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11 **703 Interstate Compact On Placement Of Children**

12 Major objectives:

13 Child and Family Services will adhere to the Interstate Compact on Placement of Children
14 (ICPC). Children in state custody who are placed out of state will receive comparable
15 quality of services from Child and Family Services as a child who is placed in state.
16

17
18 **Applicable Law**

19 Utah Code Ann. [§62-4a-701](#). Interstate Compact on Placement of Children -- Text.

20 Utah Code Ann. [§62-4a-702](#). Financial responsibility.

21 Utah Code Ann. [§62-4a-703](#). Division as public authority.

22 Utah Code Ann. [§62-4a-704](#). Director as authority.

23 Utah Code Ann. [§62-4a-705](#). Fulfillment of requirements.

24 Utah Code Ann. [§62-4a-706](#). Jurisdiction over delinquent children.

25 Utah Code Ann. [§62-4a-707](#). Executive -- Authority.

26 Utah Code Ann. [§62-4a-708](#). Existing authority for child placement continues.

27 Utah Code Ann. [§62-4a-709](#). Medical assistance identification.
28

29 **703.1 Placement Of Foster Child Outside Of Utah – Interstate**
30 **Placement**

31 A. Practice Model applicability. Practice Model principles and case requirements for
32 a foster or prospective adoptive child placed out of state are the same as for a
33 child placed in Utah. Additional effort will be required to ensure that care and
34 services received out of state are satisfactory for the child and to help the child
35 achieve timely permanency. The Utah caseworker is responsible to maintain
36 close contact with the child and family throughout the ICPC placement to ensure
37 well-being (court jurisdiction maintained).
38

39 B. ICPC request for out-of-state placement. State law requires that the ICPC
40 process must be completed before a child may be placed out of state. These
41 steps are located in SAFE and are also listed in the ICPC state website at
42 <http://www.hsddfs.utah.gov/icpc.htm>.

43 1. ICPC Forms – Available in SAFE or on the website at
44 <http://dcfs.utah.gov/services/icpc/>, or see the ICPC Guidebook for help in
45 completing forms.

46 a. 100A Interstate Compact Placement Request.

47 b. 100B Interstate Compact Report on Child's Placement Status.

48 c. Medical and Financial Plan.

49 d. Form 101 Sending State Priority Home Study Request.

50 e. Mandatory Court Language form ICPC3 (Regulation No. 7).

- 51 2. Financial responsibility will always be primarily Utah's responsibility until
52 the courts have terminated jurisdiction and the PSS/SCF case is closed,
53 even if the family is supporting the child's needs in the other state. The
54 financial and medical plan should be clearly outlined by the Utah
55 caseworker on the Financial/Medical Plan form found in SAFE (Form
56 ICPC4).
- 57 3. Placement cannot be made in the Receiving State (RS) until the Utah ICPC
58 has received approval. All correspondence, prior to placement, must go
59 through the ICPC channels.
60

- 61 C. Approval of placement requires the following:
- 62 1. Receipt of the RS' home study with a recommendation of placement from
63 the Utah ICPC.
- 64 2. Form 100A that has been signed by the RS' ICPC approving placement.
- 65 3. Documented completion of background checks necessary for the
66 requested home study.
- 67 4. Approval must come from a designated ICPC person who has been given
68 authority to act in this role.
69

- 70 **D. If order is made by a judge in violation of the ICPC UT DCFS worker will notify**
71 **the AG that this is in violation and request the AG to notify the judge and see if**
72 **the order can be changed. If the judge will not change the order to comply with**
73 **ICPC, the UT DCFS worker will follow the court order and notify UT ICPC**
74 **immediately of the violation. Most common orders made in violation are:**
75 **1. Child being sent out of state without an approved ICPC.**
76 **2. Jurisdiction being terminated with an ICPC in place without concurrence of**
77 **the receiving state.**
78

- 79 **E[D].** Regulation No. 7, Expedited Placement Decision. Home study and placement
80 decision must be completed within 20 business days of receipt by RS.
- 81 1. Regulation No. 7 is appropriate when the following criteria are met:
- 82 a. Unexpected dependency due to incapacitation of parent or
83 guardian;
- 84 b. The child sought to be placed is four years of age or younger,
85 including older siblings sought to be placed with the same proposed
86 placement resource;
- 87 c. Child in the sibling group sought to be placed has a substantial
88 relationship with the proposed placement resource; or
- 89 d. The child is currently in an emergency placement.
- 90 2. Placement must be made with parent, stepparent, grandparent, adult aunt
91 or uncle, adult brother, or adult sister.
- 92 3. Regulation No. 7 will not apply if:

- 93 a. The child is already placed in RS in violation of ICPC or on a visit; or
94 b. If approval for foster or adoptive placement is sought.
- 95 4. A judge must order a Regulation No. 7 to be conducted, a copy of an
96 acceptable order can be found in SAFE ICPC3. This order must be
97 completed by the caseworker and signed by the judge then submitted to
98 the ICPC office along with the completed Sending State Priority Home
99 Study Request Form 101, also found in SAFE.
- 100 5. Sending agency steps before sending court enters Regulation No. 7 Order
101 of Compliance: In order for a placement resource to be considered for an
102 ICPC expedited placement decision by a RS, the sending agency will take
103 the following minimum steps prior to submitting a request for an ICPC
104 expedited placement decision:
- 105 a. Obtain either a signed statement of interest from the potential
106 placement resource or a written statement from the assigned case
107 manager in the sending state that following a conversation with the
108 potential placement resource, the potential placement resource
109 confirms appropriateness for the ICPC expedited placement
110 decision process. Such statement will include the following
111 regarding the potential placement resource:
- 112 (1) Family is interested in being a placement resource for the
113 child and is willing to cooperate with the ICPC process.
- 114 (2) Fits the definition of parent, stepparent, grandparent, adult
115 brother or sister, adult aunt or uncle, or his or her guardian,
116 under Article VIII(a) of the ICPC.
- 117 (3) The name and correct address of the placement resource, all
118 available telephone numbers and other contact information
119 for the potential placement resource, and the date of birth
120 and social security number of all adults 18 years of age and
121 older in the home.
- 122 (4) A detail of the number and type of rooms in the residence of
123 the placement resource to accommodate the child under
124 consideration and the number of people, including children,
125 who will be residing in the home.
- 126 (5) Has financial resources or will access financial resources to
127 feed, clothe, and care for the child.
- 128 (6) If required due to age and/or needs of the child, the plan for
129 child care and how it will be paid for.
- 130 (7) Acknowledges that a criminal records and child abuse history
131 check will be completed on any persons residing in the home
132 required to be screened under the law of the RS and that, to
133 the best knowledge of the placement resource, no one

