

Topic 5: Interstate Compact on the Placement of Children

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The Interstate Compact on the Placement of Children (ICPC or the Compact) is a uniform law that has been enacted in all 50 states, the District of Columbia, and the U.S. Virgin Islands. The ICPC establishes a contract among these jurisdictions that:

- ◆ Ensures orderly procedures for the interstate placement and postplacement supervision of children, and
- ◆ Fixes responsibilities for those involved in placing the child.

Each jurisdiction designates officials to administer the ICPC. The deputy administrator of the Iowa Interstate Compact Unit is located at the DHS Division of Child and Family Services, 1305 E. Walnut Street, Des Moines, IA 50319-0114. Communication between the "sending state" and the "receiving state" must flow through the ICPC administrator by means of an ICPC referral.

The "sending agency" (that sends, brings or causes a child to be brought or sent to another state) may be:

- ◆ A state that is party to the Compact, or any officer or employee of a party state;
- ◆ A subdivision, such as a county or a city, or any officer or employee of the subdivision;
- ◆ A court of a party state; or
- ◆ Any person (sometimes including parents and relatives), corporation, association, or charitable agency of a party state.

The Iowa Interstate Compact Unit uses form [470-0790, ICPC Interstate Compact Transmittal](#), as a cover memo for information being forwarded from Iowa to another state or received from another state. When you receive a transmittal, note to whom the form is being sent and determine whether you need to take any action. The form is often copied to DHS staff to document when information was sent to another state.

Note: In the event of problems, the local supervisor should make phone or e-mail contact with the Iowa Interstate Compact Unit. The area service administrator may make this contact if the service supervisor is not available.

Cases Subject to ICPC

The following cases require a referral to the Iowa Interstate Compact Unit whenever a child is to be placed outside the child's current state or jurisdiction:

- ◆ Birth parent unification or reunification when a court has jurisdiction of the child.
- ◆ Kinship care by relatives when a court has jurisdiction of the child.
- ◆ Foster family care.
- ◆ Foster group care.
- ◆ Residential treatment facility placement by a parent, an agency, or a court.
- ◆ Domestic adoptions arranged by a public agency, a private licensed child-placing agency or an independent private adoption attorney.
- ◆ International adoptions, including a child adopted within the United States and children adopted abroad by "proxy" or for whom the U. S. Citizenship and Immigration Service has issued an IR-4 visa.

Note: If it is anticipated that a child's stay will last less than 30 days, a referral to ICPC is not needed. See [Visits](#).

A Department referral to ICPC requires that the court have jurisdiction of the child. A recommendation to terminate court jurisdiction should not be made to avoid responsibilities set forth under the Compact. A court in Iowa takes jurisdiction of a child through the process of filing a CINA petition or the temporary removal of a child. Once either of these actions been taken, an ICPC referral can be made.

After filing of the CINA petition and before adjudication, follow ICPC procedures unless the placement that is not subject to ICPC and no home study or supervision is needed. Once a child is adjudicated, ICPC procedures must be followed. The case should not be dismissed in order to place the child in another state.

Cases Not Subject to ICPC

The following cases are not subject to ICPC and do not require a referral to the Iowa Interstate Compact Unit:

- ◆ Children moving between the homes of relatives when no court has jurisdiction over the child. This includes moves:
 - From birth parent to birth parent.
 - From birth parent to relative.
 - From relative to birth parent.
 - From relative to relative.
- ◆ Children admitted to any medical facility for the sole purpose of medical care.
- ◆ Children placed in a facility for the sole purpose of education (boarding school).
- ◆ Juveniles who have been adjudicated delinquent. (These placements are subject to the Interstate Compact on Juveniles.)
- ◆ Divorce and custody investigation.
- ◆ International adoptions when the U. S. Citizenship and Immigration Service has issued an IR-3 visa for the child being adopted.
- ◆ Requests received through International Social Services or any of its branch offices overseas for home studies or social services.
- ◆ Finalized adoptions with subsidy in which the family moves to another state.

Visits

A "visit" is not a placement within the meaning of the ICPC. No ICPC referral should be made. "Visits" and "placements" are distinguished based on:

- ◆ Their purpose.
- ◆ Their duration.
- ◆ The intention of the person or agency with responsibility for planning for the child as to the child's place of residence.

Use the following criteria, which have been adopted nationally, to distinguish a visit from a placement:

- ◆ The purpose of a visit is to provide the child with a social or cultural experience of short duration, such as a stay in a camp or with a friend or relative who has assumed legal responsibility for providing child care.
- ◆ If the child's stay is intended to be for no longer than 30 days and if the purpose is as described above, it is presumed that the circumstances constitute a visit rather than a placement.
- ◆ A stay or proposed stay of longer than 30 days is a placement or proposed placement. **Exception:** A stay of longer duration may be considered a visit if it begins and ends within the period of a child's vacation from school.
- ◆ If a stay does not from the outset have an express termination date, or if its duration is not clear from the circumstances, it shall be considered a placement or proposed placement.

Note: A request for a home study or supervision made by the person or agency that sends or proposes to send a child on a visit will conclusively establish that the intent of the stay is **not** a visit.

Placing an Iowa Child Out of State

When it is anticipated that an out-of-state placement may be needed for a child who is under the jurisdiction of the juvenile court:

1. If the referral involves a child who is of known or suspected Native-American heritage, follow the procedures prescribed by the [Indian Child Welfare Act](#). This involves notification to the Bureau of Indian Affairs. Consult with service supervisors regarding cases involving Native American children and ICPC referrals.
2. Contact the proposed placement to determine the family's interest in completing a home study and willingness to accept the child for placement, including financial and medical arrangements. If a family is not interested or able, do not make an ICPC referral for that placement. Document the reasons.
3. If the placement resource is interested, begin planning for financial and medical arrangements. Determine the person or agency that will be financially responsible for the cost of services and medical coverage for the child who is being placed. (See [Funding for Interstate Services](#).)

