

House Bill 584 (AS PASSED HOUSE AND SENATE)

By: Representatives Petrea of the 166th, Dempsey of the 13th, Taylor of the 173rd, Stephens of the 164th, LaHood of the 175th, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Titles 26, 31, and 37 of the Official Code of Georgia Annotated, relating to food,
2 drugs, and cosmetics, health, and mental health, respectively, so as to reassign licensing and
3 oversight of drug abuse treatment and education programs, narcotic treatment programs,
4 community living arrangements, and adult residential mental health programs from the
5 Department of Community Health to the Department of Behavioral Health and
6 Developmental Disabilities; to provide for departmental regulation of such licensed
7 programs; to provide for definitions; to provide for a schedule of fees; to provide for
8 departmental enforcement; to provide civil penalties; to provide for the promulgation of rules
9 and regulations; to authorize the issuance of emergency orders in certain circumstances; to
10 provide for emergency plans; to authorize on-site inspections; to provide protections for
11 residents and former residents in community living arrangements; to require reports by
12 certain persons concerning suspected abuse or exploitation; to provide for the Department
13 of Behavioral Health and Developmental Disabilities and certain law enforcement agency
14 duties; to provide for confidentiality of reports; to provide immunity for certain persons; to
15 prohibit retaliation; to revise and provide definitions; to amend various titles of the Official
16 Code of Georgia Annotated, so as to make conforming changes; to provide for related
17 matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

H. B. 584

- 1 -

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I

Drug Abuse Treatment and Education Programs and Narcotic Treatment Programs

SECTION 1-1.

Title 26 of the Official Code of Georgia Annotated, relating to food, drugs, and cosmetics, is amended in Chapter 5, relating to drug abuse treatment and education programs, by revising Code Section 26-5-3, relating to definitions, as follows:

"26-5-3.

As used in this article, the term:

(1) 'Department' means the Department of ~~Community~~ Behavioral Health and Developmental Disabilities or its successor.

(2) 'Drug abuse treatment and education program' means any system of treatment or therapeutic advice or counsel provided for the rehabilitation of drug dependent persons and shall include programs offered in the following types of facilities:

(A) Residential care centers. A facility staffed by professional and paraprofessional persons offering treatment or therapeutic programs for drug dependent persons who live on the premises; and

(B) Nonresidential care centers. A non-live-in facility, staffed by professional and paraprofessional persons, offering treatment or therapeutic programs for drug dependent persons who do not live on the premises.

(3) '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 his or her health is substantially impaired or endangered or his or her social or economic function is substantially disrupted.

(4) 'Drugs' 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 derivatives.

(5) 'Governing body' means the ~~county board of health~~ community service board, the partnership, the corporation, the association, or the person or group of persons who maintains and controls the program and who is legally responsible for the operation.

(6) 'License' means the official permit issued by the ~~director~~ department which authorizes the holder to operate a drug abuse treatment and education program for the term provided therein.

(7) 'Licensee' means any person holding a license or provisional license issued by the ~~director~~ department under this article.

(8) 'Program' means the drug abuse treatment and education program."

SECTION 1-2.

Said title is further amended in said chapter by revising Code Section 26-5-6, relating to promulgation of rules and regulations, as follows:

"26-5-6.

The department is authorized and directed to create and promulgate all rules and regulations necessary for the implementation of this article. Any rule and regulation created by the Department of Community Health and in effect on December 31, 2025, shall continue to be in effect and shall be enforceable by the department until such time as such rule or regulation is amended or revoked by the department."

SECTION 1-3.

Said title is further amended in said chapter by revising Code Section 26-5-7, relating to license required, as follows:

67 "26-5-7.

68 No governing body shall operate a drug abuse treatment and education program without
69 having a valid license or provisional license issued pursuant to this article. Any license or
70 provisional license issued to a program by the Department of Community Health on
71 December 31, 2025, shall be valid until revoked or renewed by the department, surrendered
72 by the licensee, or otherwise terminated."

73 **SECTION 1-4.**

74 Said title is further amended in said chapter by revising Code Section 26-5-10, relating to
75 issuance of license and revocation of suspension, as follows:

76 "26-5-10.

77 (a) The department may, upon submission of an application, with proof of accreditation
78 by a voluntary accreditation agency approved by the department, issue a license based upon
79 the findings of the accreditation agency. ~~The~~ Such license may be issued without an
80 on-site visit by the department representative. Any denial, suspension, or revocation of the
81 voluntary accreditation agency shall result in an automatic revocation or suspension of the
82 license issued ~~under~~ pursuant to this Code section, and the ~~holder must apply~~ licensee shall
83 reapply for a new license as provided for in this article.

84 (b) The department shall not be bound by any policy or practice of the Department of
85 Community Health in effect on December 31, 2025, in determining whether to issue a
86 license based on the findings of an accreditation agency pursuant to subsection (a) of this
87 Code section."

88 **SECTION 1-5.**

89 Said title is further amended in said chapter by revising Code Section 26-5-23, relating to
90 publication of annual report, as follows:

"26-5-23.

The ~~Department of Community Health and the Department of Behavioral Health and Developmental Disabilities~~ department shall publish an annual report using data from the department's central registry data base on the number of patients in enrolled treatment, the number of patients discharged from treatment, each patient's state of residence, and any other information as determined by the ~~departments~~ department. Such published report shall exclude patient identifying information and be compliant with state and federal laws."

SECTION 1-6.

Said title is further amended in said chapter by revising Code Section 26-5-41, relating to definitions regarding enforcement of narcotic treatment programs, as follows:

"26-5-41.

As used in this article, the term:

(1) 'Department' means the Department of ~~Community Behavioral Health and Developmental Disabilities~~ or its successor.

(2) 'Governing body' means the ~~county board of health~~ community service board, the partnership, the corporation, the association, or the person or group of persons who maintains and controls a narcotic treatment program, who is legally responsible for its operation, and who holds the license or provisional license to operate that program.

(3) 'License' means the official permit issued by the department that authorizes the holder to operate a narcotic treatment program for the term provided therein.

(4) 'Licensee' means any person holding a license or provisional license issued by the department under this article.

(5) 'Narcotic treatment program' means any system of treatment provided for chronic heroin or opiate-like drug-dependent individuals 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~~ community service board,

partnership, corporation, association, or person or groups of persons engaged in such administration.

