



PUBLIC NOTICE OF PROPOSED RULE CHANGES

Pursuant to the Georgia Administrative Procedure Act, Official Code of Georgia Annotated (O.C.G.A.) § 50-13-1 et seq., the Georgia Department of Community Health is required to provide public notice of its intent to adopt, amend, or repeal certain rules, other than interpretive rules or general statements of policy. Accordingly, the Department hereby provides notice of its intent to amend its Rules and Regulations for Adult Day Centers to update the criminal background check requirements to align with the Rules and Regulations for Criminal Background Checks, Chapter 111-8-12. The revisions also update health screening and Tuberculous (TB) screening requirements for employees of Adult Day Centers based on current guidance from the Centers for Disease Control and Prevention (CDC). An exact copy of the revised rules and a synopsis of the revisions are attached to this public notice.

NOTICE OF PUBLIC HEARING

An opportunity for public comment will be held on June 16, 2026, at 1:00 p.m. via Zoom. There will be no in-person attendance at the Department of Community Health. The Zoom meeting ID number is 811 2723 6810 and the event password is “477228”. Follow these instructions to join the event:

1. Click the link or copy and paste the link text to a browser:

<https://us02web.zoom.us/j/81127236810?pwd=uF6sdhel0xqAqva0aGfw7IakJUbbVb.1>

2. Click “Join Now”

To join by telephone: One tap mobile

+13017158592,,81127236810#,,,,*477228# US (Washington DC)

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Oral comments will be limited to ten (10) minutes per person. Individuals who are disabled and require assistance to participate during this meeting should contact the Office of General Counsel at (470) 259-0735 at least three (3) business days prior to the meeting.

Individuals wishing to comment in writing on any of the proposed changes must do so on or before June 18, 2026, at 5:00 p.m. Due to reduced physical staffing at the 2 M.L.K., Jr. Drive, SE location, DCH encourages written public comments submitted in accordance with O.C.G.A. § 50-13-4(a)(2) to be submitted via e-mail to the following e-mail address: Public.Comment@dch.ga.gov.



GEORGIA DEPARTMENT
OF COMMUNITY HEALTH

Please note that any comments submitted are subject to open records.

Written comments may be submitted via regular mail to the following address:

Attention: Alycia Allgood
Office of General Counsel
Georgia Department of Community Health
2 M.L.K. Jr. Drive, SE, 18th Floor, East Tower
Atlanta, GA 30334

If the proposed changes are presented to the Board for final action, relevant comments from written and public testimony will be provided to the Board. The Board expects to vote on the proposed changes at the Board meeting to be held on July 9, 2026, at 10:30 a.m. at the Department of Community Health unless withdrawn or withheld by the Department for further review.

NOTICE IS HEREBY GIVEN THIS 14th DAY OF MAY 2026

A handwritten signature in black ink, appearing to read "Dean Burke", written over a horizontal line.

Dean Burke, MD, Commissioner

111. RULES OF DEPARTMENT OF COMMUNITY HEALTH
111-8. HEALTHCARE FACILITY REGULATION
111-8-1. RULES AND REGULATIONS FOR ADULT DAY CENTERS

STATEMENT OF PURPOSE:

The Georgia Department of Community Health proposes to amend and update the Rules and Regulations for Healthcare Facility Regulation, Adult Day Centers, Ga. Comp. R. & Regs. R. 111-8-1. These rules are being proposed pursuant to the authority granted to the Department of Community Health in O.C.G.A. §§ 31-2-4 et seq., 31-7-4 et seq., and 49-6-80, et seq.

MAIN FEATURES OF THE PROPOSED RULE:

The purpose of these rule revisions is to update health screening requirements for employees and to provide conformity with the Rules and Regulations for Criminal Background Checks, Chapter 111-8-12.

**111. RULES OF DEPARTMENT OF COMMUNITY HEALTH
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AMEND CHAPTER 111-8-1

TABLE OF CONTENTS

111-8-1-.14 Personnel

Rule 111-8-1-.14. Personnel

(1) All adult day centers shall maintain written personnel policies and procedures which address at least the following:

(a) The hiring, training, and supervising of staff members; and

(b) The use, nature and extent of volunteer services, including a screening procedure to select volunteers with appropriate skills to work with the participants, or otherwise assist the center.

~~(2) — Prior to hiring, the center shall search the Georgia Nurse Aide Registry to determine if an individual is designated in the registry as having abused, neglected or exploited a resident or consumer of a facility.~~

~~(a) — If the employee or applicant has resided in another state, that state's nurse aide registry shall be searched prior to hiring.~~

~~(b) — If the individual represents that they are certified or licensed, there shall be evidence in the file of the individual having a current license or certification that is not restricted.~~

~~(c) — Each center shall search the Georgia Board of Nursing website to determine if a prospective nursing employee has been cited for disciplinary actions.~~

~~(d) — A center shall not utilize a person to provide services who is listed in the Georgia Nurse Aide Registry, another state's Nurse Aide Registry and/or state licensing/certification boards as having abused, neglected or exploited a resident or consumer of a facility or having their license or certification restricted.~~

~~(e) — For all staff and volunteer positions, employment and criminal background checks shall be conducted prior to employment. The center shall not employ nor use as volunteers persons with criminal histories which include the abuse, neglect, or exploitation of any disabled or aging adult.~~

(2) Criminal History Background Checks.