When custody is being placed with a parent or other relative, consider financial responsibility in the following order:

- ◆ Parent or relative
 - ◆ Juvenile court
 - ◆ DHS
4. Initiate an ICPC referral through the Iowa Interstate Compact Unit. Prepare the packet of information according to the instructions in [Initial Referral Packet](#). Do not make direct referrals to the other state in an effort to expedite the process. If you believe that immediate attention is needed regarding the referral, see [Priority Placement Request](#).

Note: The Compact recommends 8 weeks or 60 working days as the maximum processing time for referrals, measured from the date the ICPC administrator receives notice of the proposed placement until the date when the placement is approved or denied.

5. Upon receipt of a referral packet, the Iowa Interstate Compact Unit will:
- ◆ Send the referral to the ICPC office of the proposed placement state, who will then forward to their local office to process.
 - ◆ Send a copy of the transmittal form for the referral to the other state to the Iowa local office to confirm the information was sent.
6. When the receiving state completes the home study, and approves or denies the placement, this response will be forwarded to the Iowa Interstate Compact Unit with the ICPC 100A, *Interstate Compact on the Placement of Children Request (470-0781)*, marked approved or disapproved. The Iowa Interstate Compact Unit then sends this to the Iowa local office with a transmittal attached.

If the receiving state disapproves the placement, the placement shall **not** be made. A placement made against the recommendation of the receiving state constitutes an illegal placement, and is subject to penalties set forth in Iowa law.

Note: The approval of the placement by the receiving state is contingent upon that state's laws. The sending state must comply with the laws of the receiving state regarding the placement of children. Therefore, the receiving state may change a request made on an ICPC 100A for a type of placement by if it violates the laws of that state. Example:

Iowa requests a relative home study in another state. That state requires that any person who has a child placed in the person's home must be a licensed foster home and the child must be in foster care status. The receiving state can require that the ICPC 100A request be changed to a foster care home study.

7. If the other state approves the placement, you may then decide to use the placement and make necessary arrangements to send the child to the other state. Complete the placement within six months of approval. A relative home study is valid for six months from the date of completion. Adoptive home studies and foster care home studies are valid for one year.
8. If you decide not to use the placement, notify the Iowa Interstate Compact Unit using form ICPC 100B, *Report on Child's Placement Status* ([470-0788](#)). That information will be sent to the other state.

Initial Referral Packet

These instructions apply for any type of ICPC placement request, including parent or relative placement, group foster care, family foster care, or adoption.

1. Completely fill out form ICPC 100A, *Interstate Compact on the Placement of Children Request* ([470-0781](#)). Prepare a separate ICPC 100A for each child.
 - ◆ The Iowa Interstate Compact Unit perceives all referrals as an application for placement, even if you feel that an actual placement is very remote. Therefore, always complete and respond to questions on the ICPC 100A from perspective of "what if a placement occurred."
 - ◆ Indicate on the form whether the child is or is not IV-E-eligible. (Juvenile court offices must contact the DHS service worker for IV-E information.)
 - ◆ Sign and date the form.

2. Assemble the following information:

- ◆ Documentation of authority to place child. For DHS, this is the most recent petition, adjudication, or disposition order that gives DHS custody, guardianship or supervision.
- ◆ A financial and medical plan for the child to be used while in placement. You can explain the plan in the cover letter of the packet or you may use [ICPC Financial and Medical Plan, form 470-3827](#).
- ◆ The social history (background report) of the child or a substitute document containing background information.
- ◆ Clinical or provider reports that are essential to referral.
- ◆ The child's case permanency plan.
- ◆ For **group care** placement, also include:
 - Approval of the service area manager or designee
 - Area education agency approval to fund the educational component

Note: You may also be required to get an exception to policy for certain out-of-state group facilities. If so, you can seek this simultaneous to making the ICPC referral. However, the child cannot be placed until both are approved. Refer to the exception to policy request in your cover memo. (See also [Out-of-State Group Care Placement](#).)

- ◆ For a **foster family care** placement, also include:
 - Service area manager approval according to criteria and procedure in family foster care procedures.
 - Area education agency approval to fund the educational component, if applicable.
 - The most recent licensing evaluation for an Iowa foster family that is moving out of state. (If the license is due for renewal within 90 days after the move, the license must be renewed before the move.)
- ◆ For an **adoptive placement**, also include:
 - A copy of the adoptive home study, if available.
 - Birth and health information on the child being referred.
 - A copy of the petition for adoption (if available).
 - Previous supervisory reports, if the adoptive parents are moving before the finalization of the adoption.

3. Prepare a memo to the ICPC administrator, including:
 - ◆ The placing worker's name, phone number, and address.
 - ◆ The child's name and birth date.
 - ◆ The type of placement or home study requested (parent or relative, foster care, adoptive).
 - ◆ The name and address of the proposed placement. (For a foster family placement, clarify the licensing status of home under consideration.)
 - ◆ A brief summary of pertinent information with any specific problems or needs.
 - ◆ Statement of permanency plan for the child.
 - ◆ Reference to service area approval of placement and whether an exception to policy is being requested.
4. Prepare three copies of all placement materials except form ICPC 100A and assemble these materials into three separate packets. Place the original and five copies of the ICPC 100A, unseparated, on top of the referral packets.

Note: If a sibling group is going to the same placement, only three packets are required, not a separate set of packets for each child.

Priority Placement Request

ICPC Regulation No. 7 establishes procedures for the out-of-state "priority placement" of children. A priority placement order is justified when:

- ◆ The agency's proposed placement is with the child's parent, stepparent, grandparent, adult brother or sister, adult uncle or aunt, or guardian; and
- ◆ The child either:
 - Is under two years of age, or
 - Is in an emergency shelter, or
 - Has spent a substantial amount of time in the home of the proposed placement recipient.