(6) 'Patient' means any individual who undergoes treatment in a narcotic treatment program."

SECTION 1-7.

Said title is further amended in said chapter by revising Code Section 26-5-43, relating to rules and regulations, as follows:

"26-5-43.

The department is authorized and directed to create and promulgate all rules and regulations necessary for the implementation of this article. Any rule and regulation created by the Department of Community Health and in effect on December 31, 2025, shall continue to be in effect and shall be enforceable by the department until such time as such rule or regulation is amended or revoked by the department."

SECTION 1-8.

Said title is further amended in said chapter by revising Code Section 26-5-44, relating to license required, as follows:

"26-5-44.

No governing body shall operate a narcotic treatment program without having a valid license or provisional license issued pursuant to this article. Any license or provisional license issued to a narcotic treatment program by the Department of Community Health on December 31, 2025, shall be valid until revoked or renewed by the department, surrendered by the licensee, or otherwise terminated."

SECTION 1-9.

Said title is further amended in said chapter by revising subsection (a) of Code Section 26-5-47, relating to application review and requirements and nontransferability, as follows:

"(a) The department shall, consistent with the requirements of this Code section, establish an application review process committee. ~~The members of the committee shall include representation from department staff members and the Department of Behavioral Health and Developmental Disabilities.~~"

SECTION 1-10.

Said title is further amended in said chapter by revising Code Section 26-5-56, relating to confidentiality of patient information, as follows:

"26-5-56.

(a) For the purpose of providing more effective treatment and rehabilitation, the records and name of any drug dependent person who seeks or obtains treatment, therapeutic advice, or counsel from any program licensed under this chapter shall be confidential and shall not be revealed except to the extent authorized in writing by the drug dependent person affected; ~~furthermore, any.~~ Any communication by such drug dependent person to an authorized employee of ~~any holder of a license~~ any licensee shall be deemed confidential; provided, however, that, except for matters privileged under other laws of this state, the records of such person and information about such person shall be produced in response to a valid court order of any court of competent jurisdiction after a full and fair show-cause hearing and in response to a departmental request for access for licensing purposes when such request is accompanied by a written statement that no record of patient identifying information will be made.

(b) Nothing in this Code section shall be construed to prevent the department from operating a central registry pursuant to Code Section 26-5-60, and nothing in this Code section shall prevent or inhibit narcotic treatment programs from providing the department

165 with requested information for the purpose of maintaining such central registry or for
166 maintaining any other registry or database as required by federal law or regulation."

167 **PART II**

168 *Departmental Reassignment*

169 **SECTION 2-1.**

170 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by revising
171 subsection (d) of Code Section 31-2-4, relating to the department's powers, duties, functions,
172 and responsibilities, divisions, directors, and contracts for health benefits, as follows:

173 "(d) In addition to its other powers, duties, and functions, the department:

174 (1) Shall be the lead agency in coordinating and purchasing health care benefit plans for
175 state and public employees, dependents, and retirees and may also coordinate with the
176 board of regents for the purchase and administration of such health care benefit plans for
177 its members, employees, dependents, and retirees;

178 (2) Is authorized to plan and coordinate medical education and physician work force
179 issues;

180 (3) Shall investigate the lack of availability of health insurance coverage and the issues
181 associated with the uninsured population of this state. In particular, the department is
182 authorized to investigate the feasibility of creating and administering insurance programs
183 for small businesses and political subdivisions of the state and to propose cost-effective
184 solutions to reducing the numbers of uninsured in this state;

185 (4) Is authorized to appoint a health care work force policy advisory committee to
186 oversee and coordinate work force planning activities;

187 (5) Is authorized to solicit and accept donations, contributions, and gifts and receive,
188 hold, and use grants, devises, and bequests of real, personal, and mixed property on
189 behalf of the state to enable the department to carry out its functions and purposes;

(6) Is authorized to award grants, as funds are available, to hospital authorities, hospitals, and medical-legal partnerships for public health purposes, pursuant to Code Sections 31-7-94 and 31-7-94.1 and paragraph (11) of this subsection;

(7) Shall make provision for meeting the cost of hospital care of persons eligible for public assistance to the extent that federal matching funds are available for such expenditures for hospital care. To accomplish this purpose, the department is authorized to pay from funds appropriated for such purposes the amount required under this paragraph into a trust fund account which shall be available for disbursement for the cost of hospital care of public assistance recipients. The commissioner, subject to the approval of the Office of Planning and Budget, on the basis of the funds appropriated in any year, shall estimate the scope of hospital care available to public assistance recipients and the approximate per capita cost of such care. Monthly payments into the trust fund for hospital care shall be made on behalf of each public assistance recipient and such payments shall be deemed encumbered for assistance payable. Ledger accounts reflecting payments into and out of the hospital care fund shall be maintained for each of the categories of public assistance established under Code Section 49-4-3. The balance of state funds in such trust fund for the payment of hospital costs in an amount not to exceed the amount of federal funds held in the trust fund by the department available for expenditure under this paragraph shall be deemed encumbered and held in trust for the payment of the costs of hospital care and shall be rebudgeted for this purpose on each quarterly budget required under the laws governing the expenditure of state funds. The state auditor shall audit the funds in the trust fund established under this paragraph in the same manner that any other funds disbursed by the department are audited;

~~(8) Shall classify and license community living arrangements in accordance with the rules and regulations promulgated by the department for the licensing and enforcement of licensing requirements for persons whose services are financially supported, in whole or in part, by funds authorized through the Department of Behavioral Health and~~

~~Developmental Disabilities. To be eligible for licensing as a community living arrangement, the residence and services provided must be integrated within the local community. All community living arrangements licensed by the department shall be subject to the provisions of Code Sections 31-2-8 and 31-7-2.2. No person, business entity, corporation, or association, whether operated for profit or not for profit, may operate a community living arrangement without first obtaining a license or provisional license from the department. A license issued pursuant to this paragraph is not assignable or transferable. As used in this paragraph, the term 'community living arrangement' means any residence, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food, one or more personal services, support, care, or treatment exclusively for two or more persons who are not related to the owner or administrator of the residence by blood or marriage;~~