- 134 residing in the home has a criminal history or child abuse
135 history that would prohibit the placement.
- 136 (8) Whether a request is being made for concurrence to
137 relinquish jurisdiction if placement is sought with a parent
138 from whom the child was not removed.
- 139 6. Court to enter order of compliance making finding that child meets
140 Regulation No. 7 criteria - with specific findings as needed:
- 141 a. Regulation No. 7 signed court order.
142 b. Signed Statement of Interest.
143 c. Form 101, Priority Home Study Request.
144 d. All other ICPC documents as outlined in the Seven Steps of ICPC.
- 145 7. The court will send its order to the Child and Family Services caseworker
146 within two business days of the court hearing. The Child and Family
147 Services caseworker then has three business days to send the ICPC packet
148 to the designated ICPC person. The ICPC person has two business days
149 after receipt to forward the packet to the RS. Overnight mail will be
150 required to meet priority deadlines. Time frame for receiving state ICPC
151 office to render expedited placement decision: no later than twenty
152 business days from the date the forms and materials are received by the RS
153 compact administrator, the RS compact administrator will make his or her
154 determination pursuant to Article III(d) of the ICPC and will send the
155 completed Form 100A to the sending state compact administrator by
156 expedited transmission.
- 157 8. Upon request of the sending agency and agreement of the RS to make a
158 provisional determination, the RS may, but is not required to, provide
159 provisional approval or denial for the child to be placed with a parent or
160 relative. Upon receipt of the documentation set forth in Section 7 below,
161 the RS will expedite provisional determination of the appropriateness of
162 the proposed placement resource by:
- 163 a. Performing a physical "walk through" by the RS's caseworker of the
164 prospective placement's home to assess the residence for risks and
165 appropriateness for placement of the child;
166 b. Searching the RS's child protective services database for prior
167 reports/investigations on the prospective placement as required by
168 the RS for emergency placement of a child in its custody;
169 c. Performing a local criminal background check on all adults 18 years
170 of age and older living in the home of the prospective placement;
171 d. Undertaking other determinations as agreed upon by the sending
172 state and RS compact administrators; and
173 e. Providing a provisional written report to the RS compact
174 administrator as to the appropriateness of the proposed placement.

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9. Determination made under a request for provisional approval or denial will be completed within seven calendar days of receipt of the completed request packet by the RS compact administrator. A provisional approval or denial will be communicated to the sending state compact administrator by the RS compact administrator in writing. This communication will not include the signed Form 100A until the final decision is made.
 - a. Provisional placement, if approved, will continue pending a final approval or denial of the placement by the RS or until the RS requires the return of the child to the sending state. If the child is placed in the home on a provisional approval, the child must be returned to the sending state if the home study is not approved.
 - b. If provisional approval is given for placement with a parent from whom the child was not removed, the court in the sending state may direct its agency to request concurrence from the sending state and RS compact administrators to place the child with the parent and relinquish jurisdiction over the child after final approval is given. If such concurrence is not given, the sending agency will retain jurisdiction over the child as otherwise provided under Article V of the ICPC.
 - c. A provisional denial means that the RS cannot approve a provisional placement pending the more comprehensive home study or assessment process due to issues that need to be resolved.
 10. Removal of a child: Following any approval and placement of the child, if the RS compact administrator determines that the placement no longer meets the individual needs of the child, including the child's safety, permanency, health, well-being, and mental, emotional, and physical development, then the RS compact administrator may request the sending state compact administrator arrange for the immediate return of the child or make alternative placement as provided in Article V(a) of the ICPC. The RS request for removal may be withdrawn if the sending state arranges services to resolve the reason for the requested removal and the RS and sending state compact administrators mutually agree to the plan. If no agreement is reached, the sending state will expedite return of the child to the sending state within five business days unless otherwise agreed in writing between the sending state and RS compact administrators.
 11. Resources with more specific detail for Regulation No. 7 may be found at:
 - a. AAICPC website at http://icpc.aphsa.org/Home/home_news.asp.
 - b. Child and Family Services website at <http://dcfs.utah.gov/services/icpc/>.
- F(E)**. Consideration of placement of a child, out of state, with a biological parent requires you to follow ICPC process. The only time this would not be necessary

217 is if the judge gives custody directly to the parent and Child and Family Services
218 jurisdiction is terminated.
219

220 **G[F].** A separate 100A must be submitted to the Utah ICPC office for each type of
221 home study or placement requested. For example:

- 222 1. A child is placed with a relative and they either want to become a licensed
223 foster home or adopt the child. In either of these cases a new 100A and
224 ICPC request must be made.
- 225 2. A child is placed in a licensed foster home and they want to change to
226 adoption, so a new 100A and ICPC request must be made.
- 227 3. A child must be legally free to make an adoption request, and TPRs must
228 be submitted with the request.
229

230 **H[G].** Providing a visit prior to placement could allow the child to build a relationship of
231 trust with potential caregivers, and give caregivers the opportunity to engage with
232 the child. If Child and Family Services wants to allow child visitation, prior to
233 ICPC approval, the following steps must be completed:

- 234 1. If an ICPC request is made during or prior to the visit, the caseworker must
235 clearly identify the duration of the visit including specific dates of arrival
236 and departure. If this is not done the visit will be considered a placement
237 and not a visit.
- 238 2. A local background screening must be done on all adults 18 years of age
239 and older living in the home of the proposed family where the visit will be
240 taking place. This includes local law enforcement and child abuse registry.
241 The family could obtain and send copies of this document.
- 242 3. The caseworker must obtain court approval.
- 243 4. The above steps must be documented prior to the visit taking place.
- 244 5. A visit is outlined as follows in ICPC Regulation No. 9:
 - 245 a. The purpose is to provide the child with social/cultural experience
246 for a short duration,
 - 247 b. The visit can be no longer than 30 days,
 - 248 c. The child cannot be enrolled in school, and
 - 249 d. The intent cannot be to have the child at a visit until official ICPC
250 approval is received.
- 251 6. If a visit extends longer than 30 days it is considered a placement and is a
252 violation of the ICPC guidelines.
253

