

**THE PHILADELPHIA DEPARTMENT OF HUMAN SERVICES**  
**Children and Youth Division**  
**Policy and Procedure Guide**

**TO:** All Policy Manual Users  
**FROM:** John McGee, Deputy Commissioner, Children and Youth  
          Pamela Mayo, Operations Director  
**RE:** Use of the Interstate Compact on the Placement of Children (ICPC)

**EFFECTIVE: 11/21/05**

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 other ICPC referrals.

This guide provides policy and procedures for placement of children with relatives/kin and in residential facilities out-of-state, as well as placement of children from other states into Philadelphia. It addresses only dependent children.

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## POLICY: Use of the ICPC

It is the policy of DHS to comply with all provisions of the ICPC. No DHS committed child will be placed in another state without prior authorization from the PA ICPC 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 and the sending state is fully liable for the placement.

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

### ***Procedure: Initiating the ICPC Referral***

- *The DHS social worker prepares an Interstate Compact Packet **in triplicate** (collate the material into three packets). The following items must be included:*
    - 1) ***Interstate Compact Application to Place Child (ICPC-100A)*** *Five copies are sent with the Interstate Packet. One copy is placed in the child's record. These are not needed in triplicate.*
    - 2) ***Cover letter to the ICPC Deputy Compact Administrator*** *requesting the home evaluation and/or briefly describing the reasons for sending the child out of state. The letter should 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; who will pay for the placement, and who will cover medical expenses.*
        - ***Social workers must state if it will be an RTF or RTCF placement funded by CBH and, if so, that PA medical assistance must continue.***
        - *For all other placement requests, social workers must indicate if the child is IV-E eligible. This will determine if the child can receive medical coverage in the receiving state. (see Medical Coverage section pg.4).*
- 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) ***Interstate Compact Financial/Medical Plan (CY935)*** *is needed for kinship and foster care placements only. The social worker must complete the form and take it to the Medical Assistance Eligibility Unit (MAEU) for confirmation of the child's IV-E status and sign-off by an MAEU staff member.*
- 4) ***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 and sent through the chain of command to the Center Director along with the ICPC packet. The memo should fully document why the ICPC referral is needed. The Center Director must approve and initial the memo before the packet can be sent to Harrisburg. The memo is for internal use only and should be filed in the case record.*

***Mailing:***

- *Placements that are **not** residential facilities (e.g. placement with relatives or parents, foster parents moving out of state):*
- *Social workers send **3** copies of the completed referral packet with **5** copies of the ICPC 100-A to the IARS ICPC unit. The IARS ICPC unit will forward the packet to Harrisburg. IARS will act as the central point for processing all non residential ICPC referrals.*
- *Placements in residential facilities or RTF/RTCF placements:*
- *The DHS social worker must mail **3** copies of the complete ICPC Packet with **5** copies of the ICPC 100-A to:*  
*ICPC Compact Administrator*  
*Department of Public Welfare*  
*Office of Children, Youth and Families*  
*PO Box 2675*  
*Harrisburg, Pa. 17105*

*The phone number is 717-772-5505.*

***Procedure: Processing of the ICPC referral***

- *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 returns the evaluation and the ICPC-100A form to Pennsylvania's ICPC office with their decision on the placement.*
- *If placement in a residential setting is approved by the receiving state, the PA Compact Administrator will send the ICPC-100A directly to the assigned DHS social worker.*

- For all other types of placements (e.g. relative/kin placements, home studies of parents), the ICPC-100A and home evaluation will be returned to the IARS 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.
- The DHS social worker must complete form ICPC-100B.<sup>1</sup> The ICPC100-B must show either the date the child was placed or that DHS has decided not to use the placement resource.
  - For non-residential placements, the forms should be sent to IARS for forwarding to Harrisburg. For all other referrals, the assigned social worker should mail directly to the ICPC office in Harrisburg.
- Requests for home studies can take on average 2-4 months. Approvals for residential placements are completed much faster. If the information sent is incomplete, this may further delay the process.

### **Medical Coverage:**

- Pennsylvania children placed through the ICPC in another state who are not going to a CBH funded RTF or RCTF, receive medical assistance from the receiving state if they are IV-E eligible. This does not include children being reunified with their parents or PLC placements.
- When a child is to be placed out-of-state in a foster/kinship home, the DHS worker must go to the Medical Assistance Eligibility Unit to complete and sign the Interstate Compact Financial/Medical Plan (CY935). **This form is not needed for children entering residential or RTF/RCTF placements.**
  - Social workers must note in their cover letter that a child being placed in an out-of-state RTF or RCTF funded by CBH needs to continue to receive PA coverage.
- The Medical Eligibility unit can confirm if a child is IV-E eligible at the time an ICPC request is being made. However, to start the process to transfer a child's medical assistance to the receiving state, the placement must first be approved by the PA ICPC office and the 85-29 for the new placement entered in FACTS.
- 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 results in termination of medical assistance coverage. Instead, 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 reimbursed by Pennsylvania MA, otherwise, DHS remains responsible for any medical costs not covered by Medical Assistance.

