



TEXAS

Health and Human Services

**Texas Department of Family
and Protective Services**

Child Protective Services

**Interstate Compact on
the Placement of Children
(ICPC)
Resource Guide**

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Resource Guides

The purpose of Resource Guides is to provide information that helps you do your job better. This information includes reference material, procedures, and guidelines that help you complete the tasks you are required to do by policy.

It's important to remember that the information in Resource Guides **does not substitute for policy**. We may sometimes include policy statements, but only to show you the policy to which the information is related. We will highlight any policy that actually appears in the Resource Guide, and will almost always include a link to the actual policy. For example:

Per [4222.2 Re-Allowing Placement](#):

If the caseworker learns of a detailed justification for changing the status of and considering placements in a foster family that is on Disallowed Placement status, the caseworker must elevate this consideration through the regional chain of command to the regional director.

The policy in the handbook always takes precedence over what is in the Resource Guide. We try to keep policy and Resource Guides synchronized, but sometimes there is a delay. **If you have questions, always follow the policy in the Policy Handbook.**

Resource Guides provide important information on a range of topics, for the purpose of assisting and guiding staff to:

- make essential decisions
- develop strategies to address various issues
- perform essential procedures
- understand important processes
- identify and apply best practices

The information in the Resource Guides is not policy (except where noted), and the actions and approaches described here are not mandates. You should adapt the way you perform critical tasks to the individual needs and circumstances of the children and families with whom you work.

State office and field staff are working together to identify Resource Guide topics, define the content, and develop the appropriate guides. CPS will regularly post Resource Guides as they are developed, and update them as needed. Check the Resource Guides page, in the CPS Handbook, to see new or revised Guides.

We hope these Guides provide useful information to guide and assist CPS staff in effectively performing their job tasks. These Guides, combined with clear and concise policy in the Handbook, should help staff provide a high level of service to children in Texas.

UNDERSTANDING THE INTERSTATE PLACEMENT PROCESS

With limited exceptions, when DFPS places a child outside Texas or receives a request for a placement from another state to place a child in Texas, the child's placement is subject to the Interstate Compact on the Placement of Children (ICPC).

What Is the Compact?

The ICPC is an interstate agreement that has been enacted as law in all 50 states, the District of Columbia, and the Virgin Islands. The compact establishes uniform procedures for placing children in substitute care in other states.

ICPC procedures are designed to:

- help each state find the best available caregiver for each child who must be placed in substitute care;
- ensure that every interstate placement fully involves appropriate state authorities and complies with applicable state laws; and
- promote appropriate jurisdictional arrangements by the courts involved in interstate placements.

ICPC regulations are published online by the Association of Administrators of the Interstate Compact on the Placement of Children ([AAICPC](#)).

Interstate Compact Offices

Each state establishes its own interstate compact office. In Texas, that office is the Texas Interstate Compact Office (TICO), which is part of DFPS.

Each state's compact office specializes in:

- coordinating interstate placements with the compact offices in other states; and
- advising child-placing agencies, including DFPS, about making and supporting such placements.

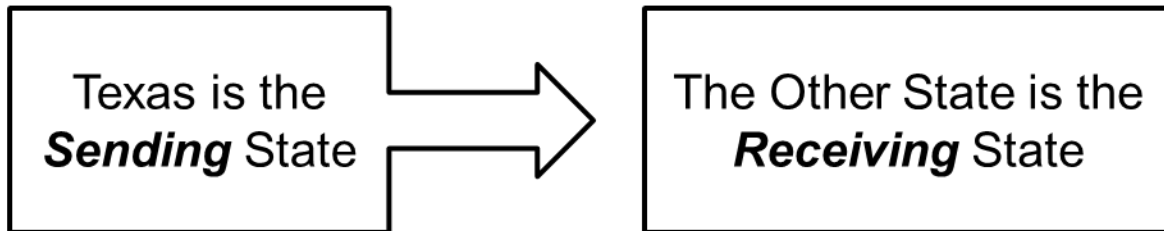
The Participants

In addition to the child and the caregiver with whom the child is being placed, most interstate placements involve four participants:

