


NC Department of Health and Human Services



North Carolina Division of Social Services

Interstate Compact on the Placement of Children

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ICPC

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Objectives

- *Historical and Legal Framework for ICPC*
- *ICPC Articles versus Regulations*
- *Frequently Processed Regulations*
- *Common/Classic Themes*
- *NEICE*

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HISTORY OF ICPC

- ❖ **ICPC-means Interstate Compact on the Placement of Children (ICPC)**
- ❖ **1950's Social Service Administrators conducted an informal study-**
 - Found that services were not available
 - States jurisdiction ends at its borders
 - Agreed that compact was necessary to "compel" states to discharge its obligations to support a child's placement
- ❖ **1960 New York-First State to Enact Compact**

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HISTORY OF ICPC

- ❖ The compact was implemented in 1976, as 35 states were required to enact the compact before it could be implemented. Ohio enacted the compact in 1976, making it the 35th state.
- ❖ NC enacted the compact on July 1, 1971.
- ❖ New Jersey was the last state to enact the compact in 1990.

What is ICPC

- ICPC is a uniform law that has been enacted by all 50 states, Washington, DC and the US Virgin Islands. Each state has a Compact Administrator Office. North Carolina's ICPC office is in the Division of Social Services, Department of Health and Human Services.
- Ensures protection and services to children who are placed across state lines for foster care and adoption.
- Establishes orderly procedures for the interstate placement of children and fixes responsibilities for those involved in placing the child.
- The ICPC covers a wide range of interstate placements and is meant to insure that both the sending and receiving states have the most complete information prior to the child's placement.
- Each state appoints Deputy Administrator who oversee or perform day-to-day tasks associated with the administration of the Compact.
- The Administrator is designated to serve as the central point for all referrals for interstate placement.

Legal Framework

Federal Mandates Related to ICPC:

- PL 108-36- Keeping Children and Families Safe Act of 2003
- PL 105-89- Adoption and Safe Family's Act Reasonable Efforts and Safety Requirement
- 42 – USC 675 (5) (A) and (C)- Social Security Act/Permanence plan
- 42 – USC 622 (b) 12- Reasonable efforts and safety requirements
- PL 109-239- Safe and Timely Interstate Placement Act of 2006
- PL 115-123- Family First Prevention Services Act of 2018

Public Law 109-239

- **PL 109-239- Safe and Timely Interstate Placement Act Of 2006**
- **Federal law requires states to complete**
 - a home study and provide a written report to the sending state within 60 calendar days of receiving a placement request. The requirement applies to foster, relative, and adoption home studies.
 - Exempts home studies that require training and/or education but requires a "status" report on the request.

Legal Framework



North Carolina ICPC State Laws

7B-3800: Adoption of Compact

7B-3700: Placement of Juveniles

Legal Framework 7B-3800


- | Articles | Articles |
|---|---|
| • Article I. Purpose and Policy | • Article VI. Institutional Care of Delinquent Children |
| • Article II. Definitions | • Article VII. Compact Administrator |
| • Article III. Conditions for Placement | • Article VIII. Limitations |
| • Article IV. Penalty for Illegal Placement | • Article IX. Enactment and Withdrawal |
| • Article V. Retention of Jurisdiction | • Article X. Construction and Severability |

OVERVIEW OF RELEVANT REGULATIONS

Articles and Regulations: The Difference

Common ICPC Language

- Sending
 - State
 - Agency
- Receiving
 - State
 - Agency



Compact- ICPC.
Residentials. Reg 4. PRTF's.

Regulation 1: Relocation of Family Units

- This Regulation addresses the request for approval for placement of a child in an approved placement resource in the receiving state where the sending state has already approved the placement and the resource now desires to move to the receiving state.
- Ensure that an already safe and stable placement made by a sending agency in the sending state will continue if the child is relocated to the receiving state.
- Allow supervision of the placement to be uninterrupted, for the family to comply with the requirements of the receiving state, and for both states to comply with all applicable state and federal laws, rules and regulations.
- **Does not apply to temporary relocations of 90 days or less**

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Regulation 2: Placement for Public Cases

- Regulation 2 applies to cases involving children who are under the jurisdiction of a court for;
 - **abuse, neglect or dependency, as a result of action taken by a child welfare agency;**
- The court has the authority to determine :
 - **supervision, custody and placement of the child or has delegated said authority to the child welfare agency, and the child is being considered for placement in another state.**
- Provide at the request of a sending agency, a home study and placement decision by a receiving state for the proposed placement of a child with a proposed caregiver who falls into the category of:
 - **placement for public adoption, or foster care and/or with parents, or relatives.**

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Regulation 4: Residential Placements

- Provide for the safety and protection of children placed in a *Psychiatric Residential Treatment Facility (PRTF)* in another state.
- Requires Prior approval before placement is made in a residential facility.
- Required to have a record of all children placed in all facilities where placements have been made.
- Applies to all children placed in residential facilities in another state regardless of whether there is court jurisdiction or in the custody of Social Services
- Article VI language for adjudicated juveniles.

