Education rules regarding state salaries and supplements and experience for salary purposes. When JROTC units are established, the respective military service branch will provide instructor pay information to LUAs.

(8) **Performing Arts: Art, Dance, Drama and Music.**

(a) Issuance.

1. Pass the GACE Ethics for Teachers Assessment.

2. Hold a minimum of a high school diploma or GED.

3. Have at least two (2) years of occupational work experience in the area of specialization.

4. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule 505-2-.27 CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) First Extension- Five (5) Year Cycle.

1. Meet the following Special Georgia Requirements:

(i) Pass the GACE content knowledge assessment for the fields of Art and Music.

(ii) Satisfy the Special Education requirement with a grade of B or better.

2. Satisfy the locally-developed professional learning plan (PLP).

3. Pass the GACE Fundamentals of the Science of Reading literacy assessment.

4. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule 505-2-.27 CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(c) Subsequent Extensions.

1. Satisfy a locally-developed professional learning plan (PLP).

2. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule 505-2-.27 CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(9) **Superintendent.**

(a) Issuance.

1. Pass the GACE Ethics for Leaders Assessment.

2. Hold a master's degree or higher from a GaPSC-accepted accredited institution.

3. Have at least two (2) years of occupational work experience of business, management, leadership and/or instructional experiences acceptable to the employing LUA as meeting qualifications for employment.

4. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule 505-2-.27 CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) First Extension- Five (5) Year Cycle.

1. Meet the following Special Georgia Requirements:

(i) Pass the GACE content knowledge assessment in Educational Leadership - Tier II.

(ii) Satisfy the Special Education requirement with a grade of B or better.

2. Satisfy the locally-developed professional learning plan (PLP).

3. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule 505-2-.27 CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(c) Subsequent Extensions.

1. Satisfy a locally-developed professional learning plan (PLP).

2. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule 505-2-.27 CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(d) If requirements in (9)(b) (1) or (2) have not been satisfied for the extension, the chair of the Board of Education must submit a letter supporting the extension.

(10) **Conversion to Professional.**

(a) An individual holding a Permit in a teaching field and seeking renewable professional certification must meet all requirements for issuance of the 5-Year Induction, Standard Professional or Performance-Based Professional certificate as outlined in GaPSC Rule 505-2-.04 INDUCTION CERTIFICATE and GaPSC Rule 505-2-.05 PROFESSIONAL CERTIFICATE.

(11) **Endorsements.**

(a) Information on the endorsement requirements may be found outlined in GaPSC Rule 505-2-.14 ENDORSEMENTS. Permit holders are not eligible to add endorsement fields, with the following exceptions:

1. Permit holders in any field may add the School Safety and Anti-Gang endorsement.

2. Permit holders in world language fields may add the ESOL endorsement.

3. Permit holders in Drama and Audio/Video Technology & Film may add the Dramatic Writing micro-endorsement.

4. Permit holders in teaching fields, with the exception of JROTC, may add the Online Teaching endorsement.

(12) **Professional Learning.**

(a) The LUA shall establish a mentor system to provide permitted personnel with orientation to the school, guidance for basic principles of classroom management, and support as they adjust to the school work place.

(b) A Professional Learning Plan (PLP) shall be locally developed and implemented for the validity period of the permit. This plan must incorporate all Special Georgia Requirements to include course work in the identification and education of children with special education needs. The plan shall also address such areas as the development and assessment of teacher competence in the areas of learner characteristics and curriculum and methods specific to the age level and certificate field issued. It is appropriate for the plan to include prescribed course work. For example, a course in methods for teaching world languages in grades P-12 might be required for international speakers permitted to teach world languages. This plan must be developed at the beginning of the validity period and used to guide the permit holder's professional learning activities to support the school improvement plan and enhanced student achievement. The plan must be satisfied by the educator and maintained locally by the LUA.

(13) **Exceptions.**

(a) The GACE Ethics for Teachers Assessment. is not required to convert to the five-year Permit if the initial permit was issued prior to October 15, 2017.

(b) The GACE Ethics for Leaders Assessment is not required to convert to the five-year Permit if the initial permit was issued prior to October 15, 2017.

(14) **Restrictions.**

(a) A Permit cannot be issued to individuals in the following circumstances:

1. Those who have been previously certified in Georgia but have not passed the required content knowledge assessment(s) will not be eligible for a permit in the same field.

2. Those who have two (2) or more un-remediated "Unsatisfactory," "Needs Development" or "Ineffective" performance evaluations as defined in GaPSC Rule 505-2-.43 ANNUAL PERFORMANCE EVALUATION.

3. Those who hold or have held a Non-Professional type certificate but have not successfully completed requirements to convert to a renewable professional certificate, unless the employing Georgia local unit of administration (LUA) that requested the initial Non-Professional type certificate provides documentation that the original certificate was requested in error.

4. The Permit is not issued to an individual who has completed a GaPSC-approved or GaPSC-accepted educator preparation program leading to Induction or Professional certification and has not satisfied Special Georgia Requirements.

(15) **Validity.** The initial permit is valid for three (3) years and may be extended for multiple five (5) year cycles upon completion of specific requirements outlined in correspondence accompanying the Permit and "Satisfactory," "Proficient" or "Exemplary" performance evaluations on the statewide evaluation instrument.

(a) Permits must be requested by an employing Georgia local unit of administration (LUA). As part of the application packet, the LUA must verify by completing the GaPSC Employer Assurance Form that the permit applicant is the best-qualified individual available for the position. Should a Permit holder change LUAs, it is not necessary to issue a new permit until the end of the validity period. However, the gaining LUA is responsible for developing a new Professional Learning Plan (PLP).

(16) **Legacy.**

(a) All valid permits issued prior to the effective date of this rule shall continue in effect and be extended, if there is no break in the validity period, based on completion of the requirements in existence at the time the permit was issued.

1. If the permit expires and there is a break in validity, the applicant must satisfy all requirements in effect at the time of the new application, including compliance with the state-required literacy assessments under The Georgia Early Literacy Act (HB 538) of 2023.

Cite as Ga. Comp. R. & Regs. R. 505-2-.10

AUTHORITY: O.C.G.A. § 20-2-200**.**

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

Repealed: New Rule entitled "Classification: Type, Title, Level, Field, Category" adopted. F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

Amended: F. Apr. 29, 1994; eff. July 1, 1994, as specified by the Agency.

Amended: F. June 21, 1996; eff. July 11, 1996.

Amended: F. Apr. 7, 2000; eff. May 1, 2000, as specified by the Agency.

Amended: F. July 10, 2000; eff. Aug. 1, 2000, as specified by the Agency.

Amended: F. Sept. 10, 2001; eff. Oct. 1, 2001, as specified by the Agency.

Amended: F. Sept. 19, 2002; eff. Oct. 15, 2002, as specified by the Agency.

Repealed: New Rule entitled "Permit" adopted. F. Feb. 20, 2004; eff. Mar. 15, 2004, as specified by the Agency.

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

Amended: F. June 23, 2005; eff. July 15, 2005, as specified by the Agency.

Amended: F. Feb. 10, 2006; eff. Mar. 15, 2006, as specified by the Agency.

Amended: F. Aug. 3, 2006, eff. Sept. 1, 2006, as specified by the Agency.

Amended: F. June 18, 2007; eff. July 15, 2007, as specified by the Agency.

Amended: F. Nov. 15, 2007; eff. Dec. 15, 2007, as specified by the Agency.

Amended: F. Sept. 16, 2008; eff. Oct. 15, 2008, as specified by the Agency.

Repealed: New Rule of same title adopted. F. June 7, 2010; eff. July 15, 2010, as specified by the Agency.

Amended: F. Sept. 25, 2013; eff. Oct. 15, 2013, as specified by the Agency.

Repealed: New Rule of same title adopted. F. June 11, 2014; eff. July 1, 2014, as specified by the Agency.

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

Amended: F. Oct. 4, 2017; eff. Oct. 15, 2017, as specified by the Agency.

Amended: F. June 5, 2018; eff. July 1, 2018, as specified by the Agency.

Amended: F. Oct. 3, 2018; eff. Oct. 15, 2018, as specified by the Agency.

Amended: F. Mar. 26, 2019; eff. Apr. 15, 2019, as specified by the Agency.

Amended: F. Sept. 24, 2019; eff. Oct. 15, 2019, as specified by the Agency.

Repealed: New Rule of same title adopted. F. June 11, 2020; eff. July 1, 2020, as specified by the Agency.