~~(9)(8)~~ Shall establish, by rule adopted pursuant to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' a schedule of fees for licensure activities for institutions and other health care related entities required to be licensed, permitted, registered, certificated, or commissioned by the department pursuant to Chapter 7, 13, 23, or 44 of this title, ~~Chapter 5 of Title 26, paragraph (8) of this subsection,~~ or Article 7 of Chapter 6 of Title 49. Such schedules shall be determined in a manner so as to help defray the costs incurred by the department, but in no event to exceed such costs, both direct and indirect, in providing such licensure activities. Such fees may be annually adjusted by the department but shall not be increased by more than the annual rate of inflation as measured by the Consumer Price Index, as reported by the Bureau of Labor Statistics of the United States Department of Labor. All fees paid thereunder shall be paid into the general funds of the State of Georgia. It is the intent of the General Assembly that the proceeds from all fees imposed pursuant to this paragraph be used to support and improve the quality of licensing services provided by the department;

~~(10)(A)(9)(A)~~ May accept the certification or accreditation of an entity or program by a certification or accreditation body, in accordance with specific standards, as evidence of compliance by the entity or program with the substantially equivalent departmental requirements for issuance or renewal of a permit or provisional permit, provided that such certification or accreditation is established prior to the issuance or renewal of such permits. The department may not require an additional departmental inspection of any entity or program whose certification or accreditation has been accepted by the department, except to the extent that such specific standards are less rigorous or less comprehensive than departmental requirements. Nothing in this Code section shall prohibit either departmental inspections for violations of such standards or requirements or the revocation of or refusal to issue or renew permits, as authorized by applicable law, or for violation of any other applicable law or regulation pursuant thereto.

(B) For purposes of this paragraph, the term:

(i) 'Entity or program' means an agency, center, facility, institution, ~~community living arrangement, drug abuse treatment and education program,~~ or entity subject to regulation by the department under Chapters 7, 13, 22, 23, and 44 of this title; ~~Chapter 5 of Title 26; paragraph (8) of this subsection;~~ and Article 7 of Chapter 6 of Title 49.

(ii) 'Permit' means any license, permit, registration, certificate, or commission issued by the department pursuant to the provisions of the law cited in division (i) of this subparagraph;

~~(H)(A)(10)(A)~~ Is authorized to approve medical-legal partnerships that comply with standards and guidelines established for such programs for purposes of determining eligibility for grants. The department shall seek input from legal services organizations, community health advocacy organizations, hospitals, diagnostic and treatment centers, and other primary and specialty health care providers in establishing such standards and guidelines.

(B) For purposes of this paragraph, the term 'medical-legal partnership' means a program conducted or established by a nonprofit entity through a collaboration pursuant to a written agreement between one or more medical service providers and one or more legal services programs, including those based within a law school, to provide legal services without charge to assist income-eligible individuals and their families in resolving legal matters or other needs that have an impact on the health of such individuals and families. Written agreements may include a memorandum of understanding or other agreement relating to the operations of the partnership and encompassing the rights and responsibilities of each party thereto. The medical service provider or providers may provide referrals of its patients to the legal services program or programs on matters that may potentially impact the health, health care, or the health care costs of a patient.

(C) A medical-legal partnership that complies with the standards and guidelines established pursuant to this paragraph and has demonstrated the ability and experience to provide high quality patient centered legal services regarding legal matters or other needs that have an impact on the health of individuals and families shall be approved by the department.

(D) This paragraph shall not be construed to require any medical-legal partnership or similar entity to seek or attain approval pursuant to this paragraph in order to operate;

~~(12)~~(11) In cooperation with the Department of Corrections and the State Board of Pardons and Paroles, shall establish and implement a Medicaid eligibility determination procedure so that inmates being considered for parole who are eligible for long-term care services may apply for Medicaid; and

~~(13)~~(12) Shall request federal approval for and facilitate the application of certificates of need for facilities capable of providing long-term care services, with Medicaid as the primary funding source, to inmates who are eligible for such services and funding upon

296 his or her release from a public institution, as such term is defined in Code Section
297 49-4-31."

298 **SECTION 2-2.**

299 Said title is further amended by revising subsection (a) of Code Section 31-2-8, relating to
300 actions against certain applicants or licensees, as follows:

301 "(a) This Code section shall be applicable to any agency, center, facility, institution,
302 community living arrangement, drug abuse treatment and education program, or entity
303 subject to regulation by the department under Chapters 7, 13, 22, 23, and 44 of this title;
304 Chapter 5 of Title 26; ~~paragraph (8) of subsection (d) of Code Section 31-2-4;~~ and Article
305 7 of Chapter 6 of Title 49. For purposes of this Code section, the term 'license' shall be
306 used to refer to any license, permit, registration, or commission issued by the department
307 pursuant to the provisions of the law cited in this subsection."

308 **SECTION 2-3.**

309 Said title is further amended by revising Code Section 31-7-2.2, relating to determination that
310 patients or residents in an institution, community living arrangement, or treatment program
311 are in danger, relocation of patients or residents, and suspension of admissions, as follows:

312 "31-7-2.2.

313 (a)(1) The commissioner may order the emergency relocation of patients or residents
314 from an institution subject to licensure under this chapter, ~~a community living~~
315 ~~arrangement subject to licensure under paragraph (8) of subsection (d) of Code Section~~
316 ~~31-2-4, or a drug abuse treatment and education program subject to licensure under~~
317 ~~Chapter 5 of Title 26~~ when the commissioner he or she has determined that the patients
318 or residents are subject to an imminent and substantial danger.

319 (2) When an order is issued under this subsection, the commissioner shall provide for:

(A) Notice to the patient or resident, his or her next of kin or guardian, and his or her physician of the emergency relocation and the reasons therefor;

(B) Relocation to the nearest appropriate institution, ~~community living arrangement, or drug abuse treatment and education program~~; and

(C) Other protection designed to ensure the welfare and, when possible, the desires of the patient or resident.

(b)(1) The commissioner may order the emergency placement of a monitor in an institution subject to licensure under this chapter, ~~a community living arrangement subject to licensure under paragraph (8) of subsection (d) of Code Section 31-2-4, or a drug abuse treatment and education program subject to licensure under Chapter 5 of Title 26~~ when one or more of the following conditions are present:

(A) The institution, ~~community living arrangement, or drug abuse treatment and education program~~ is operating without a permit or a license;

(B) The department has denied application for a permit or a license or has initiated action to revoke the existing permit or license of the institution, ~~community living arrangement, or drug abuse treatment and education program~~;

(C) The institution, ~~community living arrangement, or drug abuse treatment and education program~~ is closing or plans to close and adequate arrangements for relocation of the patients or residents have not been made at least 30 days before the date of closure; or

(D) The health, safety, security, rights, or welfare of the patients or residents cannot be adequately assured by the institution, ~~community living arrangement, or drug abuse treatment and education program~~.

