

Interstate Compact on Placement of Children

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703 Interstate Compact on Placement of Children

Major objectives:

To assure children who are placed across state lines receive adequate protection and support services. Child and Family Services will adhere to the Interstate Compact on Placement of Children (ICPC).

Applicable Law

Utah Code Ann. [§80-2, Part 9](#). Interstate Compact on the Placement of Children.

703.1 General ICPC Information

A. What is ICPC:

1. The ICPC is a statutory agreement between all 50 states, the District of Columbia, and the U.S. Virgin Islands.
2. The ICPC is a contract among member states and U.S. territories authorizing them to work together to ensure that children who are placed across state lines for placement, foster care, or adoption receive adequate protection and support services.
3. The ICPC establishes procedures for the placement of children and responsibilities for agencies and individuals involved in placing children.
4. ICPC ensures that prospective placements are safe and suitable before approval, and it ensures that the individual or entity placing the child remains legally and financially responsible for the child following placement.

B. What ICPC Provides:

1. A home study and an assessment of the potential placement to ensure protection and supportive services for the child are sufficient and appropriate.
2. Financial and medical plans to be put in place. This may include such resources as Temporary Assistance to Needy Families (TANF), Specified Relative Grant, Medicaid, or foster payments.
3. The sending agency retains court jurisdiction.

C. Who Does ICPC Apply To:

1. Any child who is in the temporary custody of DCFS.
2. Any child who may be under DCFS court jurisdiction, but in a temporary kinship placement.
3. Foster care placements, including foster homes, group homes, and residential treatment facilities.
4. Placements with parents and relatives.
5. Placements into prospective adoptive homes.
6. Any child coming from another state, in the custody of a parent or the custody of another state, who is seeking placement in a residential treatment center.

- D. Who Does ICPC Not Apply To:
1. Placements made in medical (hospital) or mental health facilities.
 2. Placement of a child who is NOT in the custody of DCFS, is made by and/or to a parent, stepparent, grandparent, adult brother or sister, adult aunt or uncle, or child's guardian.
 3. Divorce or custody procedures where DCFS is NOT involved.
 4. Children placed outside of the country.
 5. For children in the custody of DCFS, out of state visits with family may occur without ICPC intervention if the visits are no longer than 30 days.
- E. What is NEICE:
1. The National Electronic Interstate Compact Enterprise (NEICE) is a national electronic system for quickly and securely exchanging all the data and documents required by the ICPC to place children across state lines.
 2. If a state does not participate in the NEICE database, ICPC offices coordinate through secure email.

703.2 Request for Out of State Placement

- A. The caseworker shall initiate the request for an ICPC by:
1. Completing the ICPC packet including forms generated from within the electronic case.
 2. Sending the packet to the region ICPC specialist for review.
 3. Ensuring the region ICPC specialist sends it to the state office ICPC coordinator to submit to the other state.
- B. Regulation 2 (Parent, Relative, Foster, or Adoptive Home Study Requests):
1. Receiving State shall provide a safe and timely Interstate Home Study Report (Preliminary Report) within 60 calendar days after receiving request.
 2. Final approval or denial shall be provided to the Sending State within 180 calendar days. This six-month window is to accommodate licensure and/or other Receiving State requirements.
 3. Approvals are good for six months.
- C. Regulation 7 (EXPEDITED Parent or Relative Home Study Requests):
1. Receiving State should provide expedited placement decision no later than 20 days from receiving the request.
 2. Applies to child four years old and younger, which includes a sibling group if at least one child is four years old or younger.

- D. Important Things to Remember:
 - 1. Placement cannot be made until we have received the APPROVED 100A form and a completed Home Study from the Receiving State ICPC Office.
 - 2. Children must be in State Custody in order to be placed on an approved ICPC.