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Requesting ICPC Services: The NC ICPC Prioritization Process

- Discussed 4 Types of Cases
- Regulation 1: Relocation of Family Units
 - Regulation 2: Public Agency Cases
- Regulation 4: Psychiatric Residential Treatment Facility (PRTF's)
 - Regulation 7: Expedited Cases

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Common/Classic Themes in ICPC Requests


Common Themes: ICPC Requests

Missing Information	Incorrect Documentation
<ul style="list-style-type: none"> • Court Order missing- especially Regulation 7 orders (DSS-1839) • Financial/Medical Form- which designates responsibility-is not provided • School and Health Records • IVE Eligibility 	<ul style="list-style-type: none"> • Court Jurisdiction Cases do not contain a 100A signed correctly. • ICPC placement recommendation rendered inappropriately. • ICPC relative definition not met-causing delays in processing/home study

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MODERNIZATION OF ICPC

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NEICE

**National Electronic Interstate
Compact Enterprise**

December 3, 2018

NEICE

Advantages

- PL 115-123 - Family First Prevention Services Act require states to develop an electronic interstate case processing system.
- Effective December 3, 2018, North Carolina implemented NEICE.
- The National Electronic Interstate Compact Enterprise (NEICE) is a national electronic system for quickly and securely exchanging the data and documents required by the Interstate Compact on the Placement of Children (ICPC) to place children across state lines.

- The NEICE system does not have the vulnerability of an e-mail transmission or a paper copy.
- Reduced loss of case documentation thru postal mail; improved quality of the ICPC process by allowing states to monitor their ICPC cases
- Streamline the process across states
- Reduce errors, and allow quick access to case status when the case is in process at the receiving state
- Improved collection and analysis of reliable data to an extent not possible before
- Saved costs in administrative, mailing and copying costs, and staff. Additionally,
- NEICE improves accountability and transparency of all parties involved in the child welfare process

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NEICE: Operationalized in 27 States

STATES	STATES
<ul style="list-style-type: none"> • Alabama • Alaska • Arkansas • California • Connecticut • Florida • Georgia • Hawaii • Illinois • Indiana • Iowa • Kansas • Maryland • Mississippi 	<ul style="list-style-type: none"> • Nebraska • Nevada • New Mexico • New York • North Carolina • Ohio • Pennsylvania • Rhode Island • South Carolina • South Dakota • Utah • Virginia • Wisconsin

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NEICE FUN FACTS

- **Washington, DC**
 - Only non-state jurisdiction participating with NEICE
 - By June 2019, 9 additional states plan to join NEICE



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Resources

NC DHHS Division of Social Services				ICPC/ICAMA County Assignment					
Charlene Timmons		Rebekah Richmond		Lakacia Knight		Sherita Wright		Athea Swinson	
Charlene.Timmons@dhs.nc.gov		Rebekah.Richmond@dhs.nc.gov		Lakacia.Knight@dhs.nc.gov		Sherita.Wright@dhs.nc.gov		Athea.Swinson@dhs.nc.gov	
919-527-6385		919-527-6388		919-527-6387		919-527-6384		919-527-6386	
Alamance 01	Alleghany 03	Brunswick 10	Alexander 02	Bladen 09	Chatham 15	Bertie 08	Columbus 28	Ashie 05	Graham 38
Dare 26	Beaufort 07	Cumberland 26	Avery 06	Michlet 61	Forsyth 34	Camden 15	Davis 33	Buncombe 11	Montgomery 62
Franklin 58	Jardere 16	Durbin 31	Buncombe 11	Montgomery 62	Iredell 49	Caswell 17	Granville 39	Burke 12	Moore 63
Johnston 51	Swain 21	Hallifax 42	Catawba 18	New Hanover 66	Mecklenburg 60	Craig 25	Harnett 43	Caldwell 14	Pitt 74
ICPC Consultant	Cumtuck 27	Hoke 47	Catawba 18	Randolph 76	For above counties only	Hawdson 29	Lee 53	Cherokee 20	Richmond 77
ICAMA Consultant	Edgemcombe 33	Lenoir 54	Cay 22	Robeson 78	For all counties	Gascon 36	Mech 64	Cleveland 23	Rockingham 79
Green 40	Gates 37	Orange 68	Haywood 44	Rowan 80	Guilford 41	Scotland 83	Henderson 45	Rutherford 81	Samson 82
Hertford 46	Stanly 41	Stokes 86	Hyde 48	Sampson 82	Martin 68	Slate 85	Jackson 50	Tyrrell 89	Union 90
Northampton 66	Swain 21	Surry 89	Lincoln 55	Washington 94	Onslow 67	Transylvania 88	Macon 56	Wayne 96	Wilkes 97
Private Agencies	Catawba 18	Wake 92	Madison 57	Wilson 98	International	Pamlico 89	McDowell 59	Yadkin 99	Yancey 100
Independent	Pender 71	Warren 93	Polk 75	International	Persimmon 72	Watauga 95	Polk 75	Yancey 100	International
International	Private Agencies	Independent	International	Private Agencies	Independent	International	Private Agencies	Independent	International

NC DHHS DSS

www.ncdhs.gov/dss

American Public Human Services Association (APHSA)

(ICPC Articles and Regulations)

<https://aphsa.org/AAICPC/AAICPC/Resources.aspx>



DEPUTY COMPACT ADMINISTRATOR

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