



**Candice Broce**  
Commissioner

# UNITED STATES OF AMERICA



Interstate  
Compact on the  
Placement of  
Children (ICPC)



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# Objectives

Be knowledgeable  
about ICPC  
regulations and  
process

How we partner  
moving forward

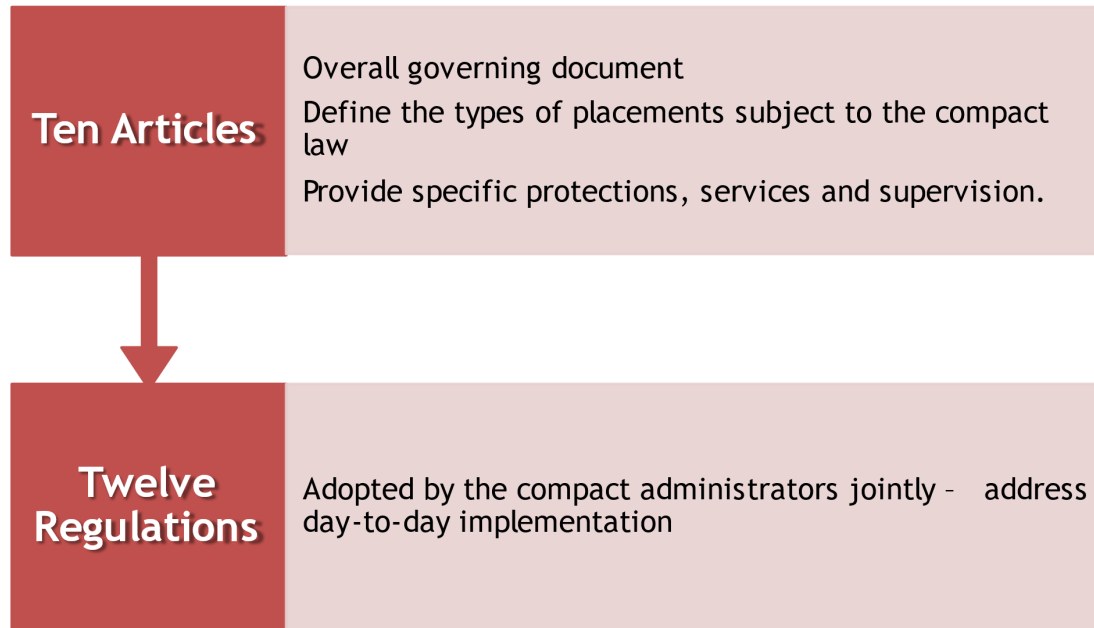
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# ICPC is:

- A statutorily binding agreement adopted by all 50 states, the District of Columbia and the U.S. Virgin Islands. The agreement governs the placement of children from one state into another state.

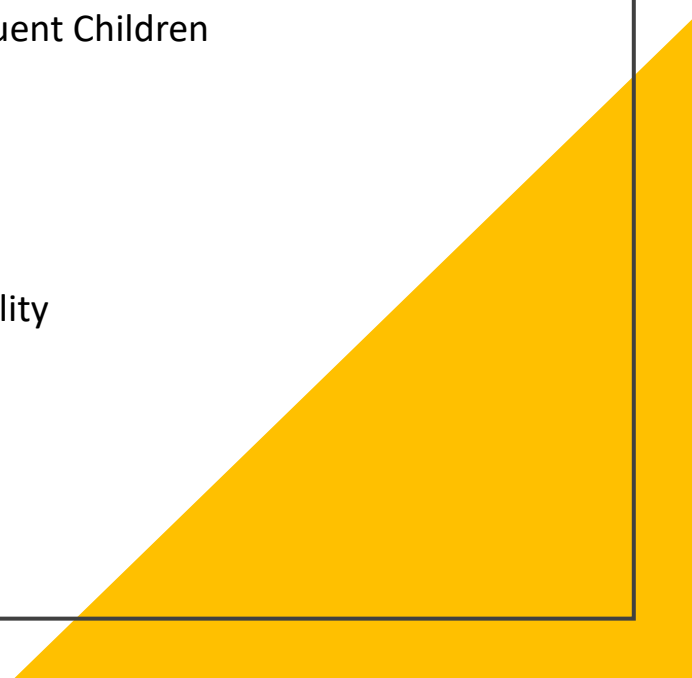


# The Compact





# ICPC Articles (O.C.G.A 39-4-4)

- Article 1 – Purpose and Policy
  - Article 2 – Definitions
  - Article 3 – Conditions for Placement
  - Article 4 – Penalty for Illegal Placement
  - Article 5 – Retention of Jurisdiction
  - Article 6 – Institutional Care of Delinquent Children
  - Article 7 – Compact Administrator
  - Article 8 – Limitations
  - Article 9 – Enactment and Withdrawal
  - Article 10 – Construction and Severability
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# ICPC Regulations