(2) A monitor may be placed, pursuant to this subsection, in an institution, ~~community living arrangement, or drug abuse treatment and education program~~ for no more than ten days, during which time the monitor shall observe conditions and compliance with any recommended remedial action of the department by the institution, ~~community living~~

arrangement, or drug abuse treatment and education program. The monitor shall report to the department. The monitor shall not assume any administrative responsibility within the institution, ~~community living arrangement, or drug abuse treatment and education program~~ nor shall the monitor be liable for any actions of the institution, ~~community living arrangement, or drug abuse treatment and education program~~. The costs of placing a monitor in an institution, ~~community living arrangement, or drug abuse treatment and education program~~ shall be paid by the institution, ~~community living arrangement, or drug abuse treatment and education program~~ unless the order placing the monitor is determined to be invalid in a contested case proceeding under subsection (d) of this Code section, in which event the costs shall be paid by the state.

(c)(1) The commissioner may order the emergency prohibition of admissions to an institution subject to licensure under this chapter, ~~a community living arrangement subject to licensure under paragraph (8) of subsection (d) of Code Section 31-2-4, or program subject to licensure under Chapter 5 of Title 26~~ when such institution, ~~community living arrangement, or drug abuse treatment and education program~~ has failed to correct a violation of departmental permit rules or regulations within a reasonable period of time, as specified in the department's corrective order, and the violation:

(A) Could jeopardize the health and safety of the residents or patients in the institution; ~~community living arrangement, or drug abuse treatment and education program~~ if allowed to remain uncorrected; or

(B) Is a repeat violation over a 12 month period, which is intentional or due to gross negligence.

(2) Admission to an institution, ~~community living arrangement, or drug abuse treatment and education program~~ may be suspended until the violation has been corrected or until the department has determined that the institution, ~~community living arrangement, or drug abuse treatment and education program~~ has undertaken the action necessary to effect correction of the violation.

(d) The commissioner may issue emergency orders pursuant to this Code section only if authorized by rules and regulations of the department. Unless otherwise provided in the order, an emergency order shall become effective immediately. The department shall hold a preliminary hearing within ten days following a request therefor by any institution; ~~community living arrangement, or drug abuse treatment and education program~~ affected by an emergency order. If, at the preliminary hearing, the order is determined by the department to be invalid, that order shall thereupon become void and of no effect. If, at the preliminary hearing, the order is determined by the department to be valid, that determination shall constitute a contested case under Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' and that order shall remain in effect until determined invalid in a proceeding regarding the contested case or until rescinded by the commissioner, whichever is earlier. For purposes of this subsection, an emergency order is valid only if the order is authorized to be issued under this Code section and rules and regulations relating thereto.

(e) The powers provided by this Code section are cumulative of all other powers of the department, board, and commissioner."

SECTION 2-4.

Said title is further amended by revising paragraph (3) of Code Section 31-7-430, relating to definitions relative to designated essential caregivers, as follows:

"(3) 'Long-term care facility' means a skilled nursing home, intermediate care home, personal care home, assisted living community, ~~community living arrangement~~, or inpatient hospice facility licensed or permitted to operate pursuant to this chapter and any community living arrangement licensed by the Department of Behavioral Health and Developmental Disabilities pursuant to Article 1 of Chapter 13 of Title 37."

SECTION 2-5.

399 Said title is further amended by revising paragraph (3) of Code Section 31-8-81, relating to
400 definitions relative to reporting abuse or exploitation, as follows:

401 "(3) 'Long-term care facility' or 'facility' means any skilled nursing home, intermediate
402 care home, assisted living community, or personal care home, ~~or community living~~
403 ~~arrangement~~ now or hereafter subject to regulation and licensure by the department."

404 **PART III**

405 *Departmental Regulation of Licensed Programs*

406 **SECTION 3-1.**

407 Title 37 of the Official Code of Georgia Annotated, relating to mental health, is amended by
408 adding a new article to Chapter 2, relating to administration of mental health, developmental
409 disabilities, addictive disabilities, and other disability services, to read as follows:

410 "ARTICLE 3

411 37-2-70.

412 (a) As used in this article, the term:

413 (1) 'Adult residential mental health program' means a program licensed by the
414 department under Article 7 of Chapter 3 of this title.

415 (2) 'Applicant' means any individual affiliated with a partnership, corporation,
416 association, or individuals or groups of individuals submitting an application to operate
417 an adult residential mental health program, community living arrangement, drug abuse
418 treatment and education program, or narcotic treatment program.

419 (3) 'Community living arrangement' means a group home licensed by the department
420 under Chapter 13 of this title.

(4) 'Drug abuse treatment and education program' means a treatment program licensed by the department under Article 1 of Chapter 5 of Title 26.

(5) 'License' means the official permit issued by the department on or after January 1, 2026; provided, however, that such term shall also include an official permit issued by the Department of Community Health on December 31, 2025.

(6) 'Licensee' means any person holding a license issued by the department to operate an adult residential mental health program, community living arrangement, drug abuse treatment and education program, or narcotic treatment program.

(7) 'Narcotic treatment program' means a treatment program licensed by the department under Article 2 of Chapter 5 of Title 26.

37-2-71.

The department shall establish by rule adopted pursuant to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' a schedule of fees for licensure activities for adult residential mental health programs, community living arrangements, drug treatment and education programs, and narcotic treatment programs required to be licensed by the department. Such schedules shall be determined in a manner so as to help defray the costs incurred by the department, but in no event to exceed such costs, both direct and indirect, in providing such licensure activities. Such fees may be annually adjusted by the department but shall not be increased by more than the annual rate of inflation as measured by the Consumer Price Index as reported by the Bureau of Labor Statistics of the United States Department of Labor. All fees paid thereunder shall be paid into the general fund of the State of Georgia. It is the intent of the General Assembly that the proceeds from all fees imposed pursuant to this Code section be used to support and improve the quality of licensing services provided by the department.

