

THE PHILADELPHIA DEPARTMENT OF HUMAN SERVICES
Children and Youth Division
Policy and Procedure Guide (revised 2009)

Issue Date: 9/1/2009

TO: CYD Social Work Staff

FROM: Dell Meriwether, Deputy Commissioner, Children and Youth
Pamela Mayo, Operations Director

RE: Use of the Interstate Compact on the Placement of Children (ICPC)

Effective: Immediately

Purpose

This guide provides policy and procedures for placement of children with relatives and in residential facilities out-of-state, **as well as placement of children from other states into Philadelphia**. It addresses only dependent children. It has been revised in light of the requirements of the Safe and Timely Interstate Placement of Foster Children Act of 2006, P.L. 109-239. The act does not apply to residential placements through ICPC.

Discussion

The Interstate Compact on the Placement of Children (ICPC) governs the arrangement of all placements of children who cross state boundaries. Its purpose is to ensure cooperation between states in the interstate placement of children so that children are placed with appropriate, qualified persons or institutions. It allows for the opportunity to evaluate the circumstances of the proposed placement before it is made and ensures that supervision of the placement will be provided. All fifty states are members of the Interstate Compact. U.S. territories must also comply with the regulations of the ICPC. Puerto Rico is an unofficial member of the compact, but placements there are treated the same as with other compact members.

This guide replaces "Use of the Interstate Compact on the Placement of Children (ICPC)" issued November 21, 2005.

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POLICY: Use of the ICPC

It is the policy of DHS to comply with all provisions of the ICPC. No CYD committed child shall be placed in another state without prior authorization from the Interstate Compact Office. An Interstate Compact request is required for any child committed to the Department to:

- request an out of state placement
- evaluate an out of state location where a child will be staying temporarily
- evaluate the home of a parent or relative in another state (including kinship caregivers)
- approve placement in an out-of-state foster home that is under the supervision of a DHS contracted agency
- evaluate a private provider foster home that is relocating from Pennsylvania to another state.
- any other circumstance where a child is moving out of state and the situation should be evaluated and followed.

The ICPC is also used for any child being placed in Pennsylvania from another state, for any purpose. If a child is placed in violation of the ICPC, the receiving state does not have to provide services or supervision. The sending state is fully liable for the placement.

All out-of-state placements require the review and approval of the DHS Responsibility Center Director before the placement can occur.

For the sake of clarity the DHS unit handling ICPC concerns is referred to in this document as the “ICPC Unit” and the State’s ICPC unit is referred to as “Harrisburg” or “The PA Interstate Correspondent/Administrator.”

Procedure: Initiating the ICPC Referral

- *The DHS social worker prepares an Interstate Compact Packet **in triplicate** which includes the following items:*
 - 1) ***Interstate Compact Application to Place Child (ICPC 100A)*** *Five copies are sent with the Interstate Packet. One copy is retained for the child’s record. (See Attachment for instructions on how to fill out this form).*
 - ***Cover letter to the ICPC Deputy Compact Administrator in Harrisburg*** *requesting the home evaluation and briefly describing the reasons for sending the child out of state, any specific services needed by the child and tentative financial plan. The letter shall include:*
 - *demographic information on the child such as birth date, gender, race, and on the type of placement being sought*

- *the child's financial situation, including IV-E eligibility.*
Note: Social workers can contact the Medical Assistance Eligibility Unit to verify IV-E status (forms CY-61 and CY-935).

2) **Attachments should include:**

- *Copy of the FSP/PPP, including permanency goal for the child.*
- *Copy of the birth certificate, if available.*
- *Current court order showing that DHS has legal custody of the child.*
- *For adoption requests, the court order showing termination of parental rights*
- *Psychological evaluation, if one is available*
- *Medical and educational reports, including a copy of the IEP or report card.*

3) **Social summary** *This must provide adequate information to enable the receiving state to assess a proposed home. Special needs of the child should be addressed. A plan to meet the child's financial needs and the type of placement needed must be included.*