A priority placement order also is justified for any type of ICPC placement when:

- ◆ The compact administrator in the receiving state has had a properly completed ICPC 100A and supporting documentation for over 30 business days, but
- ◆ The sending agency has not received notice on whether the child may be placed.

Note: Priority placement procedures do **not** apply when:

- ◆ One of the relatives listed above sends or brings the child into another state and leaves the child with a relative or guardian in that state. The ICPC applies only to placements made by an agency;
- ◆ The request is for placement of the child in a licensed or approved foster family home or adoptive home; or
- ◆ The child is already in the receiving state in violation of the ICPC.

Initiating a Priority Placement Request

To initiate a priority ICPC placement, the court in the sending state must determine that a proposed priority placement of a child from one state to another is necessary. The court can take this action upon request, on its own motion, or when court approval is required.

1. When the service worker, supervisor, and judge determine that a referral meets one of the criteria for a priority placement, prepare an order and present it to the judge for signature. The court order must:
 - ◆ Contain an express finding that one or more of the circumstances justifying priority placement applies to a particular case.
 - ◆ Set the facts on which the court bases its findings.
 - ◆ Contain the typed name, address, telephone number, and, if available, the fax number of the judge and the court issuing the order.
2. The issuing judge must sign the court order and finding. The court has two business days to send the signed court order to the sending agency.
3. Within three business days of receipt of the order, prepare a referral packet that includes:
 - ◆ A cover letter indicating that the request is entitled to priority processing
 - ◆ The signed court order

- ◆ Form [ICPC 100A](#), *Interstate Compact on the Placement of Children Request*
- ◆ Form [ICPC 101](#), *Sending State Priority Home Study Request*
- ◆ Supporting documentation

Send the packet to the Iowa Interstate Compact Unit by overnight express mail carrier service.

Notify the compact administrator by a telephone call and by electronic mail that the request is coming.

4. The Iowa Interstate Compact Unit has two business days to validate the priority placement request and forward it by overnight express mail to the receiving state's Interstate Compact Unit.

If the documentation for the request is insufficient, the compact administrator will notify the service worker by electronic mail, specifying the additional information needed.

5. The receiving state has 20 business days to make a decision whether or not the priority placement can be made. **Note:** This period may be modified (either up or down) with a written agreement between the court that made the priority order, the sending agency, and the compact administrators of both the sending and receiving states. Each modification applies only to the single case for which it is negotiated.
 - ◆ Maintain contact with the compact administrator to stay abreast of the status of the referral.
 - ◆ Keep the court which issued the order informed about the status.
6. The receiving state compact administrator will transmit the decision by faxing the ICPC 100A back to the Iowa Interstate Compact Unit, followed by a complete hard copy of the priority placement referral.
7. The Iowa Interstate Compact Unit will fax the ICPC 100A to the service worker or supervisor immediately and send the hard copy when received.
8. Notify the court of the final decision.

Noncompliance

If the receiving state fails to give a decision of the proposed placement within the prescribed period, the receiving state shall be deemed out of compliance with the ICPC.

If there appears to be a lack of compliance, the court that made the priority order may so inform an appropriate court in the receiving state. The sending court may provide the receiving court with copies of relevant documentation of the case, including the making of appropriate orders, for the purpose of obtaining compliance.

Placement of Child

1. Upon approval of the proposed placement, obtain court authorization before making placement arrangements.
2. The arrangements and expenses for placement are the responsibility of Iowa. Work with your supervisor, the proposed placement, and the local office in the receiving state to arrange to send the child to the placement. If there are expenses for the child's travel, work with your service area office to arrange for out-of-state travel.
 - ◆ Arrangements to fly a child out of state are made through the Field Office Support Unit. To obtain funding for the child's travel, work with your supervisor and service area manager. Possible funding sources for the child's travel are:
 - Decategorization
 - Court-ordered service funds
 - County money
 - Special grant money (for adoptive placements)
 - Community resources (Salvation Army, churches, service organizations, etc.)
 - ◆ If you need to accompany the child out of state, obtain prior authorization through the service area, including obtaining permission to travel out of state. You must initially pay your expenses, including airline tickets, and then request reimbursement for them through a Travel Voucher after the trip is complete.
3. Prepare three copies of a placement packet that includes the following:
 - ◆ Pertinent medical information, including immunizations

- ◆ School transcripts or information as to where transcripts can be obtained
 - ◆ Written authorization for the receiving person or agency to consent to medical or surgical needs, or information on who to contact in Iowa that can consent to such care, including telephone numbers for 24 hours a day
 - ◆ An updated court order, if this has changed since referral packet was sent
 - ◆ A copy of placement agreement with the foster family or facility
 - ◆ A travel authorization, if someone other than the legal parent is transporting the child to placement
4. Send three packets to the Iowa Interstate Compact Unit to be forwarded to the receiving state's Interstate Compact Unit. Include:
- ◆ A brief cover memo describing plans for placement and noting that you have sent a packet directly to the supervising agency.
 - ◆ An original plus three copies of ICPC 100B, *Report on Child's Placement Status* (form [470-0788](#)).

Postplacement Activities

Once an Iowa child is placed out of state, the other state can be expected to supervise the placement and provide reports as requested on the [ICPC 100A](#). Services begin when the receiving agency receives your ICPC 100B from the Interstate Compact Unit. Iowa shall retain jurisdiction over the child until the receiving state recommends termination of Iowa's jurisdiction.