Amended: F. Dec. 11, 2020; eff. Jan. 1, 2021, as specified by the Agency.

Amended: F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

Amended: F. Apr. 9, 2024; eff. Apr. 15, 2024, as specified by the Agency.

Note: Correction of non-substantive typographical error in subparagraphs (3) (a) 2. (i) and (3) (a) 3., hyperlink **"HERE"** connection corrected, as requested by the Agency. Effective July 12, 2024.

Amended: F. June 11, 2025; eff. July 1, 2025, as specified by the Agency.

Amended: F. June 10, 2026; eff. July 1, 2026, as specified by the Agency.

Department 505. PROFESSIONAL STANDARDS COMMISSION

Chapter 505-3. EDUCATOR PREPARATION RULES

505-3-.05 Georgia Teacher Academy for Preparation and Pedagogy (GaTAPP)

(1) **Purpose.** This rule states specific content standards and requirements for approving non-traditional preparation programs designed for the initial preparation of transition teachers and supplements requirements in GaPSC Rules 505-3-.01, REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS, 505-3-.02, EDUCATOR PREPARATION PROVIDER ANNUAL REPORTING AND EVALUATION, 505-3-.03 FOUNDATIONS OF READING, LITERACY, AND LANGUAGE, and GaPSC Certification Rules 505-2-.01, GEORGIA EDUCATOR CERTIFICATION, 505-2-.08, PROVISIONAL CERTIFICATE, and 505-2-.05, PROFESSIONAL CERTIFICATE. This rule also states specific content standards and requirements for approving non-traditional preparation programs that prepare professionally certified teachers to teach any subject in grades P-5. Field-Specific requirements for the Elementary Education Certification-Only Program through GaTAPP (grades P-5) are described at www.gapsc.com FIELD-SPECIFIC REQUIREMENTS. This extension to the GaTAPP rule supplements the requirements in GaPSC Rule 505-3-.14, ELEMENTARY EDUCATION (P-5) PROGRAM.

(2) **Definitions.**

(a) Academic Year (AY): Consists of two (2) full semesters, one (1) of which must include the beginning of a school year.

(b) Candidate Support Team (CST): A team of school-based leaders, mentors, Educator Preparation Provider (EPP) supervisors, and content specialists who monitor, assess, and coach candidates using performance assessment data to improve teaching performance in order to improve student learning.

(c) Coaching: Assisting candidates in transferring knowledge, skills, and understandings in the GaTAPP program into professional practice.

(d) Clinical Practice/Field Experiences:

1. Clinical Practice: Candidates are immersed in the learning community and provided opportunities to develop and demonstrate competence in the professional roles for which they are preparing while supported by the Candidate Support Team. The job-embedded, hands-on experiences provide candidates with an intensive and extensive opportunity to be monitored, assessed, and coached. Performance assessment data from these experiences inform the Individualized Induction Plan/ Professional Learning Plan.

2. Field Experiences: Various early and ongoing field-based opportunities, in which candidates may observe, assist, tutor, instruct, and/or conduct research. Field experiences occur outside the candidate's classroom in settings such as schools, community centers, or homeless shelters.

(e) Dispositions: Moral commitments and professional attitudes, values, and beliefs that underlie educator performance and are demonstrated through both verbal and nonverbal behaviors as educators interact with students, families, colleagues, and communities.

(f) Elementary Education Certification-Only Program: A one (1) year supervised program administered through GaTAPP to prepare teachers with Professional teaching certification in any field issued by the GaPSC with the knowledge, skills, and dispositions to teach all subjects in grades P-5. This program requires an induction component that includes coaching and elementary pedagogical and content instruction for one (1) full academic year. This program does not lead to a degree or college credit.

(g) Highly Qualified Status: Although no longer a federal mandate, candidates admitted into GaTAPP programs have a minimum of a bachelor's degree, Georgia Provisional teacher certification, and verified content knowledge in the subjects they teach. Candidates seeking certification in non-core academic teaching fields are not required to meet "highly qualified requirements" and must complete the program to receive an Induction or Professional certificate by the end of the Provisional certificate validity period.

(h) Individual Induction Plan (IIP): A dynamic plan of action to improve candidate performance collaboratively developed by the CST and the candidate based on performance assessment data. The IIP will be used by the mentor/supervisor to coach the candidate in the twenty-four (24) competencies and dispositions delineated in this rule (also known as a Professional Learning Plan).

(i) Induction: A period of time (frequently up to three (3) years) when educators are new to a teaching or leader position or new to the state, a school, or a school district. In GaTAPP, Induction is the first three (3) years when a newly employed classroom teacher must receive mentoring/coaching from the Candidate Support Team.

(j) Non-traditional Preparation: Post-baccalaureate programs designed for individuals who did not prepare as educators during their undergraduate studies. These preparation programs, designed to lead to an Educator Preparation Provider's recommendation for certification but not a degree, often accommodate the schedules of adults and recognize their earlier academic preparation and life experiences.

(k) Regionally Accredited: A process for assessing and enhancing academic and educational quality through voluntary peer review by a regionally accepted accrediting body to ensure the school district is meeting its standards of educational quality.

(l) Special Education Consultative Teacher: A Special Education teacher who works collaboratively with a content area teacher of record in all content and is not responsible for final scores for students. Candidates in the GaTAPP program are required to develop unit and/or lesson plans based on the Georgia state-approved P-12 performance standards in an academic content area(s) of concentration and to implement those plans in the classroom.

(m) Special Education Teacher of Record: A Special Education teacher who is responsible for the curriculum, instruction, assessment, and record maintenance for the P-12 learner in any of the five (5) academic content concentrations, regular or remedial.

(3) **General Requirements.**

(a) Educator Preparation Provider Requirements.

1. Eligible Program Providers: GaTAPP programs may be proposed by any GaPSC-approved EPP that can verify, through the program approval process, the ability to provide non-traditional preparation that complies with the definition of GaTAPP and to provide programs that meet all requirements and standards delineated in this rule. GaPSC-approved EPPs at local education agencies shall offer GaTAPP only to those candidates employed by that school system.

2. GaTAPP programs shall prepare individuals with the appropriate degree for the certificate sought in a Professional Teaching field issued by the GaPSC. GaTAPP programs have the following characteristics:

(i) Feature a flexible timeframe of one (1) to three (3) years for completion based on candidates' prior experiences and demonstration of proficiency in program competencies and requirements;

(ii) Do not lead to a degree or college credit;

(iii) Are job-embedded allowing candidates to complete non-traditional preparation path requirements while employed by a regionally accredited local unit of administration (school district or private school), a charter school approved by the Georgia State Charter School Commission, a charter school approved by the Georgia Department of Education, in preschools or child care centers licensed by the Georgia Department of Early Care and Learning

(DECAL, also known as Bright from the Start), Head Start, or in pre-schools accredited by USDOE or CHEA-accepted accrediting agencies, as a classroom teacher full-time or part-time for at least a half day;

(iv) Require that candidates are supported by a Candidate Support Team (CST);

(v) Require an induction component that includes coaching and induction for a minimum of one (1) academic year and continuing until completion of the program;

(vi) Provide curriculum, performance-based instruction, and assessment focused on the pedagogical knowledge and skills necessary for the candidate to teach his/her validated academic content knowledge;

(vii) Are individualized based on the needs of each candidate with respect to content knowledge, pedagogical skills, and readiness to teach; and

(viii) Use candidate and non-traditional preparation performance data to inform decision-making regarding continuous improvement of candidate performance, program effectiveness, and provider effectiveness in the non-traditional preparation path.

3. Eligible Certification Fields.

(i) Non-traditional preparation paths are available for all teaching fields. FIELD- SPECIFIC REQUIREMENTS for GaTAPP fields are found at www.gapsc.com; and

(ii) As the purpose of GaTAPP is to prepare classroom teachers, service, leadership, and endorsement certifications are not available through GaTAPP. See GaPSC Rule 505-3.-.76, ALTERNATIVE PREPARATION FOR EDUCATIONAL LEADERSHIP PROGRAM for information on alternative certification in the field of Educational Leadership, and GaPSC Rule 505-3-.73 ALTERNATIVE PREPARATION FOR SPEECH-LANGUAGE ASSOCIATE PROGRAM for information on alternative preparation in the Service field of Speech-Language Associate.

(4) **Program Approval Requirements**.

(a) Annual Reporting and Evaluation Requirements are described in GaPSC Rule 505-3-.02, EDUCATOR PREPARATION PROVIDER ANNUAL REPORTING AND EVALUATION.

