

**STANDARD OPERATING PROCEDURE**

**Office of Programs and Resource Development**

**Children and Adult Services**

**Interstate Compact for the Placement of Children (ICPC)**

**ICPC Process for DHHR Staff**

**Effective Date: July 1, 2006**

**Revised: March 25, 2022**

**Table of Contents**

**1.0 Purpose ..... 3**

**2.0 Scope ..... 3**

**3.0 Introduction and History ..... 3**

**3.1 How the Compact Came About .....3**

**3.2 What the Compact Does .....3**

**4.0 Definitions ..... 3**

**5.0 Articles and Regulations of the Compact ..... 4**

**6.0 Placement Types ..... 5**

**6.1 Types of Placement Covered ..... 5**

**6.2 Placement Exemptions: (Legal Placements Made Without ICPC Protection) .....6**

**6.3 Penalties for Illegal Placements .....6**

**7.0 Processing Interstate Placements .....7**

**7.1 WV as a Sending State- “Path of a Home Study Request, Placement Approval or Placement Supervision Packet” .....7**

**7.2 WV as a Receiving State- “Path of a Home Study Request, Placement Approval or Placement Supervision Packet” .....7**

**8.0 Worker/Supervisor Responsibilities .....9**

**8.1 When WV is the Sending State .....9**

**8.2 When WV is the Receiving State .....10**

**9.0 Residential Requests for Placement under ICPC .....11**

**9.1 Processing of Residential ICPC Requests .....12**

**10.0 Forms and Checklist .....13**

**11.0 Related Compacts .....13**

## 1.0 Purpose

To provide an overview of the administration of the Interstate Compact on the Placement of Children (ICPC) and the Compact's role in the promotion of safety, permanency, and well-being through the legal placement of children across state lines.

## 2.0 Scope

This procedure provides guidance to the staff of the Bureau for Social Services, as well as other individuals or agencies (public or private) involved or interested in the interstate placement of children, regarding the laws, regulations and policies pertaining to the interstate placement of children. This document is intended as supplemental information and does not replace any existing policy, statutory requirements or regulations relating to foster care, adoption, child protective services or ICPC.

## 3.0 Introduction and History

### 3.1 How the Compact Came About

The need for a compact to regulate the interstate movement of children was recognized in the 1950s. At that time, a group of east coast social service administrators joined informally to study the problems of children moved out of state for foster care or adoption. They recognized that a state's jurisdiction ends at its borders and that a state can only compel an out-of-state agency or individual to discharge its obligations toward a child through a compact. In response to these problems, the Interstate Compact on the Placement of Children was drafted, and in 1960 New York was the first state to enact it. West Virginia enacted the ICPC law in 1975 ([W. Va. Code §49-7-101](#)).

### 3.2 What the Compact Does

The Compact is a uniform law that has been enacted by all 50 states, the District of Columbia, and the U.S. Virgin Islands. It establishes orderly procedures for the interstate placement of children and fixes responsibility for those involved in placing the child.

The Compact law contains 10 articles. They define the types of placements and placers subject to the law; the procedures to be followed in making an interstate placement; and the specific protections, services, and requirements brought by enactment of the law.

In addition to the ICPC code, there are 12 Regulations (I-XII) adopted pursuant to Article VII of the ICPC code by action of the Association of Administrators of the Interstate Compact on the Placement of Children (AAICPC) at its annual meetings.

## 4.0 Definitions (NOTE: Please see [Regulation 3](#) for additional definitions)

**4.1 Compact Administrator/ Deputy Compact Administrator:** Each state appoints a Compact Administrator and one or more Deputy Administrators who oversee or perform the day-to-day tasks associated with the administration of the Compact. In every state, the Compact office and personnel are in an office that is part of the department of public welfare or the state's equivalent agency. In West Virginia, the Compact Administrator is the Commissioner of the Bureau for Social Services. The Deputy Compact Administrator is the Program Manager assigned to the Regulatory Management unit within the Division of Children and Adult Services.

Note: Throughout this document, the term *Compact Administrator* is used to designate both the person appointed pursuant to Article VII and those persons (*Deputy Compact Administrators*) to whom the responsibility for day-to-day operation of the Compact has been administratively designated.