- *A cover memo must be prepared requesting approval of the ICPC packet and sent through the chain of command to the DHS Responsibility Center Director along with the ICPC packet. The DHS Responsibility Center Director must approve and initial the memo before the packet can be sent to Harrisburg. A copy of the approved memo and packet should be filed in the case record.*
- **Social workers send the approved referral packets to the ICPC Unit, which acts as the central point for processing all residential and non-residential ICPC referral packets both into and out of Philadelphia.**

Mailing:

- *The social worker sends 3 copies or one electronic copy of the completed referral packet with 5 copies of the ICPC 100A to the ICPC unit. The ICPC unit will forward the packet to Harrisburg. The ICPC Unit will send the package to :*

*ICPC Compact Administrator
Department of Public Welfare
Office of Children, Youth and Families
PO Box 2675
Harrisburg, Pa. 17105*

Their phone number is 717-771-5505.

Procedure: Processing of the ICPC referral

All communication between DHS and the county agency in the other state must be copied to Harrisburg. This includes information about illegal placements.

- *Once ICPC packet is forwarded to Harrisburg, ICPC social worker will notify DHS social worker and supervisor of the contact person in Harrisburg who must be copied on all communication with any member of receiving state.*
- *After the interstate placement packet is received and checked in Harrisburg, it is sent to the Interstate Compact Administrator in the receiving state. Their local county agency evaluates the potential placement. The receiving state office returns the evaluation and the ICPC 100A form to Harrisburg with their decision on the placement.*

- *If a residential placement is approved by the receiving state, Harrisburg will send the ICPC 100A to the ICPC Unit, who will forward the material to the assigned social worker. The social worker can then make final plans directly with the receiving agency. The actual transportation of a child to or from another state is arranged between the two county agencies.*
- *When the ICPC social worker receives confirmation from the PA Interstate Correspondent of an acceptable agreement between the sending state and the proposed caregiver, an approval letter (Attachment D) is sent to Harrisburg with the ICPC 100A. The sending state has 14 days to determine whether acceptance of the report would be contrary to the child's welfare and may request additional information within the 14 day period through Harrisburg. The sending state may decide against proceeding even if there are no concerns about the study. All states have the discretion to make or not make a placement based on another's home study approval. However, reasons for disapproval cannot be limited to the resource family's residence in another state. Reasons for disapproval must be documented in the case record.*
- *If an approved resource family is accepted for placement notice of the plan and the proposed date of the placement must be provided to the receiving state and to the Interstate Compact Office before the move. After the placement the sending and receiving states may communicate directly, but must copy their respective Interstate Compact Offices on electronic mail and provide copies of any non-electronic documents. Both must consult with their Interstate Compact Offices regarding any changes.*
- *The DHS social worker must complete form ICPC 100B.¹ The ICPC 100B must show either the date the child was placed or that DHS has decided not to use the placement resource. It is forwarded to the ICPC Unit to be sent to Harrisburg.*
 - *If a child being placed is IV-E eligible, a CY124 must be sent with the ICPC 100B.*
- ***The entire Interstate Placement process must be completed within 60 days.*** *States that complete it within 30 days are rewarded by the Federal Government with a \$1500 incentive payment (this program ends 10-1-10). If the information sent is incomplete, this may further delay the process.*
- *In the event that there is a break down in the out-of-state placement or change in planning for the child, the receiving state has the right to return the children to Philadelphia. This should be done in consultation with DHS.*

Medical Coverage:

- *Pennsylvania children placed through the ICPC in another state receive medical assistance from the receiving state if they are IV-E eligible. The DHS worker should contact the Medical Assistance Eligibility Unit when a child is to be placed out-of-state to confirm that the child is IV-E eligible. They will process the necessary paperwork to continue the coverage in the receiving state.*
- *When preparing the 85-29 to remove the child from the Pennsylvania placement, **do not use** Passed From Care Code #02 (Placed with Relative). This takes the child out of care and will result in termination of medical assistance coverage. Instead, social workers should identify the transaction as a **change in location/service** on the front page of the 85-29.*
- *Pennsylvania children who are not IV-E eligible receive Pennsylvania MA. The child's medical providers in the receiving state must agree to participate in the Pennsylvania MA program to be*

¹ ***The ICPC 100B is used for communication between county agencies and the ICPC Compact Administrator in Harrisburg for information about changes in placement status once the ICPC 100A has been filed. It is used to confirm that an approved placement has occurred, to indicate changes in placement and to confirm the termination of the ICPC agreement.***

reimbursed by Pennsylvania MA, otherwise, DHS remains responsible for any medical costs not covered by Medical Assistance.