37-2-72.

(a) The department shall have the authority to take any of the actions enumerated in subsection (b) of this Code section upon a finding that the applicant or licensee has:

(1) Knowingly made any false statement of material information in connection with the application for a license, or in statements made or on documents submitted to the department as part of an inspection, survey, or investigation, or in the alteration or falsification of records maintained by the adult residential mental health program, community living arrangement, drug treatment and education program, or narcotic treatment program;

(2) Failed or refused to provide the department with access to the premises subject to regulation or information pertinent to the initial or continued licensing of the adult residential mental health program, community living arrangement, drug treatment and education program, or narcotic treatment program;

(3) Failed to comply with the licensing requirements of this state; or

(4) Failed to comply with any provision of this Code section.

(b) When the department finds that any applicant or licensee has violated any provision of subsection (a) of this Code section or laws, rules, regulations, or formal orders related to the initial or continued licensing of an adult residential mental health program, community living arrangement, drug treatment and education program, or narcotic treatment program, the department, subject to notice and opportunity for hearing, may take any of the following actions:

(1) Refuse to grant a license; provided, however, that the department may refuse to grant a license without holding a hearing prior to taking such action;

(2) Administer a public reprimand;

(3) Suspend any license for a definite period or for an indefinite period in connection with any condition which may be attached to the restoration of such license;

(4) Prohibit any applicant or licensee from allowing a person who previously was involved in the management or control, as defined by rule, of any adult residential mental

health program, community living arrangement, drug treatment and education program, or narcotic treatment program which has had its license or application revoked or denied within the past 12 months to be involved in the management or control of such program or arrangement;

(5) Revoke any license;

(6) Impose a fine of up to \$2,000.00 per day for each violation of a law, rule, regulation, or formal order related to the initial or ongoing licensing of any applicant or licensee, up to a total of \$40,000.00; or

(7) Limit or restrict any license as the department deems necessary for the protection of the public, including, but not limited to, restricting some or all services of or admissions into an adult residential mental health program, community living arrangement, drug treatment and education program, or narcotic treatment program for a time certain.

In taking any of the actions enumerated in this subsection, the department shall consider the seriousness of the violation, including the circumstances, extent, and gravity of the prohibited acts, and the hazard or potential hazard created to the health or safety of the public.

(c) The department may deny a license or otherwise restrict a license from any applicant who has had a license denied, revoked, or suspended within one year of the date of an application or who has transferred ownership or governing authority of an adult residential mental health program, community living arrangement, drug treatment and education program, or narcotic treatment program subject to regulation by the department within one year of the date of a new application when such transfer was made in order to avert denial, revocation, or suspension of a license or to avert the payment of fines assessed by the department pursuant to this Code section.

(d) With regard to any contested case instituted by the department pursuant to this Code section or other provisions of law which may now or hereafter authorize remedial or disciplinary grounds and action, the department may, in its discretion, dispose of the action

so instituted by settlement. In such cases, all parties, successors, and assigns to any settlement agreement shall be bound by the terms specified therein, and violation thereof by any applicant or licensee shall constitute grounds for any action enumerated in subsection (b) of this Code section.

(e) The department shall have the authority to make public or private investigations or examinations inside or outside of this state to determine whether the provisions of this Code section or any other law, rule, regulation, or formal order relating to the licensing of any adult residential mental health program, community living arrangement, drug treatment and education program, or narcotic treatment program has been violated. 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 pursuant to subsection (b) of this Code section.

(f) For the purpose of conducting any investigation, inspection, or survey, the department shall have the authority to require the production of any books, records, papers, or other information related to the initial or continued licensing of any adult residential mental health program, community living arrangement, drug treatment and education program, or narcotic treatment program.

(g) Pursuant to the investigation, inspection, and enforcement powers given to the department by this Code section and other applicable laws, the department may assess against an adult residential mental health program, community living arrangement, drug treatment and education program, or narcotic treatment program reasonable and necessary expenses incurred by the department pursuant to any administrative or legal action required by the failure of such program or arrangement to fully comply with the provisions of any law, rule, regulation, or formal order related to the initial or continued licensing. Assessments shall not include attorney's fees and expenses of litigation, shall not exceed other actual expenses, and shall only be assessed if such investigation, inspection, or

enforcement actions result in adverse findings, as finally determined by the department, pursuant to administrative or legal action.

(h) For any action taken or any proceeding held under this Code section or under color of law, except for gross negligence or willful or wanton misconduct, the department, when acting in its official capacity, shall be immune from liability and suit to the same extent that any judge of any court of general jurisdiction in this state would be immune.

(i) In an administrative or legal proceeding under this Code section, a person or entity claiming an exemption or an exception granted by law, rule, regulation, or formal order has the burden of proving such exemption or exception.

(j) This Code section and all actions resulting from its provisions shall be administered in accordance with Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

(k) The provisions of this Code section shall be supplemental to and shall not operate to prohibit the department from acting pursuant to any provisions of law which may now or hereafter authorize remedial or disciplinary grounds and action for the department. In cases where such other provisions of law so authorize other disciplinary grounds and actions, but this Code section limits such grounds or actions, such other provisions shall apply.

(l) The department is authorized to promulgate rules and regulations to implement the provisions of this Code section.

37-2-73.

(a)(1) The commissioner may order the emergency relocation of residents from an adult residential mental health program, community living arrangement, drug treatment and education program, or narcotic treatment program subject to licensure by the department when he or she has determined that the residents are subject to an imminent and substantial danger.

(2) When an order is issued under this subsection, the commissioner shall provide for:

(A) Notice to the resident and his or her next of kin or guardian of the emergency relocation and the reasons therefor;

(B) Relocation to the nearest appropriate adult residential mental health program, community living arrangement, drug treatment and education program, narcotic treatment program, or other appropriate setting; and

(C) Other protection designed to ensure the welfare and, when possible, the desires of the resident.