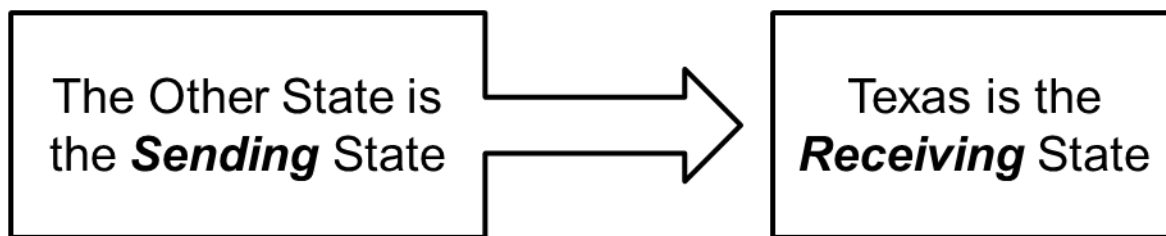
- the sending agency – the child-placing agency (or organization or individual) that is placing the child outside the state;
- the sending state's compact office – the interstate compact office in the state the child is leaving;
- the receiving state's compact office – the compact office in the state the child is entering; and
- the receiving agency – the child-placing agency (or organization or individual) that supports the placement in the state the child is entering.

Depending on the circumstances, DFPS is either the sending or receiving agency and Texas is either the sending or receiving state.

When Texas Places a Child in Another State...



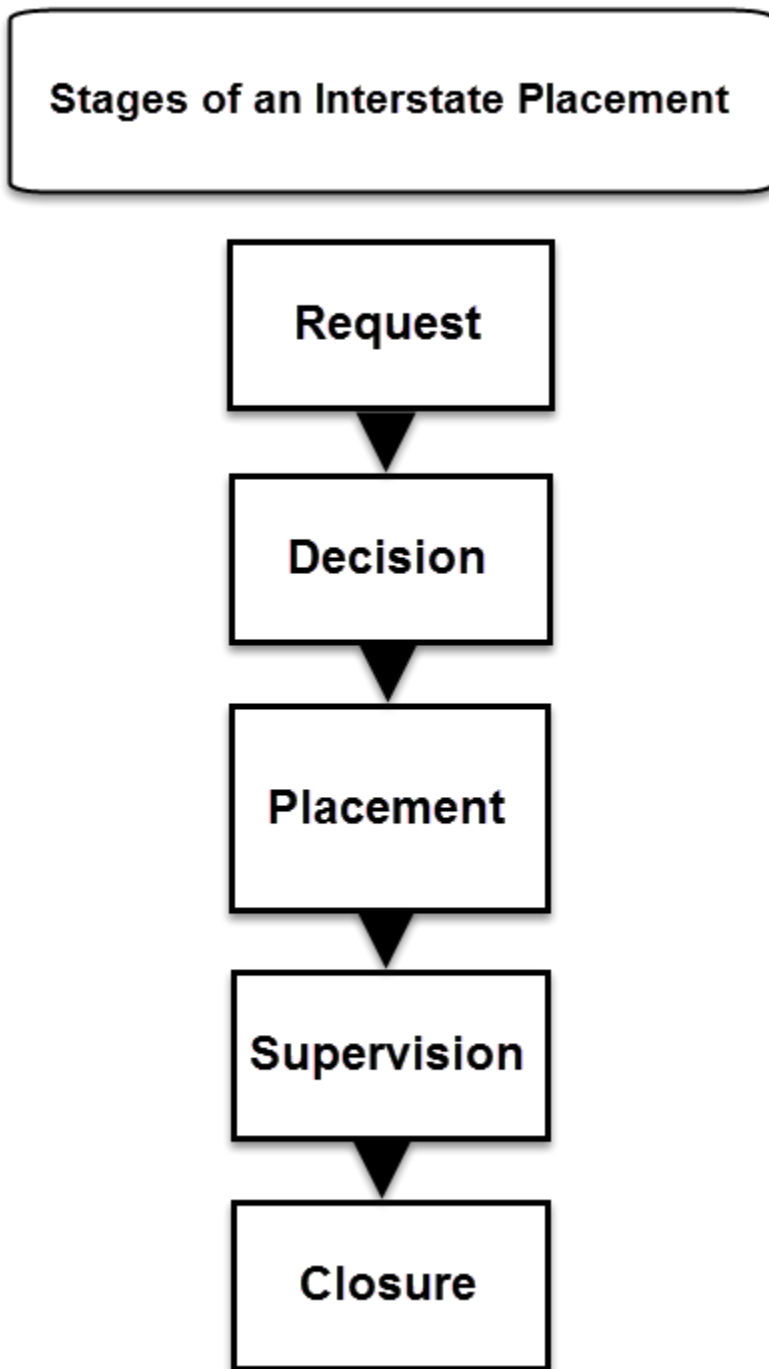
When Another State Places a Child in Texas...