**4.2 Compact Administration:** The Compact Administrator is designated to serve as the central clearing point for all referrals for interstate placements. The Compact Administrator manages and supervises the ICPC Unit Staff.

After the placement is approved and the child is moved into the state, the Compact Administrator acts as a liaison between the placing worker and receiving state until the placement is terminated or adoption or guardianship is consummated.

**4.3 Interstate Placement:** The sending, bringing, or causing of a child to be sent or brought into another state; the placement of a child in another state with an approved placement resource.

**4.4 ICPC Specialist:** The ICPC specialist is in the State's central office. Their duties include processing documentation between the local child welfare agency and the other state's ICPC office.

**4.5 ICPC Associate:** Staff located in the State's central office that provide program and clerical assistance to the ICPC specialists.

**4.6 Sending State:** The state requesting an out of state placement of a child or the state from which the child is placed.

**4.7 Sending Agency:** The parent, guardian, court, or agency located in the sending state which sends, causes, brings, arranges for, or proposes placement of a child into another state. Note the term "sending agency" as used on the form ICPC-100A indicates the agency or individual financially responsible and responsible for planning for the child being placed.

**4.8 Receiving State:** The state into which a child is placed or is to be placed.

**4.9 Receiving Agency:** The agency, individual, or entity located in the receiving state which provides services (home study and supervision) on behalf of the sending agency for the child to be placed from the sending state. The receiving agency could be the public child welfare agency or a private agency with which the sending agency has a contract.

**4.10 Placement Resource:** The individual family or facility with which the child is to be placed.

## 5.0 Articles and Regulations of the Compact

When a state enacts the Compact, it becomes law, just as any other legislation passed by a state legislature. Under the terms of the law, the state agrees to follow uniform procedures when it makes or accepts interstate placements of children. Since the Compact is also a contract among the party states, as well as a statute in each of the states, it must be interpreted and implemented uniformly by all states.

Below is a link to the full text of the Articles and Regulations of the Compact. For a quick reference, there is also a short description of the Regulations.

[https://aphsa.org/AAICPC/AAICPC/ICPC\\_Regulations.aspx](https://aphsa.org/AAICPC/AAICPC/ICPC_Regulations.aspx)

- **Regulation 0.01- FORMS**
- **Regulation 1-Conversion of Intrastate Placement into Interstate Placement; Relocation of Family Units**
- **Regulation 2- Public Court Jurisdiction Cases: Placements for Public Adoption or Foster Care in Family Settings and/or with Parents, Relatives**
- **Regulation 3- Definitions and Placement Categories: Applicability and Exemptions**
- **Regulation 4-Residential Placement**
- **Regulation 5- Central State Compact Office**
- **Regulation 6- Permission to Place Child: Time Limitations, Reapplication**
- **Regulation 7- Expedited Placement Decisions**
- **Regulation 8- Change of Placement Purpose**
- **Regulation 9- Definition of a Visit**
- **Regulation 10- Guardians**
- **Regulation 11- Responsibility of States to Supervise Children**
- **Regulation 12- Private/Independent Adoptions**

## **6.0 Placement Types**

### **6.1 Types of Placement Covered:**

**6.1.a Relative Placement-** Placement of a child(ren) with a birth or adoptive brother, sister, stepparent, stepbrother, stepsister, uncle, aunt, first cousin, niece, nephew, as well as relatives of half-blood or marriage and those denoted by the prefixes of grand and great, including grandparent or great grandparent, or as defined in state statute for the purpose of foster and or adoptive placements. A relative home study may not include the licensure of the relative.

**6.1.b Parent Placement-** Placement of a child(ren) with a biological, adoptive parent or legal guardian as determined by applicable state law and is responsible for the care, custody, and control of a child or upon whom there is legal duty for such care.

**6.1.c Foster Placement-** If 24-hour-a-day care is provided by the child's parent(s) because of a court-ordered placement (and not by virtue of the parent-child relationship), the care is foster care. In addition to the federal definition ([45 C.F.R. § 1355.20](#) "Definitions") this includes 24-hour substitute care for children placed away from their parents or guardians and for whom the state agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, childcare institutions, and pre-adoptive homes. A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed, and payments are made by the state or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is federal matching of any payments that are made.