703.3 Request for Child Coming into Utah for Placement

- A. Receive ICPC Home Study request packet from requesting state (NEICE or email) and process request.
- B. Assign a region worker to complete requested home study in accordance with the home study timeframes in Section 703.2.
- C. Once the home study is completed, the region caseworker will send the home study to the region ICPC specialist to review.
- D. The region ICPC specialist will send it to the state office ICPC coordinator.
- E. ICPC state office coordinator sends the approval or denial of the home study to the requesting state.
For ICPC Parent home studies only:
If the background screening determination is a denial, the home study shall still be completed and forwarded to the sending state, along with detailed background screening results. The home study will still be designated as denied, and the following language shall be included: "The ICPC is hereby denied due to issues with the individual's background screening. A home study was still conducted and may be used by the requesting agency or state as needed."
- F. Requesting state sends a 100B form when placement is made. ICPC state office coordinator sends to the region ICPC specialist who assigns a courtesy worker.

703.4 Responsibilities of a DCFS Caseworker

- A. Caseworkers may correspond directly with the assigned caseworkers in other states.
- B. Upon identification of a potential out-of-state placement, the caseworker shall speak with the family directly to determine their interest and willingness to become an ICPC placement.
- C. During the home study process, the caseworker shall maintain contact with the proposed placement.

- D. The caseworker shall submit a completed ICPC packet to the region ICPC coordinator, who will review it for accuracy and completion.
- E. Once the placement is approved and the child is placed, the caseworker shall establish and maintain contact with the assigned supervision worker and placement family in the other state.
- F. If there are significant changes in the case, the caseworker will contact the Region ICPC Coordinator to assist them. The region ICPC coordinator will contact the other state on behalf of the caseworker.
- G. Before reaching out to the State ICPC Unit about an update on the request, the caseworker will reach out to their region ICPC coordinator. Their region ICPC coordinator will reach out to the other state on their behalf.

703.5 Responsibilities of a Region ICPC Specialist

- A. Incoming Cases:
 - 1. Conduct the home study for an incoming ICPC case or assign it to another worker for completion, as appropriate.
 - 2. Provide information regarding status, concerns, or requests for additional document(s) needed for processing the home study to the State ICPC Unit.
 - 3. Upon completion of the home study, provide recommendations for child placement to the State ICPC Unit.
 - a. When a child from another state is placed in Utah, provide or assign courtesy supervision to a caseworker.
 - b. Assure that the assigned caseworker provides timely progress summaries to the other state.
- B. Outgoing Cases:
 - 1. Uploaded directly into NEICE:
 - a. 100A as a separate document.
 - b. The remainder of the packet, as one document.
 - c. Message State ICPC Unit directly in NEICE to inform the State ICPC Office there is a new request to be processed. They will message you back in NEICE to acknowledge receipt.
 - 2. All states NOT participating in NEICE must receive documents via email. Email the following documents to the State ICPC Unit at: dcfs_icpc@utah.gov.
 - a. 100A as a separate attachment in the email.
 - b. The remainder of the packet, as one document, to the same email.
 - 3. Provide support, direction, and assistance to the caseworker as they compile information for the ICPC home study request to submit to another state.

4. Review every ICPC packet to assure that it is accurate and complete before sending it to the State ICPC Unit.
5. Upload any messages or inquiries, to the other state, into the NEICE database on behalf of the caseworker, and the State ICPC Office will forward the message to the other state.

703.6 Responsibilities of a State Office ICPC Coordinator

- A. Correspond with ICPC administrators in other states.
- B. Develop and provide ICPC training as requested to employees, attorneys, and community partners.
- C. Maintain the ICPC State Page on the national website.
- D. Respond to emails and phone calls to provide general information, problem solve, and assist.
- E. Develop and maintain ICPC practice guidelines and administrative guidelines.
- F. Process incoming ICPC requests from other states. [*See: Incoming Cases above.*]
- G. Process private agency adoption requests, both incoming and outgoing.
- H. Provide assistance for the ICAMA cases (medical).
- I. Create the “In Home Study” case in SAFE.
- J. Manage data and ICPC reports for GRAMA.
- K. Maintain an electronic archive of cases.
- L. Process Residential Treatment Center requests.
- M. Process ICPC emails and monitor the State ICPC email account.
- N. Respond to unregulated custody transfer and work closely with the Assistant Attorney General.