(b)(1) The commissioner may order the emergency placement of a monitor in an adult residential mental health program, community living arrangement, drug treatment and education program, or narcotic treatment program, subject to licensure by the department, when one or more of the following conditions are present:

(A) The adult residential mental health program, community living arrangement, drug treatment and education program, or narcotic treatment program is operating without a permit or a license;

(B) The department has denied application for a permit or a license or has initiated action to revoke the existing permit or license of the licensee;

(C) The adult residential mental health program, community living arrangement, drug treatment and education program, or narcotic treatment program is closing or plans to close and adequate arrangements for relocation of the residents have not been made at least 30 days before the date of closure; or

(D) The health, safety, security, rights, or welfare of the residents cannot be adequately assured by the adult residential mental health program, community living arrangement, drug treatment and education program, or narcotic treatment program.

(2) A monitor may be placed, pursuant to this subsection, in an adult residential mental health program, community living arrangement, drug treatment and education program, or narcotic treatment program for no more than ten days, during which time the monitor shall observe conditions and compliance with any recommended remedial action of the

department. The monitor shall report to the department. The monitor shall not assume any administrative responsibility within the adult residential mental health program, community living arrangement, drug treatment and education program, or narcotic treatment program, nor shall the monitor be liable for any actions of the licensee. The costs of placing a monitor in an adult residential mental health program, community living arrangement, drug treatment and education program, or narcotic treatment program shall be paid by the licensee unless the order placing the monitor is determined to be invalid in a contested case proceeding under subsection (d) of this Code section, in which event, the costs shall be paid by the state.

(c)(1) The commissioner may order the emergency prohibition of admissions to an adult residential mental health program, community living arrangement, drug treatment and education program, or narcotic treatment program when such licensee has failed to correct a violation of departmental permit rules or regulations within a reasonable period of time, as specified in the department's corrective order, and the violation:

(A) Could jeopardize the health and safety of the residents if allowed to remain uncorrected; or

(B) Is a repeat violation over a 12 month period, which is intentional or due to gross negligence.

(2) Admission to new residents may be suspended until the violation has been corrected or until the department has determined that the licensee has undertaken the action necessary to effect correction of the violation.

(d) The commissioner may issue emergency orders pursuant to this Code section only if authorized by rules and regulations of the department. Unless otherwise provided in any such order, an emergency order shall become effective immediately. The department shall provide an opportunity for a preliminary hearing within ten days following a request therefor by any adult residential mental health program, community living arrangement, drug treatment and education program, or narcotic treatment program affected by an

emergency order. If, at the preliminary hearing, the order is determined by the department to be invalid, such order shall thereupon become void and of no effect. If, at the preliminary hearing, the order is determined by the department to be valid, such determination shall constitute a contested case under Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' and such order shall remain in effect until determined invalid in a proceeding regarding the contested case or until rescinded by the commissioner, whichever is earlier. For purposes of this subsection, an emergency order is valid only if the order is authorized to be issued under this Code section and rules and regulations relating thereto.

(e) The powers provided by this Code section shall be in addition to all other powers of the department, board, and commissioner."

SECTION 3-2.

Said title is further amended by revising paragraphs (1) and (3) of Code Section 37-3-202, relating to definitions regarding adult residential mental health services licenses, as follows:

"(1) 'Adult residential mental health program' means a subacute residential alternative service of four or more residential beds authorized to provide psychiatric services for mentally ill persons 18 years of age or older that operates 24 hours per day, 7 days per week to provide intensive short-term noninstitutional treatment to individuals who are temporarily in need of a 24-hour-per-day supportive therapeutic setting for prevention of or transition from or after acute psychiatric hospitalization. Such term shall not include crisis stabilization units, as defined in Code Section 37-1-29; community living arrangements, as defined by the Department of Behavioral Health and Developmental Disabilities in Code Section 37-13-1; mental health programs conducted by accountability courts; or residential beds operated by a state or local public entity."

"(3) 'Department' means the Department of Community Behavioral Health and Developmental Disabilities."

SECTION 3-3.

Said title is further amended by revising subsection (b) of Code Section 37-3-205, relating to regulatory and licensing authority, as follows:

"(b) The department is further authorized to issue, deny, suspend, or revoke ~~licenses a~~ license or take other enforcement actions against ~~licensees or applicants a licensee or~~ applicant as provided in ~~Code Section 31-2-8~~ Article 3 of Chapter 2 of this title."

SECTION 3-4.

Said title is further amended by revising subsection (a) of Code Section 37-3-206, relating to licensing requirements and funding contingency, as follows:

"(a) On and after ~~July 1, 2025~~ January 1, 2026, no governing body shall operate an adult residential mental health program without having a valid license or provisional license issued pursuant to this article; provided, however, that hospitals licensed in accordance with Chapter 7 of Title 31 are exempt from this article unless the hospital is operating an adult residential mental health program that is separate and distinct from the licensed hospital."

SECTION 3-5.

Said title is further amended by revising Code Section 37-3-208.1, relating to one-time provisional license, as follows:

"Between July 1, 2022, and ~~June 30, 2025~~, December 31, 2025, the ~~department~~ Department of Community Health shall be authorized to grant a one-time provisional license for an adult residential mental health program to an existing licensed personal care home that substantially complies with the requirements of this article for a period not to extend beyond ~~June 30~~, December 31, 2025."

SECTION 3-6.

Said title is further amended by revising subsection (a) of Code Section 37-3-211, relating to denial, suspension, or revocation of license, as follows:

"(a) The department is authorized to deny, suspend, or revoke a license issued under this chapter for a violation of this chapter or a rule or regulation adopted under this chapter or to take other disciplinary actions against ~~licensees~~ a licensee as provided in ~~Code Section 31-2-8~~ Article 3 of Chapter 2 of this title."

SECTION 3-7.

Said title is further amended by revising subsections (a), (c), and (d) of Code Section 37-3-215, relating to unlicensed residential mental health program and penalty, as follows:

"(a) On and after ~~July 1, 2025~~, January 1, 2026, a facility program shall be deemed to be an 'unlicensed adult residential mental health program' if it is unlicensed and not exempt from licensure under this article and:

(1) The facility program is providing services and is operating as an adult residential mental health program;

(2) The facility program is held out as or represented as providing services and operating as an adult residential mental health program; or

(3) The facility program represents itself as a licensed adult residential mental health program."

"(c) In addition to other remedies available to the department, the civil penalty authorized by subsection (b) of this Code section shall be doubled if the program owner or operator continues to operate the unlicensed adult residential mental health program; after receipt of notice pursuant to subsection (b) of this Code section.