**6.1.d Adoption Placement-** Placement of a child(ren) with the intent of establishing the legal relationship of parent and child between persons who are not so related by birth or some other legal determination, with the same mutual rights and obligations that exist between children and their birth parents.

**6.1.e Residential Placements**-Placement in a facility providing a level of 24-hour, supervised care that is beyond what is needed for assessment or treatment of an acute condition. For purposes of the Compact, residential facilities do not include institutions primarily educational in character, hospitals or other medical facilities (as used in [Regulation 4](#), they are defined by the receiving state).

**6.2 Placement Exemptions: (Legal Placements Made Without ICPC Protection)** The following information is found under [Regulation 3](#).

**6.2.a Placement with parent from whom child was not removed** When the court places the child with a parent from whom the child was not removed, and the court has no evidence that the parent is unfit, does not seek any evidence from the receiving state that the parent is either fit or unfit, and the court relinquishes jurisdiction over the child immediately upon placement with the parent. Receiving state shall have no responsibility for supervision or monitoring for the court having made the placement.

**6.2.b Sending court makes parent placement with courtesy check** When a sending court/agency that retains jurisdiction over the child(ren) seeks an **independent** (not ICPC related) courtesy check for placement with a parent from whom the child was not removed, the responsibility for credentials and quality of the “courtesy check” rests directly with the sending court/agency and the person or party in the receiving state who agree to conduct the “courtesy” check without invoking the protection of the ICPC home study process. This would not prohibit a sending state from requesting an ICPC. The individual deemed to complete a “courtesy” check will be determined by the district offices.

**6.2.c Placements made by private individuals with legal rights to place** Pursuant to [Article VIII](#) (a), this Compact does not apply to the sending or bringing of a child into a receiving state by the child’s parent, stepparent, grandparent, adult brother or sister, adult uncle or aunt, or the child’s non-agency guardian and leaving the child with any such parent, relative or non-agency guardian in the receiving state, provided that such person who brings, sends, or causes a child to be sent or brought to a receiving state is a person whose full legal right to plan for the child: (1) has been established by law at a time prior to initiation of the placement arrangement, and (2) has not been voluntarily.

**6.2.d Placements handled in divorce, paternity, or probate courts** The Compact does not apply in court cases of paternity, divorce, custody, and probate pursuant to which or in situations where children are being placed with parents or relatives or non-relatives.

### **6.3 Penalties for Illegal Placements**

Interstate placements made in violation of the law constitute a violation of the “laws respecting the placement of children of both the state in which the sending agency is located or, from which it sends or brings the child and of the receiving state” ([Article IV](#)). Violators are subject to punishment or penalties in both jurisdictions in accordance with their laws. Imposition of penalties has been rare, but since 1980 there have been cases in which a child placed illegally was ordered returned to the sending state.

## **7.0 Processing Interstate Placements**

### **7.1 West Virginia as a Sending State- *“Path of a Home Study Request, Placement Approval or Placement Supervision Packet”***