Completion of Home Studies:

Requests to carry out interstate home studies must be completed in accordance with deadline set by the ICPC office in Harrisburg. During the first visit to the home the following must be obtained:

- Child abuse and criminal history check applications from prospective resource parents and anyone 14 or living in the house at least 30 calendar days per year.

- Prospective resource parents and household members 18 and older must complete fingerprint-based federal criminal record checks through the FBI.
- Any adult family member who has lived in another state within the last five years previous to the home study must have child abuse registry checks completed in the other state (s).
- The completed home study must indicate whether the prospective resource family will be temporarily accepted (pending successful completion of training) or disapproved.
- In the case of temporary approval the county agency must confirm to the state that the resource family has completed its training within 60 days of placement.
- Costs of clearances and home studies will be the responsibility of DHS provider or, if no provider involved, of DHS.

POLICY: Reunification with a Parent in Another State

DHS must use the ICPC process when a child is being returned to his/her parent when that parent resides in another state. If the court orders the child to be reunified with a parent out-of-state, DHS must ask the judge for sufficient time prior to reunification to have the parent's home evaluated via the ICPC. The child should remain committed to DHS until the ICPC evaluation is completed and approved. When the child is reunified with his/her parent in the receiving state, the commitment should be discharged and the petition regarding the child should remain open for at least six months. The petition and DHS must only be closed with the concurrence of Harrisburg and the receiving state. The use of private providers to make home evaluations is encouraged; if a specific private provider is recommended or requested, the ICPC office in Harrisburg must be notified.

The DHS social worker will make all efforts to expedite the ICPC process which must be completed prior to the child being reunified. Any exceptions to this need approval up the chain of command to the Commissioner. Should the court dismiss the case, discharge commitment and order the child returned to the parent without an evaluation through the ICPC, the social worker must conference with the supervisor and draft a letter to the local children and youth agency in the receiving state to request follow-up with the family.

Children may visit with parents prior to a full ICPC evaluation if DHS has contacted the local children and youth agency in the receiving state, and they have given no indication that the visit would be contrary to the child's safety. A beginning and ending date not to exceed 30 days must be established (unless it is within a school calendar vacation period). A child can not go for a visit and remain beyond the ending date, as this would constitute an illegal placement. If all ICPC approvals are met during the course of the visit, but all necessary services (e.g. educational, behavioral, medical etc.) are not in place, the child must return to their original placement before final reunification. Where all necessary services are in place, consultation with Harrisburg must occur to permit the child to stay.

Procedure:

- *To visit with a parent out-of-state, the social worker must send a letter to the receiving state's local child welfare agency to request a home visit. The letter should contain any pertinent information necessary to enable the agency to evaluate the situation. A copy of the letter must be sent to the Pennsylvania Interstate Compact Administrator.*
- *The visit may proceed if the receiving state has not indicated that the child would be unsafe during the visit. The courtesy approval information must be recorded in the case record and a written response requested.*

POLICY: Priority Placement Requests

Some cases may meet the criteria for a "priority placement," which may be requested to expedite the ICPC process. To qualify for a priority placement, the potential resource must be a parent and the child must comply with one of the following:

- the child is under two, or
- in an emergency shelter, or
- the court finds that the child has already spent a substantial amount of time in the home of the parent
- **and**, there is a signed Court order designating this as a "priority placement" with an express finding of one of the above conditions
- **Note:** If the above requirements have been met and the sending state has had a properly completed 100 A (which includes the packet that was with the 100 A) and there has been no response in over 30 days to the home study request, then the court can issue a priority order with findings thus becoming a priority placement. Keep in mind this is not applicable to adoption or foster home study requests.