The Process

Successful interstate placements ordinarily proceed through five stages:

1. The request
2. The decision
3. The placement
4. Supervision of the placement
5. The closing of the case



Each agency and each compact office has a role to play at every stage of the placement to ensure that the sending agency and the receiving agency both take every action needed to complete the placement and communicate effectively as each action is taken.

The compact offices guide the agencies through the stages.

Refer to the following policies:

ICPC Stage	Texas is the Sending State	Texas is the Receiving State
Request	4512 Expedited ICPC Home Screening and its subitems 4513 Placing a Child with an Out-of-State Caregiver and its subitems ICPC Checklist	4520 Placing Children From Another State In Texas 4522 Accepting Requests From Other States to Place With a Non-Custodial Parent Living in Texas
Decision	4514 Obtaining the Other State's Decision on an Interstate Placement and its subitems	4523 Notification and Supervision
Placement	4515 Placing the Child in the Other State if the Placement is Approved and its subitems	
Supervision	6418 The Supervision Services Expected From Another State 6411.6 Contacts with Out-of-State Placements	6417 Supervising a Child Placed in Texas From Another State
Closure	4516 Closing an ICPC Case and its subitems	4527 Closing an ICPC Case and its subitems

THE REQUEST STAGE

The caseworker begins the interstate placement process by submitting a request to place a child in another state.

**Interstate Placement:
Steps in the Request Stage**

1. The Sending Agency

A. Completes an interstate-placement packet requesting:

- a home screening of the caregiver with whom the sending agency wants to place the child, and
- permission to place the child

B. Sends the packet to the sending state's compact office

2. The Sending State's Compact Office

A. Reviews the placement packet for compliance with compact requirements and the laws of the sending state

B. Forwards the packet to the receiving state's compact office

3 The Receiving State's Compact Office

A. Reviews the placement packet for compliance with compact requirements and the laws of the receiving state

B. Forwards the packet to the receiving agency

4. The Receiving Agency

A. Reviews the placement packet

B. Arranges to conduct the home screening

THE DECISION STAGE

The second stage of an interstate placement involves the receiving state's approval or denial of the request to place a child in that state.

Interstate Placement: Steps in the Decision Stage

1. The Receiving Agency

A. Completes a home screening

B. Makes a recommendation for or against the placement, based on the results of the screening

C. Sends the results of the home screening and the placement recommendation to the receiving state's compact office

2. The Receiving State's Compact Office

A. Reviews the home screening and placement recommendation

B. Approves or denies the placement request

C. Notifies the sending state's compact office

3 The Sending State's Compact Office

A. Records the receiving state's decision

B. Notifies the sending agency

4. The Sending Agency

Decides whether to proceed with the placement, if the request is approved

--OR--

Does not make the placement, if the request is denied

THE PLACEMENT STAGE

The third stage of an interstate placement is making the placement. After the receiving state's compact office approves the placement, the participants take the following steps.

**Interstate Placement:
Steps in the Placement Stage**

1. The Sending Agency

A. Places the child

B. Notifies the sending state's compact office

2. The Sending State's Compact Office

A. Notifies the receiving state's compact office

3 The Receiving State's Compact Office

A. Notifies the receiving agency

4. The Receiving Agency

A. Begins supervising the placement

THE SUPERVISION STAGE

The fourth stage of an interstate placement is the receiving state's supervision of the placement.

JURISDICTION (THE SENDING AGENCY RETAINS LEGAL CUSTODY)

The receiving agency supervises the placement until the court in the sending state dismisses the sending agency's jurisdiction; however, the sending agency retains jurisdiction throughout the supervisory period. This means that the sending agency retains legal custody and remains responsible for the child's placement and the costs of the child's care. The sending agency has the authority to remove the child from the receiving state's caregiver, if necessary; and if for any reason the caregiver can no longer care for the child, the sending agency must find a new placement.