(d) The program owner or operator of an unlicensed adult residential mental health program who is assessed a civil penalty in accordance with this Code section may ~~have~~

680 ~~review of such civil penalty by appeal~~ such civil penalty to the superior court in the county
681 in which the action arose or to the Superior Court of Fulton County."

682 **SECTION 3-8.**

683 Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is
684 amended by revising paragraphs (7) of Code Section 16-5-100, relating to definitions
685 relevant to protection of elder persons, as follows:

686 "(7) 'Long-term care facility' means any skilled nursing facility, intermediate care home,
687 assisted living community, ~~community living arrangement~~, or personal care home subject
688 to regulation and licensure by the Department of Community Health and any community
689 living arrangement licensed by the Department of Behavioral Health and Developmental
690 Disabilities pursuant to Article 1 of Chapter 13 of Title 37."

691 **SECTION 3-9.**

692 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
693 by revising subsection (d) of Code Section 50-18-160, relating to individuals or nonprofit
694 organizations, as follows:

695 "(12) Collection and use of personal information as permitted by statute, rule, or
696 regulation for purposes of administration of programs and services, regulatory oversight,
697 and ensuring compliance by prospective and approved contractors:

698 (A) By the Department of Human Services for purposes authorized in Article 1 of
699 Chapter 2 of Title 49;

700 (B) By the Department of Behavioral Health and Developmental Disabilities for
701 purposes authorized in Chapter 5 of Title 26 and Title 37;

702 (C) By the Department of Community Health for purposes authorized in ~~Chapter 5 of~~
703 ~~Title 26, Title 31, Article 7 of Chapter 3 of Title 37,~~ Article 1 of Chapter 18 of Title 45,
704 Article 7 of Chapter 4 of Title 49, or Article 7 of Chapter 6 of Title 49; and

705 (D) By the Department of Juvenile Justice for purposes authorized in Chapter 4A of
706 Title 49."

707 **PART IV**

708 *Community Living Arrangements*

709 **SECTION 4-1.**

710 Title 37 of the Official Code of Georgia Annotated, relating to mental health, is amended by
711 adding a new chapter to read as follows:

712 "CHAPTER 13

713 ARTICLE 1

714 37-13-1.

715 As used in this article, the term:

716 (1) 'Community living arrangement' means a group home that serves up to four
717 individuals with a developmental disability who require intense levels of residential
718 support and which services are financially supported, in whole or in part, by funds
719 authorized through the department and provides a range of interventions that focuses on
720 training and support in one or more of the following areas:

721 (A) Eating and drinking;

722 (B) Toileting;

723 (C) Personal grooming and healthcare;

724 (D) Dressing;

725 (E) Communication;

726 (F) Interpersonal relationships;

727 (G) Mobility;

728 (H) Home management; and

(I) Use of leisure time.

(2) 'License' means the official permit issued by the department which authorizes the holder to operate a community living arrangement for the term provided therein.

(3) 'Licensee' means any person holding a license issued by the department under this article.

37-13-2.

(a) The department is authorized and directed to create and promulgate all rules and regulations necessary for the implementation of this article; provided, however, that such rules and regulations shall include physical plant health and safety standards, supplies, services, staffing, admission agreements, resident rights, records, medications, nutrition, discharge and transfer, and procedures addressing changes in condition or serious or unusual incidents.

(b)(1) The department shall require a licensee to have a regularly rehearsed disaster preparedness plan with which staff and residents shall comply in cases of emergent events including, but not limited to, natural disasters, pandemics, fires, or interruption of essential services such as a electrical power, heat, and water supply.

(2) Such disaster preparedness plan shall include written procedures with which staff shall comply in the event of an emergency and shall include care of the resident, notification of other individuals responsible for the resident, and plans for transportation, alternative living arrangements or sheltering in place, emergency energy sources, or other appropriate services.

(c) Any rule and regulation relating to community living arrangements created by the Department of Community Health and in effect on December 31, 2025, shall continue to be in effect and shall be enforceable by the department until such time as such rule or regulation is amended or revoked by the department.

37-13-3.

(a) No person, business entity, corporation, or association, whether operated for profit or not for profit, may operate a community living arrangement without first obtaining a license or provisional license issued by the department. A license issued by the department is neither assignable nor transferable.

(b) Any license issued to a community living arrangement by the Department of Community Health on December 31, 2025, shall be valid until renewed or revoked by the department, surrendered by the licensee, or otherwise terminated.

37-13-4.

(a) The department shall be authorized to conduct periodic on-site inspections of any licensee in this state.

(b) The department may accept proof of accreditation by a nationally recognized healthcare accreditation body, in accordance with specific standards, as evidence of compliance with one or more departmental requirements for issuance or renewal of a license or provisional license.

(c) The department shall not be bound by any policy or practice of the Department of Community Health in effect on December 31, 2025, in determining whether to issue a license based on the findings of an accreditation agency pursuant to subsection (b) of this Code section.

ARTICLE 2

37-13-20.

As used in this article, the term:

(1) 'Abuse' means any intentional or grossly negligent act or series of acts or intentional or grossly negligent omission to act which causes injury to a resident, including, but not

limited to, assault or battery, failure to provide treatment or care, or sexual harassment of a resident.

(2) 'Community living arrangement' means any group home licensed by the department pursuant to Article 1 of this chapter.

(3) 'Exploitation' means the illegal or improper use of a resident or a resident's resources through undue influence, coercion, harassment, duress, deception, false representation, false pretenses, or other similar means for one's own or another's profit or advantage.

(4) 'Resident' means any person receiving treatment or care in a community living arrangement.

37-13-21.

(a) Any of the following persons who have reasonable cause to believe that a resident or former resident has been abused or exploited while residing in a community living arrangement shall immediately make a report as described in subsection (d) of this Code section by telephone or in person to the department and to the appropriate law enforcement agency or prosecuting attorney:

(1) Administrators, managers, or other employees of a community living arrangement;

(2) Physical therapists;

(3) Occupational therapists;

(4) Coroners;

(5) Medical examiners;

(6) Emergency medical services personnel, as such individuals are defined in Code Section 31-11-49;

(7) Any person who is certified as an emergency medical technician, cardiac technician, paramedic, or first responder pursuant to Chapter 11 of Title 31;

(8) Employees of a public or private agency engaged in professional health related services to residents; and

(9) Clergy members.