(b) Program Admission Requirements.

1. Field-specific admission requirements are described at www.gapsc.com FIELD-SPECIFIC REQUIREMENTS.

2. All admitted candidates shall meet the following requirements:

(i) Hold a minimum of a bachelor's degree from a GaPSC accepted, accredited institution of higher education; See FIELD-SPECIFIC REQUIREMENTS at www.gapsc.com for the CTAE exception;

(ii) Have verification of passing the Georgia Educator Ethics Assessment;

(iii) Never held a professional teaching certificate in Georgia or any other state or any country; See FIELD-SPECIFIC REQUIREMENTS at www.gapsc.com for the Elementary Education Certification-Only Program exception;

(iv) Hold a valid Georgia Provisional teaching certificate, or Permit, or Waiver Certificate. Candidates accepted into the Elementary Education Certification-Only program must hold a valid Non-Renewable Professional Certificate in Elementary Education as requested by the employing LUA;

(v) Employed by a regionally accredited local unit of administration (school district or private school), a charter school approved by the Georgia State Charter School Commission, or a charter school approved by the Georgia

Department of Education, in pre-schools or child care centers licensed by the Georgia Department of Early Care and Learning (DECAL, also known as Bright from the Start), Head Start, or in pre-schools accredited by USDOE or CHEA-accepted accrediting agencies, as full-time teachers or as part-time teachers who teach at least a half day;

(vi) Provide evidence of subject matter competence in the subjects they teach;

(vii) Have a teaching assignment that is appropriate for the field listed on the Georgia teaching certificate; and

(viii) Upon admission, have an Individualized Induction Plan (IIP)/ Professional Learning Plan.

(c) Supervision of Candidate Performance: GaPSC approved EPPs shall provide supervision and assessment of the candidate's performance and coordinate results with observations and assessments by the other CST members.

(d) Assessment of Candidate Performance: GaPSC approved GaTAPP EPPs shall utilize common state-approved assessments and multiple program EPP specific assessments to make decisions regarding candidate program status.

(e) Candidate Support Team (CST): For a minimum of one (1) academic year and continuing throughout the program, all candidates must receive intensive support through a CST meeting the following requirements:

1. Team Composition: all CSTs must be comprised of:

(i) A school-based administrator;

(ii) A GaPSC certified school-based mentor or teaching coach;

(iii) A supervisor employed by the EPP; and

(iv) If not represented by one of the previously described team members, a content specialist who holds certification and expertise in the candidate's teaching field.

2. Team Member Criteria: CST members must hold valid teaching certificates at either the Professional, Lead Professional, or Advanced Professional level and must demonstrate effective teaching performance on the appropriate state or local evaluation system. Educators holding valid Life, Service, or Leadership certificates may serve on CSTs as long as a teaching field certificate is also held or was previously held.

3. Training: Coaches/Mentors and Supervisors of the CST shall be trained in the knowledge, skills, and dispositions that meet the standards and requirements delineated in GaPSC Educator Preparation Rule 505-3-.105, TEACHER SUPPORT AND COACHING ENDORSEMENT PROGRAM or 505-3-.85, COACHING ENDORSEMENT PROGRAM. School-based administrators receive an orientation regarding program expectations linking the leadership practices to the program.

(f) Serving Professionally Certified Educators: To receive approval to offer a non-traditional path for Professionally certified educators to earn certification in Elementary Education, a GaPSC-approved educator preparation provider must ensure candidates meet the field-specific content requirements in Rule 505-3-.14, ELEMENTARY EDUCATION (P-5) PROGRAM. This extension of the initial teacher preparation program features a one-year (minimum) supervised program for completion based on individualized performance assessment data and does not lead to a degree or college credit.

(5) **Candidate Performance Requirements.**

(a) Prior to program completion and through the use of performance-based assessments, candidates must demonstrate proficiency in the following professional dispositions:

1. The candidate demonstrates an appreciation of all students, the staff, and the community and capitalizes on their differences;

2. Candidate/student interactions and student/student interactions are friendly, warm, caring, polite, respectful, and developmentally and culturally appropriate;

3. The candidate establishes a culture of learning where students are committed to the value of the subject, accept the candidate's high expectations, and take pride in quality work and conduct;

4. The candidate responds appropriately, respectfully, and successfully to student behavior;

5. The candidate's directions, procedures, and oral and written language are communicated clearly and accurately;

6. The candidate demonstrates flexibility and responsiveness by adjusting lessons, responding to students, and being persistent;

7. The candidate maintains accurate, complete records of student assignments and learning and of non-instructional activities;

8. The candidate frequently and successfully provides instructional information and student progress information to parents and engages families in the school program;

9. The candidate is supportive of and cooperative with colleagues and volunteers and makes substantial contributions to school and district projects;

10. The candidate actively seeks professional development to enhance content and pedagogical skills and actively assists other educators;

11. The candidate proactively serves all students, challenges negative attitudes, and takes a leadership role in high quality decision-making; and

12. The candidate understands and actively participates in the school's School Improvement process.

(b) Prior to program completion and through the use of performance-based assessments, candidates must demonstrate proficiency in the following professional competencies:

1. Planning and Preparation.

(i) The teacher demonstrates solid knowledge of content structure of the discipline, of connections and prerequisite relationships, of content-related pedagogy and of connections with technology;

(ii) The teacher demonstrates a working knowledge of age-group characteristics, of different students' approaches to learning, of students' skills and knowledge levels and language proficiency, and of students' interests and cultural heritage, and knowledge of students' special needs;

(iii) The teacher demonstrates an appreciation of all students, the staff, and the community and capitalizes on their differences;

(iv) The teacher selects instructional goals that are valuable, sequential, clear, aligned with state and national standards, suitable for all students, and balanced among types of learning;

(v) The teacher actively seeks and utilizes varied instructional materials and community resources, including technology, to extend content knowledge, pedagogy, and student learning;

(vi) The teacher's instructional plans are coherent and structured in that learning activities (learning units and lessons), resources, groupings, and time allocations are varied and suitable to the developmental level of the students, to individual students, and to the instructional goals; and

(vii) The teacher utilizes varied assessment methods, including those through technology, that are congruent with the instructional goals for student learning; students' understanding of the criteria and standards; and the teacher designs and utilizes formative results to plan for and differentiate instruction.

2. The Classroom Environment.

(i) Teacher/student interactions and student/student interactions are friendly, warm, caring, polite, respectful, and developmentally and culturally appropriate;

(ii) The teacher establishes a culture of learning where students are committed to the value of the subject, accept the teacher's high expectations, and take pride in quality work and conduct;

(iii) The teacher effectively manages instructional groups, transitions, materials, supplies, non-instructional duties, and supervision of volunteers and paraprofessionals;

(iv) The teacher makes standards of conduct clear, is consistently alert to student behavior, and responds appropriately, respectfully, and successfully to student behavior; and

(v) The teacher arranges the classroom and organizes physical space and materials skillfully, resourcefully, and with safety and accessibility components in place.

3. Instruction.

(i) The teacher's expectations for student learning and classroom procedures are clearly articulated in directions, and both oral language and written language are communicated clearly and accurately modeling standard grammar;

(ii) The teacher's questions and discussion techniques are of high quality and engage all students;

(iii) The teacher utilizes engaging and varied representations of content, instructional strategies, assessment techniques, activities, assignments, technology, grouping configurations, materials and resources, structure and pacing;

(iv) The teacher develops relevant assessment criteria, monitors student learning, and gives meaningful and timely feedback to students and teaches students to self-assess and monitor their own progress;

(v) The teacher demonstrates flexibility and responsiveness by adjusting lessons, responding to students' needs, and being persistent in searches for varied approaches for students who have difficulty learning; and

(vi) The teacher accurately assesses lessons' effectiveness and demonstrates an understanding of how to modify subsequent lessons.

4. Professional Responsibilities.

(i) The teacher maintains accurate, complete records of student assignments and learning and of non-instructional activities;

(ii) The teacher frequently and successfully provides instructional information and student progress information to parents and engages families in the instructional non-traditional preparation path;

(iii) The teacher is supportive of and cooperative with colleagues, is involved in a culture of professional inquiry, and makes substantial contributions to school and district projects;

(iv) The teacher actively seeks professional development to enhance content, pedagogical skills and dispositions, accepts feedback from colleagues, and actively assists other educators;

(v) The teacher demonstrates integrity and ethical conduct; and

(vi) The teacher proactively serves all students, challenges negative attitudes, takes a leadership role in high quality decision-making, and understands and actively participates in the school's School Improvement process.

