

	DIVISION OF FAMILY AND CHILDREN SERVICES CHILD WELFARE POLICY MANUAL			
	Chapter:	(15) Interstate Compact on the Placement of Children	Effective Date:	February 2015
	Policy Title:	Placement of Georgia Children into Other States (Georgia as the Sending State)		
Policy Number:	15.2	Previous Policy #:	1010.4	

CODES/REFERENCES

O.C.G.A. § 15-11-211 Relative Search by DFCS
O.C.G.A. § 39-4-1 through § 39-4-10 Interstate Compact on the Placement of Children
ICPC Regulation 2 – Public Adoption, Foster Care with Parents or Relatives
ICPC Regulation 6 – Permission to Place a Child

REQUIREMENTS

The Division of Family and Children Services (DFCS) shall secure the permission of the receiving state prior to placing a child that is in DFCS custody into another state.

NOTE: The placement of a child in DFCS custody into another state by any person or entity prior to approval is a violation of the Interstate Compact on the Placement of Children (ICPC). The existence of a Border Agreement does not grant permission for the placement of a child. Only the receiving state may grant permission.

PROCEDURES

Preliminary Assessment of Out of State Potential Resource

Prior to submitting the ICPC placement request, the Social Services Case Manager (SSCM) shall complete the following preliminary actions:

1. Conduct a diligent search for relatives and other persons who have demonstrated an ongoing commitment to the child(ren).
2. Contact the identified relatives or other persons and determine their interest, willingness and capability to provide a safe and stable home for the child(ren) subject to the request.
3. Document the results of the contacts in the Georgia SHINES Diligent Search tab. At a minimum, the following items shall be documented:
 - a. Name, Date of Birth and Social Security number of the primary and any secondary caregiver;
 - b. Relationship to the child(ren) subject to the request;
 - c. Mailing address of the residence to be studied;
 - d. Physical address and directions to the residence;
 - e. Telephone number or other means of contacting the proposed caregiver;
 - f. Physical description of the residence (number of rooms, bedrooms, identification of any safety hazards);
 - g. Name, age and relationship to the proposed caregiver of all household members;

- h. Ability of the proposed caregiver to assure the financial, medical, educational, child care, mental health and other wellbeing needs of the child(ren), or if assistance in meeting the needs will be necessary;
 - i. Willingness of the potential resource to cooperate with the receiving state in the completion of the study, including the willingness of all adults to undergo criminal history and Child Protective Services (CPS) background checks.
4. In conjunction with the Supervisor, evaluate the responses received from each relative/fictive kinship resource to determine which placement resource will offer the child(ren) the greatest opportunity to assure safety, permanency and well-being.
 5. Upon identifying, assessing and determining that the placement of the child with a relative in another state is in the best interest of the child, proceed with initiating the ICPC process.
 6. For relatives living in other states who have been assessed to be willing, interested and capable of meeting the children's safety and well-being needs, the "Case Manager Statement of Potential Placement/Party, under Regulation 2" is completed and must accompany the Interstate Compact for the Placement of Children (ICPC) request.

Making an ICPC Request

When the County DFCS makes the decision to place a child(ren) in DFCS custody with a placement resource in another state, the DFCS SSCM shall:

1. Complete the Interstate Compact on the Placement of Children Request (ICPC Form 100A) in Georgia SHINES.
2. Upload the following documents in Georgia SHINES External Documentation, for each document uploaded review the External Documentation Detail Page in Georgia SHINES, check the box labeled "ICPC Document", clearly indicate the type of document and associate each document with the relevant person(s) by selecting the person's name in the Person's Section:
 - a. ICPC request for home evaluation cover letter;
 - b. Court Orders;
 - c. Comprehensive Child and Family Assessment/Reassessment;
 - d. Medical reports;
 - e. Dental reports;
 - f. Psychological reports;
 - g. Educational reports;
 - h. Birth certificate or verification;
 - i. Social Security card or verification;
 - j. IV-E Determination;
 - k. Financial/Medical Plan to assure sending state responsibility for expenses;
 - l. Case Manager Statement of Potential Placement/Party Under Regulation 2.

NOTE: Please adhere to the procedures outlined in the Georgia SHINES Job Aide "Documenting ICPC Cases in Georgia SHINES (Georgia is the Sending State)" for completing the ICPC request.