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<sup>1</sup> The ICPC 100-B is used for communication between county agencies and the ICPC Compact Administrator 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.

## **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. The DHS social worker should 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 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 made no indication that the visit would be contrary to the child's safety.

### ***Procedure:***

- *For child visits 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 or step-parent and must comply with one of the following:

- the child is under two,
- 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.

### ***Procedure:***

- *The DHS social worker must send the packet to the PA ICPC office within 3 days of receiving the signed priority court order. The packet must also include:*
  - *form ICPC-101 – Sending State Priority Home Study Request*
  - *a copy of the court order which states this is a priority placement with a parent or step-parent.*

- *DHS staff needs to include an overnight envelope in the material sent to Harrisburg so that the PA ICPC office can forward it to the receiving state. The PA ICPC office cannot send overnight material on its own.*

### **POLICY: Placement with Relatives/Kin in Another State**

When placing a child with relatives/kin out-of-state, requests for the home evaluation must go through the ICPC. 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.

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:***

- *When out-of-state placement with relatives/kin is being considered, the assigned DHS social worker must contact the family to discuss their willingness to be considered as a resource for the child.*
- *If the relative/kinship family wishes to proceed and resides in **New Jersey or Delaware**, the assigned DHS social worker, in consultation with the supervisor, may choose to visit the home and complete a kinship care assessment packet (PA clearances would only be needed if the resource family had previously lived in PA). This allows for a preliminary decision whether or not to proceed with the ICPC process and should only be considered when the specific placement is **not** court ordered.  
*This is not a formal kinship home study for ICPC purposes and can not be used as the basis for the ICPC approval. However, the results of the assessment should be incorporated into the summary material submitted with the ICPC 100-A.*  
  
*For relative/kinship placements in other states, at the discretion of the chain of command, the DHS social worker may make a home visit to complete a kinship assessment before proceeding with the formal ICPC request.**
- *The social worker sends the ICPC packet to IARS who will forward to the PA Interstate Office.*
- *Following formal approval of the placement by the PA ICPC office, the out-of-state relative/kinship home must be opened as a direct care home and courtesy supervision requested of the receiving state. The DHS social worker must prepare an 85-29 worksheet including provider information (name, address, date of birth, social security number) and send to Margaret Hanner in Data Services. Payment **can not** begin until the placement has been approved via the ICPC.*
- *Reports on the status of the placement are sent through the ICPC office in Harrisburg to DHS. If reports are not forthcoming, it is the responsibility of the DHS worker to prepare a letter informing the Interstate Compact Administrator of this. For all non-residential placements, the letter should be sent to the IARS ICPC unit for forwarding to Harrisburg.*

- *It is DHS policy that no committed child be placed in another state without prior authorization from the PA ICPC office. In the event a child is moved prior to approval because of court order or any other reason, the DHS social worker must see the child(ren) monthly until the local agency can conduct the home evaluation and begin supervision of the home.*
  - *Social workers can ask the ICPC Administrator in Harrisburg to request the receiving state to assess the child's safety if they're unable to begin the home evaluation within 30 days.*
- *If no other arrangements can be made, the DHS social worker must visit monthly until supervision by the receiving state begins.*

### **POLICY: Placement in Residential Facilities**

Children may not be placed in out-of-state RTF/RTCF facilities or other residential programs without prior authorization from the PA ICPC office.

#### ***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.*
- *For RTF and RTCF placements, social workers must note in the cover letter that the placement is funded by CBH and PA medical coverage must continue.*
- *The social worker sends the packet to Harrisburg. (IARS does not process the requests for residential facilities).*
- *The ICPC office must approve the request and return the ICPC-100A to the social worker. The social worker submits the paperwork to CRU who finalizes the placement. A child can not be placed in the RTF or other residential facility until the ICPC office 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. 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. However, in the event that the home is not approved by the receiving state, the child must be returned to Philadelphia.

Child safety must be assessed in the interim period from the time the child moves until the receiving state's local agency evaluates the home. If arrangements cannot be made for the child to be seen by the receiving state agency or through contract with a provider agency in the receiving state, the DHS social worker must visit monthly until supervision by the receiving state begins.

#### ***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. By regulation, parents must be notified at least 15 calendar days prior to a change in placement location.*

- *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, or if this was a specific court ordered placement location, the court must approve the plan before the child is moved.*
- *The DHS worker prepares the ICPC packet and sends it to the IARS ICPC unit, who forwards 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.*
- *Board payment to the family continues pending the ICPC approval. If the placement is approved via the ICPC, the receiving state will provide courtesy supervision and DHS must pay the foster family directly if no licensed private provider is identified to supervise the home.*
- *DHS' medical eligibility unit must be notified of the out of state placement so that for IV-E eligible children, Pennsylvania MA can be terminated and medical assistance opened in the new state.*
- *It is DHS policy that no committed child be placed in another state without prior authorization from the PA ICPC office. In the event a child is moved prior to approval because of court order, the family moving without prior notification, or any other reason, the DHS social worker must see the child(ren) monthly until the local agency can conduct the home evaluation and begin supervision of the home. .*
  - *Social workers can ask the ICPC Administrator in Harrisburg to request the receiving state to assess the child's safety if they're unable to begin the home evaluation within 30 days*
  - *CRU may be able to identify an out-of-state provider to supervise in some cases.*
  - *If no other arrangements can be made, the DHS social worker must visit monthly until supervision by the receiving state begins.*

### **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. (CYD Policy Manual Section 4410).

### **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. Reports should be requested on a quarterly basis. DHS social workers must visit every child in his/her out-of-home care setting every 6 months and assess and document safety.