Procedure:

- *In addition to the ICPC packet, form ICPC 101A must be included in priority requests, along with a copy of the court order which states it is a priority placement with a parent.*
- *DHS staff needs to include an overnight envelope in the material sent to Harrisburg so that Harrisburg can forward it to the receiving state. They cannot send overnight material on its own.*

POLICY: Placement with Relatives in Another State

When placing a child with relatives out-of-state, as in any other setting, requests for the home evaluation must go through the ICPC Unit. The request should identify the home study of the kinship parent as being a "foster family care request." The child should not be placed with a caregiver in the receiving state unless the caregiver has been approved via the ICPC according to the foster care regulations of the receiving state and the requirements mentioned in the section "Completion of Home Studies" above.

DHS must offer foster care maintenance payments to a kinship caregiver in another state upon the caregiver being approved by the receiving state as a foster parent. DHS will remain financially responsible for the child's care as long as the child remains committed to the Department. DHS is also responsible for service planning for the child.

Procedure:

- *Following approval of the placement by Harrisburg, the out-of-state kinship home must be opened as a direct care home utilizing the special contract procedure.*
- *If a PBC private provider is identified to supervise the placement (primarily for PBC agencies licensed in New Jersey), DHS will make payment to the private provider. If the home is not assigned to a private provider, DHS pays the kinship caregiver directly as a direct care home. The worker must prepare an 85-29 for service to the child whether payment is supplied by an agency or directly from DHS. Placement **can not** begin without ICPC approval. Payment cannot begin until the placement has been approved via the ICPC.*

When a child is transported to the kinship foster home in another state it is the responsibility of the sending state and the assigned social worker to complete a 100B and submit it to the ICPC Unit. The ICPS Unit forwards it to Harrisburg.

- *Reports on the status of the placement are sent through Harrisburg to DHS. If reports are not forthcoming, it is the responsibility of the DHS worker to document and inform the Interstate Compact Administrator of this in writing.*

POLICY: Placement in Residential Facilities

Children may not be placed in out-of-state RTF facilities or other residential programs without prior ICPC authorization.

Procedure:

- *The DHS social worker makes a referral to the CRU for placement. If an out-of-state placement is identified for the child, the social worker completes the ICPC packet and forwards it to the ICPC Unit, who will send it to Harrisburg.*
- *The Harrisburg office must approve the request and return the ICPC 100A to the ICPC Unit, who will forward to the assigned social worker. The social worker submits the paperwork to CRU who finalizes the placement.*
- *For out-of-state RTF placements, once an RTF has been identified, the DHS social worker is responsible for sending the ICPC packet to the ICPC Unit, who sends it to Harrisburg. The child can not be placed in the RTF until Harrisburg has approved the placement.*

POLICY: Foster or Pre-adoptive Parents Who Move Out of State

Foster or pre-adoptive parents licensed in Pennsylvania who plan to move out of state must have a home evaluation conducted in their new residence via the ICPC process. Private providers may not supervise foster homes in another state unless they are licensed in that state. Children in foster homes that are relocating are not required to be temporarily placed elsewhere pending the family's move if the home evaluation can not be completed prior to the move. DHS must notify Harrisburg and request that temporary approval by the receiving state be granted pending full approval. However, in the event that the home is not approved by the receiving state, the child must be returned to Philadelphia.

Procedure:

- *Private providers must advise the DHS social worker as soon as they know that a foster family is planning to move out of state. The information must include the address the family will be moving to and the anticipated date of the move.*
- *The DHS social worker must notify all parties of the plan for the child to move out of state with the foster family. If there is disagreement with this plan, the court must approve the plan before the child is moved.*
- *The DHS worker prepares the ICPC packet and sends it to the ICPC unit, who forwards it to Harrisburg prior to the date of the move. An original foster home study and the most recent annual foster home evaluation from the provider agency must be included, in addition to the other required packet items.*
- *If the placement is approved via the ICPC process, the receiving state will provide courtesy supervision. DHS must pay the foster family directly.*

POLICY: Permanency Planning for DHS Children Placed Out-of-State

DHS policy requires whenever possible that all children in placement for whom reunification cannot be achieved have another permanent goal and plan established by their 12 month in placement. Permanency planning continues to be a requirement for any child placed out-of-state. ICPC referrals should indicate in the cover letter whether or not the goal for the child is PLC.