(a) 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.

(b) Criminal History Background Checks for Directors. The center must obtain a satisfactory fingerprint records check determination for the person being considered for employment as a director. The records check determination must be done in compliance with the Rules and Regulations for Criminal Background Checks, Chapter 111-8-12.

(c) Criminal History Background Checks for Direct Access Employees Required. Prior to serving as a direct access employee, the center 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.

(3) Training. The Director shall be responsible for ensuring that any person working in the center as an employee or under contract receives work-related training acceptable to the Department within the first ninety (90) days of employment. However, for centers providing services prior to the initial effective date of these rules, the centers shall have until March 1, 2015 to have all such staff who were hired prior to the initial effective date of these rules certified in first aid and cardiopulmonary resuscitation. The center shall ensure that at least one staff member who has completed the minimum training requirements be present in the center at all times.

(a) Work-related training for employees shall at a minimum include the following:

- (1) Orientation to the rules and regulations contained in this chapter, and to the center's policies and procedures;
- (2) Evidence of current certification in cardiopulmonary resuscitation where the training course required return demonstration of competency;
- (3) Training in standard precautions, infection control and latex safety;
- (4) Training in identifying participants who may be victims of elder abuse or self-neglect;
- (5) Training in participants' rights including the prevention and reporting of suspected abuse, neglect or exploitation;
- (6) Training in protecting the confidentiality of participant information and records;
- (7) Training on the nature of influenza and the role of vaccination in controlling its spread to those persons having direct participant contact;
- (8) Training in diversity and cultural sensitivity;
- (9) Training on Alzheimer's disease and other dementias including communicating and responding to behaviors; and
- (10) Medication training for the unlicensed staff that are providing assistance with or supervision of self-administration of medications to capable participants. The medication training must be conducted with an appropriate curriculum for providing medication assistance and include at least the following topics:
 - i. The center's medication policy and procedures, including actions to take if concerns regarding participant's capacity to self-administer medications are identified;
 - ii. How to read prescription labels including common abbreviations;

- iii. Providing the right medication to the right participant at the right time in the right amount and the right way including how to measure various medications;
- iv. Actions to take when concerns regarding medications are identified;
- v. Infection control procedures relative to providing assistance with medications;
- vi. Proper medication storage and disposal;
- vii. Recognition of side effects and adverse reactions for the specific medications;
- viii. Understanding the common classifications of medications, typical side effects and adverse reactions and medications for which unlicensed staff may never provide assistance with or supervision of self-administration; and
- ix. Proper documentation and record keeping using the Medication Assistance Record.

(b) Adult Day Health Centers. In addition to the training requirements above in 3(a), centers that provide adult day health services shall provide training on the laws governing administration of prescribed medications.

(c) Volunteers. The Director is responsible for ensuring that all volunteers receive training in accordance with the services they provide in the center. At a minimum, all volunteers shall receive training in the following:

- (1) Identifying abuse, neglect and exploitation and the applicable reporting requirements; and
- (2) Participant rights.

(4) Staff Records. Each center shall maintain personnel records for each employee and volunteer who provides direct care to participants. Each employee shall have access to his/her personnel record. Individual personnel records on all staff members shall contain at least the following:

- (a) A complete application for employment or volunteer services;
- (b) References, which may be documented as oral references or letters of reference;
- (c) Copy of current license or certificate, in good standing, as required for the position, including a valid driver's license for persons providing transportation services;
- (d) Staff development records, to include, but not limited to evidence of current certification in CPR and first aid as well as evidence of training for staff; and
- (e) Evidence of having conducted background screenings as required by these rules in regards to the staff member or volunteer.

~~(5) — Health Requirements. All staff and volunteers who provide direct care to participants shall have received a report of physical examination by an authorized healthcare professional within twelve months prior to employment, sufficiently comprehensive to include at least the following:~~

~~(a) — Documentation that the employee/volunteer is free of signs and symptoms of communicable diseases; and~~

~~(b) — Evidence that all staff/volunteers are free of active tuberculosis based upon the results of a negative skin test or chest x-ray within twelve months prior to employment.~~

(5) Health of Employees.

(a) Health Screenings. Each center shall have in place a health screening program designed to identify conditions that may place participants at risk for infection, injury, or improper care. The program shall include requirements and processes for initial, regular, and targeted health screenings of employees and contractors who interact with participants or conduct other activities with environmental impact;

(b) Screening for Tuberculosis (TB). Prior to starting work, all employees must be screened for TB in accordance with CDC guidance for baseline screening and testing for health care personnel.

(c) Records. Copies or certificates of the health screenings shall be kept in the employee's personnel file.

(6) Education/License Requirements.

(a) The adult day center shall employ staff qualified by training or experience to perform all aspects of the position for which they are hired.

(b) Adult Day Health Centers. In addition to the above, adult day health centers shall ensure the following:

1. Directors shall have a bachelor's degree or at least four years experience in a health or human services or related field and shall have demonstrated ability to perform all aspects of the position;

2. Nurses shall have a current Georgia license to practice as a nurse; and All contract professionals, i.e. social workers or occupational, physical, or speech therapists, shall be licensed or certified, as required by law.

Authority: O.C.G.A. §§ 49-6-80, et seq.