Voices for Georgia’s Children followed 273 pieces of child-relevant legislation through the Capitol this session. Dubbed “The Year of Mental Health,” 2022 saw significant investments in behavioral health, as well as retaining state employees and restoring previous budget cuts to education. The House and Senate Education Committees moved the year’s most contentious legislation through its ranks while legislators looked to tackle Georgia’s maternal mortality rate with a particular focus on moms and babies.

What follows is Voices for Georgia’s Children’s distillation of the 2022 Legislative Session: Top Issues for Children and Families.

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ISSUE #1:  
STATE WORKFORCE SALARIES

The Georgia economy has flourished over the last year, allowing Governor Brian Kemp to increase the current year’s budget (Amended Fiscal Year 2022, “AFY22”) by 11.3%, bringing the total to $30.3 billion, and provide a healthy revenue estimate for next year in the Fiscal Year 2023 (“FY23”) budget, at $30.2 Billion. Among other appropriations listed in issues throughout this document, drafters have taken advantage of these healthy revenues to try to mitigate the state’s record high employee turnover rate of 23%.

Both budgets also appropriated additional funds and increases to stem even higher turnover rates in certain child-serving categories, such as juvenile corrections officers in the Dept. of Juvenile Justice, nutrition workers and bus drivers in K-12 schools, teachers and assistant teachers in Georgia’s Pre-K program, public health nurses, and others.*

**NOTABLE PRIORITIES**

- **$5,000 cost-of-living adjustment for state employees** (this is the first cost-of-living adjustment for state employees since FY2008)
- **$25.7 million** to allow state employees to withdraw and be compensated for up to 40 hours of accrued leave annually
- **$119.8 million** to increase the employer 401(k) match up to 9% and to prefund a cost-of-living raise for state retirees

**AFY22 BUDGET: SIGNED BY THE GOVERNOR**

**FY23 BUDGET: SIGNED BY THE GOVERNOR**

State revenues declined in FY 2021 due to the COVID-19 pandemic, resulting in a **$950 million** austerity reduction to K-12 education. Revenues started to recover the following year and **$567 million** was restored in the base FY 2022 budget. The AFY22 added the remaining **$383 million** to eliminate the austerity reduction altogether. The FY23 budget continues full funding of the QBE formula to the tune of **$11.8 billion** in state dollars. This amount represents the most state dollars ever spent on K-12 education in Georgia.
ISSUE #2: MOMS AND BABIES

The last few years have brought steady improvements in state awareness, investment, policy and practices regarding pregnant women, mothers and infants. This session continued the trend with meaningful legislation and funding. **Senate Bill 338** extends postpartum Medicaid coverage from the current six months following pregnancy to twelve months and allocates $28.2 million in FY23 to implement.

**POSTPARTUM MEDICAID**

| Nearly 50,000 Georgia women were enrolled in pregnancy Medicaid in 2019. |
| Nationwide, at least one-third of maternal deaths occur in the postpartum period. |

**STATUS OF SENATE BILL 338: SIGNED BY THE GOVERNOR**

Lawmakers also saw fit to appropriate $1.4 million (State plus federal dollars) for donor milk for newborns; nearly $146,000 for two pilot projects for rural maternal health; and $680,000 for a pilot program to perform echocardiograms of pregnant and postpartum women to address maternal mortality. **Senate Bill 496** requires a medical examiner’s inquiry for the death of a pregnant female or for the death a female who was pregnant within 365 days prior to her death (excluding certain circumstances).

**STATUS OF SENATE BILL 496: SIGNED BY THE GOVERNOR**

**Senate Bill 116** passed both chambers in the waning hours of the session’s final day (“Sine Die”). This bill allows for the establishment of “maternity supportive housing residences” to allow nonprofit organizations to house up to six pregnant women aged 18 or older and their minor children for up to 18 months after childbirth. However, the fact that the bill itself explicitly prohibits meaningful state agency oversight, does not require criminal background checks for providers or other relevant parties, does not require housing inspections prior to or during occupancy, and lacks other rules and regulations normally used by child caring institutions or placement agencies to ensure the safe care of children, causes concern among some child advocates.