3. Contact the ICPC unit via email at ICPC@dhr.state.ga.us when a new ICPC request is completed in Georgia SHINES. In the email, include the:
 - a. Georgia SHINES case identification number;

- b. Name of the oldest child on the referral;
- c. Date of Birth of the oldest child on the referral.

Within 3 business days, the Georgia ICPC Unit will:

1. Review and approve the Application Packet for transmittal to the receiving state;
2. Retain one copy of the packet and forward two copies to the receiving state;
3. Send a transmittal to the receiving state requesting a Home Evaluation with the due date and copy the DFCS County ICPC Liaison.

Responsibilities of the Receiving State

1. The receiving state must conduct and complete a Safe and Timely Interstate Home Study Report within 60 calendar days from receipt of the request by the receiving state ICPC office. The home study report shall:
 - a. Assess the safety and suitability of the home environment for the placement of the child(ren) that are the subject of the ICPC request;
 - b. Articulate the extent to which the assessed home would meet the needs of the child(ren); and
 - c. May or may not include a statement approving or denying permission to place the child(ren):
 - i. In the event the component of the study involving the education and training requirements for the prospective placement resource is incomplete, the report can be completed with a reference to the anticipated date that the training requirements will be completed.
2. Final approval or denial of the placement resource shall be provided by the receiving ICPC Administrator in the form of a signed ICPC request as soon as practical but no later than 180 calendar days from receipt of the initial home study request. The six month approval window is to accommodate licensure and/or receiving state requirements applicable to foster or adoptive home study requirements.
3. The approval provided by the receiving state expires six months from the date the ICPC request was signed by the receiving state. If the child(ren) are not placed with the placement resource within six months of approval by the receiving state, the placement approval expires and a new ICPC request shall be initiated.

Placement of a Georgia Child into Receiving State

1. Placement approval by the Georgia ICPC Administrator shall be secured before the County department proceeds with placement of the child(ren) out of state.
2. Once the Georgia ICPC Administrator receives authorization to proceed with placement from the receiving state, the child(ren) can be placed with the approved placement resource, unless within 14 calendar days of receipt, a determination is made based on grounds specific to the report that reliance on the report will be contrary to the child's welfare.
3. If the approved ICPC placement resource will not be used for placement, the Interstate Compact on the Placement of Children Report on Child's Placement Status (ICPC Form 100B) shall be completed in Georgia SHINES and the

assigned Georgia ICPC Administrator will be notified so the receiving state may be notified of the closure of the ICPC case.

4. Upon the receiving state and Georgia ICPC office granting approval for a placement, the County DFCS and receiving state agency or facility will discuss and agree upon the logistical issues related to the placement to proceed with the following:
 - a. Submission of the Interstate Compact on the Placement of Children Report on Child's Placement Status (ICPC Form 100B) will serve as notification to the receiving state to initiate supervision.
 - b. The County DFCS shall complete an ICPC Report on Child's Placement Status in Georgia SHINES (ICPC Form 100B) confirming the date of placement and notify via email the Georgia ICPC Administrator assigned to monitor compliance with the Compact of its completion;
 - c. The ICPC Report on Child's Placement Status (ICPC Form 100B) shall be completed expeditiously and forwarded to the receiving state by the Georgia ICPC Administrator within two (2) business days of notification.
5. The approval (permission) for placement is valid for six (6) months from the date the receiving state Compact Administrator signs the ICPC request. If a placement is not made within six (6) months of the approval, the County department shall request a reevaluation of the home before a placement occurs.
6. Along with the approved request to place and home study, the Georgia ICPC Administrator shall authorize a travel waiver to cover the child(ren)'s travel expenses.
7. The Case Manager's travel is covered under Grant in Aid (GIA). Advance approval for the case manager's travel shall be requested through the Division Deputy Director using the Interstate Travel Request.
8. If someone other than the DFCS SSCM transports the child(ren), travel expenses for this provider shall be the responsibility of the provider or County office.
9. Georgia DFCS shall retain legal custody of all children placed out of state pursuant to the ICPC policies and procedures. Legal custody of a child in foster care cannot be transferred to a family member or other entity without first securing the approval of the receiving state ICPC office and Georgia ICPC Administrator. Children subject to a Georgia Juvenile Court order of custody remain subject to the venue of that court until the child reaches the age of 18 (Exception: A finalized adoption or permanent guardianship terminates the jurisdiction of the court).
10. Georgia DFCS maintains legal and financial responsibility for a child placed through the Compact; therefore, if at any time it is determined the placement is no longer suitable for the child due to the child's disruption or the resource no longer being capable or willing to maintain the safety and well-being of the child, upon the request of the receiving state, Georgia shall take the necessary actions to return the child to Georgia within five (5) business days.