Services to Child in Placement

1. During the course of the placement, maintain case management responsibilities. This may include responding to requests for additional services, payment problems, placement needs or other issues.
2. Iowa maintains financial responsibility for the child.
 - ◆ For foster care placements, make maintenance payments through FACS. Give verification of licensing to the licensing staff in your service area, so they can set the family up as a provider in FACS.

Pay Iowa foster family rates, unless the child's family lives in the other state and the goal is to reunite the child with the family. In these rare instances, the service area manager or designee may authorize a payment at the rate in effect for the other state.

- ◆ If it is necessary to make pre-subsidy payments for adoptive placements, set the family up as a provider in FACS upon receipt of the approved home study. Responsibility for the child's subsidy payment remains with Iowa for the duration of the placement, even though the ICPC case will be closed at the time of finalization.
3. If additional service needs are identified later in the placement, explore funding through Medicaid or local resources. Always encourage the family where the child is placed to apply for Medicaid in their state.
 4. If funding is not available through these means, consider the use of:
 - ◆ Decategorization funding.
 - ◆ Payment from foster care funds, if applicable. (See Out-of-Home Placement Procedures: [Services Not Covered by Medicaid](#).)
 - ◆ Payment of special services subsidy for service needs of pre-adoptive and adoptive families. (See Adoption Procedures: [Special Services Subsidy](#).)
 - ◆ A purchase of social services contract negotiated with an agency in the other state (applicable under very limited circumstances).

Supervision

Note: The receiving state will send supervisory reports through their Interstate Compact Unit, who will then forward them to the Iowa Interstate Compact Unit. The reports are then sent to the DHS local office with a transmittal attached. Reports may be sent directly to you, but the receiving state also must send reports through the Iowa Interstate Compact Unit.

1. Monitor the receipt of the supervisory reports according to the frequency specified on the [ICPC 100A](#) in the original referral packet. If supervisory reports are not received as requested, have your supervisor notify the Iowa Interstate Compact Unit.
2. When you receive supervisory reports, forward them to the juvenile court and to all other interested parties, according to local procedures. These reports will vary in format, but are generally in a memo form.

Notify your supervisor and the Iowa Interstate Compact Unit whenever information contained in a report raises concerns about ICPC compliance or the safety of the child is in question.

3. You may have ongoing phone contact to monitor the placement or discuss any service needs. Do not enter into any agreements with the receiving state without prior consultation with the Iowa Interstate Compact Unit.

Changes in the Child's Placement

1. Submit a new form [ICPC 100B](#) indicating the change if:
 - ◆ There is a change in address where the child is residing, or
 - ◆ The child's "level of care" changes but a new study is not needed (e.g. from foster care to group care).
2. Complete a new form [ICPC 100A](#) if:
 - ◆ The child's "level of care" changes and a new home study is needed. For example, when a relative is applying to adopt the child, a referral must be submitted requesting an adoptive study.
 - ◆ A child intends to move from the state where originally placed to another state. Follow the procedures for initial referrals.

Disruption of Placement

1. If concerns arise regarding the placement of the child to the extent that the child needs to be placed elsewhere for a short period in order to maintain the placement, work with the local office in the receiving state to determine an appropriate placement for the child.
2. Once an appropriate placement is located, obtain any necessary court orders from Iowa to facilitate this placement (placing a child in shelter care or family foster care, for example).
3. Notify the Iowa Interstate Compact Unit immediately regarding the change in placement. Except in an extreme emergency, the supervising person or agency should not place the child before receiving authorization from Iowa.
4. Work with the supervising person or agency in the receiving state to return the child to the original placement as soon as it is safe or appropriate to do so.
5. If the placement completely fails, and the child needs to be returned to Iowa, work with the supervising person or agency in the other state on arrangements to return the child to Iowa. Also contact the Iowa Interstate Compact Unit regarding the placement failure.

Note: Expenses incurred in returning the child to Iowa are the responsibility of Iowa. See [Placement of Child](#) for details on funding and travel arrangements.

Runaways

1. If a child runs away from the placement in the other state, the person with whom the child is placed should report this to local law enforcement and request that the child be placed on the National Crime Information Center. This identifies the child as a “runaway” child and makes the child subject to provisions of the Interstate Compact on Juveniles.
2. When travel arrangements to return runaway children who are under the custody or guardianship of DHS to Iowa are needed, first contact the Iowa Interstate Compact Unit to request assistance. The Iowa Interstate Compact Unit is responsible for returning all runaways who are in the custody or under the guardianship of the Department.
 - ◆ If worker travel is needed in order to return the child, make those arrangements with the assistance of the service area office, including permission to travel out of state.
 - ◆ Expenses for the social worker, including airline tickets, are paid initially by the social worker, and then are reimbursed through form TP07-410, *Travel Payment*, when the trip is complete. Coordinate travel arrangements with either the Iowa Interstate Compact Unit or the Field Operations Support Unit, depending on which unit is making arrangements for the child’s return.

Note: The Iowa Interstate Compact Unit will arrange for the return of runaways who are not under any legal jurisdiction but whose parents are legal residents of Iowa and are unable or unwilling to pay for their return.

The Unit will request the service area where the parents reside to assist in planning with the parents for the return of their child and to follow up with services for the child upon return. (The Interstate Compact on Juveniles covers these situations.)

For assistance regarding children who have been taken out of state illegally by parents and need to be returned to Iowa, contact the Field Operations Support Unit. Refer to Out-of-Home Placement Procedures: [Unauthorized Absence of a Child From Placement](#).

Termination and Closure of a Case

An ICPC case may be closed when:

- ◆ The child's adoption is finalized, or
- ◆ The child reaches majority age according to the sending state, or
- ◆ The receiving state gives concurrence to close the case

Note: An ICPC case may also be closed when the child commits a delinquent act in the receiving state and the judge in the receiving state and the judge in Iowa determine that jurisdiction of the case should be assumed by the other state. These cases are not common and generally involve consultation with the Iowa Interstate Compact Unit and Juvenile Court Services staff.