See:

[4515.2](#) Requirement That the Court Retain Jurisdiction After Making an Interstate Placement

[4524](#) Requirement That the Court Retain Jurisdiction After Making an Interstate Placement

Interstate Placement: Steps in the Supervision Stage

1. The Receiving Agency

- | | | |
|---|---|--|
| A. Provides an initial face to face within 30 days of the child's placement | B. Prepares a 30-day supervisory report to the compact office | C. Provides face-to-face visits with the child at least once a month |
| D. Prepares a supervisory report at least once every three months | E. Prepares a supervisory report recommending a legal action to complete the interstate-placement process | F. Sends each report to the receiving state's compact office |

2. The Receiving State's Compact Office

- | | |
|---|--|
| A. Reviews each supervisory report | B. Sends each report to the sending state's compact office; and either |
| Agrees with the receiving agency's final recommendation | --OR-- |
| Does not agree | |

3 The Sending State's Compact Office

- | | |
|------------------------------------|---|
| A. Reviews each supervisory report | B. Sends the report to the sending agency |
|------------------------------------|---|

4. The Sending Agency

- | | |
|---|--|
| A. Reviews each supervisory report | B. Completes periodic reviews of the child's case plan |
| C. After getting the receiving agency's recommendation, prepares to ask the court for a legal action that will: | |
| Complete the interstate-placement process | --AND-- |
| Terminate the sending agency's jurisdiction | |

THE CLOSURE STAGE

The fifth stage of an interstate placement is the closure of the placement process. Both the sending and receiving states must agree to close the case before the sending state's jurisdiction is terminated and the Interstate Compact on the Placement of Children (ICPC) case is closed.

Once the recommendation for closure is agreed upon, the participants take the following steps.

Interstate Placement: Steps in the Closure Stage

1. The Sending Agency

A. Asks the court to take an action that terminates the sending agency's jurisdiction in the child's case

B. Notifies the sending state's compact office about the action taken by the court

2. The Sending State's Compact Office

A. Notifies the receiving state's compact office

B. Closes its file on the child's case

3 The Receiving State's Compact Office

A. Notifies the receiving agency

B. Closes its file on the child's case

4. The Receiving Agency

A. Takes whatever steps are necessary in light of the court action in the sending state

B. Closes the child's case

Obtaining Agreement Before Terminating

The sending agency must receive agreement to close from the receiving state before terminating jurisdiction and closing the ICPC case.

MAINTAINING THE FILE FOR AN INTERSTATE PLACEMENT

The interstate placement file becomes the official case record once a child’s placement in another state has been approved or denied.

File Maintenance

If the placement is ...	the child’s caseworker ...
approved maintains a file on the approved interstate placement request packet, including all of the copied, faxed, or emailed documents used to create the placement packet.
denied closes the case and retains in the external paper file all of the copied, faxed, or emailed documents that were used to create the placement request packet.

PLACING CHILDREN OUTSIDE OF TEXAS

With limited exceptions, every interstate placement made by DFPS is subject to the Interstate Compact on the Placement of Children (ICPC); therefore the caseworker making the placement must coordinate it through the Texas Interstate Compact Office (TICO). State law and DFPS policies that govern the removal and placement of a child within the state of Texas also apply.

DFPS places children outside of Texas with the following types of caregivers:

- Parents
- Relatives
- Foster families
- Adoptive families
- Residential treatment centers

DFPS Rules, 40 TAC [§700.1902\(b\)](#)

Under ICPC, DFPS must cover all necessary costs of the child's care that cannot be covered through other sources, until the court dismisses DFPS conservatorship.

For detailed information about making placements with different types of caregivers, see:

[Placement Process Resource Guide](#), under Placement Types and Definitions, and under Preference for Non-Custodial Parents, Siblings, Kinship and Others with Significant Relationships

[6930](#) Selecting an Adoptive Family

COMPLETING THE REQUEST PACKET AND COVER LETTER

COMPLETING THE ICPC PLACEMENT REQUEST PACKET

To request a home screening and permission to place a child in another state, prepare an interstate placement request packet in IMPACT:

1. Complete, for *each* child, the Placement Request (100A) sections I-III of the Interstate Compact Placement Request in IMPACT.
2. Complete an ICPC cover letter in IMPACT for *each* ICPC request packet.
3. Complete an ICPC Financial/Medical form in IMPACT for *each* child.
4. Upload into IMPACT all of the following legal forms that must accompany the ICPC placement request packet:
 - The original court order appointing DFPS as the child's conservator
 - The most recent court order with DFPS as the conservator
 - The child's birth certificate (or other verification of the child's age and citizenship, if a birth certificate is not available)
 - The child's Social Security number
5. Upload the most recent additional following documents (if applicable) to complete the interstate placement request packet:
 - Psychological or developmental evaluation of each child, required if placement is for adoption
 - Physical and dental exam documents
 - Educational documents:
 - Report card
 - Admission, Review and Dismissal (ARD) or 504 documents and accommodations

Ensure that the plan of service is accurate and up-to-date for each child who is involved in the ICPC request. TICO prints out the most recent child's plan of service to complete the ICPC placement request packet.