PRACTICE GUIDANCE

The assessment and approval of potential placement resources via the ICPC process is not intended for the assessment of every out of state relative or fictive kinship resource identified through the reasonably diligent search. The SSCM and supervisor shall

evaluate the responses received from each relative/fictive kinship resource to determine which placement resource will offer the foster child(ren) the greatest opportunity to assure safety, well-being and permanency. Issues to consider when assessing and selecting identified resources include:

1. Relatives should be given preference over non-relative placements unless no relative can be identified that is willing or capable of meeting the child(ren)'s needs for safety, well-being and/or permanence or the child has an existing strong bond with a non-relative;
2. Proximity to the child(ren)'s parent/caregiver, whenever the permanency plan is reunification;
3. The willingness of the placement resource to preserve the child(ren)'s important connections to family, community, culture and faith;
4. The capacity of the placement resource to meet the special needs of the child(ren) including physical, cognitive, behavioral and/or emotional needs; and
5. The willingness of the placement resource to work in partnership with both the sending and receiving state in the achievement of permanency.

ICPC request (completed in its entirety) The ICPC request Application Packet shall include the following current information:

1. ICPC Cover Letter: The cover letter includes the following information:
 - a. The name, date of birth, race/ethnicity and sex of the child under consideration for interstate placement;
 - b. The name, address, telephone number and other pertinent information for the person or entity being considered as a placement resource for the child;
 - c. Statement of Case Management to the Court: a statement by the DFCS County office that the placement resource being considered in the receiving state has been pre-screened and is believed to be both willing and capable of being approved as a placement resource for the child(ren);
 - d. The purpose/reason for the child's placement with the identified resource;
 - e. A statement of the requestor's legal authority to facilitate the placement of the child with the resource if approval is granted.
 - f. Signature of SSCM, SSS and County Director/Designee
2. Interstate Compact Placement on the Placement Report on the Child's Placement Status (ICPC Form 100B): Only required as a part of the request if the child was placed with the resource prior to securing permission from the receiving state;
3. The names of any children previously placed with the placement resource in the sending state (if applicable);
4. Court Order: A copy of the most recent court order reflecting that DFCS has legal custody and placement authority for the child subject to the request;
5. Comprehensive Child and Family Assessment/Reassessment: If the request is for siblings, only one CCFA is required for the family.
6. Medical, Dental, Mental Health, and Educational Documentation: The most recent (within one year) child-specific medical, dental and educational information. Psychological/Psychiatric shall be current within two years if the child is not receiving treatment. If the child is receiving treatment, the most current information is needed, including any reports from the treatment provider;

NOTE: If more than one child is subject to the request, each child's medical, dental, educational and mental health information shall be submitted.

7. Case Plan/Case Review (Georgia SHINES) - The current Case Plan that includes the goals and steps for each family member. The identified needs of each child/family member must be stated;
8. Birth Certificate or Verification;
9. Social Security Card or Verification;
10. IV-E Determination: The determination can be included in the cover letter or include a copy of the actual IV-E determination form. The determination shall be child-specific; therefore a form must be submitted for each child subject to the request;
11. Financial/Medical Plan: Statement of the sending state's plan to assure responsibility for financial and medical expenses. If more than one child is subject to the request, a determination concerning the financial responsibility and resource for medical coverage shall be provided for each.

The Safe and Timely Interstate Home Study Report must be completed within sixty (60) calendar days. Note that this report is not equivalent to a placement decision.