254 **I[H].** If the child is an American Indian/Alaskan Native and thus covered by the Indian
255 Child Welfare Act (ICWA), the child's tribe must be notified of the ICPC request.
256 The ICWA law as outlined in Child and Family Services Practice Guidelines
257 Section 705 must be adhered to when considering an ICPC placement. The Utah
258 caseworker will clearly indicate in the cover letter as well as the 100A that ICWA

- 259 applies and what notification has been provided to the tribes, along with any
260 resulting correspondence.
261
- 262 **JH.** Provider requirements when considering placing a child outside of Utah:
263 1. Prior to making any kind of home study request, the caseworker is
264 responsible to engage with potential caregivers to assess their ability,
265 desire, and motivation to have a home study completed that may result in a
266 child being placed in their care. A copy of suggested questions can be
267 found in the ICPC Guidebook or in the Kinship Limited Home
268 Inspection/Safety Assessment Quick Reference as outlined in Safety
269 Questions for Kinship Caregivers.
- 270 a. Caseworker completes "ICPC Request Cover Letter/Case Manager
271 Statement" (SAFE form ICPC 6), which covers the following:
272 (1) Confirm that the potential placement resource is interested
273 in being a placement resource for the child and is willing to
274 cooperate with the ICPC process.
275 (2) Include the name and correct physical and mailing addresses
276 of the potential placement resource, along with all available
277 telephone numbers and other contact information for the
278 potential placement resource.
279 (3) Describe the number and type of bedrooms in the home of
280 the potential placement resource to accommodate the child
281 under consideration and the number of people, including
282 children, who will be residing in the home.
283 (4) Confirm that the potential placement resource acknowledges
284 that he or she has sufficient financial resources or will access
285 financial resources to feed, clothe, and care for the child,
286 including child care if needed.
287 (5) Confirm that the potential placement resource acknowledges
288 that a criminal records and child abuse history check will be
289 completed for any persons residing in the home required to
290 be screened under the law of the RS.
- 291 2. Requirements for a Parent Home Study request:
292 a. The caseworker must submit the ICPC packet to the State Office.
293 All requirements for the ICPC packet are available in SAFE in the
294 ICPC document file named "The Seven Steps to ICPC".
295 b. The parent must pass a criminal and child abuse registry check in
296 the state they are living. Fingerprinting may be necessary if the
297 parent has lived outside the state of current residence within the
298 past five years or if there are indications of hits from other states
299 found during the local checks.

- 300 c. The parent is responsible for meeting the financial and medical
301 needs of the child. The parent does have the option of applying for
302 TANF assistance in the state in which they reside.
- 303 d. Custody of the child cannot be given to the parent until the ICPC is
304 approved and Child and Family Services has concurrence from the
305 RS.
- 306 e. The Utah caseworker is responsible upon receipt of the approved
307 home study to:
- 308 (1) Review the home study, which includes information on
309 criminal history and any recommendations.
- 310 (2) Determine if the approved placement will be used.
- 311 (a) If the child will be placed in the RS, submit form 100B
312 to ICPC confirming the placement. Form 100B will
313 initiate courtesy supervision in the RS.
- 314 (b) If it is determined that the approved placement will
315 not be used, submit form 100B to ICPC, terminating
316 the case.
- 317 3. Requirement for a Relative Home request:
- 318 a. The Utah caseworker must submit the ICPC packet to the State
319 Office. All requirements for the ICPC packet are available in SAFE
320 in the ICPC document file named "The Seven Steps to ICPC".
- 321 b. The relative and all adults 18 years of age and older living in the
322 home of the relative must pass the Preliminary Placement
323 Background Screening or the RS' equivalent to the Utah Criminal
324 Justice Information System (UCJIS):
- 325 (1) UCJIS or equivalent is searched to determine if the applicant
326 has criminal convictions or patterns of arrests or convictions
327 within the RS that indicate a likely threat of harm to a child.
- 328 c. The relative and all adults 18 years of age and older living in the
329 home of the relative must pass a Completed Background Screening
330 - Fingerprint Based Check:
- 331 (1) Fingerprint based FBI national criminal history records are
332 checked to determine if the applicant has criminal
333 convictions or patterns of convictions that indicate a likely
334 threat of harm to a child.
- 335 d. The RS will follow their state laws pertaining to Adam Walsh
336 requirements for relative placements. These laws may differ from
337 the laws currently established in Utah. The Utah caseworker is
338 responsible, upon receiving a home study, to determine if Adam
339 Walsh requirements were met.
- 340 e. The relative and all adults 18 years of age and older living in the
341 home of the relative must pass the Preliminary Placement

- 342 Background Screening – RS' Child Abuse Registry: The Child Abuse
343 Registry is searched for the following:
344 (1) To determine if the applicant has findings of a severe type of
345 child abuse or neglect, or if other child welfare or domestic
346 violence case history or patterns of behavior may pose a
347 threat of harm to a child.
348 (2) To determine if the applicant has findings of adult abuse.
349 f. Any other requirements as expected by the RS.
350 g. The child may be placed with the relative as a Preliminary Placement
351 if the relative passes the above checks and placement is approved
352 by the RS. If the child is placed in a Preliminary Placement, the Utah
353 caseworker must move to license the relative as a foster placement
354 or determine if custody and guardianship will be given to the
355 relative.
356 (1) If the child is placed in a Preliminary Placement, the Utah
357 caseworker will submit a new ICPC 100A request for a foster
358 home study 90 days after placement of child, or
359 (2) Indicate that custody and guardianship will be granted to the
360 relative; this can only be done with the permission and
361 approval of the RS, or
362 (3) Indicate that the relative is going to adopt the child and
363 submit an ICPC 100A request for an adoption home study 90
364 days after placement of the child.
365 h. There is no payment made by Child and Family Services to a relative
366 home placement.
367 i. Utah is responsible for medical coverage of the child during
368 placement.
369 j. The Child and Family Services caseworker is responsible upon
370 receipt of the approved home study to:
371 (1) Review the home study, to include recommendations and
372 criminal history.
373 (2) Determine if the approved placement will be used; approval
374 by the RS does not mean placement must be made.
375 (a) If the child will be placed in the RS, submit form 100B
376 to ICPC confirming the placement. Form 100B will
377 initiate courtesy supervision in the RS.
378 (b) If it is determined that the approved placement will
379 not be used, submit form 100B to ICPC, terminating
380 the case.
381 4. Requirement for a Foster Care Home Study/licensure request:

