

	<b>GEORGIA DIVISION OF FAMILY AND CHILDREN SERVICES CHILD WELFARE POLICY MANUAL</b>			
	<b>Chapter:</b>	(19) Case Management	<b>Effective Date:</b>	TBD
	<b>Policy Title:</b>	Paternity Testing		
<b>Policy Number:</b>	19.32	<b>Previous Policy #:</b>	N/A	

**CODES/REFERENCES**

**REQUIREMENTS**

- The Division of Family and Children Services (DFCS) shall:
1. Initiate paternity testing to identify or verify fathers and paternal relatives to inform and/or support decision making regarding placement and/or permanency, safety, and case planning;
  2. Refer for Deoxyribonucleic acid (DNA) paternity testing under the following circumstances:
    - a. When ordered by court;
    - b. To identify permanency resource options (i.e., guardianship, or Termination of Parental Rights (TPR) for children in foster care;
    - c. Requests made during family preservation services;
    - d. Requests to prevent the placement of a child into foster care;
    - e. Others as needed.
- NOTE:** *When a child enters care, Georgia SHINES automatically sends referrals to the Division of Child Support Services (DCSS) for all IV-E eligible children (see policy [9.12 Eligibility: Child Support](#)).*
3. Complete a service authorization to initiate DNA paternity collection and testing;
  4. Use only approved vendors for DNA paternity testing;
  5. Obtain a court order to obtain DNA paternity testing for incarcerated alleged parents;
  6. If a DNA sample from an alleged parent is not available due to them being deceased, obtain a court order to use available DNA samples (from the medical examiner, funeral home, coroner, etc.);
  7. Determine, on a case-by-case basis, whether to initiate a family case study when a DNA sample is not available from an alleged parent to determine paternity;
  8. Document all requests for DNA paternity testing and results in Georgia SHINES;
  9. Adhere to confidentiality and HIPAA provisions outlined in policies [2.6 Information Management: Confidentiality/Safeguarding Information](#) and [2.5 Information Management: Health Insurance Portability and Accountability Act](#).

**PROCEDURES**

- The Social Services Case Manager (SSCM) will:
1. Make an e-mail request to the Regional Webmaster and local DNA Collector with the DNA collection and testing request, service authorization and court order (if needed):
    - a. Complete a service authorization:
      - i. Date service authorizations to allow a minimum of 30 days or a maximum of 90

days coverage, depending on local county/regional preference;

**NOTE:** All collections must have a valid updated service authorization as required.

- ii. Use funding source PUP (see policy **18.3 Support Services to Prevent or Reunify Families: Prevention of Unnecessary Placement (PUP)**); and **COSTAR Manual**;
  - iii. List all parties needing testing in the persons referred section.
2. If the alleged parent is incarcerated:
    - a. Refer e-mail request for DNA collection and testing to the Regional Webmaster;
    - b. Complete a service authorization dated with 90 days of coverage;
    - c. Obtain a court order requesting paternity DNA collection and testing on the alleged parent.
  3. If the alleged parent is deceased:
    - a. Work with the Regional Webmaster to obtain the DNA sample from medical examiner, funeral home, coroner's office, etc. If a DNA sample is available:
      - i. Obtain a court order stating the authorized testing vendor has permission to collect the sample from the named facility;
      - ii. Submit a service authorization dated 90 days of coverage or more, if needed;
      - iii. Submit the court order and the service authorization to the Regional Webmaster for further processing.
    - b. If a DNA sample is not available from above sources, consult with the Regional Webmaster or In-Home Support Services Director to determine the appropriateness of initiating a family case study.
  4. Upon receipt of the DNA test results from the Regional Webmaster:
    - a. Review the results with the SSS, to determine how the results might impact case decision-making regarding safety and case planning, placement, or permanency options.
    - b. Explain the results to the alleged parent.
  5. Document all requests for DNA paternity testing and results in Georgia SHINES:
    - a. Upload the results to External Documentation within 72 hours;
    - b. Enter a Service Authorization to pay for Paternity Testing;
    - c. Once paternity is established user should select Paternity Established Checkbox in Person Detail;
    - d. If paternity is established, relationship should be changed from Putative to Biological Father.