**STATUS OF SENATE BILL 116: SIGNED BY THE GOVERNOR**
ISSUE #3: BEHAVIORAL HEALTH

Suicide remains the number two cause of death for Georgia’s kids ages 10-17. School disciplinary infractions are on the rise since returning to in-person learning. And, families across the state, with and without health insurance coverage, continue to struggle to find, access and return to mental health help and substance use reduction services, as well as services and supports for children with disabilities.

Georgia, clearly, is in crisis.

Fortunately, stakeholders in all three branches of government recognize the challenge and need for action, as could be witnessed by a plethora of strategy, legislation, and budget allocations resulting from the work by various task forces, study committees and the Governor’s Behavioral Health Reform and Innovation Commission (BHRIC) in recent years.

Legislation passed creating a licensure process for applied behavioral analysis (ABA) therapists (House Bill 412) who serve children with autism; affecting training for those studying to become professional counseling, social work, or marriage and family therapists (House Bill 972); and developing policy for behavioral health professionals to accompany public safety officers on certain calls (Senate Bill 403).

STATUS OF HOUSE BILL 412: SIGNED BY THE GOVERNOR
STATUS OF HOUSE BILL 972: SIGNED BY THE GOVERNOR
STATUS OF SENATE BILL 403: SIGNED BY THE GOVERNOR

GEORGIA IN CRISIS

41% of Georgia’s children ages 3-17 struggle or are unable to access needed mental health treatment and counseling.

108,494 students reported having seriously considered harming themselves in 2019.

An estimated 50-70% of youth in Department of Juvenile Justice long-term facilities have a mental health diagnosis severe enough to require ongoing treatment.
MENTAL HEALTH PARITY ACT

The most comprehensive behavioral health bill of the session, House Bill 1013, is a 76-page bill titled the “Mental Health Parity Act.” This Act sets in place a number of important policies and practices which can change the troubling trajectory of behavioral health challenges countless Georgians face now. In short, the bill:

• Requires insurers to cover behavioral health services at levels comparable to physical health services,
• Secures policy and protocols to develop and expand Georgia's behavioral health workforce,
• Ensures more consumer-friendly service provision and authorization, and
• Encourages and enables more effective and efficient interagency communication, collaboration, and results for all residents with behavioral health needs - especially children and families living in challenging situations or who have particularly complicated needs.

To support such change, lawmakers allocated more than $12 million in the AFY22 budget and well over $96 million in the FY23, all directed to mental health-related services, trainings, and supports for Georgians across a number of agencies. Highlights affecting children and youth include: $400,000 (FY23) to collect practice data on behavioral health providers at the time of licensure or licensure renewal so as to better track workforce needs; $10 million (AFY22) for service cancellable loans for behavioral health degrees; $5.66 million to maintain school-based mental health services through the Georgia Apex Program; $600,000 to help children and teens with social emotional learning and (COVID-related) grief; $10.3 million for 513 additional slots for the New Options Waiver (NOW) and Comprehensive Supports Waiver Program (COMP) for supports for individuals with intellectual and developmental disabilities; nearly $2 million for autism and autism respite care; almost $2 million for provider rate evaluations; and $376,000 to support child and adolescent psychiatry and psychiatric residency programs at Morehouse School of Medicine.

STATUS OF HOUSE BILL 1013: SIGNED BY THE GOVERNOR
ISSUE #4: CHILDHOOD LEAD POISONING

The House Study Committee on Childhood Lead Exposure released its comprehensive report in December of 2021, triggering development, examination and ultimate passage of House Bill 1355. This bill targets childhood lead exposure by updating current Georgia law to comport with the current CDC and EPA guidelines for blood lead levels, significantly lowering the acceptable level from the current measure. This means that children under six who have (newly-defined) elevated blood lead levels will be far more likely to be identified sooner and to receive more timely and responsive mitigation responses. What’s more, the legislature doubled down on their fight against childhood lead poisoning by also including $1.8 million for additional lead inspectors and testing machines for the Georgia Department of Public Health.

STATUS OF HOUSE BILL 1355: SIGNED BY THE GOVERNOR

LEAD POISONING IN KIDS

The Centers for Disease Control recommend intervention for children with a blood lead level of 3.5μg/dL (micrograms per deciliter).

Children under age 6 are at the greatest risk of lead poisoning.