- Reg 1: Conversion of Interstate Placement into Interstate Placement: Relocation of Family Units
- Reg 2: Public Court Jurisdiction Cases: Placement for Public Adoption or Foster Care in Family Settings and/or with Parents/Relatives
- Reg 3: Definition and Placement Categories: Applicability and Exemptions
- Reg 4: Residential Placement
- Reg 5: Central State Compact Office
- Reg 6: Permission to Place Child: Time Limitations, Reapplication
- Reg 7: Expedited Placement Decision
- Reg 8: Change of Placement Purpose
- Reg 9: Definition of a Visit
- Reg 10: Guardians
- Reg 11: Responsibility of States to Supervise Children
- Reg 12: Private/Independent Adoptions

# Why do we need ICPC?

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**It ensures that**

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children are placed in a safe and appropriate environment **(only after the receiving state approves)**

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states remain legally and financially responsible for the children placed outside their borders

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children receive courtesy supervision by appropriate Child Welfare personnel in the state where they are placed

# When does the ICPC apply?

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- ❖ When a custodial parent seeks to place a child in residential treatment or with a non-related adoptive family located out-of-state
- ❖ When a child is **in the custody of an agency, such as DHS**, and the agency seeks to place the child in another state with a parent/relative or into a foster home, adoptive home or residential care facility.
- ❖ Court jurisdiction only: The sending court has an open abuse, neglect or dependency case that establishes court jurisdiction with the authority to supervise, remove and/or place the child. Although the child is not in the guardianship/custody of an agency or the court at the time of completing ICPC-100A, the agency or the court may choose to exert legal authority to supervise and or remove and place the child and therefore is the sending agency. As the sending agency/court it would have specified legal responsibilities per ICPC Article V, including the possible removal of the child if placement in the receiving state disrupts or the receiving state requests removal of the child.

# Consequences for placing prior to receiving state approval

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- When a child has been placed in a receiving state prior to ICPC approval, the case is considered a **violation of ICPC** and the placement is made with the sending state bearing full liability and responsibility for the safety of the child. The receiving state may request immediate removal of the child until the receiving state has made a decision per ICPC. The receiving state is permitted to proceed, but not required to proceed with the home study/ICPC decision process, as long as the child is placed in violation of ICPC. The receiving state may choose to open the case for ICPC courtesy supervision but is not required to do so,



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## Communication With The Other State's ICPC Office

- All communication with the **ICPC office** in the other state must go through the Georgia ICPC office. Caseworkers and Court officials should not communicate directly with the other state's ICPC office.



# ICPC Office to ICPC Office communication

- Placement requests
- Placement approval or denial
- Notification of placements
- Supervision reports
- ICPC case closure