The Regional Webmaster will:

1. Schedule the DNA collections and testing with the approved DNA testing vendor;
2. Provide the SSCM and SSS with the test results;
3. Schedule out-of-state DNA collections and testing;
4. Schedule DNA collection and testing for incarcerated alleged parents;
5. Invoice DNA testing;
6. Initiate family case study with In-Home Support Services Director, as needed;
7. Review and update the DFCS Well Being Support Services SharePoint site as needed to reflect any changes to the local DNA Collection process, such as changes to DNA Collectors;
8. Use the DNA SharePoint site to track DNA collector activity, to track any missing DNA specimens, and to ensure the SharePoint site is up to date;
9. Serve as a resource for local DNA Collectors and county staff on Paternity DNA testing

issues.

The DNA Collector will:

1. Collect DNA samples. Samples may be collected at the local DFCS office, the individual's home, or the local court.  
**NOTE:** Collector safety should be considered when determining location for sample collection.
2. Follow guidelines for submitting photos if a sample is collected at the local court or the client's home, including:
  - a. Write the client's full name, DOB, date, signature of client, and the collectors initials on a blank sheet of paper;
  - b. Have the clients hold the paper during the photo;
  - c. Take a picture with an approved camera.
3. Update records of collection and shipment to vendor in the Well-Being Paternity SharePoint website;
4. Share DNA collection and testing information with the Regional Webmaster via Well-Being Paternity SharePoint site or email.

The SSS will:

1. Provide guidance to SSCM regarding when and how to seek DNA paternity testing;
2. Ensure the service authorization is completed timely and allows for the appropriate coverage time based on the case circumstances;
3. Ensure referrals to DNA Collectors and Regional Webmaster are completed timely and according to the established processes;
4. Ensure that requests for court orders are initiated when needed for DNA paternity testing;
5. Review paternity testing results with the SSCM during supervisor staffing, including discussing how the results might impact case decision making regarding safety and case planning, and placement or permanency options including TPR;
6. Participate in any family case study consultation, as needed.

## **PRACTICE GUIDANCE**

### **DNA Paternity Testing**

DNA paternity testing provides scientific evidence of whether an individual is a child's biological father. Paternity is determined by comparing the child's DNA with the DNA profile of the alleged father.

The most common DNA paternity sample type is a "buccal swab". This sample is collected using a cotton swab that is gently rubbed on the inside of the cheek. Blood samples are also acceptable.

**NOTE:** At-home paternity tests are not considered legal evidence of paternity.

DNA paternity testing can be especially important when the rights and duties of the father are an issue and a child's paternity is in doubt. Tests can also determine the likelihood of someone being a biological grandparent or other relative. This information can be critical in decision making in many areas including but not limited to identifying extended family/kinship resources, safety and case planning, child placement and permanency including TPR.

DNA paternity testing is critical as the percentage of births to unmarried mothers has increased from 4 percent of total U.S. births in 1950 to more than 40 percent each year since 2008, and there has been a corresponding rise in the number of biological fathers who are not married to their children's mothers. As society has become more accepting of nonmarital children, birth fathers have sought to establish their rights to their children—including whether to parent their children, sustain a relationship with them, and exercise consent in the adoption process. (Child Welfare .gov: "The Rights of Unmarried Fathers").

### **DNA Collectors**

Each region has the freedom to establish what the DNA Collection process looks like for their region. As part of this process, each county is expected to have a minimum of two staff trained as DNA collectors, though counties may have as many DNA collectors as needed to handle their volume of referrals. As staff assigned to be DNA Collectors may change, an updated list of current DNA Collectors may be found at the Well Being Paternity SharePoint site. To identify the current local DNA Collector, the SSCM may request a current DNA Collector Directory from their Regional Webmaster or the In-Home and Support Services Director.

**NOTE:** Local DNA Collectors may be anyone identified within the county, including SSCMs, Office Managers, Administration Support Staff, or others.

