



Series: Operating Procedures COA: N/A
CFOP: 175-55

Procedure Name: Priority Placement under the Interstate Compact on the Placement of Children

Procedure Number: OP-1055

Revision #/Date: (2) 9/30/08

Effective Date: 11/1/08

Applicable to: All CBCB Staff and Contract Providers, Child Welfare Legal Service Attorneys

SUBJECT: Priority Placement Under the "Interstate Compact on the Placement of Children"

PURPOSE: To describe the requirements for priority placement under Regulation No. 7 of the Interstate Compact on the Placement of Children.

PROCEDURE:

References

CBCB Operating Procedure OP-1054 regarding the "Interstate Compact on the Placement of Children".

The Compact is enacted in Florida law at sections 409.401, et seq., Florida Statutes (F.S.). Regulation No. 7 was adopted pursuant to Article VII of the Compact by action of the Association of Administrators of the Interstate Compact on the Placement of Children.

Definitions

Regulation No. 7 was designed, developed and implemented for the purpose of providing judges, attorneys and child welfare practitioners with an expedited interstate home study process whereby certain emergency situations could be handled in a safe, legal and timely manner, and faster than was previously available. Discretion is needed in the use of this priority placement process. Attempts to use this procedure on every request by Florida requestors, including CBC of Brevard, and other member states and jurisdictions will overload the process and lead to a gradual return to delays for everyone involved, especially the child.

Exception

This operating procedure is NOT applicable, and may NOT be used, if the child is: (a) already in the receiving state without the approval of, or (b) allowed to go to the receiving state prior to the approval of, the receiving state Compact administrator as validated by a signed Compact 100A Form.

Compact Priority Placement Regulation No. 7, Outgoing Requests to Other States

- a. Interstate Compact Regulation No. 7 establishes procedures for priority placement of children through the Compact. Compact Regulation No. 7 sets forth limited circumstances under which this procedure may be used.
 1. The first requirement is that the proposed placement resource in the receiving state must be a parent, step-parent, grandparent, adult uncle or aunt, or adult brother or sister (includes half siblings) (NOTE: Great aunts, great uncles, great grandparents, cousins, in-laws, and step relatives other than parents do not qualify under Regulation No. 7);
 2. The second requirement is that child must be either under two (2) years of age; placed in an emergency shelter facility or home; or, the court must find that the child has spent a substantial amount of time in the home of the proposed placement recipient.
 3. The third requirement is that a specific court order be issued which contains an expressed finding that one or more of the circumstances set forth above apply to this particular child and sets forth the facts upon which the court bases its finding.
 - (a) If "emergency shelter" is selected, a signed copy of the emergency shelter court order must be attached to the request.
 - (b) If "substantial amount of time" is selected, either the court order "finding" or the request cover letter should provide sufficient explanation to justify its use, although the choice is totally within the judicial discretion of the court to use, and there are no guidelines covering its use. However, there is no obligation on the receiving state Compact administrator to accept this finding, especially if their home study does not, in the opinion of their local office, corroborate or validate its use.
- b. Under the provisions of Regulation No. 7, the Central Compact Office must receive the priority placement package within five (5) business days of the date that the judge signed the priority placement court order. The package will consist of one (1) copy of each of the following:
 1. A PRIORITY ICPC Community Based Care Transmittal.
 2. A completed Form 100-A for each child.
 3. A completed Form 101 for each child.
 4. The priority court order with expressed findings [reminder, the Central ICPC office must receive the package within five (5) business days of Judge's signature on the priority court order].
 5. An overall cover letter that explains substantial amount of time (if applicable and not explained in the priority court order). Because other state and local agencies are accustomed to interacting with the Department of Children and Families, and to forestall any delay, include the following sentence in the opening paragraph: **"This request for child welfare services is being made pursuant to our contract with the Florida Department of Children and Families."**; and, request for monthly supervision

by specifically requesting that the child(ren) be seen in the home not later than the 20th day of each month.