- 382 a. The caseworker must submit the ICPC packet to the State Office.
383 All requirements for the ICPC packet are available in SAFE in the
384 ICPC document file named "The Seven Steps to ICPC".
- 385 b. The potential foster parent and all adults 18 years of age and older
386 living in the home of the foster parent must pass the Adam Walsh
387 requirements, which include a full background screening with a
388 fingerprint based criminal background check, and a review of the
389 Child Abuse Registry. If the person has not resided in the same
390 state for the past five years, requests for a review of the Child
391 Abuse Registry need to be made to other states where the person
392 has resided.
- 393 c. Any other requirements as expected/outlined by the RS.
- 394 d. The Utah caseworker is responsible to obtain a copy of the license
395 (or the equivalent) that has been issued, in accordance with the
396 Adam Walsh requirements.
- 397 e. The Utah caseworker will need to obtain written documentation
398 that Adam Walsh requirements have been met. This documentation
399 is generally found in the home study.
- 400 f. In order for persons to be added as providers and to receive a Utah
401 foster care reimbursement, the above documentation must to be
402 given to the region eligibility worker.
- 403 g. The foster care reimbursement to the out-of-state provider is based
404 on the need of the child starting with the basic foster care rate.
405 Utah caseworkers will follow Practice Guidelines [Section 301.6](#) in
406 determining the level of care and reimbursement rate. This also
407 includes, but is not limited to, Placement Committee Approval. The
408 agreed upon amount will be sent to the RS, who must indicate their
409 agreement prior to the child being placed.
- 410
- 411 **K[J].** Exploring an out-of-state adoptive placement identified through a national
412 website listing such as the Adoption Exchange:
- 413 1. Requirements of Adoptive Home Study Request: These are the basic steps
414 for the caseworker in Utah to complete the interstate placement process
415 for a child being sent to a RS. Information on prospective family in the
416 other state:
- 417 a. A RS prospective adoptive family finds a child they may be
418 interested in adopting from a national website listing. The Adoption
419 Exchange is the Utah contracted provider that will accept calls from
420 and give information about children listed on the website.
- 421 b. Contact information regarding a RS prospective adoptive family,
422 who has a current home study, will be given to the identified Utah
423 child's caseworker. The Utah caseworker can talk directly with the

- 424 family about general considerations for the child and specific
425 qualities Utah's Child and Family Services is looking for in a family.
426 c. The Utah caseworker may request that a current home study be
427 sent for consideration.
428 d. When a RS prospective adoptive family is chosen for a Utah child,
429 the Utah caseworker will confirm that the home study includes all
430 background clearances required, both local clearances as well as
431 Adam Walsh Act requirements (i.e., FBI fingerprint-based
432 background clearance and out-of-state child abuse registry
433 clearances).
434 e. When the chosen RS prospective adoptive family and all adults 18
435 years of age and older living in the home of the adoptive family have
436 met required background clearances, the family is contacted to
437 convey detailed information about the child and address questions
438 from the RS prospective adoptive family.
439 f. If the RS prospective adoptive family wants to continue with the
440 adoption process after receiving detailed information about the
441 child, services for the child will be identified in the prospective
442 adoptive family's area.
443 g. The Utah caseworker will consult, verbally or through email, with
444 the Utah ICPC compact administrator, to learn about specific
445 requirements in the RS as each state's requirements vary.
446 h. The Utah caseworker will consult with the Adoption Subsidy
447 Committee to determine possible medical and financial assistance
448 including any subsidy amounts that may be available for the
449 prospective adoptive family. This will help address the financial plan
450 for the child in the ICPC packet.
451 i. As part of developing the financial and medical plan, consult with
452 Utah ICPC compact administrator to ensure medical assistance will
453 be in place for the child in the RS through the Interstate Compact on
454 Adoption and Medical Assistance (ICAMA).
455 j. The Utah caseworker will begin a conversation with the chosen
456 prospective adoptive family to further determine their commitment
457 to the child, assess needed supports, and begin to negotiate
458 Adoption Assistance.
459 k. The Utah caseworker will fill out application forms with
460 documentation for Adoption Assistance to present to the Adoption
461 Subsidy Committee.
462 l. The Adoption Assistance Agreement should remain in draft status
463 and NOT signed or implemented until the placement has been
464 approved through ICPC.

- 465 m. Formal ICPC process overview: In the ICPC request, both states'
466 requirements will be addressed. As part of ICPC, identified services
467 will be requested, and medical and financial supports for the child
468 will be determined.
- 469 (1) The Utah caseworker will prepare and send the completed
470 ICPC packet to the Utah ICPC compact administrator. If any
471 documents are missing, the Utah caseworker will be
472 contacted.
- 473 (2) Form 100A is required for each child being placed – The
474 Utah caseworker will prepare the Form 100A to formally
475 request the placement of a child in the RS.
- 476 (3) Form 100A will define whether the adoption will be finalized
477 in Utah or in the RS. The Utah caseworker will consult with a
478 Utah Assistant Attorney General (AAG) to determine which
479 state will finalize the adoption.
- 480 (4) Required documentation to be assembled for ICPC packet
481 (found on “The Seven Easy Steps to ICPC” in SAFE as ICPC
482 Form 2):
- 483 (a) The Utah caseworker will pull (ask your support
484 people to help with this):
- 485 i. Mental health assessment.
486 ii. Dental and medical forms.
487 iii. Most current Child and Family Plan.
488 iv. Two progress summaries.
489 v. Child and Family Assessment.
490 vi. All educational information.
491 vii. Birth certificate.
492 viii. Social Security card.
493 ix. Signed court order verifying that Child and
494 Family Services has custody and jurisdiction or
495 requesting the ICPC.
496 x. Court Order Terminating Parental Rights.
- 497 (5) The following are also required for the Utah ICPC packet:
- 498 (a) Home study including BCI and Child Abuse/Neglect
499 clearances required by the prospective adoptive
500 parents' state of residence, as well as the Adam Walsh
501 Act.
- 502 (b) Documentation or statement regarding Native
503 American heritage and compliance with the Indian
504 Child Welfare Act (ICWA), if applicable.
- 505 (c) Proof of IV-E eligibility, if applicable.