(c) The GaPSC-approved provider shall assure that all non-traditional preparation path participants meet the applicable standards for each field of certification as specified in GaPSC Rule 505-3-.03, FOUNDATIONS OF READING, LITERACY, AND LANGUAGE, and meet the twenty-four (24) competencies at the proficient level by path completion, by providing preparation (curriculum, instruction, and assessment) in the following pedagogical content standards:

1. Essential Preparation.

(i) The non-traditional preparation path shall prepare candidates who demonstrate knowledge, skills, and dispositions in unpacking state and/or national standards for the purpose of teaching all students in the content field in which the candidate is seeking Professional Certification;

(ii) The non-traditional preparation path shall prepare candidates who demonstrate the knowledge, skills, and dispositions necessary in developing pre- and post- assessments that are aligned with state and/or national content standards that clearly demonstrate the students' knowledge and skills as delineated in the state and/or national standards requirements; and

(iii) The non-traditional preparation path shall prepare candidates who demonstrate the knowledge, skills, and dispositions necessary to establish benchmarks for monitoring student progress toward meeting state/national content standards.

2. Evidence.

(i) The non-traditional preparation path shall prepare candidates who demonstrate knowledge, skills, and dispositions in planning, implementing, and using multiple assessments to determine the level of student learning based on the academic content standards of the teaching field to include the:

(I) Development of various types of assessments;

(II) Development of scoring guides for the assessments;

(III) Analysis of student work to assess achievement and gains; and

(IV) Analysis of assessment data to determine instruction to meet individual student needs.

3. Engagement.

(i) The non-traditional preparation path shall prepare candidates who demonstrate knowledge, skills, and dispositions of planning, implementing, and assessing classroom instruction engaging all students in active learning to include the:

(I) Establishment of a standards-based classroom;

(II) Use of research-based exemplary practices;

(III) Use of activating strategies;

(IV) Use of cognitive strategies;

(V) Use of summarizing strategies;

(VI) Use of questioning strategies;

(VII) Use of Bloom's Taxonomy;

(VIII) Use of cooperative learning strategies;

(IX) Demonstration of the understanding of relationship between engagement and achievement;

(X) Demonstration of the understanding of how to align research-based strategies with Georgia Standards of Excellence;

(XI) Demonstration of the understanding of the role of effective questioning and critical thinking;

(XII) Demonstration of the skills to create acquisition and extending/refining lessons based on research-based strategies;

(XIII) Demonstration of the understanding of how to use strategies and graphic organizers to increase engagement;

(XIV) Demonstration of the understanding of how to write content questions according to Bloom's Taxonomy; and

(XV) Demonstration of the understanding of how to differentiate instruction by content and by learner.

4. Environment.

(i) The non-traditional preparation path shall prepare candidates who demonstrate knowledge, skills, and dispositions to develop and implement effective classroom management plans that include the:

(I) Appropriate arrangement of classroom that supports student learning; and

(II) Planning and implementation of strategies that produce a learning environment that provides the best opportunity for student learning.

5. Ethics.

(i) The non-traditional preparation path shall prepare candidates who demonstrate the knowledge, skills, and dispositions necessary to model ethical practices of the education profession. (GaPSC Rule 505-6-.01, THE CODE OF ETHICS FOR EDUCATORS).

(d) Program Completion Requirements. Non-traditional EPPs shall require candidates to:

1. Obtain a passing score on the state-approved content assessment in the field of certification sought, unless a passing score is required for program admission in that field (see www.gapsc.com FIELD-SPECIFIC REQUIREMENTS);

2. Obtain a passing score on the state-approved literacy assessment aligned with the field of certification sought.

3. Meet the twelve (12) dispositions, twenty-four (24) competencies, and pedagogical content standards delineated in this rule;

4. Complete an Individual Induction Plan (IIP)/Professional Learning Plan that includes the requirements described in paragraph (2) (h);

5. Meet all of the elements in Standard 6: Requirements and Standards of the *Georgia Standards for the Approval of Educator Preparation Providers and Educator Preparation Programs* (Georgia Standards); and

6. Meet individual requirements resulting from the analysis of candidate assessment data.

(6) **Field-Specific Requirements.** To receive approval to offer non-traditional paths to Professional teacher certification in eligible fields, a GaPSC-approved educator preparation provider must ensure candidates meet all FIELD-SPECIFIC REQUIREMENTS found at www.gapsc.com.

(7) **Field-Specific Exemptions for the Elementary Education Certification-Only Program Through GaTAPP.** Since candidates in this program have completed an initial teacher preparation program, they are exempt from the Georgia Educator Ethics Assessment.

(8) **Military Exemption for Assessment Requirements.** Military retirees or spouses of active-duty military personnel who enter a GaTAPP program without a related degree in the field of certification sought must attempt the content assessment by the end of the first semester in the program and must pass the assessment by the end of the first year.

Cite as Ga. Comp. R. & Regs. R. 505-3-.05

AUTHORITY: O.C.G.A. § 20-2-200.

HISTORY: Original Rule entitled "Georgia Teacher Academy for Preparation and Pedagogy (GaTAPP)" adopted. F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

Amended: F. Jun. 13, 2014; eff. July 3, 2014.

Note: Correction of non-substantive typographical error in, original Rule title "Educator Preparation Provider Annual Reporting and Evaluation" corrected to "Georgia Teacher Academy for Preparation and Pedagogy (GaTAPP)." Effective Oct. 15, 2016.

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

Amended: F. Dec. 20, 2017; eff. Jan. 15, 2018, as specified by the Agency.

Amended: F. Oct. 11, 2018; eff. Oct. 15, 2018, as specified by the Agency.

Amended: F. June 26, 2019; eff. July 1, 2019, as specified by the Agency.

Amended: F. Apr. 7, 2020; eff. Apr. 15, 2020, as specified by the Agency.

Amended: F. June 11, 2020; eff. July 1, 2020, as specified by the Agency.

Amended: F. Dec. 11, 2020; eff. Jan. 1, 2021, as specified by the Agency.

Amended: F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

Amended: F. May 30, 2023; eff. June 15, 2023, as specified by the Agency.

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

Amended: F. June 10, 2026; eff. July 1, 2026, as specified by the Agency.

505-3-.110 Urban Education Endorsement

(1) **Purpose.** This rule states field-specific content standards for approving endorsement programs that prepare individuals to teach in an urban setting in the field and at the grade level of their base certification and supplements requirements in GaPSC Rule 505-3-.01, REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(2) **In-Field Statement.** Completers of the Urban Education Endorsement have strengthened and enhanced competency to teach in an urban setting in the field(s) and at the grade level(s) of their base certification.

(3) **Requirements.**

(a) A GaPSC-approved professional educator preparation provider may seek state approval to offer this field as either a stand-alone endorsement program or as an endorsement program embedded in a GaPSC-approved initial preparation program or an advanced (degree-only) preparation program. In addition to meeting all applicable approval requirements and standards, embedded endorsement programs must meet requirements specified in paragraph (3) (e) 4. (ix) of GaPSC Rule 505-3-.01, REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(b) 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 for the preparation of educators:

1. Context of Urban Education. The program shall prepare candidates who are able to:

(i) Demonstrate an understanding of the dynamic context of urban schools and classrooms (e.g. classroom management, motivation, supportive and welcoming classrooms, relevance to all student experiences) as different from other contexts, and apply that understanding in their instructional practices;

(ii) Demonstrate a deep understanding of the ways in which social and contextual factors shape human learning and development in urban school communities and learning environments; and

(iii) Demonstrate an understanding of background, class, language, and ability and the potential impact of these characteristics on students' educational experiences and apply that understanding in their instructional practices.

2. Culturally Relevant Pedagogy, Curriculum, and Leadership. The program shall prepare candidates who are able to:

(i) Demonstrate an understanding of the definition of culturally relevant pedagogy and leadership;

(ii) Evaluate, develop, and implement culturally relevant and linguistically responsive curriculum;

(iii) Demonstrate an understanding of evidence-based models of culturally relevant teaching, learning, and assessment practices;

(iv) Demonstrate an understanding of the impact of students' characteristics, backgrounds, and experiences on teaching, learning, assessment practices, and academic success, and use this understanding to inform, plan, and implement culturally relevant teaching, learning, assessment, and classroom management practices; and

(v) Research, evaluate and apply leadership and advocacy strategies that support a positive and culturally relevant environment for learners.