POLICY: Supervision and Termination of an ICPC Placement

It is the responsibility of the receiving state to supervise an ICPC approved kinship care placement and provide quarterly reports as requested until DHS agrees to discharge the child with the concurrence of the ICPC offices in both states. It is DPW policy that DHS must retain custody of the child for at least 6 months. DHS social workers must visit every child in his/her out-of-home care setting every 6 months and assess and document safety. A quarterly report should be about two pages and include the following information:

- The condition of the home, how did the child present, interaction of the members of the resource home with the child; information from the resource parent how the child has adjusted to the home, community and school; school reports; receipt of care for medical, dental or eye and if the child receives services or has medical needs; status of any conditions. If there is any other pertinent information related to the child, that information also should be included in the quarterly supervision report.

Procedure:

- *Social workers must send an ICPC 100B to the ICPC Unit for forwarding to Harrisburg to confirm termination of all out-of-state placements.*

POLICY: Requests to Place a Child with a Parent in Philadelphia

When requested by the PA Interstate Correspondent, DHS conducts a home evaluation of a parent to determine whether or not he/she can provide a safe environment for a child (see section "Completion of Home Studies"). The evaluation must include the appropriate materials

mentioned above. Any prohibitive criminal convictions will result in rejection of the proposed placement.

Children may visit with parents in our state prior to a full ICPC evaluation at the discretion of the sending agency if there is no indication that the visit would be contrary to the child's safety. A beginning and ending date not to exceed 30 days must be established (unless it is within a school calendar vacation period). A child cannot go for a visit and remain beyond the ending date, as this would constitute an illegal placement. If all ICPC approvals are met during the course of the visit, but all necessary services (e.g. educational, behavioral, medical etc.) are not in place, the child must return to the sending state before final reunification. Where all necessary services are in place, consultation with Harrisburg must occur to permit the child to stay.

Procedure:

- *The ICPC Unit is the central point of entry for all ICPC requests for home evaluations of parents.*
- *If the referral requests the evaluation of a parent for whom there is no active CYD FSR social worker, the ICPC Unit supervisor assigns the referral to an ICPC Unit social worker for a home evaluation. The evaluation of the home and response to the PA Interstate Correspondent are to be completed within 60 days from DHS' receipt of the referral, or, in the case of a priority ICPC home evaluation, within 30 days.*
- *If the case is active and assigned to a FSR social worker, the referral is forwarded to the supervisor of the CYD social worker. The ICPC Unit supervisor will attach
 - *a memo alerting the assigned social worker staff as to whether the evaluation is due in 60 days (for non-priority ICPC cases) or 30 days (for priority home evaluations).*
 - *the ICPC Evaluation packet to facilitate the evaluation of the parent's home**
- *The evaluation process and clearances are done for a parent following the standards established in DPW's kinship care bulletins and the "Completion of Home Evaluations" section above
 - *If the evaluation and clearances are appropriate and the placement can be approved, the ICPC 100A is sent to Harrisburg. Upon their receipt of the approval, the sending state may place the child with the parent.**
- *DHS will monitor and case opened with supervision provided through a contract agency. Quarterly reports to Harrisburg must be provided.*

POLICY: Requests to Place a Child with Relatives or Other Caregivers in Philadelphia

Any request from another state for placement of a child with a kinship resource, other than a parent in Pennsylvania, must be treated as a foster family request and meet Pennsylvania standards and DHS policy requirements (see "Completion of Home Evaluations" section above). If the caregiver has any current or past involvement with DHS; substantiated GPS reports, indicated or founded CPS reports or criminal convictions, the placement will be denied. For any exceptions, administrators may use discretion as long as approval of the caregiver doesn't violate law or regulations.

Service planning and financial responsibility remain with the sending state as long as that state retains legal jurisdiction or commitment of the child. It is the responsibility of DHS to supervise the placement and provide reports as requested until there is a plan for discharge of the child with the concurrence of the ICPC offices in both states.