Timeframe for completion of Safe and Timely Interstate Home Study Report

As quickly as possible, but not more than sixty (60) calendar days after receiving a home study request, the receiving state shall:

1. Directly or by contract, complete a study of the home environment for purposes of assessing the safety and suitability of the child being placed in the home.
2. Return to the sending state a report on the results of the home study that shall address the extent to which placement in the home would meet the needs of the child.
 - a. This report may or may not include a decision approving or denying permission to place the child.
 - i. In the event the parts of the home study involving the education and training of the placement resource remain incomplete, the report shall reference such items by including an anticipated date of completion.

Receiving state placement decision may be postponed

If the receiving state cannot provide a decision regarding approval or denial of the placement at the time of the safe and timely home study report, the receiving state should provide the reason for delay and an anticipated date for a decision regarding the request. Reasons for delay may be factors such as the receiving state requiring all relatives to be licensed as a foster home. If such condition must be met before approval, a reasonable date for compliance shall be set forth in the receiving state transmittal accompanying the initial home study, if possible.

Receiving state decisions to approve or deny placement resource (request)

1. **Timeframe for final decision:** Final approval or denial of the placement resource request shall be provided by the receiving state Compact Administrator in the form of a signed Interstate Compact Placement on the Placement of a Children Request (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.
2. **Expedited communication of decision:** If necessary or helpful to meet time requirements, the receiving state ICPC office may communicate its determination to the sending agency's state Compact Administrator by FAX or other means of facsimile transmission or electronic transmission, if acceptable to both receiving and sending state. However, this may not be done before the receiving state Compact Administrator has actually recorded the determination on the Interstate Compact Placement on the Placement of a Children Request (ICPC Form 100A). The written notice (the completed Interstate Compact Placement on the Placement of a Children Request (ICPC Form 100A)) shall be mailed, sent electronically, if acceptable, or otherwise sent promptly. The receiving state home study local agency shall not send the home study and/or recommendation directly to the sending state local agency without approval from the sending and receiving state ICPC offices.
 3. **Authority of receiving state to make final decision:** The authority of the receiving state is limited to the approval or denial of the placement resource. The receiving state may decline to provide a favorable determination if the receiving state Compact Administrator finds that based on the home study, the proposed caregiver would be unable to meet the individual needs of the child, including the child's safety, permanency, health, well-being, and mental, emotional and physical development.
 4. **Authority of sending court/placing agency:** When the receiving state has approved a placement resource, the sending court/placing agency has the final authority to determine whether to use the approved placement resource in the receiving state. The receiving state Interstate Compact Placement on the Placement of a Children Request (ICPC Form 100A) approval expires six (6) months from the date the request was signed by the receiving state.

Reconsideration of Denied ICPC Assessments

Georgia may request reconsideration of a denied ICPC placement within 90 calendar days of the date of receipt of the signed ICPC request from the receiving state ICPC Administrator. The basis of the reconsideration shall be:

1. Request reconsideration without a new home study: Georgia's ICPC office can request the receiving state ICPC office to reconsider the denial of placement of the child with the placement resource. If the receiving state ICPC office chooses to overturn the denial, it can be based on review of the evidence presented by Georgia's ICPC office and/or any other new information deemed appropriate. If approved, a new request giving an approval without a new home study will be signed.
2. Request new home study re-examining reasons for original denial: Georgia's ICPC office may send a new ICPC home study request if the reason for denial has been corrected; i.e., move to new residence with adequate bedrooms. The receiving state ICPC office is not obligated to activate the new home study request, but it may agree to proceed with a new home study to reconsider the denial decision if it believes the reasons for denial have been corrected. This regulation shall not conflict with any appeal process otherwise available in the receiving state.

3. The receiving state ICPC office has 60 days from the date the formal request to reconsider denial has been received from Georgia's ICPC office. If the receiving state ICPC administrator decides to change the prior decision denying the placement, an ICPC transmittal letter and the new request shall be signed reflecting the new decision.

FORMS AND TOOLS

Association of Administrators of the Interstate Compact on the Placement of Children – ICPC Articles

Association of Administrators of the Interstate Compact on the Placement of Children – ICPC Regulations

Documenting ICPC Cases in Georgia SHINES – Job Aide

ICPC Cover Letter - Sample

Field Fiscal Services COSTAR Manual 3001: Family Foster Care

Statement of Case Management/Potential Placement/Party Under ICPC Regulation 2