- 506 (d) Child's health history and family health history. To
507 generate the health report in SAFE, go to the Person
508 Health window. On the menu bar, click on "File" and
509 select "Print Health Data Report". Then check the box
510 by "Current Health Report" and by "Historical Health
511 Report". SAFE will print the complete report when the
512 "Print" button is checked.
- 513 (6) The Utah caseworker will complete the medical/financial
514 plan document found in SAFE. The Financial/Medical Plan
515 should include the adoption subsidy outline and ICAMA.
- 516 (7) The Utah caseworker will prepare a cover letter telling the
517 other state:
- 518 (a) Contact information: name, address, phone, fax, email.
519 (b) Reason for ICPC request.
520 (c) Why the child entered care in Utah and a brief
521 summary of the medical, psychological, and
522 educational needs of the child, specifically highlighting
523 the child's special needs.
- 524 (d) Whether or not the child is IV-E eligible.
525 (e) Financial responsibility will be Utah's through
526 Adoption Assistance.
527 (f) Anything else that is pertinent to the successful
528 placement of the child.
529 (g) ICPC Request Cover Letter/Case Manager Statement
530 (see SAFE Form 6 under ICPC).
- 531 (8) The Utah caseworker will make three complete copies of the
532 ICPC packet.
- 533 (9) The Utah caseworker will fill out Form 100A in its entirety,
534 including all required signatures for each child. Form 100A
535 can be found in SAFE. Five copies will be required.
- 536 (10) The Utah caseworker will submit the complete ICPC packet
537 with cover letter and form 100A to the Utah ICPC compact
538 administrator for processing and delivery to the RS ICPC
539 compact administrator.
- 540 (11) The Utah ICPC transmittal will request a response from the
541 RS ICPC upon receipt and ask to be notified if there is any
542 missing information.
- 543 (12) Most states will follow-up with the Utah ICPC compact
544 administrator within two weeks to determine if the packet is
545 complete and/or if further information is needed.

- 546 (13) Utah's ICPC compact administrator will check the status of
547 ICPC request if there is no response from the RS after a two-
548 week time period.
- 549 (14) The Utah ICPC compact administrator will notify the
550 caseworker of the RS' decision to approve or deny the
551 placement.
- 552 n. If placement is denied, the child cannot be placed.
- 553 o. If placement is approved:
- 554 (1) The Utah caseworker will confirm with the Utah ICPC
555 compact administrator that the process for the ICAMA has
556 been completed by the RS to ensure receipt of Medicaid for
557 the child, if appropriate.
- 558 (2) The Utah caseworker will confirm with the prospective
559 adoptive family that they understand the financial and
560 medical plan and resources/supports, which may include IV-E
561 or state-funded Adoption Assistance or foster care
562 payments, Medicaid, and/or private insurance.
- 563 (3) The Utah caseworker will communicate with the prospective
564 adoptive family to ensure all special
565 medical/educational/psychological services are in place.
- 566 (4) The Utah caseworker will establish with the prospective
567 adoptive family how visits and other transition plans will be
568 carried out to maximize the child's adjustment to his/her new
569 family and environment.
- 570 (5) The Utah caseworker will arrange with prospective adoptive
571 parents how and when they will review the child's case file
572 and sign the Disclosure of Information form, sign the
573 Adoption Placement Agreement, and review and sign the
574 Adoption Assistance Agreement.
- 575 p. Placing the child with the family:
- 576 (1) The Utah caseworker will submit the completed Form 100B
577 to the Utah ICPC compact administrator to notify the RS
578 ICPC compact administrator of the child's placement and to
579 initiate supervision services.
- 580 (2) The RS ICPC compact administrator will arrange for the RS
581 caseworker to supervise the placement and submit the
582 agreed upon reports.
- 583 (3) The Utah caseworker will communicate with the RS
584 caseworker regarding required documentation about the
585 child and family adjustment, the child's safety, progress
586 regarding health, mental health education, and other services

- 587 as needed to satisfy Utah. ICPC requires monthly in-home
588 visits and quarterly reports.
- 589 (4) The Utah caseworker will follow-up with the RS supervising
590 agency, as needed, to ensure that required ongoing supports
591 and services are appropriate and will be available after
592 finalization.
- 593 (5) The Utah caseworker is responsible to provide information
594 and technical assistance to the prospective adoptive family
595 and the RS caseworker, as needed, to ensure that finalization
596 occurs properly and expeditiously.
- 597 (6) At the time the adoptive family finalizes the adoption, the
598 Utah caseworker will send form 100B, which will be
599 forwarded to the RS ICPC Compact Administrator
600 terminating the ICPC case. The Final Adoption Decree is
601 required to close the ICPC case, thus the Utah caseworker
602 will send a copy, upon receipt, to the Utah ICPC Compact
603 Administrator.
604
- 605 **L[K]**. Exploring an out-of-state adoptive placement:
- 606 1. The caseworker must submit the ICPC packet to the State Office. All
607 requirements for the ICPC packet are available in SAFE in the ICPC
608 document file named "The Seven Steps to ICPC".
 - 609 2. Copy of the signed court orders, ordering Termination of Parental Rights or
610 Parental Relinquishments must be included.
 - 611 3. Any other requirements as expected/required by the RS. These
612 requirements will need to be reviewed on a case-by-case basis as each
613 state has its own adoption laws. It will be beneficial to all team members if
614 as much information as possible is obtained prior to the ICPC request being
615 made.
 - 616 4. In most cases, if parental rights to a child have been terminated, Utah
617 recommends that the ICPC request be for a foster home study and
618 licensure of the proposed caretakers prior to the adoption request. Once
619 the family has become licensed a new 100A request for the adoption must
620 be submitted. (Note: This will allow any financial or medical issues, such as
621 IV-E eligibility, to be addressed prior to the finalization). Other
622 financial/medical options include TANF for relative support (such as Utah's
623 specified relative grant) or an upfront adoption subsidy (if approved by
624 committee.)
 - 625 5. See the adoptions checklist to ensure that all necessary documentation is
626 included, specifically the non-identifying background on biological parents,
627 ICWA statement, and a Termination of Parental Rights signed by the judge.
628