COMPLETING THE COVER LETTER

In the cover letter, include:

- contact information of the child’s caseworker;
- the child’s name, date of birth, and Social Security number;
- the type of home screening being requested (unless a home screening has already been completed. See below.):
- a brief explanation of the reasons the child came into DFPS care;
- the caregiver’s name, home address, and phone number;
- details about the caregiver’s relationship to the child (such as why the caregiver is interested in caring for the child) and any contact the caregiver had with the child before the ICPC request was made;
- a brief profile of the child (the child’s temperament, likes and dislikes, medications, and so on), and any special educational or physical needs; and
- the child’s permanency plan.

If a home screening has already been completed, explain in the cover letter and enclose a copy of the screening results.

A home screening is most likely to have been completed when:

- a child moves out-of-state with his or her caregiver, or
- a child is placed for adoption with a family who lives out-of-state;

COMPLETING THE ICPC FINANCIAL/MEDICAL FORM FOR AN ICPC PLACEMENT REQUEST

The *ICPC Financial/Medical Form 103* for the Interstate Compact on the Placement of Children is part of the ICPC packet. It is on the *ICPC* tab of IMPACT under the substitute care (*SUB*) and adoption (*ADO*) stages. Complete the form in IMPACT, designating the child’s eligibility for foster care payments through:

- Title IV-E; or
- non IV-E paid or Supplemental Security Income (SSI) paid for foster care payments;

Also complete the form to designate the type of placement that the child is going to in the receiving state.

The options for covering the costs of a child’s daily care are:

Options for Covering the Cost of Care	Conditions
The caregiver supports the child without financial assistance.	The caregiver must be a parent or a relative of the child.
The caregiver applies for TANF (Temporary Assistance for Needy Families) in the receiving state.	<ul style="list-style-type: none"> • The caregiver must be the child’s parent or relative; and • The receiving state must allow a family to apply for TANF.
DFPS provides foster care assistance to the caregiver.	The caregiver must be licensed to provide foster care in the receiving state.

For detailed information about applying for Title IV-E foster-care assistance, see [1511](#) Foster Care Assistance and Review Policies.

For information about SSI and adoption assistance payments, see [1715.4](#) SSI Payments and Adoption Assistance Payments.

If the child is eligible for Title IV-E foster-care assistance, the cover letter should include information about the child's Title IV-E eligibility, to enable the receiving state to begin paying the child's Medicaid benefits. See:

[1538](#) Medicaid Benefits for Foster Care Children Placed in Texas From Other States

[1539](#) Medicaid Benefits for Foster Care Children Placed Out-of-State

If the child is placed with a parent or relative not receiving foster care payments, the caregiver applies for Medicaid in the receiving state.

PROVIDING CHILD INFORMATION FOR AN ICPC PLACEMENT REQUEST

To the extent available at the time of the placement request, provide all of the information that DFPS ordinarily provides to a child's caregiver, including the child's:

- current service plan, as specified in:
 - [6241](#) The Child's Plan of Service (CPOS), and
 - [6221](#) The Permanency Plan;
- most recent status report filed with the court, as specified in [5530](#) Permanency Hearings for Children Under Temporary DFPS Conservatorship;
- most recent school records, including any special education records;
- medical documents, including the child's most current medical and dental exams, immunization record; and psychological evaluation or developmental assessment (if applicable).

Psychotropic Medications and Adoption Screenings

If a child is taking psychotropic medications or if the ICPC referral is for a home screening related to an adoption, include either a psychological evaluation or developmental assessment in the ICPC placement request packet.

Court Orders

Before submitting an ICPC request, DFPS must have a Temporary Managing Conservatorship Order (TMC). An Emergency Order is not sufficient.

Texas court orders that specify one child's name and use *et al* to represent the others must include the names of any other children who are involved in the order by listing them either:

- under the court order heading In the Interest of; or
- in the body of the court order .

WELL-BEING SPECIALISTS

[Well-being specialists](#) are state office staff located throughout the regions. They serve as subject matter experts and help resolve issues that are preventing for children in DFPS conservatorship from receiving medical and behavioral health care. They also assist in arranging for medical needs or assessing services for children before placements outside of Texas.

Before placing a child outside Texas, the child's caseworker should contact the regional well-being specialist to make sure that any medical needs for the child are identified and arranged.