3. Urban Learner and Learning in the 21st Century. The program shall prepare candidates who:

(i) Recognize and validate how the funds of knowledge of urban students may be used to create supportive, welcoming, and responsive educational opportunities aimed at meeting the unique learning needs of each student;

(ii) Explore and experience the contexts in which students from urban communities live and develop; and

(iii) Address the knowledge, skills, and digital literacy needs of students in urban environments and the student-centered technological advancements that impact their learning.

4. Communication, Engagement, and Partnerships with Families, Schools, and Communities. The program shall prepare candidates who:

(i) Demonstrate an understanding of the importance of school partnerships between families, home and communities;

(ii) Establish, elicit, and maintain clear two-way communication between school, families, home and communities;

(iii) Increase knowledge and understanding of the beliefs and values of students' families and communities; and

(iv) Demonstrate an understanding of how to engage and establish authentic partnerships between families, schools, and communities to support student learning and wellbeing.

5. The Impact of Educational Policies and Practices on Urban Education. The program shall prepare candidates who:

(i) Demonstrate an understanding of the social and educational issues impacting students in urban communities, and incorporate that awareness into instructional practices;

(ii) Demonstrate an understanding of the evolution of law and policies and apply that understanding in their instructional practices;

(iii) Demonstrate an understanding of institutional, structural, and environmental impacts on urban education;

(iv) Demonstrate an understanding of how educational policy and practices contribute to the achievement and opportunity challenges facing students, families, teachers, and leaders working and living in urban communities;

(v) Demonstrate an understanding of the implications of student discipline policies and practices on student retention, dropout rates, and the school to prison pipeline; and

(vi) Analyze the implications of school, district and/or state policies and practices on the overrepresentation of students in special education with specific backgrounds, communities, or language use.

Cite as Ga. Comp. R. & Regs. R. 505-3-.110

AUTHORITY: O.C.G.A. § 20-2-200.

HISTORY: Original Rule entitled "Urban Education Endorsement Program" adopted. F. Dec. 18, 2018; eff. Jan. 15, 2019, as specified by the Agency.

Amended: F. June 15, 2021; eff. July 1, 2021, as specified by the Agency.

Amended: New title, "Urban Education Endorsement." F. Aug. 10, 2023; eff. Aug. 15, 2023, as specified by the Agency.

Repealed: New Rule of same title adopted. F. June 10, 2026; eff. July 1, 2026, as specified by the Agency.

505-3-.114 Artificial Intelligence for Educators Endorsement

(1) **Purpose.** This rule states field-specific content standards for approving endorsement programs that prepare certified educators and individuals employed in education adjacent settings to understand, use, and model Artificial Intelligence in the field and at the grade level of their base certification and supplements requirements in Rule 505-3-.01, REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(2) **In-Field Statement**. Completers of the Artificial Intelligence for Educators Endorsement program have strengthened and enhanced competency in the Foundations of Artificial Intelligence in Education, Classroom

Application for Using Artificial Intelligence in Education, and Leadership of Artificial Intelligence in Education. Completers of the Artificial Intelligence for Educators Endorsement program are qualified to provide direct instruction to students in the grade levels and/or field(s) of their base teaching certificate(s), or to serve as a resource for schools, districts, and other education settings.

(3) **Definitions.**

(a) Artificial Intelligence (AI) is defined as the capability of machines to perform tasks that typically require human intelligence, such as learning, reasoning, and problem-solving.

(b) AI Literacy refers to the knowledge and skills necessary for students and educators to effectively understand, evaluate, and use artificial intelligence technologies in a responsible and ethical manner.

(c) AI System is defined as a software application that uses generative models to produce new content such as text, images, audio, or video based on input data, supporting teaching and learning while requiring human oversight for accuracy, ethics, and alignment with educational goals.

(d) AI Tools are software applications that utilize artificial intelligence techniques to perform tasks that typically require human intelligence, enhancing productivity and creativity across fields.

(e) Iterative Prompting is the process of refining and improving AI responses through successive rounds of prompts, using each output to inform and adjust the next prompt until you achieve the desired result.

(f) Micro-Endorsement is a credential indicating a candidate has successfully demonstrated competence in a defined portion of endorsement program content standards.

(g) Prompt Engineering is defined as the practice of crafting and refining input instructions (prompts) to get AI systems to produce desired outputs.

(h) Prompting is the act of providing instructions, questions, or context to an AI system to guide it toward generating a specific response or completing a particular task.

(4) **Requirements.**

(a) A GaPSC-approved educator preparation provider may seek state approval to offer this field as either a stand-alone endorsement program or as an endorsement program embedded in a GaPSC-approved initial preparation program or an advanced (degree-only) preparation program. In addition to meeting all applicable approval requirements and standards, embedded endorsement programs must meet requirements specified in paragraph (3) (e) 4. (ix) of GaPSC educator preparation rule 505-3-.01, REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(b) Approval to offer the Artificial Intelligence for Educators Endorsement qualifies the EPP to recommend for the micro-endorsement: Foundations of Artificial Intelligence in Education Micro-Endorsement, candidates who are actively enrolled in the program and who demonstrate mastery of standards 1-4.

(c) Program Admission Requirements.

1. Stand-alone Programs.

(i) Candidates admitted to a stand-alone Artificial Intelligence for Educators Endorsement must hold a valid, level 4 or higher Professional, Advanced Professional, or Lead Professional teaching certificate, Life certificate, Induction, or Provisional certificate. Candidates holding a Provisional certificate at program completion will not earn the Endorsement until their certificate is converted to a Renewable Professional certificate or a 5-Year Induction certificate at level 4 or higher.

(ii) Prospective candidates who are currently employed in an education or education adjacent setting, yet who are not certified, may be admitted to a stand-alone Artificial Intelligence for Educators Endorsement at the discretion of the EPP. For such candidates, completion of the program will not earn the endorsement until a 5-Year Induction Certificate at level 4 or higher or a Renewable Professional Certificate is obtained.

2. Embedded Programs.

(i) Candidates admitted to an Artificial Intelligence for Endorsement embedded in an initial preparation program must hold the Pre-Service certificate or Provisional certificate. Candidates holding a Pre-Service certificate at program completion will not earn the endorsement until their certificate is converted to the 5-Year Induction certificate at level 4 or higher. Candidates holding a Provisional certificate at program completion will not earn the endorsement until their certificate is converted to a Renewable Professional certificate.

(ii) Candidates admitted to an Artificial Intelligence for Educators Endorsement embedded in an advanced (degree only) preparation program must hold a valid, level 4 or higher Professional, Advanced Professional, or Lead Professional teaching certificate, Life certificate, or 5-Year Induction certificate at level 4 or higher to obtain the endorsement.

(d) 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:

1. AI Foundational Concepts and Systems Thinking. The candidate demonstrates how AI systems work, their capabilities and limitations, and implications for educational practice.

2. Implementation and Sustained Use of AI. The candidate evaluates, selects, and implements AI tools using evidence-based criteria that prioritize pedagogy, privacy, and long-term viability.

3. Responsible and Ethical Use of AI. The candidate understands responsible and ethical use of Artificial Intelligence in education:

(i) Candidates understand and critically apply fair, ethical, and legal principles in all uses of AI in education.

(ii) Candidates identify and address bias and potential harm when using AI in education.

(iii) Candidates understand how to protect student privacy and data when using AI tools for education.

(iv) Candidates ensure informed consent is acquired when necessary while using AI tools for education, aligned with local, state, and federal guidelines.

(v) Candidates select and use AI tools that meet accessibility requirements for all learners.

(vi) Candidates maintain transparency with students, families, colleagues, and administrators when using AI for educational purposes.

4. Assessing AI Performance and Ensuring Quality. The candidate recognizes and responds to the evaluation and quality assurance of Artificial Intelligence output in education:

(i) Candidates critically evaluate AI systems and outputs for transparency, reliability, bias, accuracy, fairness, and appropriateness.

(ii) Candidates demonstrate accountability for the use of AI tools and their impacts.

(iii) Candidates make informed decisions about when and how to use AI to support student learning.

(iv) Candidates demonstrate prompt engineering as a skill, using iterative prompts to increase the usability of differentiated outputs.

5. AI for Planning and Differentiation. The candidate demonstrates the ability to use Artificial Intelligence for informed planning and differentiation of instruction aligned to Georgia Standards for Excellence.