- 629 **M[L]**. Deciding to make the out-of-state placement:
- 630 1. The RS will provide Utah with the results of the home study and
- 631 background screening(s) and will indicate whether or not the placement is
- 632 recommended. The approved designated ICPC person will review the
- 633 home study and assess that all Utah requirements have been met. If there
- 634 are questions or concerns regarding the approval, the Utah caseworker
- 635 must have approval from the supervisor and the region director prior to
- 636 placement being made.
- 637 2. The Utah caseworker is responsible for reviewing the home study and any
- 638 recommendations made by the RS as well as concerns or recommendations
- 639 from the Utah compact administrator to determine if the placement is in
- 640 the best interests of the child. The Utah caseworker has six months to
- 641 make the placement in the approved ICPC home as the home study expires
- 642 after six months if placement is not made. If the Utah caseworker still
- 643 wants to consider the proposed placement after six months, a new ICPC
- 644 request is required.
- 645 3. According to the Safe and Timely Act, the Utah caseworker has 14 days to
- 646 decide if the placement is in the best interest of the child after receiving
- 647 the completed home study and approval from the RS. The Utah
- 648 caseworker will submit an intent to use the placement to the designated
- 649 ICPC person within the 14-day timeframe.
- 650 4. Form 100B in SAFE must be completed and submitted through the
- 651 regional ICPC coordinator when the decision is made to place the child out
- 652 of state and to request supervision of the child by the RS. This form serves
- 653 as notification to the RS of the action being taken to place the child and
- 654 must be submitted at the time of placement. If this form is not submitted,
- 655 courtesy supervision will not take place in the RS and it may be considered
- 656 an illegal placement. **If UT ICPC is notified by receiving state ICPC that a**
- 657 **child has been placed in violation of the ICPC, the UT Local and ICPC**
- 658 **Region Coordinator will be notified that an ICPC must be submitted**
- 659 **immediately to bring the case into compliance. If this is not done in a**
- 660 **timely manner, an email request with a violation letter will be sent to the**
- 661 **worker, supervisor, region coordinator, AG (if ordered by a judge), and**
- 662 **region director.**
- 663 5. If a decision is made not to place the child in a state after making a request
- 664 for a home study, or after receiving the home study and approval from
- 665 another state, the Utah caseworker must submit form 100B from SAFE to
- 666 the regional ICPC coordinator to close the ICPC case.
- 667 6. Utah will retain jurisdiction over the child for a sufficient duration,
- 668 generally about six months, to determine all matters in relation to the
- 669 custody, supervision, care, treatment, and disposition of the child which it
- 670 would have had if the child had remained in a placement in Utah.

671 Termination of jurisdiction can be done only with concurrence of the
672 appropriate authority in the RS. (See state law on Retention of Jurisdiction
673 for full details.)
674

675 **N[M]**. Health Care Coverage/Medicaid:

- 676 1. Availability of Medicaid coverage for a child that is placed out of state is
677 contingent upon a child's Title IV-E eligibility status.
 - 678 a. If a child is Title IV-E eligible and reimbursable and Utah is making a
679 foster care payment to the out-of-state provider, the state in which
680 the child is placed will issue a Medicaid card. The Utah caseworker
681 will request this Medicaid in the cover letter and in the
682 Financial/Medical Plan.
 - 683 b. If a child is not Title IV-E eligible and reimbursable, Utah is
684 responsible for the child's health care coverage. If Utah is making a
685 foster care payment to the out-of-state provider, then Utah
686 Medicaid can remain open. An out-of-state health care provider has
687 the option to enroll as a Utah Medicaid provider, if a willing provider
688 can be located. If the child's health care needs cannot be met with
689 Utah Medicaid, the Utah caseworker may work with the Fostering
690 Healthy Children nurse to explore coordinating with an out-of-state
691 health provider to bill for health care using the MI706 process.
 - 692 c. The Utah caseworker will talk with the regional eligibility worker
693 about questions concerning Title IV-E or Medicaid eligibility for a
694 child being placed out of state.
 - 695 d. If the intent is for the kinship/relative placement to obtain TANF or
696 a specified relative grant, it is the Utah caseworker's responsibility
697 to provide copies of the court order pertaining to the placement of
698 the child with this kin, a copy of the child's birth certificate, Social
699 Security Number, and any other documents as required by the other
700 state. In some cases, Medicaid is attached when TANF is approved
701 for kinship placement. The Utah caseworker may want to check
702 with the RS' Medicaid eligibility office to make this determination.
 - 703 e. If the permanency goal is adoption, the placement may qualify for
704 an adoption subsidy. If placement is made and a subsidy is paid to
705 the placement, the child may qualify for ICAMA.
706

707 **O[N]**. Courtesy Caseworker Visitation and Reporting: When Utah has decided to place
708 a child after approval and review, the Utah caseworker will need to arrange for
709 supervision by the RS by submitting form 100B to the appropriate region ICPC
710 coordinator. If form 100B is not submitted, courtesy supervision will not be
711 provided by the RS and will not take place.