(b) Persons required to make a report pursuant to subsection (a) of this Code section shall also make a written report to the department within 24 hours after making the initial report.

(c) Any other person who has knowledge that a resident or former resident has been abused or exploited while residing in a community living arrangement may report or cause a report to be made to the department or the appropriate law enforcement agency.

(d) An initial report of suspected abuse or exploitation shall include the following:

(1) The name and address of the person making the report, unless such person is not required to make a report pursuant to subsection (a) of this Code section;

(2) The name and address of the resident or former resident for which abuse or exploitation is suspected;

(3) The name and address of the community living arrangement;

(4) The name and extent of any known injuries or the condition relating to, or resulting from, the suspected abuse or exploitation;

(5) The suspected cause of the abuse or exploitation; and

(6) Any other information which the reporter reasonably believes might be helpful in determining the cause of the resident's or former resident's injuries or condition and in determining the identity of the person or persons responsible for the suspected abuse or exploitation.

(e) The department shall maintain accurate records which shall include all reports of suspected abuse or exploitation, the results of all investigations and administrative or judicial proceedings, and a summary of actions taken to assist the resident or former resident.

(f) Any suspected abuse or exploitation which is required to be reported by any person pursuant to this Code section shall be reported notwithstanding that the reasonable cause to believe such abuse or exploitation has occurred or is occurring is based in whole or in part upon any communication to that person which is otherwise made privileged or

confidential by law; provided, however, that a member of the clergy shall not be required to report such matters confided to him or her solely within the context of confession or other similar communication required to be kept confidential under church doctrine or practice. When a clergy member receives information about abuse or exploitation from any other source, such clergy member shall comply with the reporting requirements of this Code section, even though the clergy member may have also received a report of such matters from the confession of the perpetrator.

37-13-22.

(a) Immediately after the receipt of any report of suspected abuse or exploitation, the department shall make and document a determination as to whether such report requires an investigation. The department may, through its rules, regulations, or policies, limit the scope of any investigation and may delegate all or part of its authority to investigate to the appropriate law enforcement agency or other appropriate investigating agencies. If such delegation occurs, the agency to which authority has been delegated shall report the results of its investigation to the department immediately upon completion of such investigation.

(b) The investigation shall determine the nature, cause, and extent of the suspected abuse or exploitation reported, an assessment of the current condition of the resident or former resident, and an assessment of any needed action or service. Where appropriate, the investigation shall include a prompt in-person visit to the resident or former resident.

(c) The investigating agency shall collect and preserve all evidence relating to, or resulting from, the suspected abuse or exploitation.

(d) All state, county, and municipal law enforcement agencies, employees of community living arrangements, and other appropriate persons shall cooperate with the department or investigating agency in the administration of this article.

37-13-23.

856 (a) Upon the receipt of the results of an investigation conducted pursuant to Code Section
857 37-13-22, the department, in cooperation with the investigating agency, shall immediately
858 evaluate such results to determine what actions, if any, shall be taken to assist the resident
859 or former resident.

860 (b) The department or agency designated by the department shall assist to prevent further
861 harm to a resident or former resident who has been abused or exploited. The department
862 may also take appropriate legal actions to assure the safety and welfare of all other
863 residents of the community living arrangement where necessary.

864 (c) Within a reasonable time, not to exceed 30 days, after it has initiated action to assist
865 a resident or former resident, the department shall determine the current condition of the
866 resident or former resident, whether the abuse or exploitation has been abated, and whether
867 continued assistance is necessary.

868 (d) If, as a result of any investigation pursuant to this article, a determination is made that
869 a resident or former resident has been abused or exploited, the department shall contact the
870 appropriate prosecuting authority and provide all information and evidence to such
871 prosecuting authority.

872 37-13-24.

873 (a) Any agency or person who in good faith makes a report or provides information or
874 evidence pursuant to this article shall be immune from liability for such actions.

875 (b) Neither the department nor its employees, when acting in good faith and with
876 reasonable diligence, shall have any liability for defamation, invasion of privacy,
877 negligence, or any other claim in connection with the collection or release of information
878 pursuant to this article and neither shall be subject to suit based upon any such claims.

879 37-13-25.

The identities of the resident or former resident, the alleged perpetrator, and the person or persons making a report or providing information or evidence pursuant to this article shall not be disclosed to the public unless required to be revealed in court proceedings or upon the written consent of the person whose identity is to be revealed or as otherwise required by law. Upon the resident's or the former resident's, or his or her representative's, request, the department shall make information obtained in an abuse or exploitation report and investigation available to the allegedly abused or exploited resident, the allegedly abused or exploited former resident, or his or her representative for inspection or duplication, except that such disclosure shall be made without revealing the identity of any other resident, the person making the report, or persons providing information by name or inference. For the purpose of this Code section, the term 'representative' means any person authorized in writing by the resident or former resident or appointed by an appropriate court to act upon the resident's or former resident's behalf. The term 'representative' also means a family member of a deceased or physically or mentally impaired resident or former resident unable to grant authorization; provided, however, that such family members who do not have written or court authorization shall not be authorized by this Code section to receive the resident's or former resident's clinical records as defined in Code Section 37-3-1, 37-4-2, or 37-7-1. Nothing in this Code section shall be construed to deny agencies participating in joint investigations at the request of and with the department, or conducting separate investigations of abuse or exploitation within an agency's scope of authority, or law enforcement personnel who are conducting an investigation into any criminal offense in which a resident or former resident is a victim from having access to such records.

37-13-26.

No person or community living arrangement shall discriminate or retaliate in any manner against any person for making a report or providing information pursuant to this article or

906 against any resident or former resident who is the subject of a report. Nothing in this Code
907 section shall be construed to prohibit the termination of the relationship between the
908 community living arrangement and the resident for reasons other than that the community
909 living arrangement has been made the subject of a report, that such a report has been made,
910 or that information has been provided pursuant to this article.

911 37-13-27.

912 The department shall prepare a written notice describing the reporting requirements set
913 forth in this article. Such notice shall be distributed to all community living arrangements
914 in this state, and copies thereof shall be posted in conspicuous locations within community
915 living arrangements."

916 **PART V**
917 *Effective date*
918 **SECTION 5-1.**

919 This Act shall become effective on January 1, 2026.

920 **PART VI**
921 *Repealer*
922 **SECTION 6-1.**

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