

1584 ICPC WHEN NH IS THE RECEIVING STATE (NON-RESIDENTIAL)

Chapter: **Case Management Standards for CP and JJ Field Services**

Section: **Case Transfers and Interstate Compact**




New Hampshire Division for Children, Youth and Families Policy Manual

Policy Directive: **19-07**

Effective Date: **June 2019**

Scheduled Review Date:

Approved:


Joseph E. Ribsam, Jr., DCYF Director

Related Statute(s): [RSA 169-C](#), [RSA 170-A](#), [RSA 170-B](#), and [RSA 170-E](#)

Administrative Rules: [He-C 6446](#), and [He-C 6448](#)

Related Federal Regulation(s): [SSA 471](#), and [45 CFR 1356.67](#)

Related Form(s): **ICPC FORM 100A, and ICPC FORM 100B**

Bridges' Screen(s) and Attachment(s):

DCYF's commitment to the safety, permanency, and well-being of children/youth extends to the Division's practice of partnering with other states in providing the opportunity for children/youth to be placed outside their home state when it is in their best interest.

Purpose

This policy is specific to Child Protective Services and outlines procedures relative to the Interstate Compact for the Placement of Children (ICPC) when NH is the receiving state.

Definitions

"CPSW" or **"Child Protective Service Worker"** means an employee of DCYF who is authorized by the Division to perform functions of the job classification Child Protective Service Worker.

"DCA" means Deputy Compact Administrator for the Interstate Compact on the Placement of Children (ICPC).

"DCYF" or the **"Division"** means the Department of Health and Human Services' Division for Children, Youth and Families.

"Expedited Placement Decision" or **"Regulation 7"** means that the Court has determined that priority should be given to placement of a child/youth who meet certain criteria of hardship and a home evaluation must be completed within 20 days.

"Home Study" for the purpose of this policy means an evaluation of a home environment conducted by NH at the request of another state to determine whether a proposed placement of a child/youth would meet the individual needs of the child/youth, including the child/youth's need for safety, permanency, health, and well-being, as well as provide the necessary supports for their mental, emotional, and physical development.

"ICPC" or **"Interstate Compact on the Placement of Children"** means the federally recognized compact between all states, the District of Columbia, and the US Virgin Islands in which participants work together to ensure the safety and stability of placement of children and youth across state lines.

"ICPC Home Study Practitioner" means an employee of DCYF who is authorized by the Division to carry out all aspects of the home study and licensing process specific to the Interstate Compact on the Placement of Children.

"Placement" for the purpose of this policy means the act by a public or private child-placing agency or individual intended to arrange for the care or custody of a child in another state.

"Receiving State" means the state to which the child/youth is to be sent, brought, or caused to be sent or brought.

"Relative" means an individual within the sixth degree of kinship either by blood or affinity, including a parent, grandparent, brother, sister, stepparent, stepsibling, aunt, uncle, niece, nephew, first cousin, or second cousin as identified in RSA 169-C:3 Definitions, XXVI.

"Sending State" means the state requesting the home study to initiate the placement of a child/youth.

"Timely Interstate Home Study" means the receiving state completes and provides a report of the results of the home study, the criminal records check, and the Central Registry check to the sending state within 60 days of receiving the interstate home study request.

"TPR" or "Termination of Parental Rights" means the judicial process to terminate a parent-child relationship through RSA 170-C.

Policy

- I. The Interstate Compact on the Placement of Children (ICPC) applies to placements between states when an agency or a court in one state wishes to place a specific child/youth under their care or custody with a parent, relative, adoptive or foster home, or residential treatment program (see policy 1590).
- II. The Deputy Compact Administrator (DCA) at State Office is responsible for overseeing all referrals requesting interstate placements of children/youth into New Hampshire.
- III. The sending state submits the Interstate Compact Placement Request (ICPC Form 100A) and supporting documents to the DCA.
 - A. Supporting documents must include the following:
 1. Completed ICPC Form 100A, signed by the sending agency;
 2. Cover letter, which explains the reason for the request;
 3. Case manager statement;
 4. Court order showing that the sending state has legal custody and/or guardianship;
 5. Case plan;
 6. Social history or dispositional report;