1. When a child's adoption is finalized in Iowa, send three copies of the adoption decree and four copies of the [ICPC 100B](#) to the Iowa Interstate Compact Unit. If the adoption is finalized in the other state, send the ICPC 100B and the adoption decree, if available.
2. Before recommending dismissal of Iowa's juvenile court action, consider the legal status of the child if this action is dismissed. Legal custody or guardianship may need to be awarded to the parent or relative where the child is placed. Depending upon the state where the legal action occurs, this action could take place in a court other than juvenile court.

Note: Through discussions and reports from the receiving state, the supervising person or agency can recommend that Iowa dismiss jurisdiction. The formal recommendation to close must be in writing from the receiving state and go through the Iowa Interstate Compact Unit. This usually occurs through a progress report.

3. Obtain the other state's permission before you recommend dismissal of the Iowa juvenile court case. If consensus cannot be reached, your supervisor may involve the ICPC administrator to help negotiate.
4. Once Iowa receives the recommendation to dismiss jurisdiction, you can recommend to the juvenile court that the case be dismissed.
5. When the court dismisses the case, send three copies of the court order and four copies of the ICPC 100B to the Iowa Interstate Compact Unit. Close the case after you receive a transmittal from the Unit when the information is sent to the receiving state and the ICPC case is closed.

Funding for Interstate Services

Policies about funding for interstate cases are based upon the laws governing these cases and are generally intended to be reciprocal. In the examples below, Iowa is the sending state. If a child is placed from another state into Iowa, these same rules and principles apply.

Note: If the child is placed in the home of a parent, the child will assume the residency of the parent, and therefore may be able to receive services based on the eligibility standards of the state where the parent lives.

If the child is placed in a non-parental placement and legal responsibility has been given to the caretaker, the child may also be eligible for services from the state in which the child is placed. These situations need to be negotiated with the state where the child will reside.

Home Studies, Basic Supervision, and Progress Reports

By reciprocal agreement, home studies, basic supervision of placements, and progress reports about placements are provided at no charge to the sending state as long as the case qualifies for ICPC. It does not matter if the services are provided directly using state agency staff or are purchased. The sending state is not expected to pay for the home studies.

Consider the following options for completing an ICPC **home study** requested by another state:

- ◆ 100% state funds may be used. (Payment is made through FACS using A7.)
- ◆ Decategorization funds may be used. (Payment according to local practice.)
- ◆ The family may arrange to make private payment on a voluntary basis.
- ◆ Department staff may complete the home study directly.
- ◆ A home study may be purchased from a private agency through the recruitment and retention contractor.

Determine the amount of **supervision** services needed to ensure the safety of the child and to assist in the success of the placement.

- ◆ There is no minimum or maximum amount of supervision services dictated by ICPC regulations. At a minimum, supervision needs to be provided at the frequency identified on the [ICPC 100A](#) that has been submitted and approved.
- ◆ Supervision of ICPC placements from other states is generally arranged using purchased family-centered services or foster care supervision but may be done directly by DHS.

Maintenance Costs

Maintenance costs are the general cost of living expenses for the child's care (room and board, personal supplies, clothing, etc.).

When an Iowa child enters a **foster care**, **preadoptive**, or **adoptive** placement, ensure that Iowa DHS has verification that the home where the child will stay is either licensed for foster care or approved for adoption in the other state.

In these cases, maintenance costs can be paid through the FACS system. The other state must provide enough information through the home study and the ICPC approval process to allow the home to be entered into the FACS system as a provider. Maintenance payments can then be generated in the normal manner.

Note: Iowa pays the Iowa rates for most foster family care. The service area manager or designee can authorize the rate in effect in the other state if the child's family lives in that state, and the goal is to reunite the child with the family.

If the placement is in a **relative's** home, discuss maintenance costs with the relatives before placement. The family usually absorbs the child's maintenance costs or applies for TANF (FIP) caretaker benefits in the other state. Ideally, the family should speak to the local public assistance office to verify their eligibility for benefits. Incorporate this information into the child's medical and financial plan.

Also consider the child's unearned income, such as court-ordered child support or Social Security disability or survivor's benefits, etc. Policy generally requires these payments to be payable to the person who is actually providing the child's care. Planning may need to occur with the child's biological family and state agencies to ensure that the child's unearned income is transferred to the new caretakers.

If the child is placed in foster care and Iowa is making the maintenance payments, the unearned income will likely remain assigned to Iowa, since Iowa is funding the child's care. However, these sources of income may be available to relatives who are caring for children. Take steps for payments to be assigned to them through the applicable agencies.

Medical Services

The sending state has the responsibility for preparing a plan for the child's medical care, including routine doctor appointments, any ongoing medical concerns, hospitalization, prescriptions, and dental care. This plan may involve the receiving state arranging for Medicaid coverage based on the provisions of the federal COBRA legislation if the child is IV-E-eligible.

Consider the following medical funding sources:

- ◆ The relative's private insurance or private payment.
- ◆ Medicaid (Title XIX) from the receiving state for:
 - A IV-E-eligible child,
 - A disabled child on SSI, or
 - A child receiving adoption subsidy who is moving to a state that has a reciprocal agreement with Iowa for medical coverage.
- ◆ Medicaid (Title XIX) from the sending state for a non-IV-E-eligible child who is placed in foster care.
- ◆ For pre-adoptive placement, special services subsidy to cover non-Medicaid-funded medical expenses. (See Adoption Procedures: [Special Services Subsidy](#).)
- ◆ For a child in DHS custody or guardianship and in foster care, payment of expenses for medical services not covered by Medicaid using foster care funds, via:
 - Special issuance through FACS. The payment is made to the placement provider who, in turn, reimburses the medical provider.
 - Submission of a claim on a [General Accounting Expenditure, GAX](#). The payment is made directly to the medical provider. (See Out-of-Home Placement Procedures: [Services Not Covered by Medicaid](#).)