In 2020, 94,484 of Georgia’s children were screened for lead poisoning. Of those 1,942 children had lead poisoning measuring 5μg/dL or more.
ISSUE #5: COVID-19

Current popular beliefs and understandings regarding COVID-19, coupled with the steady return to in-person school, work and public events certainly had bearing on this year’s conversations about whether to require mask-wearing in schools and COVID vaccination requirements for state agency workers.

House Bill 514 prevents any local board of education, local school superintendent, or school administrator, teacher, or other school personnel from making or enforcing any rule that requires a student to wear a face mask or face covering while present on school property unless such a rule allows a student’s parent or guardian to elect for his or her child to be exempt from the rule.

STATUS OF HOUSE BILL 514: SIGNED BY THE GOVERNOR

On a similar note, the governor signed Senate Bill 345, which prohibits any agency from requiring proof of COVID-19 vaccination as a condition of providing any service or access to any facility, issuing any license, permit, or other type of authorization, or performing any duty of the agency.

STATUS OF SENATE BILL 345: SIGNED BY THE GOVERNOR
ISSUE #6: OLDER YOUTH IN FOSTER CARE

While much progress has been made over the years in foster care policy, system-reliant older youth and children with significant behavioral and/or medical challenges nevertheless tend to have a harder time maintaining foster care placements, finding permanent homes, succeeding in school and, once they age out of care, navigating independence. This year, the General Assembly attempted to combat such poor outcomes with policy and targeted budget additions.

House Bill 424 creates tax credits for contributions made by taxpayers to certain foster child support organizations that assist youth who age out of foster care. The amount of tax credits issued by the state would be capped at $20 million per year. This bill received the Governor’s signature in May.

STATUS OF HOUSE BILL 424: SIGNED BY THE GOVERNOR

Unfortunately, other prominent policies for youth in foster care did not make it to the governor’s desk.

House Bill 1234 required a juvenile court to appoint an attorney for any child receiving extended youth care from the Division of Family and Children Services and House Bill 202 authorized the State to cover the cost of drivers education for a person 18-21 years of age who has left foster care.

STATUS OF HOUSE BILL 1234: TABLED IN THE SENATE
STATUS OF HOUSE BILL 202: TABLED IN THE SENATE
On a positive note, the FY23 budget includes $2.5 million to pilot a university summer program to expose high school foster youth to postsecondary options, and $3 million to increase the annual clothing allowance for foster youth by $275 per child. The Department of Human Services also garnered $1.5 million to establish two community action team pilot programs to address children who are in, or at risk of entering, foster care, and the agency was directed to use $6.7 million in existing funds to provide alternatives to the hoteling of children with complex needs. The FY23 budget also committed $30.1 million for a much-needed 10% rate increase for Child Caring Institutions, Child Placing Agencies, foster parents, and relative caregivers (in both DHS and DJJ).

**FOSTER CARE IN GEORGIA**

Nearly 13,000 children are in Georgia’s foster care system.

Annual clothing allowance for children in care is between $311-$415 per year.

Approximately 700 youth age out of foster care every year in Georgia.
ISSUE #7:
PARENT-SCHOOL ENGAGEMENT

Perhaps this year’s most politically contentious fleet of legislation moved through the House and Senate Education Committees. Commonly referred to as the “Divisive Concepts” (or “Anti-Critical Race Theory”) bill, the “Harmful Materials” bill, the “Trans-Athlete” bill, “The Parents Bill of Rights” bill, and the “School Board Meeting” bill, these pieces of legislation, as well as conversations surrounding and resulting from them, could likely affect parent-school engagements moving forward. These bills, all signed into law by Governor Kemp, are as follows:

**House Bill 1084,** among other things, prohibits the teaching of “divisive concepts” (as defined in the legislation) by Georgia’s public K-12 schools, and requires school systems to develop a complaint resolution process for when a parent thinks divisive concepts have been taught. The bill also clarifies conditions under which schools may engage with athletic associations and states that is up to an athletic association to decide whether it is “necessary and appropriate to prohibit students whose gender is male from participating in athletic events designated for students whose gender is female.” If an association determines prohibition is necessary, the athletic association may adopt a policy to respond to the situation.

