

INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN (ICPC)

This law is designed to protect the best interests of children who are being placed outside of the state where they currently reside.

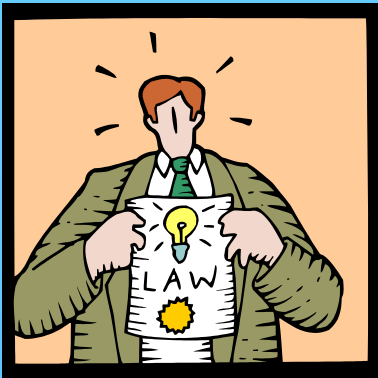


Minnesota Department of **Human Services**



The Compact....

- Provides the sending agency the opportunity to obtain home studies and an evaluation of the proposed placement;
- Provides for the legal, financial and administrative responsibilities during the time of the interstate placement;
- Provides a basis for enforcement of rights and responsibilities of the sending and receiving parties; and
- Provides the sending agency the opportunity to obtain supervision and regular reports on the child's adjustment, progress, and any difficulties with the placement.



Regulations

There are currently 11 Regulations within the ICPC. These regulations help to guide the daily practice of the ICPC and help to maintain consistency throughout the members.

Regulation No. 1



Conversion of Intrastate Placement into Interstate Placement: Relocation of Family units

Applies when a family caring for a child whose placement is applicable to the ICPC moves to one compact state from another

- The sending state will submit a Regulation 1 request to their ICPC providing as much information as possible concerning the location and character of the family home.
- If the family holds a foster care license in the sending state, that license should be honored until such a time the family becomes licensed in the receiving state.
- The initial home study must be completed within sixty (60) days.
- Supervision by receiving state to begin within thirty (30) days of receipt of notice that child is residing in receiving state.

Regulation No. 2

Placements with Parents, Relatives, Non-agency Guardians, and Non-family settings

- **Placement of a child requires compliance with the Compact if such placement is with either of the following:**
 - **Placement for public adoption**
 - **Placement into foster care and/or with parents, or relatives**

Regulation No. 2

(continued)

- Applies to cases involving children who are under the jurisdiction of a court for abuse, neglect or dependency, as a result of action taken by a child welfare agency.
 - Children not yet placed with prospective placement resource;
 - Change of status for children who have already been placed with ICPC approval: ie – upgrade from unlicensed relative to a licensed foster home.
 - Child already placed without ICPC approval – placed in violation of ICPC with the sending state bearing full liability and responsibility for the safety of the child
- Newest provision within Regulation 2 (effective 10/1/11) is the required Case Manager Statement, copy of birth certificates and verification of Social Security numbers

Regulation No. 3

Definitions and Placement Categories: Applicability and Exemptions

Regulation No. 3 has a list of 70 defined terms that are used throughout the Compact.

- ***Concurrence to discharge:*** is when the receiving ICPC office gives the sending agency written permission to terminate supervision and relinquish jurisdiction of its case pursuant to Article V leaving the custody, supervision and care of the child with the placement resource.
- ***Emergency placement:*** a temporary placement of 30 days or less in duration.

Definitions, con't

- **Placement:** the arrangement for the care of a child in a family free, in a boarding home or in a child-caring agency or institution, but does not include any institution caring for the mentally ill, mentally defective or epileptic, or any institution primarily educational in character, and any hospital or other medical facility.
- **Relative:** A birth or adoptive brother, sister, stepparent, stepbrother, stepsister, uncle, aunt, first cousin, niece, nephew, as well as relatives of half blood or marriage and those denoted by the prefixes of grand and great, including grandparent or great grandparent, or as defined in state statute for the purpose of foster and or adoptive placements.

Regulation No. 4

Residential Placement

Residential facility or residential treatment center or group home as defined in Regulation No. 3 is:

A facility providing a level of 24-hour, supervised care that is beyond what is needed for assessment or treatment of an acute condition. For purposes of the Compact, residential facilities do not include institutions primarily educational in character, hospitals or other medical facilities.