Service Costs

Children placed through ICPC may require a wide range of services. The sending state is responsible for developing a financial plan and for the cost of any treatment services that exceed the basic supervision of the case. You must develop plans for funding any additional services before the placement. The compact administrator in the receiving state may deny the placement if the sending state will not be providing needed services.

1. Identify the child and family's need for services. **Note:** Avoid references to program definitions, since these are not meaningful across state lines. For instance, "family-centered services skill development service" will not mean very much to someone in another state.
2. Once you have identified what specific assistance the child and placement need, communicate these to your peers in the other state and begin exploring possible funding options with the proposed placement and local staff in the other state.

Developing funding streams and payment mechanisms can be extremely difficult across state lines. It may be necessary to have direct contact with the potential placement or public agency to determine available. You may need to consult with your supervisor on available options in certain cases.

Note: The service plan may be altered during the course of the placement, allowing for the addition or elimination of certain services.

3. Give first consideration to payment sources that do not involve direct funding by Iowa. Consider the possible funding alternatives and incorporate the most viable options into the "financial plan:"
 - ◆ The service is billable to the child's Medicaid or private insurance. (If the child is not IV-E-eligible and has only Medicaid coverage from the sending state, the medical vendor must be willing to become a Medicaid vendor for that state.)
 - ◆ The service provider is certified as an Iowa service provider or maintains a current purchase of service contract.
 - ◆ The service is court-ordered and you can fund it through Iowa's "court-ordered services" administered by juvenile court services. Follow local procedures for application.

- ◆ Decategorization funds. (Local availability and application process apply.)
- ◆ Special services subsidy if the child is in a pre-adoptive placement. Since these services are paid directly to the pre-adoptive parent, a purchase of service contract does not need to be in place. If the services are anticipated to exceed \$500 per year, prior authorization by the state program manager for adoption is required.
- ◆ When the child is in foster care s in DHS custody or guardianship, expenses for medical services not covered by Medicaid may be paid either by:
 - Special issuance through FACS. The payment will be made to the placement provider who in turn, would reimburse the medical provider. This could include outpatient mental health services.
 - Using the [General Accounting Expenditure, GAX](#), making payment directly to the medical provider. (See Out of Home Placement Procedures: [Services Not Covered by Medicaid](#).) This could include outpatient mental health services.
- ◆ When the child is in the custody or guardianship of anyone other than DHS, an agreement may be negotiated with an agency in the receiving state to provide services to the child.
 - The local office initiates the negotiation by contacting the area service administrator, who will contact the program manager in central office.
 - The agreement should be signed by the agency and the service area manager and should include:
 - A description of the services to be provided
 - The number of units or amount of service
 - Rates
 - Reports expected
 - Length of time (not to exceed six months)
 - Supply the agency with some GAX forms. The agency should submit one form on a monthly basis to the Iowa worker along with a bill. The service area manager must sign the voucher.
 - Submit the GAX, the bill, and a copy of the agreement to the program manager in central office who is responsible for the service rendered. The program manager completes the remaining codes on the GAX to assure the expenses come from the correct service area's budgets.

- ◆ Private payment by family. Explore agencies near the proposed placement that may offer sliding fee scales or grant-funded programs.
- ◆ If the child's unearned income exceeds the child's maintenance expenses, the child's accumulated escrow funds may be used. See Administration of Escrow Funds for procedures on obtaining access to these funds.
- ◆ Children placed out of state who continue to have Iowa Medicaid coverage and are enrolled in the Iowa Plan are eligible for mental health and substance abuse funding through the Iowa Plan. Contact the Iowa Plan administrator, Magellan Behavioral Care of Iowa, for assistance in locating and paying a provider.
- ◆ The sending state may request the receiving state agency to provide services to the child and family or placement based on the family's eligibility for any such services in the receiving state.

Educational Costs

If the receiving state imposes educational costs for the child, the ICPC places responsibility for paying such costs on the sending state as part of the "support and maintenance" requirements.

When considering the placement of school-aged children across state lines, review applicable laws in the sending state and the receiving state relating to educational costs. Educational costs may be handled by different methods in different states, based upon whether the child has "special educational needs." The child's new school district in the receiving state may:

- ◆ Accept the child for either regular classroom or special education classroom in the same manner as any other child is accepted for enrollment. (No educational costs would be incurred by the child's caretaker in the receiving state or by the former school district in the sending state.)
- ◆ Expect the child's former school district or the public agency in the sending state to pay out-of-state tuition for regular classroom educational costs. (This decision may be based on the issue that the child is not a resident of the new school district because a court in the sending state has continuing court jurisdiction over the child.)
- ◆ Require payment for special educational needs of the child from the legal custodian or guardian of the child.

Payment for educational costs for a child may include using court-ordered services funds, decategorization funds, or county funds if other sources are not available.

If a child is in special education, seek approval from the area education agency before placement. It may be appropriate to request a special education staffing to determine if the child meets criteria for special education before placement.

Placement of Out-of-State Children in Iowa

Note: When another state requests to place a child in Iowa, the same requirements apply as those outlined for children placed from Iowa. All requests to Iowa by any person, public or private agency, or court that are preliminary to possible placement in Iowa must be sent to the Iowa Interstate Compact Unit.