Procedure:

- *The ICPC Unit supervisor receives ICPC requests for home evaluations and clears the caregiver in FACTS. If the relative has an active case, he/she cannot be approved as a caregiver. The Screening supervisor, with approval up the chain of command to the Director sends the ICPC 100A and a letter to the PA ICPC office recommending the placement be rejected.*
- *If there is not an active case, the ICPC Unit supervisor assigns the referral to an ICPC social worker and sends a letter (Attachment A) to the sending state, via Harrisburg. The sending state must confirm in writing that they'll assume payment responsibility to the caregiver. IV-E eligibility must also be confirmed in writing.*
- *The social worker confirms the caregiver's interest in assuming responsibility of the child and makes a preliminary assessment of whether the home can meet PA foster care standards. The caregiver is cleared in per the "Completion of Home Evaluation" section above. If the worker discovers FACTS or non-disqualifying criminal or Childline history, the worker consults with the chain of command up to the director level. If rejected, the ICPC 100A and a letter (Attachment C) are sent to Harrisburg.*
- *The ICPC social worker sends a copy of the ICPC packet and a referral letter to Lutheran Children and Family Service (LCFS) to request a foster home study. After their study is completed, Lutheran notifies DHS in writing of their assessment. If the home meets the standards, a copy of the assessment and letter to the designated representative of the sending state are sent to the PA Interstate Correspondent.*
- *When the ICPC social worker receives confirmation from the PA Interstate Correspondent of an acceptable agreement between the sending state and the proposed caregiver, an approval letter (Attachment D) is sent to Harrisburg with the ICPC 100A. The sending state has 14 days to determine whether acceptance of the report would be contrary to the child's welfare and may request additional information within the 14 day period through Harrisburg. The sending state may decide against proceeding even if there are no concerns about the study. All states have the discretion to make or not make a placement based on another's home study approval. However, reasons for disapproval cannot be limited to the resource family's residence in another state. Reasons for disapproval must be documented in the case record.*
- *If an approved resource family is accepted for placement notice of the plan and the proposed date of the placement must be provided to the receiving state and to the Interstate Compact Office before the move. After the placement the sending and receiving states may communicate directly, but must copy their respective Interstate Compact Offices on electronic mail and provide copies of any non-electronic documents. Both must consult with their Interstate Compact Offices regarding any changes.*
- *The ICPC worker participates in the transfer of the out-of-state child into Philadelphia and sends a completed ICPC 100B to Harrisburg to confirm the placement has occurred.*
- *Cases are accepted for service and assigned to "ICPC" worker in FACTS. LCFS will submit periodic reports to the ICPC Unit who will forward to the sending state via Harrisburg. The ICPC Unit will monitor the case until permanency is achieved or DHS involvement is otherwise terminated under the ICPC.*

Requests for Adoption Home Studies:

- *New adoption home study requests from Harrisburg are referred to the adoption administrator.*
- *Active case adoptive home studies are referred to the active social worker. The social worker prepares the referral for transfer to the adoptions unit.*

- *All adoption home studies require the materials described in “Procedure: Completion of Home Studies” on Page 5 above and must be fulfilled within the same sixty-day period as other evaluations (see page 4 above).*

Abuse/Neglect Reports:

- *CPS reports received on ICPC homes must be referred to the OCYF regional office for investigation. OCYF will contact the Hotline if the investigation warrants court action and/or services to be provided by DHS.*
- *GPS reports on ICPC cases will be referred to Intake for assessment. If it is a case being supervised by LCFS, they will obtain alternate housing for the children until completion of the investigation.*

Records:

- A copy of the child's most recent health and education information must be furnished to the resource parent at the time of placement.
- A copy of the child's most recent health and education information must be furnished to the child at no cost when he/she leaves foster care by reason of having attained the age of majority under state law.

Filing of ICPC Documents:

- Copies of all documents sent to Harrisburg should be placed in the individual child's section of the case file, after the educational materials. Should any documents be lost in transit, the copies will be needed to restart the application process.
- The entire ICPC process is to be detailed in the case narrative.

Questions regarding this Procedural Guide should be addressed to:

Patricia Ripoll, Administrator	x4112
Bari Rose-Epstein, Program Supervisor	x4116
William Kreindler, Program Analyst	x4124

Attachments: Letters A-D

ICPC 100A and Instructions
ICPC 100B and Instructions