(i) Candidates use AI to plan and differentiate instruction ensuring accessibility and human oversight to meet learner needs.

(ii) Candidates leverage AI to create varied, accessible, and engaging learning materials across text, image, audio, and video formats while maintaining instructional quality and accessibility standards.

(iii) Candidates apply AI in ways that honor disciplinary thinking (i.e. scientific inquiry, mathematical reasoning, historical analysis, writing process, etc.), practices, and standards specific to their content area(s) to prepare students for field-specific AI uses.

6. Using AI for Assessment Design. The candidate applies academic integrity when evaluating assessment practices using Artificial Intelligence:

(i) Candidates design authentic assessments that account for student access to AI and protect academic integrity.

(ii) Candidates demonstrate how to use AI responsibly for feedback and rubric design, clearly distinguishing AI-generated feedback from teacher-generated feedback.

7. AI and Data Literacy. The candidate applies data literacy and ethical decision-making when using Artificial Intelligence to interpret data responsibly:

(i) Candidates demonstrate how to use AI to generate insights that guide differentiated and effective instruction while protecting student privacy and data.

(ii) Candidates understand the statistical limitations of AI including when it is inappropriate to use AI for data analysis while protecting student privacy and data.

8. Digital Citizenship and Learner Use of AI. The candidate implements age-appropriate use of AI (P-5, 6-8, and 9-12) when using Artificial Intelligence:

(i) Candidates teach students to protect their personal data and how to recognize and avoid unsafe AI practices.

(ii) Candidates teach students to question AI outputs for accuracy, bias, and fairness.

(iii) Candidates teach students to use AI as a learning partner rather than a replacement for personal understanding and communication.

(iv) Candidates teach students the importance of adhering to copyright and intellectual property concerns related to AI-generated content.

9. Advocate and Model Ethical AI Practices. The candidate applies knowledge of collaboration, communication, and policy alignment when using Artificial Intelligence in Education:

(i) Candidates engage colleagues, families, and stakeholders in transparent and informed AI use aligned with ethical and legal policies.

(ii) Candidates demonstrate the ability to model transparency while leading and/or supporting professional learning related to AI uses.

(iii) Candidates demonstrate the ability to communicate and collaborate with colleagues, families, and stakeholders about ethical and effective AI uses aligned with local, state, and federal guidelines.

(iv) Candidates demonstrate the ability to advocate for policies and practices that promote ethical, equitable, and effective AI uses in educational settings.

10. Professional Practice in AI Innovation. The candidate sustains professional growth by staying informed about emerging AI tools, research, limitations, and instructional implications, and by evaluating how these developments may enhance or challenge existing practices.

(i) Candidates thoughtfully reflect on how AI tools support or influence their work while maintaining professional integrity in the field of education.

Cite as Ga. Comp. R. & Regs. R. 505-3-.114

AUTHORITY: O.C.G.A. § 20-2-200.

HISTORY: Original Rule entitled "Artificial Intelligence for Educators Endorsement" adopted. F. June 10, 2026; eff. July 1, 2026, as specified by the Agency.

Department 671. GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY

Chapter 671-1. ORGANIZATION

671-1-.02 Officers

The Board shall elect annually from its members a president and a vice president who shall have the privilege of reelection. In the event that one of these officers vacates their elected position, the Board will hold a new election. The president shall preside at meetings of the Board. The vice president shall preside at meetings in the absence of the president.

Cite as Ga. Comp. R. & Regs. R. 671-1-.02

AUTHORITY: O.C.G.A. §§ 43-1-2**,** 43-1-25**,** 43-28-4**,** 43-28-6**.**

HISTORY: Original Rule entitled "Officers" was filed on July 15, 1977; effective August 4, 1977.

Amended: F. June 25, 2026; eff. July 15, 2026.

Department 671. GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY

Chapter 671-2. DEFINITIONS

671-2-.02 Supervision Defined

Supervision as used in the law shall mean personal involvement of the licensed occupational therapist in the supervisee's professional experience which includes evaluation of his or her performance. Further, supervision shall mean in person supervision with weekly verbal contact and consultation which may be done via telehealth, monthly review of patient care documentation, and specific delineation of tasks and responsibilities by the licensed occupational therapist and shall include the responsibility for personally reviewing and interpreting the results of any habilitative or rehabilitative procedures conducted by the supervisee. It is the responsibility of the licensed occupational therapist to ensure that the supervisee does not perform duties for which he or she is not trained. C.O.T.A.s and limited permit holders must be supervised.

Cite as Ga. Comp. R. & Regs. R. 671-2-.02

AUTHORITY: O.C.G.A. §§ 43-28-3**,** 43-28-7**,** 43-28-12**.**

HISTORY: Original Rule entitled "Supervision Defined" adopted. F. July 15, 1977; eff. August 4, 1977.

Repealed: New Rule of same title adopted. F. May 24, 1994; eff. June 13, 1994.

Amended: F. June 25, 2026; eff. July 15, 2026.

Department 671. GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY

Chapter 671-3. LICENSE REQUIREMENTS

671-3-.05 Re-examination. Amended

(1) An applicant who fails the National Board of Certification in Occupational Therapy (NBCOT) examination may retake the examination to achieve a passing score.

(2) If an applicant has failed the NBCOT examination three (3) times before successfully passing, the applicant must do one of the following:

(a) Apply for a 90-day limited permit to complete a supervised clinical experience under the direct supervision of an occupational therapist, who is licensed in good standing in the state of Georgia, for a minimum of (45) forty-five days or 180 hours; or,

(b) Submit a proposal to participate in and complete a remedial program for Board approval. The proposal must include (45) forty-five days or 180 hours of didactic and supervised clinical experience and be completed under the direct supervision of an occupational therapist, who is licensed in good standing in the state of Georgia.

(3) If the applicant has failed the examination four (4) times or more before successfully passing; or, failed to successfully pass the examination within five years of completion of the academic requirements for licensure, the applicant must do one of the following:

(a) Apply for a 90-day limited permit to complete a supervised clinical experience under the direct supervision of an occupational therapist, who is licensed in good standing in the state of Georgia, for a minimum of (90) ninety days or 360 hours; or,

(b) Submit a proposal to participate in and complete a remedial program for Board approval. The proposal must include (90) ninety days or 360 hours of didactic and supervised clinical experience and be completed under the direct supervision of an occupational therapist, who is licensed in good standing in the state of Georgia.

(4) An applicant must not begin a supervised clinical experience or a proposed remedial program without first receiving notice of approval from the Board.

(5) If all requirements of this rule and the qualifications for a license are met in accordance with the laws and rules of the Board, a license will be issued.

(6) An applicant is exempt from the requirements of this rule if the applicant has:

(a) Held an active license as an occupational therapist or licensed occupational therapy assistant that is in good standing in another jurisdiction; and,

(b) Applied for that same license type in the state of Georgia; and,

(c) Can demonstrate active practice, in good standing, for a period of 12 months prior to the date of application.

Cite as Ga. Comp. R. & Regs. R. 671-3-.05

AUTHORITY: O.C.G.A. §§ 43-28-6**,** 43-28-10**,** 43-28-12**.**

HISTORY: Original Rule entitled "Re-examination" adopted. F. July 15, 1977; eff. August 4, 1977.

Repealed: New Rule of same title adopted. F. July 11, 1984; eff. July 31, 1984.

Amended: New title, "Re-examination. Amended." F. June 25, 2026; eff. July 15, 2026.

671-3-.06 Limited Permit

(1) Upon determination by the Board that all requirements for licensure have been met except for the examination, a ninety (90) day limited permit shall be issued and shall allow the applicant to practice occupational therapy under the supervision of an occupational therapist who holds a current license in this State. Prior to being issued a limited permit, applicants must submit a complete application and fee, to include Form A and any supplemental documents for approval by the Board. An applicant who fails the exam shall immediately surrender the limited permit.

(2) Applicants who are not able to document licensed practice in occupational therapy within the past 5 years may be issued a ninety (90) day limited permit to complete the required 320 hours of clinical experience under the supervision of a licensed occupational therapist if the applicant has successfully completed a national certification examination approved by the Board. Prior to being issued a limited permit, applicants must submit a complete application and fee, to include Form A, and any supplemental documents for approval by the Board.