- 712 1. Utah will request that the RS make monthly face-to-face visits with the
713 child and send a written report of the contact to Utah on a quarterly basis.
714 (See Purposeful Visits Practice Guidelines, [Section 302.2](#).)
- 715 2. When submitting form 100B, the Utah caseworker will include any
716 visitation plans or limitations as it pertains to the biological parents or
717 other parties that the placement will be expected to adhere to. The Utah
718 caseworker will also provide court orders with any specific orders in
719 regards to this, if appropriate.
- 720 3. The Utah caseworker will talk with the child (if verbal) and out-of-state
721 provider by phone on a monthly basis, in accordance with Purposeful
722 Visitation Practice Guidelines, [Section 302.2](#).
- 723 4. The Utah caseworker will invite the courtesy supervision worker to
724 participate in any Child and Family Team meetings by phone and provide a
725 copy of the Child and Family Plan so that the courtesy supervision worker
726 is aware of the permanency goals and expectations. When changes are
727 made to the plan or when a new plan is developed, a copy should be sent
728 to the courtesy supervision worker.
- 729 5. Utah has both the authority and the responsibility to determine all matters
730 in relation to the custody, supervision, care, treatment, and disposition of
731 the child, the same as if the child had remained in a placement in the state
732 of Utah.
733

734 **703.2 Child In Custody Of Another State To Be Placed In Utah -** 735 **Interstate Placement** 736

- 737 A. Before a child from another state may be placed in Utah, the sending state must
738 complete the ICPC requirements and request a study be done on a proposed
739 placement. The home will be assessed for safety and suitability by a designated
740 Utah caseworker. This request is made by the sending state's ICPC compact
741 administrator and must come through the Utah ICPC compact administrator for
742 assignment. A child from another state may be placed in a foster family, with a
743 parent, or in a kinship placement that has been approved for placement through a
744 home study and criminal background screening completed by Child and Family
745 Services. A child may also be placed in a licensed residential treatment center or
746 group home; in this case a home study may not be required.
747
- 748 B. Multiple Home Studies Request. A Multiple Home Studies Request is defined as
749 an ICPC request received from another state for a home study on two or more
750 different proposed placements for the same child. When a Multiple Home Study
751 Request is sent from another state, the Utah ICPC office will review and screen
752 them in the order they are received and identify any problems that may need to

753 be addressed before case assignment. The assigned region will complete home
754 studies on the proposed placements and include a copy of the child-specific home
755 study form (SAFE KBS10), including the background results and all
756 recommendations and conditions of placement. The region will submit the
757 completed home study and supporting documents to the ICPC region coordinator
758 or directly to the ICPC office.
759

760 C. Timeframe for home study. A home study requested by a sending state (both
761 licensing and kinship) should be completed and provided within 60 days of the
762 date on the Utah ICPC transmittal. If the report cannot be completed within this
763 timeframe, the Utah caseworker will notify the Utah ICPC compact administrator.
764 The home study will be sent to the region ICPC coordinator who will forward to
765 the Utah ICPC compact administrator, who will then forward it to the sending
766 state.

- 767 1. Utah cannot grant final approval for the placement until the results of the
768 background screening(s) has been completed and the results have been
769 approved.
- 770 2. If the proposed caregiver has not responded within 60 days, the Utah
771 caseworker will contact the region ICPC coordinator or ICPC compact
772 administrator to staff case closure. If it is determined that the case will be
773 closed, the Utah caseworker will send a report documenting the attempts
774 to contact. This can be submitted through email or other correspondence.
775

776 D. Provider requirements when considering placing a child inside of Utah: The
777 sending state will specify what type of home study they are requesting be
778 completed by the Utah caseworker (the home study type will be indicated on the
779 100A and ICPC transmittal). The Utah caseworker will follow all Utah kinship
780 requirements when conducting the home study. The home study will be
781 completed using the required form SAFE KBS10.

- 782 1. Requirements for a Parent Home Study request:
 - 783 a. The parent must pass criminal and child abuse registry checks in the
784 state of Utah. Fingerprinting may be necessary if concerns are
785 found during the local checks.
 - 786 b. The parent is responsible for meeting the financial and medical
787 needs of the child. The parent does have the option of applying for
788 TANF.
 - 789 c. Custody of the child cannot be given to the parent until Utah gives
790 concurrence to the sending state.
 - 791 d. The Child and Family Services caseworker is responsible upon
792 completion of the requested home study to submit all documents to

- 793 the region ICPC coordinator. The region ICPC coordinator will
794 forward these to the Utah ICPC compact administrator.
- 795 e. Include a copy of the child-specific home study form (SAFE KBS10),
796 which includes the background results and all recommendations and
797 conditions of placement.
- 798 2. Requirement for a Relative Home request: The relative, and all persons 18
799 years and older residing in the home, must pass the Preliminary Placement
800 Background Screening and the UCJIS, and must meet all Adam Walsh
801 Requirements:
- 802 a. UCJIS is searched to determine if the applicant has criminal
803 convictions or patterns of arrests or convictions within Utah that
804 indicate a likely threat of harm to a child.
- 805 b. The relative must pass a Completed Background Screening –
806 Fingerprint Based Check:
- 807 (1) Fingerprint based FBI national criminal history records are
808 checked to determine if the applicant has criminal
809 convictions or patterns of convictions that indicate a likely
810 threat of harm to a child.
- 811 c. The relative and all adults 18 years of age and older living in the
812 home of the relative must pass the Preliminary Placement
813 Background Screening – Utah Child Abuse Registry (SAFE): The
814 Child Abuse Registry is searched for the following:
- 815 (1) To determine if the applicant has findings of a severe type of
816 child abuse or neglect, or if there are other child welfare or
817 domestic violence case histories that show patterns of
818 behavior that may pose a threat of harm to a child.
- 819 (2) To determine if the applicant has findings of adult abuse.
- 820 d. Any other requirements as requested by the sending state.
- 821 e. If the sending state requests a kinship home study without a foster
822 care license, the report can be completed and submitted to the
823 sending state; however, the Utah caseworker completing the home
824 study should indicate in the report to the sending state that this
825 family would not qualify for a Utah foster care maintenance
826 payment based on Utah policies and would not qualify for foster
827 care Medicaid in Utah. If the sending state is going to pay a foster
828 care maintenance payment to the kin, the home must meet licensing
829 requirements. (Note: If the family will be seeking a specified relative
830 grant under TANF, the child may qualify for Medicaid under that
831 program.)
- 832 f. Under ICPC law the sending state retains legal and financial
833 responsibility for the child; however, the relative can apply for
834 TANF to help with financial and medical needs of the child.