- 1)** The worker of the child(ren) will gather the required documents to prepare the ICPC request. The ICPC checklist can be used to make a complete packet for potential placement resource homes. The ICPC checklist can be located on the BSS website under the ICPC section. It is also listed at the end of the document with an embedded hyperlink.
- 2)** The request should be forwarded to the WV ICPC Office for review. The packet needs to have information on each child in the request. If the WV ICPC Specialist deems the request to be incomplete, the case worker and case worker supervisor will be notified by email. Packets that are placed on hold will be entered into a shared database for that is accessible to Social Service Managers. Social Service Managers will need to monitor the database to ensure documentation is provided expeditiously
- 3)** Once all required documents are received, the WV ICPC Specialist will forward the packet to the receiving state’s ICPC Office. If the request is for a placement resource home, the WV ICPC Associate will open a “request to provide services” referral on the potential placement resource home in FACTS. The referral will be maintained in the WV ICPC Office until an approval is provided by the receiving state.
- 4)** The receiving state will complete the home study in the timeframe outlined in the regulation that the request falls under.
- 5)** When the completed home study with the placement decision (signed and approved ICPC 100A form) is returned, by the receiving state, to the WV ICPC Office, it will be forwarded to the worker that made the request. The “request to provide services” referral will be transferred to the designated Home Finding Supervisor’s regional inbox in FACTS. A copy of the transmittal will be placed in the file cabinet, in FACTS, for the referral.
- 6)** The designated Home Finding Supervisor will be notified of the transferred referral via email by the WV ICPC Associate.
- 7)** The designated Home Finding Supervisor will complete the “request to provide services” referral and open an ICPC provider record, in FACTS, if placement will be made. If placement will not be made, the Home Finding Supervisor will close out the “request to provide services” referral in FACTS.
- 8)** If placement is recommended, the placement must occur within 6 months. If the placement is denied, placement MAY NOT occur, and the WV ICPC case will be closed.
- 9)** If placement will be made in the placement resource home, the worker will follow the instructions for entering a placement in FACTS. The worker will also need to submit a 100B to the WV ICPC office. A hyperlink to the ICPC 100B form and directions on how to complete the form can be found under Section 10 of this SOP. Please see section 8.1 for more directions.

## **7.2 West Virginia as a Receiving State- *“Path of a Home Study Request, Placement Approval or Placement Supervision Packet”***

- 1)** When the WV ICPC Office receives a request for a home study, from another state, the WV ICPC Associate will open a “request to provide services” referral on the potential placement resource home in FACTS. If the request is on a biological parent, a “request to receive services” will be opened.
- 2)** The WV ICPC Associate will then transfer the referral to the designated Home Finding Supervisor’s regional inbox in FACTS. Documentation from the sending state on the potential placement resource home will be forwarded to the designated Home Finding Supervisor via mail or email.
- 3)** The Home Finding Supervisor will be notified of the transferred referral via email by the WV ICPC Associate.
- 4)** Within 2 business days, the Home Finding Supervisor will assign the home study to a Home Finder for completion. If the request is on a biological parent home study, the Home Finding Supervisor will reference the SOP on Parent Evaluations to determine if the home study needs to be completed by the Child Protective Services Unit and forward the request to them if necessary.
- 5)** Once the home study has been assigned, the Home Finding Supervisor will complete the Case Worker Assignment form and send it to the WV ICPC Office within 5 business days.
- 6)** ICPC Home Studies are required to be completed within 60 calendar days unless the request falls under Regulation 7, which is an expedited placement decision request and must be completed within 20 calendar days of receipt of the request.
- 7)** If the home study is not completed within the timeframes above, the Safe and Timely Progress form needs to be completed by the Home Finder and forwarded to WV ICPC Office as indicated on the form. This form needs to be completed every 30 days until the home study is finished.
- 8)** Once the home study is completed and a placement decision is made, the signed home study report, certificate of approval, and a Safe and Timely Progress form should be mailed to the WV ICPC Office. If the home study request is a placement type change request, the Home Finder will need to send in the initial home study, any reviews that were completed, certificate of approval and an addendum stating the home is able to meet the new placement type. (An example of this would be a request for an adoptive home study when the home is already approved for foster care.)
- 9)** If the home study is approved, the sending state has 6 months to make placement.
- 10)** When a placement is made in the home, the WV ICPC Office will be informed of the placement by the sending state via a 100B.
- 11)** The WV ICPC Associate will open a “request to receive services” referral in FACTS for the youth and transfer the referral to the designated Home Finding Supervisor’s regional Inbox in FACTS.