1. When the Iowa Interstate Compact Unit receives the request, it reviews the request for completeness and content.
 - ◆ When there is insufficient information, the Iowa Interstate Compact Unit will contact the sending state to obtain further information.
 - ◆ After review of the referral packet, the Iowa Interstate Compact Unit sends the request to the designated DHS staff for that service area.
2. Respond to the Iowa Interstate Compact Unit by the due date indicated on the transmittal form. Eight weeks or 60 working days is the maximum recommended processing time from the date the receiving state's interstate compact unit receives the notice of the proposed placement until the date that the placement is approved or denied.
 - ◆ If for some reason the response date cannot be met, notify the Interstate Compact Unit in writing when a report can be anticipated.
 - ◆ At times, referrals may take longer to process because of other work demands placed upon the local agency in the receiving state or upon the compact office. Whenever emergencies arise, however, compact administrators will give special consideration to requests and respond by the fastest means of communication.

Evaluation of Placement

1. When the request is for a home study of a parent or relative, conduct a complete home study of that home. The home study may be purchased from an authorized provider or completed by Department staff. Under federal law, the home study must be completed in 60 calendar days.

Ensure that the evaluation of the placement is thorough. Use the same criteria as for any Iowa child. The evaluation should include:

- ◆ A clear description of special needs of the child and how the placement will address those needs of the child.
 - ◆ An assessment of any circumstances that need to be considered in placing the child, such as educational, medical, psychiatric or therapy needs, and the best interests of the child.
2. To document the evaluation of the placement, prepare a home study to be sent via the Iowa Interstate Compact Unit to the sending state. The home study must include a specific recommendation regarding approval or disapproval of the placement with specific reasons.

Attach to the home study any documentation that supports the evaluation of the placement. This documentation should at least include the following:

- ◆ Identifying data
- ◆ Summary of agency contacts
- ◆ Physical and personality description
- ◆ Marital history and quality
- ◆ Health
- ◆ Children in the home
- ◆ Attitude toward permanency goal
- ◆ Housing and financial situation
- ◆ Attitude to agency supervision
- ◆ References
- ◆ Employment history and verification
- ◆ Criminal and child abuse checks
- ◆ Summary and recommendation

Note: When a foster or adoptive home study is requested, determine if a home study has already been completed. If so, you can update the existing home study used in licensing or approving the home to address the specific placement of the child from the sending state into that home.

3. Send the home study in triplicate to the Interstate Compact Unit, along with documentation of the home's licensure or approval for adoption, if applicable.
 - ◆ The Interstate Compact Unit will review the home study and send it along with the [ICPC 100A](#) indicating approval or disapproval of the placement to the sending state.
 - ◆ A copy of the ICPC 100A and the transmittal letter are sent to the Iowa worker who did the home study.

Responding to a Priority Placement Request

1. When the Iowa Interstate Compact Unit receives a priority placement request from another state, the compact administrator will notify the service supervisor by phone and by electronic mail.
2. The Iowa Interstate Compact Unit will send the referral to the supervisor by overnight mail, for assignment to a worker. If the compact administrator determines that further information from the sending agency is necessary, the Iowa Interstate Compact Unit will notify the sending compact administrator of the specific information needed.
3. You have 20 business days from the receipt of the priority placement request to determine whether the requested priority placement may or may not be made. This 20-day period begins when the Iowa Interstate Compact Unit receives the information requested.
4. If you find that extraordinary circumstances make it impossible to comply with the time requirements for the home study, notify the compact administrator immediately. The compact administrator must notify the sending state of Iowa's inability to comply. The notice shall:
 - ◆ Set forth the date on or before which you will complete the action.
 - ◆ Contain a full identification and explanation of the extraordinary circumstances that are delaying compliance.

5. Complete form [ICPC 102](#), *Receiving State's Priority Home Study*, and the [ICPC 100A](#) and submit them to the supervisor for review. The supervisor shall forward the material to the Iowa Interstate Compact Unit by overnight mail.
6. The Iowa compact administrator shall fax the completed ICPC 100A to the sending state's compact administrator. The sending administrator is responsible for notifying the court in the sending state.

Placement of a Child into Iowa

1. The sending state shall notify the Iowa Interstate Compact Unit of the date placement is to take place via the [ICPC 100B](#) and other supporting documentation and forward a copy to the local worker. Additionally, the sending state worker may contact you directly as to the date placement is made.
2. If there are problems with placement arrangements, notify the Interstate Compact Unit.

Placement With a Parent or Relative

Note: When the placement involves a parent or relative, the permanency planning and best interests of the child need to be maintained.

Current federal law provides that the state shall consider giving preference to an adult relative over a non-related caregiver when determining placement for a child, provided that the relative caregiver meets all relevant state child protection standards. However, approval of the placement is still connected to the safety and best interests of the child.

1. Before approving placement with a family member or relative, determine the educational, medical, and financial needs of the child. Arrangements to meet these needs are the responsibility of the sending state. Communication between workers is encouraged in order to meet the child's needs.
2. Explore these aspects of the child's care during the home study process. Advise the relative to apply for FIP and Medicaid benefits at the DHS office in the county in which the relative resides.

Placement in Foster Family Home

Placements of children for foster care in Iowa will not be approved until:

1. The family has a current Iowa foster home license (full or provisional).

Note: If a family with a current foster family license from another state is moving to Iowa with a foster child, Iowa will give approval on the condition that the family receives an Iowa foster family license within 90 days of arrival. If this condition is not met, the child will be returned to the sending state. The family must apply for the license within 30 days of arrival in Iowa.

2. The sending state agrees to pay the foster family maintenance and all medical and special needs costs that are indicated while the child is placed in Iowa.

The sending state determines the IV-E eligibility of the child and issues the medical card to the foster family until coverage has been approved in Iowa.

- ◆ If the child is IV-E-eligible, the foster family shall apply for Medicaid benefits at the local DHS office. Upon eligibility determination in Iowa, an Iowa Medicaid card will be issued to the foster parents.
- ◆ If the child is not eligible for IV-E Medicaid benefits, the sending state will continue to issue the Medicaid card. The sending state and or foster family will need to locate medical vendors in Iowa who will accept the sending state's Medicaid. This may require some assistance from the supervising worker in Iowa.