7. Title IV-E eligibility form;
 8. Financial and medical plan;
 9. Child/youth's birth certificate; and
 10. TPR/Surrender order when requesting an adoptive home study.
- B. The DCA will review the information and refer the request to an ICPC Home Study Practitioner via Bridges for assignment and determination.
- IV. Each child/youth referred for placement in New Hampshire must be placed in a home with a parent, relative, licensed foster/adoptive parent, or in a residential treatment program pursuant to policy 1590 which will meet the safety, permanency, and well-being needs of the child/youth in care.
- V. A home study is completed by an ICPC Home Study Practitioner as outlined in policy 1716 Foster and Adoptive Family Assessment and Home Study. The home study must:
- A. Be completed by the assigned ICPC Home Study Practitioner within 60 calendar days of the date that the ICPC referral is entered into Bridges; and
 - B. Include a recommendation for approval or denial of placement, as well as Central Registry, local law enforcement and NH criminal records checks. A finger print check is also required when the sending state requires the caregiver(s) be licensed.
- VI. An expedited placement decision, or Regulation No. 7 of the Interstate Compact, requires that priority be given for hardship cases in which one of the following apply:
- A. The child is under four (4) years of age;
 - B. The child/youth is in an emergency shelter;
 - C. The Court finds that the child/youth has a substantial relationship with the proposed placement resource; or
 - D. Unexpected dependency due to incarceration or incapacitation.
- VII. An expedited placement decision/Regulation No. 7 requires the home study process to be completed within 20 business days.
- A. The DCA has two (2) business days to forward the Regulation No. 7 request to the ICPC Home Study Practitioner from the date received.
 - B. The ICPC Home Study Practitioner has 15 business days, including the date of receipt, to complete and forward the home study back to the DCA.

- C. The DCA must then forward the completed home study to the sending State within three (3) business days.
- VIII. Potential caregiver(s) being evaluated must possess the caregiving skills, or have the desire and potential to develop the necessary skills, to meet the emotional, medical, mental health, and physical needs specific to the child/youth for whom placement is being sought.
- A. Relatives may request a waiver of the education and training foster care licensing requirements to expedite the ICPC process, pursuant to policy 1750 Pre-Licensing Training.
 - B. Adults who are unrelated to the child/youth in care and who will be providing care for the child/youth must be approved for foster home licensure through He-C 6446.
 - C. Adults who are related to the child/youth in care may also need to be licensed, depending on the requirements of the sending state.
 - D. Each household member seventeen years of age or older will be required to have local law enforcement, NH criminal records and Central Registry checks.
- IX. Upon receipt of the completed home study at State Office, the DCA will review and determine whether or not approval for placement should be given to the sending state.
- A. Final approval of the placement will be made upon completion of the foster care licensing requirements as outlined in policy 1715 Application Process when licensure is required.
 - B. Once the sending state has received a copy of the home study from the DCA, a copy of the study may be sent to the family by the ICPC Home Study Practitioner if requested.
- X. Once the ICPC request has been approved and the signed ICPC Form 100A has been forwarded back to the sending State, the sending State has six (6) months to place the child/youth in the approved placement.
- A. If the sending State does not place the child/youth within six (6) months, the NH DCA will:
 - 1. Determine approval is no longer valid;
 - 2. Close out the ICPC request; and
 - 3. Advise the sending state of the closure.
- XI. When the sending state sends the child/youth to NH, they must submit a Report of Child's Placement Status, ICPC Form 100B in a timely manner. The DCA will review the ICPC Form 100B and forward it to the assigned District Office and the Fiscal Specialist assigned to that office (if the child/youth is IV-E Eligible).
- XII. Once a child/youth has been placed in NH:

- A. An assigned CPSW will see the child/youth in their residence each month to assess ongoing safety and provide support; and
 - B. Quarterly progress reports will be provided until the child/youth leaves NH or the case is closed.
- XIII. Home Study updates will be completed by the assigned District Office and forwarded to the DCA upon completion.

Responsibilities

- I. The DCA is responsible for:
 - A. Entering incoming ICPC referrals into Bridges and assigning them to an ICPC Home Study Practitioner;
 - B. Providing ongoing consultation to the Practitioner completing the home evaluation;
 - C. Reviewing the completed home study with the ICPC Form 100A:
 - 1. Requesting additional information be sought if necessary to make a final determination on approval; and/or
 - 2. Approving or denying placement, and advising the sending state and the assigned ICPC Home Study Practitioner of the decision;
 - D. Forwarding the ICPC Form 100B, upon receipt from the sending state, to the District Office and the Fiscal Specialist assigned to that office (if the child/youth is IV-E Eligible) to indicate the placement has been made;
 - E. Closing out all "Other Workload" items within the "State Office Inbox" within Bridges once they are reassigned by the District Offices for closure;
 - F. Reviewing the ICPC quarterly report and forwarding it to the sending state compact office;
 - G. Forwarding the ICPC Form 100B to the District Office and the Fiscal Specialist assigned to that office (if the child/youth is IV-E Eligible) for case closure upon receiving the form from the sending state; and
 - H. Closing the ICPC referral in Bridges.
- II. The ICPC Home Study Practitioner is responsible for:
 - A. Familiarizing themselves with the child/youth's needs by thoroughly reviewing all materials provided by the sending state and seeking clarity through the DCA when necessary;
 - B. Completing the home study as outlined in policy 1716 Foster and Adoptive Family Assessment and Home Study using the home study template, including providing in detail the recommendation for placement, supervision, or additional services required or a detailed explanation of the reasons for denial of the placement in the home study;
 - 1. The Practitioner completing the home study must sign and date the study;