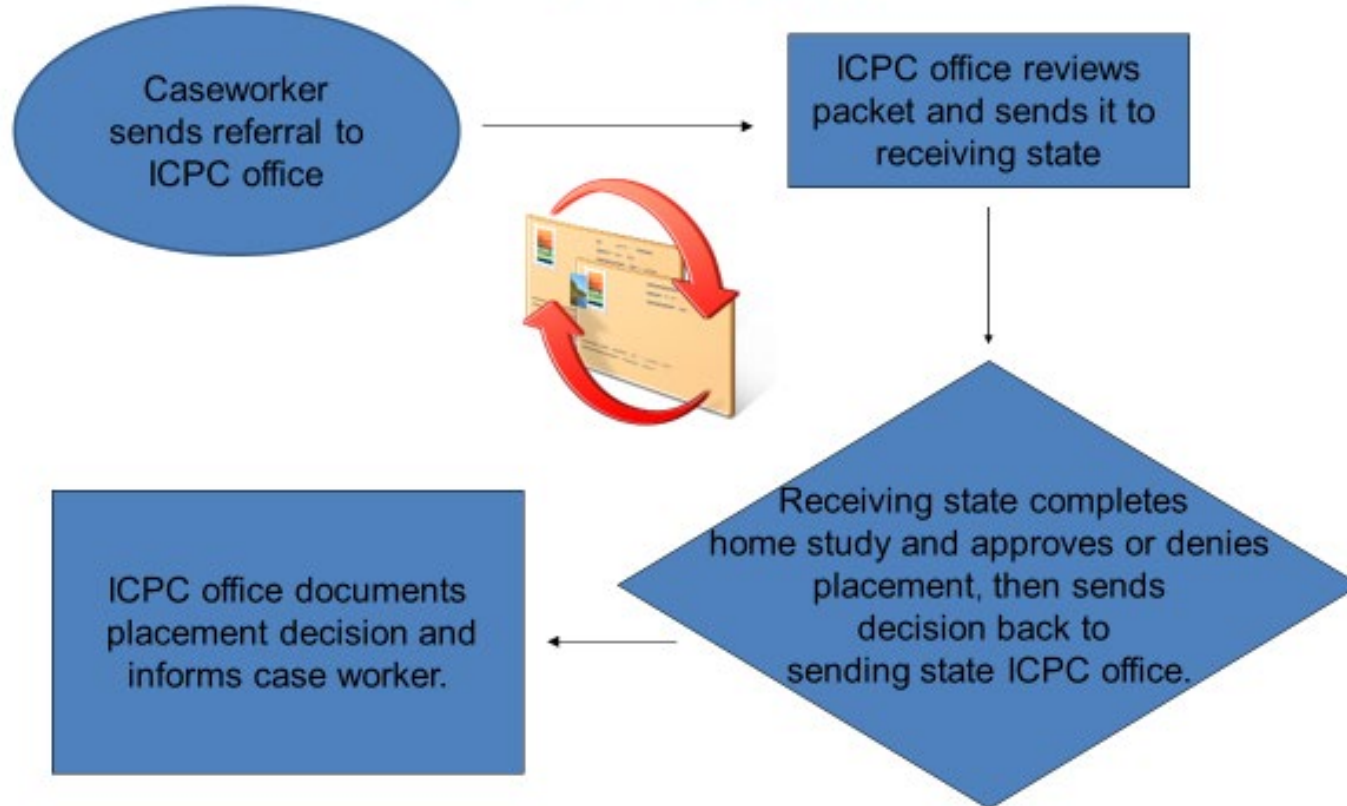




Knowing all there is to know about the Regulations



## ICPC Process



# ICPC Referral Checklist

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- 100A
- Cover letter
- Case manager statement
- Court order
- IV-E Determination
- Financial Medical Plan
- Comprehensive Child and Family Assessment or Social Summary
- Current Case Plan
- Copy of birth certificate & Social Security card
- Proof of paternity (if requesting study on father or paternal relative)
- TPR if requesting adoptive study
- Copy of home study on the family, if a study exists
- 100B for placement if intact family



## Regulation 1



- When a family who has been approved by the department and/or agency and has a child placed into their home needs to relocate to another state.
- Applicable when supervision is ongoing; it is not necessary for a temporary relocation of (90) days or less.
- Supervision should begin with the first 5 business days of receiving the request and is ongoing throughout the evaluation process and following approval.
- Provisional approval should be provided after the first contact within (5) business days of receipt.
- Completed Study within 60 calendar days
- Approval good for 6 months

# Regulation 2

- Public Court Jurisdiction Cases (the resource is responsible for paying for all services, drug screens, criminal background checks, and physicals).
- Foster Care Placements, Adoptive Placements and Placements with Parents/Relatives
- Completed Study within (60) calendar days after the receiving states local county has received the request. Please do not hold onto requests
  - **Foster and Adoptive Requests:** timeframe for final decision: Final approval or denial of the placement resource request shall be provided by receiving state Compact Administrator in the form of a signed ICPC-100A, as soon as practical but no later than one hundred and eighty (180) calendar days from receipt of the initial home study request. This six (6)-month window is to accommodate licensure and/or other receiving state requirements applicable to foster or adoption home study requests.
- Approval good for 6 months

# Regulation 3: Placement with Parents

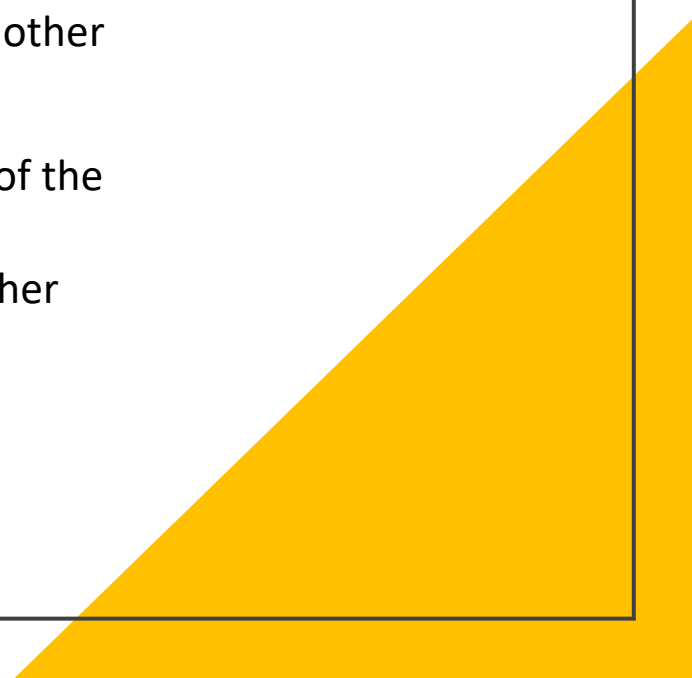
Regulation 3 allows a court to place a child with a parent without going through ICPC, provided that:

- The court has no evidence before it, *and seeks no evidence*, that the parent is unfit; **and**
- The court dismisses its jurisdiction immediately.