Placement in an Adoptive Home

Note: The Adoption and Safe Families Act (PL 105-89) encourages states to make adoptive placements across jurisdictional lines. The Adoption 2002 federal initiative encourages states to increase adoptive placements.

Requests for placement of a child in Iowa for the purposes of adoptive placement will not be approved until:

1. The family has been approved for adoption by an Iowa agency, a certified adoption investigator, or the Department.

2. There is a current study (including current update if applicable) made available to the Interstate Compact Unit.
3. The child has been reviewed by the designated Iowa agency that has agreed to supervise the placement, it has been determined that the child is suitable for the family, and the family has agreed to accept the child.
4. The child is legally free for adoption according to the laws of the sending state, as verified by the termination of parental rights order.

The finalization of the adoption can occur in either state, and meet the laws of that state. (These arrangements shall be indicated on the [ICPC 100A](#).)

The person or agency in the sending state that is indicated on the ICPC 100A assumes financial responsibility and planning for the child until the adoption is finalized, according to the statutes of the sending state. The sending state also assumes responsibility for any subsidy after finalization.

Postplacement Activities

Once a child from out of state is placed in Iowa, Iowa is expected to supervise the placement and provide reports as requested on the [ICPC 100A](#). The other state shall retain jurisdiction over the child until Iowa recommends termination of that state's jurisdiction.

The sending state retains responsibility for the child's custody, supervision, care, treatment, and permanency planning until:

- ◆ The child reaches the age of majority in that state, or
- ◆ The child is adopted, or
- ◆ Iowa agrees to let the sending state dismiss their juvenile court action.

Supervision and Reports

If Iowa has approved the placement, Iowa is responsible for providing basic supervision of the child and sending progress reports back to the other state according to the frequency noted on the original [ICPC 100A](#). Iowa is to provide this basic supervision at no cost to the other state because this is the obligation assumed through the basic ICPC agreement.

1. Prepare supervision reports for the placing state on the applicable forms and submit them in triplicate to the Iowa Interstate Compact Unit, which will forward them to the sending state.
 - ◆ Use form 470-4992, *ICPC Supervision Report, 30 Day*, for the initial visit within 30 days after the child is placed.
 - ◆ Use form 470-4993, *ICPC Supervision Report, 90 Day*, to send a quarterly report to the sending state.
 - ◆ Include a cover memo that identifies the sending state to ensure the proper routing of the information to the other state.
 - ◆ The provider's progress reports to DHS may be submitted with the required supervisory reports.

2. You may have ongoing phone contact with your peer in the sending state to discuss placement issues and any service needs.
 - ◆ Anytime there is a change in address for a placement or change in placement, send an [ICPC 100B](#) to the Iowa Interstate Compact Unit.
 - ◆ If the placement appears to be in jeopardy:
 - Communicate the concerns to the worker in the sending state.
 - Follow up the call with written documentation to the Interstate Compact Unit.

Note: When children from another state are placed in an Iowa group care facility or PMIC, DHS staff are generally not assigned to supervise the placement. The Iowa Interstate Compact Unit maintains a file and will notify local staff when supervision or other assistance is needed.

Services to the Child

The sending state is generally responsible for any maintenance costs and for costs associated with the child's treatment. When Iowa gives approval for a placement, Iowa is also approving the proposed financial plan for payment of treatment services.

The referral may request Iowa's funding of certain treatment services. If Iowa is agreeing to pay for treatment services, address this in your home study report back to the requesting state.

Iowa will maintain case management responsibilities, which may include responding to the need for additional services. Any agreements regarding funding for these services should be in writing and should be sent to the other state through the Interstate Compact Unit.

If there are disputes or problems concerning payment, discuss these with your supervisor. If the two supervisors cannot reach resolution, the matter should be referred to the interstate compact administrator.

Changes in Child's Placement

1. If the child changes county of residence, report the change to the Interstate Compact Unit using form [ICPC 100B](#). Use the case transfer protocols to accomplish transfer of the case in Iowa.
2. If the child's placement moves to another state, notify the worker in the sending state of the pending move. It is the sending state's responsibility to send a new referral to the state to which the child and family moves, using form [ICPC 100A](#).

Note: When the child returns to the sending state, the sending state must send form ICPC 100B to the Iowa Interstate Compact Unit.

3. If the finalization of adoption happens in Iowa, notify the Interstate Compact Unit using form ICPC 100B.

4. If you determine that the sending state no longer needs to retain jurisdiction, you can send a memo (in triplicate) to the Iowa Interstate Compact Unit recommending the termination of the court action in the sending state. After the sending state court dismisses the action, the sending state sends form ICPC 100B to close the case.

Disruption

1. If problems arise regarding the placement of the child, communicate with the worker in the sending state.
 - ◆ If your efforts to stabilize the placement are not successful and an alternative placement or more services are needed, communicate this to the sending state in order to discuss options, financial arrangements and obtain court orders.
 - ◆ Document these plans and send them to the Interstate Compact Unit.
2. If a placement is unsuccessful, phone your peer in the sending state to discuss arrangements.
 - ◆ Follow up with a memo (in triplicate) to the Iowa Interstate Compact Unit.
 - ◆ If immediate return to the sending state is not warranted and but another placement is needed, obtain approval from the sending state for that placement.
3. If the placement completely fails and the child needs to be returned to the sending state, contact the worker to arrange for the child's return.
 - ◆ It is the sending state's responsibility to pay expenses and make travel arrangements.
 - ◆ Report the placement change to the Iowa Interstate Compact Unit using [ICPC 100B](#).