Regulation No. 6

Permission to Place Child: Time Limitations, Reapplication

- Placement approval is given for a period of 6 months from the date the 100A is signed. If placement is not made within that time, the ICPC case is closed and a new request must be submitted.
- If placement is intended after 6 months, a new 100A and cover letter must be submitted through ICPC. The letter should request an extension on placement approval and note the reasons for the delay in placement.

Regulation No. 7 – Expedited Placement Decision



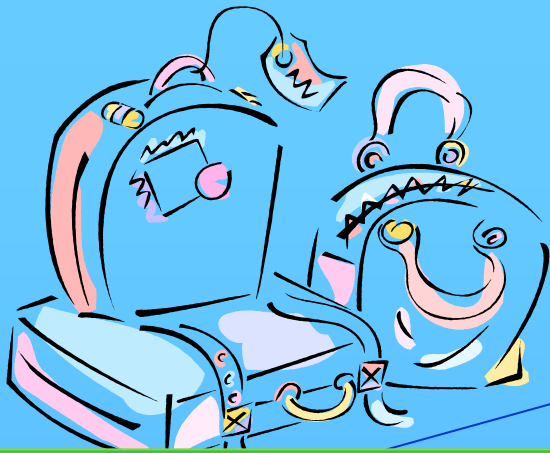
- **The court in the sending state must determine that a priority placement is required – a court order must be prepared. The child must be under the jurisdiction of a court as a result of action taken by a child welfare agency. The child must no longer be in the home of the parent/person from whom the child was removed, and the potential resource in the other state is a parent, stepparent, grandparent, adult uncle or aunt, adult brother or sister, of the child’s guardian.**

Regulation No. 7 –

Expedited Placement Decision

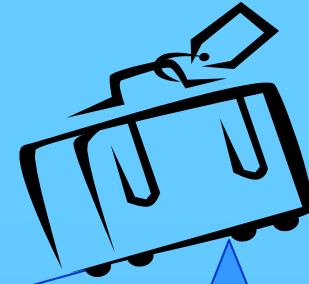


- The court order is only valid if it contains one or more of the following circumstances:
 - Unexpected dependency due to a sudden or recent incarceration, incapacitation or death of a parent/guardian; or
 - The child to be placed is four (4) years of age or younger, including siblings to be placed with the same proposed placement; or
 - The court finds that any child in the sibling group sought to be placed has a substantial relationship with the proposed resource; or
 - The child is currently in an emergency shelter.
- A placement determination must be made as soon as possible, but no later than 20 business days from the date the request was received by the receiving state.



Placement

- A proposed stay of longer than 30 days
- A short visit with the hope or intention to place
- From the circumstances, the duration of the stay is not clear
- From the onset, the stay does not have a termination date

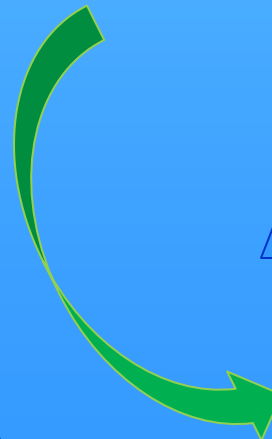


Visit

- Shall not be extended beyond 30 days

- A social experience of short duration

OR



**Think:
Purpose/Duration/Intention**

Regulation No. 11

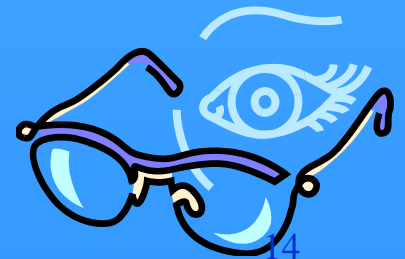
Responsibility of States to Supervise Children

When a child is placed in an approved placement and receiving state is notified with receipt of a 100B, monthly supervision must begin

- Visits can and should begin before receipt of the 100B, if receiving state has been informed by other means that the child has been placed.

Every 90 days, monthly visits must be summarized in a progress report and sent to your states ICPC office, unless requested sooner by the sending state

- Must include face to face visits
- Must be signed by the supervising worker
- Must include dates of contact



Regulation No. 12

Private/Independent Adoptions

Effective, October 1, 2012, this regulation provides guidance and ICPC requirements for the processing of private or independent adoptions.