2. All completed home studies are to be presented to the DCA for review and final approval; and
 - C. Reviewing with the DCA the information obtained during the home study process and determining if any additional information is needed from the family prior to making a recommendation about placement.
- III. The District Office Supervisor (or their designee) is responsible for:
- A. Completing the case connect screen and assigning the ICPC case to a CPSW for supervision;
 - B. Providing ongoing consultation to the CPSW around the ICPC case;
 - C. Reviewing quarterly reports with a focus on the child/youth's specific safety, permanency, and well-being needs;
 - D. Approving and signing quarterly reports and/or Home Study updates; and
 - E. Reviewing the case file once the CPSW has closed it and forwarding it on to archives, as well as closing the ICPC case in Bridges.
- IV. The CPSW is responsible for:
- A. Familiarizing themselves with the child/youth's needs by thoroughly reviewing all materials provided by the sending state and seeking clarity through the DCA when necessary;
 - B. Maintaining monthly face-to-face visits with the child/youth and documenting those visits and other contacts regarding the family in Bridges;
 - C. Providing support to the caregiver and information as to local services and resources to meet the needs of the child/youth and caregiver;
 - D. Providing details of the monthly face-to-face with the child/youth to the sending state;
 - E. Completing quarterly progress reports regarding the status of the child/youth's placement. The "IC Progress Report" is available in the template section of Bridges. It should be completed, printed, signed by both the CPSW and the District Office Supervisor (or their designee), and forwarded to the DCA;
 - F. Completing a Home Study update if needed and follow the steps above; and
 - G. Ensuring all contacts are entered, closing the case, and submitting the file to their Supervisor upon receiving the ICPC Form 100B.

Practice Guidance

Does ICPC apply to youth on probation or parole?

- ICPC does apply to youth involved in Juvenile Justice Services who are recommended for placement in a residential treatment program outside of New Hampshire. See policy 1590 for more information.
- Requests to transfer supervision of a JJS involved youth to another state that does not involve a residential treatment program must be made through the Interstate Commission for Juveniles

(ICJ) as outlined in policies 1593 ICJ Supervision Transfer from New Hampshire and 1594 ICJ Supervision Transfer to New Hampshire.

Does ICPC apply to placement for a child/youth across state lines who is a member of a federally recognized tribe?

- No, such placements fall under ICWA (Indian Child Welfare Act) and must be handled according to policy 1510 Identifying and Collaborating with Tribal Agencies.

How will I know when placement is going to be made and when we need to begin supervision?

- The sending state will submit an ICPC Form 100B to the DCA, which will indicate that the placement was made and to request supervision to begin. Supervision of that ICPC case shall officially begin when the assigned District Office receives the ICPC Form 100B from the DCA.

What if I become aware of another state placing a child/youth in NH without having completed the ICPC process?

- If possible, gather information as to how long the child/youth has been in NH and how they came to be here, along with any contact information for the sending State's representative they have dealt with.
- Notify your direct Supervisor and the DCA by the close of business.

Do I use the SAFE Home Study for ICPCs?

- In keeping with best practice, the SAFE home study should always be the first choice in assessing a caregiver's ability to meet the safety, permanency, and well-being needs of a child/youth and to make the best possible matches for them. If this is not feasible, the CPSW should discuss this with their Supervisor and determine the best course of action.

Who is responsible for payment of services on ICPC cases?

- The sending state is responsible for payment of services, although the receiving state assists the family in connecting with appropriate resources within the community.

Does ICPC apply to situations in which a child welfare agency is not involved with a child?

- Yes, there are times that a court or child-placing agency may seek placement of a child/youth through the ICPC process.
- For court-referred cases, the DCA is responsible for processing paperwork and will seek the assistance of a CPSW to complete a home study as outlined above. The CPSW is not responsible for monitoring the case once a home study is completed.
- For child-placing agencies, the CPSW has no responsibility. The Division's responsibility is for the DCA to process the paperwork. The home study and other tasks associated with placement are completed by the child-placing agency.