### **Regional Webmasters**

The Regional Webmasters work closely with the In-Home and Support Services Director to coordinate most aspects of DNA collection and testing. They serve as a resource for the local DNA Collectors, as well as SSCMs and SSSs. The DNA collection and testing work of the local DNA Collectors is monitored and supervised by the Regional Webmasters and the In-Home Services Director. The Regional Webmasters monitor and schedule all DNA collection and testing, coordinate special circumstances such as out of state or incarcerated alleged parents, initiate family case studies as needed, and ensure the data on the Well-Being Paternity Testing SharePoint Site is current. SSCMs may identify their Regional Webmaster through their local DNA Collectors or by contacting the In-Home and Support Services Director.

### **Out-of-State Requests**

Occasionally alleged fathers or members related to the case may reside in other states and will require DNA testing.

**NOTE:** We cannot honor other state requests unless there is DFCS involvement in GA. Occasionally alleged fathers or members related to the case may reside in other states.

In these cases:

1. DFCS will submit request through the Regional Webmaster;
2. The approved testing lab will honor all requests for all out of state alleged parents;
3. The DNA from the local child should be collected by the local DNA Collector in accordance to the DFCS protocol described in the "Type of Cases for Referrals" Section.

**NOTE:** This includes paternity test requests from other countries.

### **Incarcerated Alleged Parents**

There will be occasions when DFCS needs to establish paternity for alleged parents who are incarcerated. Incarcerated means confined at a local, city, or county jail, or state and federal prison.

If DNA samples are needed from incarcerated parties, it is not necessary for the DFCS DNA collector to visit local jails or prison to collect samples. The approved testing lab will collect all incarcerated alleged parents' DNA and it is not required to have the alleged parent brought to local court for collection. The approved testing lab will ensure these requests are handled properly.

In these cases, the Regional Webmaster will request DNA collection and testing services through the approved testing company's web portal. Each request will include:

1. A service authorization dated with 90 days of coverage.
2. Court order requesting paternity testing collection on the incarcerated alleged parent.
3. Inmate Number.

### **Deceased Alleged Parents Request**

If the alleged parent is deceased, there are steps we can take to determine paternity. First, determine if an existing DNA sample is available at the medical examiner's office, funeral home, coroner's office, etc. If so, the SSCM will:

1. Obtain a court order stating the DNA Collector has permission to collect the sample from the named facility (medical examiner, funeral home, coroner's office, etc.).
2. Submit a service authorization dated 90 days of coverage or more.
3. Submit these requests to the Regional Webmaster for further processing.
4. The DNA sample from a child will be collected by the local DNA Collector.

### **Family Case Study**

There may be occasions when a DNA sample is not available from an alleged parent due to the parent being deceased. In these cases, it may be determined a Family Case Study is needed. A Family Case Study is done by testing two or more biological family members of the alleged parent. Each Family Case Study is unique to each family and requires consultation with the In-Home and Support Services Director and/or the Regional Webmaster before proceeding.

While this type of testing is not as accurate as the traditional father-child testing method, it can still be used to determine paternity with a high degree of accuracy. Simply put, the more people tested, the higher the chances of getting the best level of accuracy.

**NOTE:** Family case studies should not be used for non-cooperative parties.

### **Well-being Paternity Testing SharePoint Resource Site**

The In-Home and Support Services Director manages a Paternity Testing SharePoint site for DNA Collectors and Regional Webmasters. All DNA collection data must be entered into this SharePoint site on an ongoing basis. Any DNA Collector or Regional Webmaster needing access should contact the In-Home Services Director for an access link.

The purpose of this SharePoint site is to provide a resource for all DFCS DNA collection and testing, and to be a central data point for use by DNA Collectors and Regional Webmasters to record and monitor all DFCS DNA collection and testing activities.

The SharePoint site has the following sections:

1. Directory of local DNA County Collectors by county and region, including names and

contact information.

2. Directory of Regional Webmasters by county and region, including names and contact information.
3. Weekly collection log. This is the data point resource where the Regional Webmaster and local DNA Collector record all collection and testing information. The DNA Collectors are responsible for entering basic DNA collection and testing information, while the Regional Webmaster enters the date results are received and paternity status (e.g., “paternity established”).

In addition, the SharePoint site has a “Tips” section where any collection or testing issues identified by the In-Home Services Director and/or Regional Webmasters may be addressed.

<b>FORMS AND TOOLS</b>
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