(3) Applicants who have failed the examination three or more times or who have failed to pass the examination within five years of completing the academic requirements for licensure may, after passing the exam, be issued a ninety (90) day limited permit for the purposes of demonstrating competency prior to the issuance of a license. See O.C.G.A. § 43-28-20(c). This permit shall allow the applicant to practice occupational therapy, for a period not to exceed 90 days, under the direct supervision of an occupational therapist who holds a current license in this state. Prior to being issued a limited permit, applicants must submit a complete application and fee, to include Form C, and any supplemental documents for approval by the Board.

(4) Supervised work experiences may not begin until Board approval is granted, a limited permit has been issued to the applicant, and a copy of the limited permit has been provided to the licensed occupational therapist who has been approved to supervise the applicant.

(5) Limited permits expire ninety (90) days from the date of issuance and shall not be renewed. If the licensed supervisor approved by the Board can no longer serve in that role, the applicant must submit a new Form C for approval to continue practicing under the limited permit.

Cite as Ga. Comp. R. & Regs. R. 671-3-.06

AUTHORITY: O.C.G.A. §§ 43-28-6**,** 43-28-7**,** 43-28-12**.**

HISTORY: Original Rule entitled "Limited License" was filed on July 15, 1977; effective August 4, 1977.

Amended: Rule repealed and a new Rule of the same title adopted. Filed July 11, 1984; effective July 31, 1984.

Repealed: New Rule entitled "Limited Permit" adopted. F. May 25, 2010; eff. June 14, 2010.

Amended: F. June 25, 2026; eff. July 15, 2026.

671-3-.08 Renewal of License/Penalties/Continuing Education Requirements. Amended

(1) A license issued by the Board shall expire on March 31st of even numbered years. The license may be renewed upon submission of the renewal application and payment of the required fee, provided all requirements have been met. Refer to fee schedule.

(2) A license that is not renewed on or before March 31st of the renewal year shall be deemed lapsed. A licensee may apply for late renewal of a license from April 1st through April 30th of the renewal year upon payment of a late renewal fee, submission of proof of continuing education as established by Board rules and completion of all appropriate forms.

(3) As of May 1st of the renewal year, the license of an applicant who has not applied for renewal is expired and revoked by operation of law. An application for reinstatement shall be required as provided for in Rule 671-3-.09 in order to seek reinstatement of a lapsed license to practice in this State.

(4) Except as otherwise provided, each licensee is required is required to complete during each two (2) year renewal period a minimum of twenty-four (24) continuing education hours prior to the expiration date of the license. Failure to complete continuing education prior to expiration date can result in disciplinary action.

(5) Prior approval of continuing education courses is not required. Acceptable professional continuing education activities shall include activities relevant to occupational therapy practice that can be deemed to update or enhance knowledge and skills required for competent performance beyond entry level occupational therapy. Unacceptable activities include, but are not limited to:

(a) Orientation,

(b) Meetings for purposes of policy decisions,

(c) Non-educational meetings,

(d) Annual compliance training,

(e) Cardiopulmonary resuscitation (CPR) courses.

(6) A continuing education hour is defined as actual time spent in instruction or organized learning experiences excluding meals, breaks, welcome/introductions, and business meetings.

(a) At least twelve (12) hours of the required twenty-four (24) continuing education hours must be on a topic related to direct patient care. This includes occupational therapy assessment, treatment planning, occupational therapy implementation and diagnostic related information. This must include attendance at live presentations such as workshops, seminars, conferences, or formal academic coursework, or real-time, interactive webinars. To qualify as a real-time, interactive webinar, the licensee must have the ability to ask questions, receive an answer, and interact with other attendees at the time the session is taking place. It may not be a pre-recorded session.

(b) Each licensee must complete a minimum of two (2) hours of the required twenty-four (24) continuing education hours in the ethics of occupational therapy practice. These hours may be obtained online.

(c) A maximum of ten (10) of the required twenty-four (24) can be in "General" continuing education hours may be obtained by Level II fieldwork supervision, published professional writing and instructional presentations, pre-recorded electronic or web based courses, formal self-study courses, satellite broadcasts, computer learning activities, webinars, or viewing videotapes in a professional setting. These hours may also be related to administration, supervision, documentation, quality assurance and research.

(7) An individual who is applying for licensure in Georgia for the first time (never having held a Georgia OT or OTA license) and who is licensed during the second year of the biennium renewal period is not required to meet continuing education requirements for that initial renewal period only.

(8) Each licensee randomly selected for a CE audit must submit to the Board supporting documentation as specified in this rule.

(9) Persons licensed to practice as an occupational therapist or an occupational therapy assistant, or persons who file an application for reinstatement of licensure, must submit documentation of completed continuing education courses and experiences for renewal or issuance of a license.

(10) Licensees and applicants for reinstatement may register earned CE credits for courses and experiences with an online recording and reporting system approved by the Board. Licensees and applicants may register with a Board approved online system to document CE credits for license renewal and reinstatement.

(a) The Georgia State Board of Occupational Therapy has approved the online recording and reporting system of CE Broker, Inc. for the purpose of this rule.

(b) Licensees and applicants shall incur no additional costs from CE Broker, Inc. for using this service.

(c) Every licensee or applicant subject to the rules of the Georgia State Board of Occupational Therapy shall be deemed to have given such person's consent to the Board and it's representatives to access their continuing competence record retained within the online database for the purposes of auditing and verifying completion of the Board's continuing competency requirements.

(d) If a licensee or applicant has not registered earned CE credits with the Board approved online recording and reporting system, the licensee or applicant must include all CE certificates of completion with the license renewal application or application for reinstatement.

(11) Procedures for verifying to the Board that the continuing education requirements for licensure renewal have been met:

(a) Respond accurately to questions on renewal of license application;

(b) Retain original continuing education documentation in personal files to submit to the Board if requested for a continuing education audit;

(c) Documentation as specified in this rule must be maintained by the licensee for no less than four (4) years from the beginning date of the renewal period or reinstatement.

(12) Documentation of continuing education which the Board deems as acceptable proof of completion includes the following:

(a) For continuing education courses that include attendance and participation at a live presentation such as a workshop, seminar, conference or in-service educational program:

1. A certificate of completion or similar documentation signed by program official, and

2. A program description including sponsor, course title, date(s), program objectives/learning outcomes, content description, and agenda or schedule. A shortened description may be accepted for programs specifically exempted by the Board such as AOTA and GOTA Conferences;

(b) For "General" continuing education as referenced in this rule, if obtained at a conference, workshop or live presentation, required documentation is as noted above. All other must include:

1. Explanation of the relationship of the activity to occupational therapy and your professional growth.

2. Date(s) and clock hours of the activity;

3. Other information as may be requested.

(c) A description of the fieldwork including name and type of facility, name of the fieldwork educator and times spent in direct supervision of the student is required in order to receive credit for serving as the primary clinical fieldwork educator for Level II occupational therapy and occupational therapy assistant fieldwork students.

(d) For published professional writing, applied research, and instructional presentations, as referenced in this rule, including first time or significantly revised presentations or an academic class session, workshop, seminar, in-service or professional meeting program session:

1. Submit a description of the presentation or research including location, title, date, hours of presentation, general content description, and type of audience; and,

2. Verification of the presentation, research or formal thank you note signed by the sponsor or program official.

(e) Documentation of pre-recorded electronic or web based course, formal self-study courses, satellite broadcasts, computer learning activities or viewing of videotapes in a professional setting must include:

1. Verified instructional time by the course sponsor, a certificate of completion or similar documentation signed by the program official; and,

2. A program description including sponsor, course title, date(s), program objectives/learning outcomes, and content description.

(f) Continuing education should be documented on the appropriate board form, available on the Board website, upon request by the Board.

Cite as Ga. Comp. R. & Regs. R. 671-3-.08

AUTHORITY: O.C.G.A. §§ 43-1-3**,** 43-1-4**,** 43-1-7**,** 43-1-19**,** 43-1-25**,** 43-28-6**,** 43-28-7**,** 43-28-8**,** 43-28-9**,** 43-28-13**,** 43-28-14**.**

HISTORY: Original Rule entitled "Renewal" adopted. F. July 15, 1977; eff. August 4, 1977.

Repealed: New Rule of same title adopted. F. July 1, 1982; eff. July 21, 1982.

Repealed: New Rule of same title adopted. F. July 11, 1984; eff. July 31, 1984.

Repealed: New Rule entitled "Renewal of License/Penalties/Continuing Education Requirements" adopted. F. Apr. 14, 1988; eff. May 4, 1988.

Amended: F. Nov. 20, 1991; eff. Dec. 10, 1991.

Amended: F. Jan. 28, 1994; eff. Feb. 17, 1994.