- 12)** The transmittal will be placed in the file cabinet of the “request to receive services” referral. Any documentation submitted by the sending state will be sent to the Home Finding Supervisor via mail or email.
- 13)** The Home Finding Supervisor will complete the “request to receive service” referral and open an ICPC youth’s case.
- 14)** The Home Finding Supervisor will send the ICPC case, within 2 business days, to the designated CPS or YS Supervisor for assignment to a worker who will be providing the supervision of the youth.
- 15)** Copies of home study reevaluations for the provider in the receiving state will be provided to the Home Finding supervisor and the child’s worker.
- 16)** If the sending state does not utilize the approved placement resource within 6 months, 100B will be forwarded by the sending state to the WV ICPC Specialist who will close of the ICPC case.
- 17)** The WV ICPC Specialist will send the 100B to the Home Finding Supervisor, so the placement resource provider case can be closed.
- 18)** If the placement is denied, the ICPC case will be closed.

## **8.0 Worker/Supervisor Responsibilities**

The following is a guide of worker responsibilities in an ICPC case. This guide is to be used in conjunction with state policy. For proper case documentation in FACTS, please refer to the FACTS help desk guide. If clarification is needed, please consult your supervisor. Responsibilities of the ICPC Specialist and ICPC Associate are indicated within the narrative of this section.

### **8.1 When West Virginia is the Sending State**

#### **8.1. (a) Child Protective Services/ Adoption/ Youth Services Worker or district designee responsibilities:**

- 1)** After reviewing section **6.0 Placement Types** and **7.0 Procedures for Compact Placement**, of this SOP, the worker will gather the information for the packet by using the ICPC checklist.
- 2)** The worker will inform the WV ICPC Specialist of changes in the child(ren)’s case, if applicable. This could include but is not limited to forwarding updated case plans, most recent court orders, sending 100B if home study is no longer needed.
- 3)** If placement is approved in a placement resource home, the worker will receive the home study with the placement approval from the WV ICPC Specialist. If the worker decides to use the placement, they will need to send a 100B to the WV ICPC Specialist immediately after the child is placed.
- 4)** At the time of placement, the child’s worker will need to provide the placement resource with documentation showing that the children are under the legal custody of the WV DHHR and that the placement resource has physical custody. The worker will also have the placement resource home complete a W-9 form.

5) A provider record will be set up in FACTS by the Home Finding Supervisor, from the “request to provide services” referral. The case worker of the child(ren) will provide the assigned Home Finder with the approved home study that was sent by WV ICPC Specialist. Additional documents may be required by the Home Finder.

6) Case worker will need to supply the Home Finding unit with reevaluations of the home study when applicable.

7) If the case is transferred to a different worker than the one that submitted the original request, the Case Worker Assignment form will be completed by the supervisor and sent to the WV ICPC Specialist.

8) If the case is dismissed (legal guardianship, adoption, reunification, etc.) a 100B will need to be completed by the case worker and sent to the WV ICPC Specialist along with legal documents if applicable. The 100B would also be completed if the placement is not made.

9) If the request is under Regulation 7, please review the context under this regulation to ensure the case meets the criteria and deadlines for submission. (Please note that Regulation 7 is not used for adoption or foster care home studies)

10) Placement disruptions can result in the receiving state requesting return of the child to the sending state. This should occur within 5 business days of notification of the return request.

#### **8.1. (b) Home Finding Worker Responsibilities:**

1) The Home Finder will maintain the ICPC Provider Record that was opened by the Home Finding Supervisor from the “request to provide services” referral.

2) To complete the ICPC Provider Record the Home Finder will assure that the following documentation is in the FACTS record: 100A with placement decision, the comprehensive home study, the certificate of approval, and the W-9.

3) For out of state ICPC Provider Records, the Home Finder will ensure that the family maintains compliance with certification, by notifying the WV ICPC Specialist when the foster/adoption certification is going to expire. The WV ICPC Specialist should be notified at least 60 days prior to the expiration date, so notification can be submitted to the receiving state.

#### **8.2 When West Virginia is the Receiving State**

##### **8.2. (a) Home Finding Unit Responsibilities:**

1) Once a home study request is received by the WV ICPC Office from the sending state, the request is forwarded to the designated Home Finding Supervisor for assignment.

2) ICPC home studies must be completed within a 60-day time frame from the date the study request is received by the WV ICPC Specialist.

3) Assignment must be made within 2 business days of receiving the request.

4) The Home Finding Supervisor will need to complete the Case Worker Assignment form and submit to WV ICPC Office, within 5 business days of receiving the request.