- **Enacted to ensure protection and services to children involved in executing adoptions across state lines.**

ICPC Requests Fall under 7 Categories

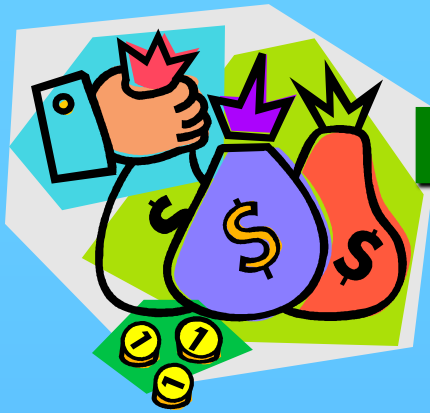
1. Parent
2. Relative
3. Foster Care
4. Group Home
5. Adoption
6. Residential Treatment Facility
7. International Adoption



Parent Placement

Parent home study requests are made through the ICPC when unification or reunification is to occur in another state whenever a court has jurisdiction over a child who is being placed.





Financial/Medical Responsibility

A financial/medical form – must be submitted with each ICPC request and must indicate:

- **That the sending state is financially responsible for the child/ren**
- **What type of financial assistance the placement resource will receive**
- **If the child/ren is IV-E eligible**
- **What type of medical coverage the child will be eligible to receive**



ICPC Request Process

Sending Agency:
Public or private
agency, or court

Completes 100A and requests home study.
Submits this along with supporting documents



Sending State
ICPC administrator

Reviews packet for completeness and for
Compliance with sending state laws



Receiving State
ICPC administrator

Reviews packet for completeness and compliance
with receiving state laws and rules. Requests
the local agency review the proposed placement.



Local Agency in
receiving state

Conducts home study assessment and makes recommendation on the
suitability of the proposed placement.

If placement is approved by receiving state, the
home study is reviewed and a placement
determination is made.



Reviews packet for completeness and for
compliance with sending state laws.



Reviews packet for completeness and for
compliance with receiving state laws and rules.
Reviews recommendation and approves or
denies placement.



ICPC vs. ICJ

“What is the difference between them, and how do I know which Compact to use?”

- If the youth is an adjudicated delinquent, runaway, or under court ordered supervision/probation pursuant to JIPS finding or consent decree **AND** placed with a relative out of state, use ICJ.
- If the placement is with a Residential Care Center, licensed relative, adoptive or foster home in another state, the request should go through ICPC.
- If the youth is on both CHIPS and JIPS order, the placement should be requested through ICPC.

What to do when there are concerns with a placement

- **Contact your state ICPC office – contact will be made with the corresponding state’s ICPC office**
- **Contact the children’s case manager from the sending state to discuss concerns**
- **If there is health and safety concern that may pose a threat to the children in care, contact your local child protection immediately**

Other Compacts

Interstate Compact on Juveniles (ICJ):

(JIPS Transfer of supervision/probation for delinquents to relatives only)

Rose Ann Bisch, Dept. of Corrections

Interstate Compact on Juveniles

1540 Energy Park Dr. Suite 200

St. Paul, MN 55108-5219

Roseann.bisch@state.mn.us

Phone: (651) 361-7321 Fax: (651) 917-4768

Interstate Compact on Mental Health (ICMH):

(Placement in public mental health facilities/institutions)

Interstate Compact Coordinator

State Operated Services Support

Minnesota Department of Human Services

444 Lafayette Road North

St. Paul, MN 55155-3826

Other Compacts, con't

Interstate Compact on Adoption Medical Assistance (ICAMA)

Deputy Compact Administrator

Paulette Lonzo

(651) 431-4716



International Home Studies

If a home study is required on an international resource, you must privately contract through International Social Services (ISS) – not through ICPC.

International Social Services:

- Is a non-profit, international social work agency based in Geneva
- Works in 150 countries on 6 continents
- Does not need to complete studies in Puerto Rico, Guam or Samoa, as these can be covered by ICPC

Contact Information:

ISS – United States American Branch

700 Light Street

Baltimore, MD 21230-3850

(410) 230-2734 Fax: (410) 230-2741

Website: www.iss-usa.org

Minnesota ICPC Staff

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<http://icpc.aphsa.org/Home/states.asp>