**STATUS OF HOUSE BILL 1084: SIGNED BY THE GOVERNOR**
House Bill 1178, known as the “Parents’ Bill of Rights”, includes a number of provisions, many of which already exist in current law. Among those in the bill are requirements for schools to develop procedures for a parent to review their child’s records, to learn about the child’s courses of study, to object to instructional materials intended for use in the child’s classroom or recommended by the child’s teacher, and to withdraw the child from any portion of the school’s prescribed course of study in sex education if the parent provides a written objection to the child’s participation.

**STATUS OF HOUSE BILL 1178: SIGNED BY THE GOVERNOR**

On a similar note, Senate Bill 226, requires local boards of education to adopt a complaint resolution policy and process to address complaints submitted by parents/guardians alleging that material (e.g. books, websites, etc.) is harmful to minors has been provided to their student. The bill also requires the Georgia Department of Education to establish a model complaint resolution process policy no later than September 21, 2022.

**STATUS OF SENATE BILL 226: SIGNED BY THE GOVERNOR**

Senate Bill 588 sets in place requirements for school board meeting protocols and procedures, including stating that all meetings of local boards of education must be open to the public except as otherwise provided by law; the board cannot require more than 24 hours’ notice for public to speak at a regular meeting; the chair may limit time and number of individuals speaking; the public may record audio and/or video; and by October 1, 2022, local boards of education must adopt and publish rules of conduct for public meetings.

**STATUS OF SENATE BILL 588: SIGNED BY THE GOVERNOR**
ISSUE #8: RECESS

House Bill 1283, which requires daily recess for students in Kindergarten through 5th grade, passed both chambers overwhelmingly and received the governor’s approval. Studies show that recess and unstructured play can improve learning and academic performance, decrease inappropriate behaviors and, according to some, even help improve a child’s mental health. This bill is a modified version of another bill passed in 2019 but vetoed that year by Governor Kemp.

STATUS OF HOUSE BILL 1283: SIGNED BY THE GOVERNOR

BENEFITS OF PHYSICAL ACTIVITY

Nearly one-third of Georgia’s children aged 10-17 were overweight or obese in 2018.

Studied show a 6% increase in standardized test scores for schools that build physical activity into lessons.

Physical activity increases on-task behaviors and decreases inappropriate behaviors, such as distracting other students.

Learn more: Voices’ Benefits of Recess factsheet
ISSUE #9: COLLEGE COMPLETION

Attempting to ensure even better returns on the state’s significant investments in education from Pre-K onward, the FY23 budget added $25 million in lottery funds to increase the minimum factor rate to 90% for the HOPE Scholarship - Public Schools program and the HOPE Grant, and $4.1 million in lottery funds to increase the award amount for HOPE Scholarship - Private Schools award by 6%.

Additionally, House Bill 1435 passed, which seeks to help eligible part-time and full-time undergraduate students who experience a financial aid gap and need a little more funding to finish school. A “financial aid gap” is defined as the monetary amount remaining after other funding for the cost of attendance certified by a qualified institution. Eligible students are those who have completed the Free Application for Federal Student Aid (FAFSA), who are eligible for a scholarship or grant, and who have completed 80% of the credit requirements toward the credential of their study program. Qualified institutions include all University System of Georgia schools, Technical College System of Georgia schools, and non-proprietary institutions eligible for Tuition Equalization Grants. The bill clarifies the maximum award amount to be $2,500 in total per each eligible student. HB 1435 has a sunset date of June 30, 2025.

STATUS OF SENATE BILL 1435: SIGNED BY THE GOVERNOR
ISSUE #10: RAW MILK

One topic of much discussion was the passage of House Bill 1175, which authorizes and regulates the production, handling, transporting, and sale of raw (unpasteurized) milk and raw milk products by the milk producer for human consumption. Raw milk is not to be sold for human consumption wholesale or by entities other than the producer.** The bill was also amended on Sine Die to clarify provisions relating to testing opioids for synthetic materials by declaring that “testing equipment used to determine whether a controlled substance has been adulterated and contains a synthetic opioid shall not be considered a drug related object”.

“Despite the new legality of the sale of raw milk, it is important to note that its consumption can be particularly dangerous and possibly deadly – especially for small children and vulnerable adults – since the lack of pasteurization permits the growth of toxic bacteria within. Fortunately, federal regulations do not allow early childhood education centers or providers to serve raw milk or raw milk products.

STATUS OF HOUSE BILL 1175: SIGNED BY THE GOVERNOR