

Rule 375-5-6-.08 Program Director Application, Certification, and Recertification Requirements

(1) **Certification required.** No Person may direct a Program without first being certified by the Department.

(2) **Application for Program Director.**

- (a) All applications for Program Director shall be submitted on forms prepared by the Department, following a procedure outlined by the Department.
- (b) All applications for Program Director shall include all information and fees; and shall be truthful, accurate and complete.

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~~(c)~~ All Applicants must undergo a national and state fingerprint-based criminal background check utilizing a method prescribed by the Department.

~~(d)~~ All Applicants for Program Director shall submit to the Department the following supporting materials, in addition to the completed Program Director application:

- 1. A notarized Consent for Background Investigation Form;
- 2. His or her official transcripts or a copy of diploma from an accredited college or university, if applicable;
- 3. A copy of his or her high school diploma or GED, if applicable;
- 4. Proof that he or she successfully observed the 20-hour Intervention component. The Department may waive this requirement if the Applicant is certified as a Program Instructor;
- 5. A notarized letter of appointment from a Program Owner;
- 6. A notarized confidentiality statement affirming that he or she will hold the identity of Student and Program records confidential; and

~~(e)~~ The Department may require any Applicant applying for Program Director Certification to submit additional information or verification that is reasonably related to making a determination regarding Certification;

~~(f)~~ After receipt of a completed application evidencing that the Applicant for Program Director has met the qualifications requirements set forth in Ga. Admin. Comp. Ch. 375-5-6-.05, and provided all other Program requirements have been met, the Department shall issue a Certification for Program Director.

(3) **Temporary Director Certification.** The Department may issue a temporary Program Director Certification pending completion of the background investigation, provided all other requirements for initial Program Director Certification have been met. Said temporary Certification shall expire on the ninety-first day following issuance, unless the application is denied, in which case the temporary Certification shall be deemed to have been cancelled by operation of law. Temporary Program Director Certifications may be renewed at the discretion of the Department.

(4) **Recertification requirements.**

- (a) ~~A Program Director shall remain certified for a period of four (4) years; provided, however, the Program Director remains in compliance with Program Requirements.~~
 - (b) ~~At the end of the four (4) year certification period, each Program Director is required to apply to the Department for recertification, by following a procedure prescribed by the Department.~~
 - (c) ~~Applications for Program Director recertification shall be submitted to the Department no more than 90 days, and no less than 30 days, prior to the expiration date of the existing Certification.~~
 - (d) ~~Any Program Director whose Certification has expired shall not direct act in his/her official capacity until a completed recertification application has been submitted to and approved by the Department. If a Program Director's Certification has expired, and remained expired for a period of more than one (1) year, a new application is required and the Certification process, as outlined in this chapter and 375-5-6-.05, shall be followed.~~
 - (e) ~~The Department may require any Program Director that is applying for recertification to submit additional information or verification that is reasonably related to making a determination regarding recertification.~~
- (5) ~~If, within six (6) months of the time that a person applies for issuance or renewal of his or her certification as a program director, he or she has undergone a background investigation for issuance or renewal of his or her certification for another program regulated by the Department, he or she shall not be required to submit new fingerprints, and the Department shall utilize the criminal history information obtained from that investigation in considering the person's eligibility for issuance or renewal of his or her certification as a program director.~~

Authority: O.C.G.A. Secs. ~~§§~~ 40-5-82, 40-5-83.

SYNOPSIS

STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE

The purpose of this repeal is to update the DUI Alcohol or Drug Use Risk Reduction Program rules. This rule references the process for directors. The Director requirement was eliminated from the DUI Risk Reduction Program effective January 16, 2024. Eliminating the requirement streamlines DDS processes and simplifies the process for program owners. Programs can still have this position as part of their staffing structure, but there is no longer an application for certification or recertification by DDS which is why we are requesting the repeal of the rule.

DIFFERENCE BETWEEN EXISTING AND PROPOSED RULES

The proposed amendment would repeal the current rule in its entirety.