See [4515](#) Placing the Child in the Other State if the Placement is Approved

FOSTER-CARE PLACEMENTS

When another state's agency wants to place a child in foster care in Texas, the actions that DFPS may take vary, as described in the following chart.

If the family ...	then ...
is already verified or licensed as a CPS foster family home in Texas ...	the DFPS unit assigned to handle the request reviews the family's home screening and verification or license, and then: <ul style="list-style-type: none"> • visits the home to assess the family's ability to meet the child's specific needs; • updates the home screening; and • makes a recommendation for or against the placement.
is not already verified or licensed as a foster family home ...	the DFPS unit assigned to handle the request: <ul style="list-style-type: none"> • completes a home screening; and • makes a recommendation for or against the placement. The DFPS Child Care Licensing (CCL) Division verifies that the home meets CCL's Minimum Standards for Independent Foster Homes.
is licensed as a foster family in the sending state ...	the DFPS unit assigned to handle the request: <ul style="list-style-type: none"> • completes a home screening; and • makes a recommendation for or against the placement. The DFPS Child Care Licensing (CCL) Division verifies that the home meets CCL's Minimum Standards for Independent Foster Homes.
is requesting to be licensed through a child placing agency (CPA) in Texas ...	the DFPS unit is not involved; however, TICO: <ul style="list-style-type: none"> • ensures that the sending state has a current contract in place with the Texas CPA; • forwards the ICPC request directly to the CPA; to complete the home screening, the CPA: • visits the home to assess the family's ability to meet the child's specific needs; • completes the home screening; and • makes a recommendation for placement. The DFPS Child Care Licensing (CCL) Division verifies that the home meets CCL's Minimum Standards for Independent Foster Homes.

STATES THAT REQUIRE ALL NON-PARENTS TO BE LICENSED AS FOSTER PARENTS

The Interstate Compact Placement of Children (ICPC) provides for the placement of children in DFPS conservatorship in another state. TICO is the Texas Interstate Compact Office. Texas does not require a relative or fictive kin to be licensed as a foster parent.

All states require licensing if the placement resource is second generation fictive kin (great-aunt, great-grandparent), step-parent, or an unrelated person.

Some states require all non-parents to be licensed as a foster parent before a child from Texas can be placed with them through the ICPC process. Refer to the Texas ICPC Office to identify those states.

See:

[4510](#) Placing Children Outside of Texas

WHEN A JUVENILE PROBATION OFFICER REQUESTS PLACEMENT IN A LICENSED RESIDENTIAL FACILITY

A juvenile probation officer in either the sending or receiving state may request to place an adjudicated delinquent in a licensed residential facility.

This type of placement may be covered either by the Interstate Compact on the Placement of Children (ICPC) or by the Interstate Compact on the Placement of Juveniles (ICJ).

- If the sending agency places the juvenile in a CCL-licensed facility, such as a residential treatment center, the placement is covered by the ICPC and in Texas the Texas Interstate Compact Office (TICO) coordinates the placement.
- If the sending agency places the juvenile in a facility that is not licensed by CCL (for example, a juvenile detention center), the placement is covered by the ICJ and not ICPC.

The probation officer completes required ICPC request documentation and sends it to the ICPC office in the sending state.

If Texas is the sending state the office can make the request through the ICPC Online Request website or by email, postal mail or fax.

- Email icpc.homestudies@dfps.state.tx.us or icpc.supervisioninquiries@dfps.state.tx.us
- Postal Mail: DFPS, ATTN: Texas Interstate Compact Office, MC W-223, PO Box 149030, Austin, Texas 78714
- Fax 512-339-5815

The probation officer submits the following:

- The Placement Request (100A)
- A court order that includes [ICPC Article 6](#) language
- An acceptance letter from the licensed residential facility

Additional documentation that can be included is the:

- social history of the child; and
- psychological or psychiatric evaluation of the child.

After the placement is approved through the receiving state Interstate Compact office, the probation officer submits to a Placement Status (100B), specifying the placement date, to the Texas Interstate Compact Office (TICO).

The probation officer is responsible for maintaining a copy of all documentation related to the child's placement.

Supervision

The facility supervises the placement and sends quarterly supervisory reports to TICO.

TICO forwards the quarterly reports to the probation officer.

Closing the Case

When the child leaves the facility, the probation officer completes a Placement Status (100B) in the ICPC Request website.

TICO forwards a copy to the sending state's compact office notify them of the child's discharge and TICO is closing the case.

TICO closes its case when the child is discharged, turns 18 years of age, or approved placement is not used.