5) If the request is on a biological parent, the Home Finding Supervisor would determine if the case needed to be assigned to Child Protective Services for completion as outlined in the SOP on Parent Evaluations.

6) If the home study request needs to be completed by the Child Protective Services Unit, the Home Finding Supervisor will complete a Request for Parent Evaluation form and include this when forwarding the packet to the designated CPS Unit. A copy of the Request for Parent Evaluation form will be sent to the WV ICPC Specialist.

7) The home study needs to be completed within the ICPC Regulations 2 or 7 timelines.

8) A Safe and Timely Progress form will be completed and sent to the WV ICPC Specialist at 30-day intervals from the date the home study request is received.

9) If a home study is being delayed, the main reason for the delay must be identified on the Safe and Timely Progress Form.

10) If the home study is approved, the Home Finder will submit the signed home study, certificate of approval, and Safe and Timely Form (when the study was not completed in 60 days) to the WV ICPC Specialist.

11) If the placement resource is denied, the reason for denial along with the Safe and Timely form will be submitted to the WV ICPC Specialist and the case will be closed.

12) If a home study is approved and the home remains open, annual reviews of the home must be completed and documentation of the review must be submitted to the WV ICPC Specialist, prior to the home's certification expiration date, until notification is sent from the WV ICPC Office that the case is closed.

13) The Sending state will have 6 months from the time of the home study approval to make the placement. If the sending state is making placement, the WV ICPC Specialist is notified by a 100B with a date that the child(ren) is placed. The 100B will be forwarded to the designated Home Finding Supervisor.

14) Once the Home Finding Supervisor receives the 100B, indicating a placement has been made, a "request to receive services" referral will be opened by the WV ICPC Associate and transferred to the Home Finding Supervisor's regional Inbox in FACTS. The Home Finding Supervisor will complete the referral and open an ICPC case for the youth in FACTS and assign it to the designated district supervisor, to begin supervision of the placement. The FACTS Help Desk Guide will provide information on how to set up a "request to receive services" case. The case type will be an ICPC Case.

**8.2. (b) Child Protective Services/Adoption/ Youth Services Worker or district designee responsibilities:**

1) The district supervisor that assigns the "request to receive services" case to a worker will complete the Case Worker Assignment form and send the form to the WV ICPC Office.

- 2) Once a worker is assigned to the “request to receive services” ICPC case for supervision, the worker will complete a face-to-face visit with the child(ren) in placement within 30 days of assignment.
- 3) Monthly supervision must continue the ICPC case until the case is closed by the sending state and notification of the closure is received from the WV ICPC Office.
- 4) Quarterly ICPC Supervision Reports are to be submitted to the WV ICPC Office. These reports must include the dates of the visits and location and any issues that were indicated.
- 5) For further information on supervision responsibilities please reference Regulation 11.

## **9.0 Residential Requests for Placement under ICPC**

Out-of-state residential placements require ICPC approval per Regulation 4 of the Compact. This regulation applies to cases involving children who are being placed in a residential facility by the sending agency, regardless of whether the child is under the jurisdiction of a court for delinquency, abuse, neglect, or dependency, or because of action taken by a child welfare agency.

Placement by a sending agency involving a delinquent child must comply with Article VI, Institutional Care of Delinquent Children, which reads as follows: "A child adjudicated delinquent may be placed in an institution in another party jurisdiction pursuant to this compact but no such placement shall be made unless the child is given a court hearing on notice to the parent or guardian with the opportunity to be heard prior to his being sent to such other party jurisdiction for institutional care and the court finds that:

- (1) Equivalent facilities for the child are not available in the sending agency's jurisdiction; and
- (2) Institutional care in the other jurisdiction is in the best interest of the child and will not produce undue hardship. (Hardship may apply to the child and his/her family.)

Children that do not fall under the category of adjudicated delinquent will need a court order showing the sending agency has jurisdiction over the placement of the child.