Amended: F. Feb. 1, 1996; eff. Feb. 21, 1996.

Repealed: New Rule of same title adopted. F. Dec. 2, 2002; eff. Dec. 22, 2002.

Amended: F. May 4, 2005; eff. May 24, 2005.

Repealed: New Rule of same title adopted. F. May 30, 2006; eff. June 19, 2006.

Amended: F. Mar. 25, 2008; eff. Apr. 14, 2008.

Amended: F. Feb. 20, 2009; eff. Mar. 12, 2009.

Repealed: New Rule entitled "Renewal of License/Penalties/Continuing Education Requirements. Amended" adopted. F. Feb. 22, 2012; eff. Mar. 13, 2012.

Amended: F. Oct. 2, 2013; eff. Oct. 22, 2013.

Amended: F. Jan. 20, 2015; eff. Feb. 9, 2015.

Amended: F. Jan. 20, 2015; eff. Feb. 9, 2015.

Note: Correction of non-substantive typographical error in paragraph (3), removed duplicated wording of "is required" in second sentence, as requested by the Agency. Eff. October 11, 2016.

Amended: F. June 1, 2017; eff. June 21, 2017.

Amended: F. June 10, 2019; eff. June 30, 2019.

Amended: F. June 25, 2026; eff. July 15, 2026.

671-3-.10 Foreign Applicant. Amended

(1) The Board requires that foreign trained applicants successfully complete the foreign trained occupational therapy practitioner's process as is required to take the board approved examination. The Board approved examination is administered by the National Board for Certification in Occupational Therapy (NBCOT).

(2) In ascertaining whether such an applicant meets such standards for licensure, the Board shall consider whether the school or course of training has been approved by the Accreditation Council for Occupational Therapy Education (ACOTE) and whether the applicant's credentials have been evaluated and accepted by NBCOT.

Cite as Ga. Comp. R. & Regs. R. 671-3-.10

AUTHORITY: O.C.G.A. §§ 43-28-6**,** 43-28-7**,** 43-28-9**,** 43-28-10**.**

HISTORY: Original Rule entitled "Foreign Applicant" was filed on July 15, 1977; effective August 4, 1977.

Repealed: New Rule of same title adopted. F. May 18, 1991; eff. June 2, 1991.

Amended: New title "Foreign Applicant. Amended." F. June 1, 2017; eff. June 21, 2017.

Amended: F. June 25, 2026; eff. July 15, 2026.

671-3-.12 Address/Name Changes

(1) A licensee shall notify the Board in writing immediately of any address change, to include a current and valid email address. If a pocket license is requested, the appropriate fee must accompany the request.

(2) A licensee shall immediately notify the Board in writing of any name change of the licensee. The notification to the Board of the name change shall be accompanied by a copy of the court order, marriage certificate, or other legal document verifying the change in name. If the licensee requests a pocket license after the name change, the appropriate fee for a duplicate pocket license must accompany the request.

Cite as Ga. Comp. R. & Regs. R. 671-3-.12

AUTHORITY: O.C.G.A. §§ 43-1-3**,** 43-28-6**,** 43-28-7**,** 43-28-12**.**

HISTORY: Original Rule entitled "Address/Name Changes" adopted. F. Nov. 30, 1995; eff. Dec. 20, 1995.

Amended: F. June 25, 2026; eff. July 15, 2026.

Department 671. GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY

Chapter 671-4. STANDARDS OF PROFESSIONAL CONDUCT

671-4-.02 Unprofessional Conduct Defined. Amended

Unprofessional conduct shall include, but not be limited to, the following:

(a) Obtaining or attempting to obtain a license by fraud, misrepresentation, or concealment of material facts;

(b) Violating the ethics of occupational therapy as set forth by the Georgia Board of Occupational Therapy;

(c) Being grossly negligent in the practice of occupational therapy or as an occupational therapy assistant;

(d) Using drugs or intoxicating liquors to the extent that these effect the licensee's professional competence;

(e) Practicing occupational therapy after being adjudged mentally incompetent by a court of competent jurisdiction;

(f) Being convicted of a crime other than minor offenses defined as "minor misdemeanors", "violations" or "offenses" in any court if the acts for which he or she was convicted are found by the Board to have a direct bearing on whether he or she should been trusted to serve the public in the capacity of an occupational therapist or occupational therapy assistant;

(g) Using or holding yourself out as being able to utilize occupational therapy techniques involving physical agent modalities when not certified by the Board to use physical agent modalities;

(h) Having committed any other conduct which ordinary and reasonable individuals would consider unprofessional.

(i) Failing to adhere to the provisions of the 'Health Care Practitioners Truth and Transparency Act' as codified in O.C.G.A. § 43-1-33.

(j) Using deceptive or misleading terms or false representations which are misleading to the public.

(k) Using advertisements which do not disclose the licensee's name, or other words or phrases authorized in O.C.G.A. § 43-28-16(b).

(l) Failing to respond to communications from the board relevant to alleged violations of the law, rules, and policies governing the practice of occupational therapy.

Cite as Ga. Comp. R. & Regs. R. 671-4-.02

AUTHORITY: O.C.G.A. §§ 43-1-19, 43-1-25, 43-1-33, 43-28-6, 43-28-7, 43-28-8, 43-28-12, 43-28-13**.**

HISTORY: Original Rule entitled "Unprofessional Conduct Defined" adopted. F. July 15, 1977; eff. August 4, 1977.

Repealed: New Rule of same title adopted. F. Mar. 28, 2006; eff. Apr. 17, 2006.

Amended: New title "Unprofessional Conduct Defined. Amended." F. Apr. 6, 2017; eff. Apr. 26, 2017.

Amended: F. June 25, 2026; eff. July 15, 2026.

Department 671. GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY

Chapter 671-6. REQUIREMENTS

671-6-.02 Requirements for Use of Physical Agent Modalities

(1) Any occupational therapist and occupational therapy assistant who wishes to utilize O.T. techniques involving physical agent modalities, must document, successful completion of a minimum of 90 contact hours of instruction or training approved by the Board which covers:

(a) Principles of physics related to specific properties of light, water, temperature, sound, or electricity, as indicated by selected modality;

(b) Physiological, Neurophysiological, and Electrophysiological, changes, as indicated, which occur as a result of the application of selected modality;

(c) The response of normal and abnormal tissue to the application of the modality;

(d) Indications and contra indications related to the selection and application of the modality;

(e) The guidelines for treatment or administration of the modality within the philosophical framework of occupational therapy;

(f) The guidelines for educating the patient including instructing the patient to the process and possible outcomes of treatment, including risks and benefits;

(g) Safety rules and precautions related to the selected modality;

(h) Methods of documenting the effectiveness of immediate and longterm effects of treatment; and

(i) Characteristics of the equipment including safe operation, adjustment, and care of the equipment.

(2) No less than 36 contact hours must be directly related to the specific theories and practical application of physical agent modalities.

(3) Acceptable instruction or training shall include any activity relevant to the practice of physical agent modalities in occupational therapy and may include formal academic education, conferences, workshops, seminars, web based instructions, and in-service education.

(4) Each occupational therapist and occupational therapy assistant is responsible for submitting documentation of training. Documentation shall include:

(a) Identification of the specific course or training where the therapist learned content related to each subject area (a-i);

(b) Proof of 90 hours of instruction or training. This may be reported by:

1. A statement of attendance or a copy of the certificate of completion, either of which that shows the title of program, hours of the program, date the program was taught, the signature of a designated program official, and a brochure or program outline; or,

2. An official grade report/transcript and course outline to verify academic education.

(c) Additional documentation may be requested by the Board, if deemed necessary.

Cite as Ga. Comp. R. & Regs. R. 671-6-.02

AUTHORITY: O.C.G.A. §§ 43-1-3**,** 43-1-25**,** 43-28-3**,** 43-28-6**,** 43-28-7**,** 43-28-8**,** 43-28-12**.**

HISTORY: Original Rule entitled "Requirements" adopted. F. Nov. 20, 1991; eff. Dec. 10, 1991.

Amended: F. Jan. 20, 2015; eff. Feb. 9, 2015.

Note: Correction of non-substantive typographical error in sub-paragraph (1)(c), "nor mal" corrected to "normal"; sub-paragraph (4)(a), "w here" corrected to "where", as requested by the Agency. Effective Oct. 11, 2016.

Amended: New title, "Requirements for Use of Physical Agent Modalities." F. June 25, 2026; eff. July 15, 2026.