6. Current Social Summary on the child(ren) (Pre-Disposition Study, Judicial Review/ Social Study Report, Comprehensive Behavioral Health Assessment, or, if none of these documents are less than six months old, a Social Summary of the child developed by the Care Manager specifically for this package).
 7. Current signed underlying court order that is less than six months old (NOTE: If the court order is signed by the General Master, packet must include the Judge's order approving the findings of the General Master).
 8. Financial/Medical Plan(s).
 9. Proof(s) of Title IV-E eligibility, if applicable [attach the Notice(s) of Case Action obtained from the CBC of Brevard Revenue Maximization Unit – if requested, the Intake Unit will obtain and add the Notice(s) of Case Action to the packet].
 10. Proof(s) of Paternity (if home study is on the father or paternal relatives).
 11. Child(ren)'s Birth Certificate(s).
 12. The case plan, unless the underlying court order is the JR/SSR and the JR/SSR clearly describes case plan tasks and status.
- c. The central Compact office has two (2) business days to validate the priority placement request package and forward it to the receiving state Compact office.
 - d. The receiving state Compact Administrator has twenty business days from the date of receipt of the priority placement request package to obtain sufficient information from the local receiving agency to make a determination as to whether the requested priority placement may be made, or will not be made. This decision will be reflected in Section IV of the Compact 100A Form along with a signature and the date signed, and then transmitted to the Florida Compact Administrator (ICPC Central Office).
 - e. The Florida Compact Administrator (ICPC Central Office staff) will upload the completed packet, including the Compact 100A Form into the ICS on the day of receipt.
 - f. Compact Regulation No. 7 also provides for certain contingencies, such as noncompliance by the receiving state Compact Administrator, receipt of substantially insufficient documentation from the sending court or the sending local agency, procedures for obtaining additional documentation or information, and mutually agreed upon modifications to the time period deadlines.

Incoming Regulation #7 Priority Placement Requests from Other States

- a. The Florida Central Office staff will immediately upload all incoming Regulation #7 priority placement requests into ICS. The Intake Unit will forward this request to the appropriate Care Center Manager who will assign to a Care Manager Supervisor as soon as possible.
- b. NOTE: We have only twenty (20) business days to conduct a home study and make a decision, providing that the resource is cooperative and that all necessary information and

documentation was properly provided and/or is available. The Care Manager Supervisor will immediately notify the Intake Unit, who in turn will notify the Central Compact office if any difficulties are encountered which might delay timely completion. In those situations, the Central Compact office will contact the sending state Compact office to advise them of any delay.

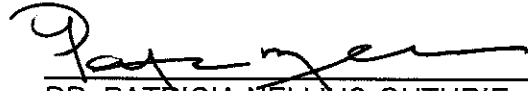
- c. As soon as a decision is reached by approving or disapproving the request, the Care Manager Supervisor will communicate to the Intake Unit, who in turn will notify the Central Compact office. The home study will then be completed as soon as possible thereafter (within the 20 workday time frame) and transmitted to the Intake Unit. The Intake Unit will upload into ICS when the package is ready.
- d. The priority placement concept makes an assumption that the home study and background check will be "routine." If any abnormal findings are made, or if there are any "red flags" or other concerns, then it may be necessary to complete a more in-depth investigation of the resource, in which case, the central office will so inform the sending state, and modifications to the deadlines can be negotiated.
- e. d. In those situations where placement cannot be recommended, the Care Manager should still complete the written home study within the 20-workdays time frame, and indicate the reasons for disapproval. In addition, the Care Manager may be asked to join a conference call with the Care Manager Supervisor, the Intake Unit, the Central Compact Office and the sending state judge or sending state local worker in order to give those parties a chance to ask clarifying questions concerning the denial of placement. The Central Compact Office is the final decision authority; the final decision will be annotated on the ICPC Form 100-A.

ICPC Forms

ICPC Forms are continuously being revised to meet ever-changing requirements. Rather than providing attachments to this operating procedure that will inevitably become obsolete, refer to below web sites that maintain current ICPC Forms and valuable guidance for completing the forms and preparing ICPC packages:

- a. The Department of Children and Families web site: http://www.state.fl.us/cf_web/ (NOTE: there is an underscore (_) between "cf" and "web". Select "The Department of Children and Families". Select "DCF Forms" from the shaded strip at the top of the page and type "ICPC" in the "Title Contains" block.
- b. Florida's Center for the Advancement of Child Welfare Practice maintains a well organized ICPC site: <http://centerforchildwelfare.fmhi.usf.edu/Pages/Default.aspx> Select the "Knowledge Library". Look under the "Policies and Procedures" heading for the "Interstate Compact on the Placement of Children" link. Selecting the ICPC link brings up several headings, including DCF Forms.
- c. There is significant amount of ICPC information, including the names, addresses and contact information of individual state ICPC offices and county ICPC offices in decentralized states of California and Colorado located at ICPC web site: <http://icpc.aphsa.org> .

BY DIRECTION OF THE CHIEF EXECUTIVE
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APPROVAL DATE: 01/06/09