### **9.1 Processing of Residential ICPC Requests**

1. The child’s worker will use the ICPC checklist for residential placement to gather documents to complete a packet.
2. If the residential placement is on suspension or listed as a resource no longer under contract, the worker will need to provide written documentation by the Deputy Commissioner that placement is still requested. The WV ICPC Specialists will review packets for this documentation and will not process without this item.
3. Workers should review the facility’s provider record in FACTS, so they are aware of any current investigations, suspensions, and current certification status.
4. Complete packets can be sent via email or mail to the WV ICPC office for review. If the packet is deemed complete, it will be forwarded to the receiving state. If the packet is not complete, the worker will be notified of the required documents needed to complete the packet. The worker will have two weeks from the date of notification to provide the WV ICPC Specialist with the

requested items. Incomplete packets will be returned to the worker if requested documents are not received in the two-week period.

5. Placement decisions will be sent via email to the worker that requested placement. The worker will need to make placement within 30 days of the approval, or the approval will expire. Placement notification to the WV ICPC office will be completed by the child's case worker with the 100B form.

6. If the placement will not occur within the 30-day timeframe, the worker can ask for an extension by notifying the WV ICPC Specialist of the anticipated admission date. The WV ICPC Specialist will provide this to the receiving state and ask for an extension.

7. Denial of placement could occur if the facility is suspended or on hold for placement by the receiving state. Worker will be notified by email of the reason for denial.

8. All notifications of suspected abuse and neglect in an out-of-state facility, that is received by the WV ICPC office, will be forwarded to the WV Residential Child Care Licensing and IIU Unit Program Manager.

8. If the worker does not utilize the placement a 100B form will need to be completed to terminate the request. This should be completed once the child is discharged from the facility.

9. Notification of placement disruptions that require the child to be moved to a hospital or acute care facility outside of the approved placement should be sent to the WV ICPC Specialist along with a plan for placement after discharge.

10. Placement disruptions can require the return of the child to the sending state. If this occurs, the worker will have 5 business days to return the child.

#### **10.0 Forms and Checklist – For ease of use, hyperlinks are embedded in each item listed.**

[100A with Instructions](#)

[100B with Instructions](#)

[Case Worker Assignment Form](#)

[ICPC 101 Regulation 7 Combined](#)

[ICPC Checklist for Home Studies August 2020](#)

[ICPC Regulation 2 Signed Statement](#)

[Medical and Financial Plan](#)

[Regulation 7 Court Order Form Example](#)

[Request for Parent Evaluation Letter](#)

[Safe and Timely Progress Form](#)

[Sample Child Summary](#)

[Social Assessment](#)

[Statement of Assurance Form 2021](#)

[Supervision Report Form](#)

[ICPC Parent-Guardian Placement Eval](#)

[ICPC Tips and Reminders](#)

[EZ Way to Prepare an Approvable Residential ICPC Packet](#)

## **11.0 Related Compacts**

The following compacts also regulate certain types of interstate placements of children.

11.1 The Interstate Compact on Adoption and Medical Assistance (ICAMA) ensures that adoptive parents of children with special needs receive the services and benefits provided for in their adoption assistance agreement, particularly medical assistance in interstate cases. It facilitates the delivery of benefits and services when families move during the continuance of the adoption assistance agreement or in cases when the child is initially placed for adoption across state lines. The Compact was developed in response to the mandate of the Adoption Assistance and Child Welfare Act of 1980 that directs states to protect the interstate interests of adopted children with special needs. The Interstate Compact on Adoption and Medical Assistance has been enacted by most states.

11.2 The Interstate Compact on Juveniles (ICJ) permits interstate supervision of adjudicated delinquents on probation or parole and provides for the placement of certain juvenile delinquents in out-of-state public institutions. This Compact also authorizes the return of juvenile escapees and absconders to their home states and is used to arrange the return of non-delinquent runaways to their homes. All 50 states and other jurisdictions, except for Puerto Rico and the Virgin Islands, have enacted this Compact.

11.3 The Interstate Compact on Mental Health permits the transfer of mentally ill and mentally disabled children and adults from a public institution in one state to a public institution in another state. It may also be used to secure publicly provided aftercare services in another state. A patient transferred through this Compact becomes the responsibility of the receiving state. The Interstate Compact on Mental Health has been enacted by most states and jurisdictions.