**Note:**

- Not all states accept parent home study requests. If they do not, then please staff with leadership on how to proceed.

# Regulation 4-Residential

- A child adjudicated delinquent may be placed in an institution in another state.
  - A child who is in the department's custody may be placed in an institution in another state.
    - Equivalent facilities for the child are not available in the sending agency's jurisdiction; and institutional care in the other state is in the best interest of the child and will not produce undue hardship.
  - A child who is in the custody of a parent may be placed in an institution in another state.
  - Completed within 3 business days
  - Approval good for 30 days
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# Regulation 7 Expedited Placement

- Allows for expedited approval or denial for placement with a parent, stepparent, grandparent, adult aunt or uncle, adult brother or sister, or the child's guardian.
- Sending state court sends a copy of the **signed expedited order** to sending agency within 2 business days of the hearing
- Must be completed and returned to sending ICPC within 30 calendar days.





# Criteria for Regulation 7

- Unexpected dependency due to sudden or recent incarceration or death of a parent or guardian
- The child is 4 or younger, including older siblings sought to be placed with the same proposed placement
- The court finds that any child in a sibling group has a substantial relationship with the proposed placement
- The child is currently in an emergency placement

# Visits vs Placements (ICPC Regulation 9)



A child traveling out of state is considered to be on a **visit** when:

- it is for a brief social or cultural experience; **and**
- the visit has a definite end date; **and**
- the visit is no longer than 30 days, or begins and ends within a school vacation; **and**
- there has been **no** request for a home study or supervision.

**ICPC is not required for visits.**

# Considerations for Visits

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- No mechanism to verify safety of the home.
- No supervision/ face to face contacts with child.
- No foster payment.
- Child stays on GA Medicaid, so can only access services if providers accept GA Medicaid.



## Regulation 11: Supervision of an approved Placement



- The requesting state has (6) months in which to utilize an approved placement.
- After staffing and decision is made to place the local sends the complete 100B form to their local ICPC Administrator.
- The ICPC Administrator will send the placement 100B to the other state and request supervision to begin.
- The receiving state has 30-45 days to make the initial visit.
- Monthly contact consists of one face to face with child and caretaker

# Closing the ICPC Case

ICPC closes when:

- Adoption is finalized; or
- Legal custody and/or guardianship is awarded to the caretaker; or
- Legal custody is given to the parent

**\* Written permission (concurrence) required from receiving state\***

# Closing the ICPC Case, cont.

- Treatment is completed; or
- Child reaches majority or is legally emancipated; or
- Child returns to sending state; or
- Child moves to a different state; or
- Proposed placement request is withdrawn; **OR**
- Approved resource will not be used for placement.

*(Concurrence not required)*



# Interstate Compact for Juveniles

# Runaways

- To return children in DHS custody who have run away and been picked up in another state, contact the Interstate Compact on Juveniles (ICJ).

DJJ GA Interstate Compact for Juveniles  
3408 Covington Highway  
Decatur, Georgia 30032  
404-683-8606 (Direct)  
404-508-7285 (Fax)





# Juvenile Delinquency Cases

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- Requests to place youth who are on parole or probation need to go through the Interstate Compact on Juveniles (ICJ).

DJJ GA Interstate Compact for Juveniles  
3408 Covington Highway  
Decatur, Georgia 30032  
404-683-8606 (Direct)  
404-508-7285 (Fax)



# ICPC Authority/Guidance

- O.C.G.A. 39-4-1 through 39-4-10 (39-4-4 has the articles)
- ICPC Articles  
[https://aphsa.org/AAICPC/text\\_icpc.aspx?WebsiteKey=1c52ac76-f593-4bbc-8980-1820609f983a](https://aphsa.org/AAICPC/text_icpc.aspx?WebsiteKey=1c52ac76-f593-4bbc-8980-1820609f983a)
- ICPC Regulations can be found here:  
[https://aphsa.org/AAICPC/ICPC\\_Regulations.aspx?WebsiteKey=1c52ac76-f593-4bbc-8980-1820609f983a](https://aphsa.org/AAICPC/ICPC_Regulations.aspx?WebsiteKey=1c52ac76-f593-4bbc-8980-1820609f983a)
- ICPC State Pages  
<http://icpcstatepages.org/>
- DFCS Policies 15.0 through 15.8 can be found here:  
<http://odis.dhs.ga.gov/ChooseCategory.aspx?cid=1029>  
(select MAN 3000 and scroll down to Chapter 15)

# Questions?

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