Communication is needed between the sending and receiving state agencies to advise if there is a break down in the placement or a change in planning for a child. A receiving state has the right to return a child to his or her home state if the child can not remain in the out-of-state placement. The PA ICPC office must be notified of any changes and plans to return a child.

**Procedure:**

- *Social workers must visit every child in out-of-state placement every six months and assess and document safety.*
- *Social workers must complete an ICPC-100B to confirm termination of all out-of-state placements. For non-residential placements, the social worker sends the ICPC-100B to the IARS ICPC unit for forwarding to Harrisburg. For residential placements, the assigned social worker sends the form directly to the PA ICPC office.*

**Policy: Requests to Place a Child with a Parent in Philadelphia**

When requested by the ICPC, DHS conducts a home evaluation of a parent to determine whether or not he/she can provide a safe environment for the child. The evaluation must include an on-site home visit, Risk Assessment (Cf. Section 3400), Safety Assessment, as well as Childline, State Police and FACTS clearances. If a parent has any criminal convictions that meet the standard of aggravated circumstances (Cf. Section 4410.11), the proposed placement will be rejected.

Children may **visit** with parents in our state for up to thirty days without an ICPC referral for a home evaluation.

**Procedure:**<sup>2</sup>

- *The Screening unit in IARS 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 Screening supervisor assigns the referral to an ICPC 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 Screening 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 kinship care requirements.
  - *If the evaluation and clearances are appropriate and the placement can be approved, the ICPC-100A is sent to the Pennsylvania Interstate office. Upon their receipt of the approval, the sending state may place the child with the parent.**

*DHS is responsible for courtesy supervision. Quarterly reports must be forwarded to the PA ICPC office.*

<sup>2</sup> This procedure is detailed in the Screening Unit's "Procedures for Approval or Rejection of an ICPC Referral."

## **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 Philadelphia, must be treated as a foster family request and meet Pennsylvania standards and DHS policy requirements. 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, the Director 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 Screening 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 ICPC100-A and a letter to the PA ICPC office recommending the placement be rejected.*
- *If there is not an active case, the Screening supervisor assigns the referral to an ICPC social worker and sends a letter (85-323- ICPC Receipt of Home Study Request) to the sending state, in care of the PA Interstate Compact Office. 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. (85-M-61- ICPC Recommendation for Foster Care Payment)*
- *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 FACTS, Childline and CLEAN. 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 (85-M-43 - ICPC Notification of Home Study Disapproval) 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 ICPC Office.*
- *When the ICPC social worker receives confirmation from the PA ICPC Office of an acceptable agreement between the sending state and the proposed caregiver, an approval letter (85-343- ICPC Notification of Home Study Approval) is sent by the IARS ICPC worker to Harrisburg with the ICPC100-A.*
- *The IARS ICPC worker participates in the transfer of the out-of-state child into Philadelphia and sends a completed ICPC 100-B to Harrisburg to confirm the placement has occurred. The ICPC worker also completes the 85-29 to begin payment to LCFS to provide supervision of the placement.*

- *The sending state retains custody and planning responsibility for the child. LCFS will submit periodic reports to DHS. DHS is responsible for forwarding the reports to the sending state via the PA ICPC office. DHS 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 the PA ICPC office 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.*

*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 being supervised by Lutheran will be referred to Intake for assessment. LCFS will obtain alternate housing for the children until completion of the investigation. GPS reports on cases that are active in a Family Region or Adoptions are investigated by the assigned social worker.*

**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.

All ICPC forms are available on DHS Central and Forms Word.

Questions regarding this Policy and Procedure Guide should be addressed to:

Patricia Ripoll, Policy & Planning Administrator	x4112
Susan Weinberg, Program Supervisor	x4116
William Kreindler, Program Analyst	x4117

**Attachments:**

ICPC-100A  
 ICPC-100B  
 ICPC-101  
 Interstate Compact Financial/Medical Plan (CY935)

**Forms used by IARS:**

ICPC-Receipt of Home Study Request (85-323)  
 ICPC- Recommendation for Foster Care Payment (85-M-61)  
 ICPC- Notification of Home Study Approval (85-343)  
 ICPC- Notification of Home Study Disapproval (85-M-43)  
 Screening Unit Procedures for Approval or Rejection of an ICPC Referral