- 835 g. The Utah caseworker is responsible, upon completion of the
836 requested home study, to submit all documents to the region ICPC
837 coordinator. The region ICPC coordinator will forward these to the
838 Utah ICPC compact administrator.
- 839 h. The Utah caseworker will include a copy of the home study along
840 with the child-specific home study form (SAFE KBS10), the
841 background results and all recommendations, conditions of
842 placement, and indication that the Adam Walsh requirements were
843 met.
- 844 3. Requirement for a Foster Care Home Study/licensure request:
- 845 a. A home study for a family home that is going to be licensed as a
846 foster parent must meet the requirements of the Office of
847 Licensing. A probationary license can satisfy this requirement if
848 training is still pending for the family before a full licensure can be
849 granted.
- 850 b. If a Foster Care Home Study is being requested, the Utah ICPC
851 compact administrator will verify if the sending state is planning to
852 make a Title IV-E foster care payment to the family for the child.
853 The family must be licensed for foster care by the Office of
854 Licensing if a Title IV-E foster care payment is planned. There may
855 be cases when a child is not IV-E eligible, but the family may be
856 licensed and receive a foster care payment from the sending state,
857 and the child will not qualify for Utah foster care Medicaid. The
858 sending state will be responsible for all medical needs of the child.
859 If there is no response from the proposed caregiver to the Office of
860 Licensing within 60 days, the request should be denied.
- 861 c. The potential foster parent and all adults 18 years of age and older
862 living in the home of the foster parent must pass the Adam Walsh
863 requirements including a full background screening and a Finger
864 Print Based criminal background check.
- 865 d. Review of Child Abuse Registry (SAFE), including any requests that
866 need to be made to other states if they have not resided in the same
867 state for five years.
- 868 e. The Utah caseworker will need to provide written documentation
869 that the Adam Walsh requirements have been met. This
870 documentation is generally found in the home study.
- 871 f. The Utah caseworker is responsible, upon completion of the
872 requested home study, to submit all documents to the region ICPC
873 coordinator. The region ICPC coordinator will forward these to the
874 Utah ICPC compact administrator.
- 875 4. Requirements of Adoption Home Study Request:

- 876 a. Copy of the signed court orders ordering the termination of parental
877 rights or parental relinquishments.
878 b. Any other requirements as requested by the sending state. These
879 requirements will need to be reviewed on a case-by-case basis as
880 each state has its own adoption laws.
881 c. If a foster home study has been completed, this study will fulfill the
882 requirement for an adoption home study. If a foster home study has
883 not been completed, an adoption home study will need to be done.
884 d. The Utah caseworker will review the adoption placement with the
885 region adoption committee; provide documentation of the results of
886 that review. This review will include consideration of the adoption
887 subsidy that will be provided by the sending state, as well as if the
888 child will be eligible for ICAMA.
889 e. The Utah caseworker is responsible, upon completion of the
890 requested home study, to submit all documents to the region ICPC
891 coordinator. The region ICPC coordinator will forward these to the
892 Utah ICPC compact administrator.
893
- 894 E. Courtesy supervision provided to children from other state.
895 1. Practice Model Applicability. A Utah caseworker designated as a courtesy
896 caseworker for a foster child placed in Utah from another state should
897 follow basic Practice Model Principles and requirements to support the
898 child's safety, permanency, and well-being goals. The sending state will
899 provide a copy of the case plan and assessment information. The Utah
900 caseworker should work with the child and foster family to develop a Child
901 and Family Team to support the placement and coordinate with the
902 sending state. The Child and Family Team will address the need for respite
903 care and other services and supports necessary to provide for the child's
904 safety and well-being and to help the child achieve timely permanency.
905 2. Utah cannot provide courtesy supervision for children who have been
906 placed in an ICPC approved home unless the sending state has provided
907 form 100B, confirming that placement has been made. Form 100B will be
908 sent from the Utah ICPC compact administrator to the region ICPC
909 coordinator and assigned as determined by the region.
910 3. If UT Local is made aware that a child is placed in Utah without approval,
911 they will notify UT ICPC ASAP. UT ICPC will then send notification to
912 Sending State ICPC that the child has been placed in violation and request
913 that an ICPC be sent immediately to bring the case into compliance. If this
914 is not received in a timely manner UT ICPC will notify UT DCFS Director,
915 who will then notify Sending State's DCFS Director to obtain compliance.
916 If the placement poses a threat/risk to the child, UT Local will notify UT

- 917 ICPC who will notify Sending State's ICPC that the child needs to be
918 returned.
919
- 920 F. Caseworker visitation and reporting: Face-to-face visits will be provided monthly,
921 beginning no later than 30 days from the date on which the child is placed, or 30
922 days from the date on which the receiving state is notified of the child's
923 placement, if notification occurs after placement. A written report will be
924 provided on a quarterly basis (refer to Purposeful Visitation Practice Guidelines
925 [Section 302.2](#)). These reports will be sent to the Utah ICPC to be forwarded to
926 the sending state. The Utah caseworker will submit a copy of the quarterly report
927 to the region ICPC coordinator, who will forward it to the Utah ICPC compact
928 administrator. The Utah caseworker may also provide a copy to the sending
929 state's local worker. It is important that all correspondence be routed through
930 ICPC compact administrators. At a minimum, such reports will include the
931 following (as outlined in ICPC Regulation 11):
- 932 1. Date and location of each face-to-face contact with the child since the last
933 supervision report was completed.
 - 934 2. A summary of the child's current circumstances, including a statement
935 regarding the ongoing safety and well-being of the child.
 - 936 3. If the child is attending school, a summary of the child's academic
937 performance along with copies of any available report cards, education-
938 related evaluations, or Individual Education Program (IEP) documents.
 - 939 4. A summary of the child's current health status, including mental health, the
940 dates of any health-related appointments that have occurred since the last
941 supervision report was completed, the identity of any health providers
942 seen, and copies of any available health-related evaluations, reports, or
943 other pertinent records.
 - 944 5. An assessment of the current placement and caregivers (e.g., physical
945 condition of the home, caregiver's commitment to child, current status of
946 caregiver and family, any changes in family composition, health, financial
947 situation, work, legal involvement, social relationships, child care
948 arrangements).
 - 949 6. A description of any unmet needs and any recommendations for meeting
950 identified needs.
 - 951 7. If applicable, the supervising caseworker's recommendation regarding
952 continuation of the placement, return of legal custody to a parent or
953 parents with whom the child is residing and termination of the sending
954 state's jurisdiction, finalization of adoption by the child's current
955 caregivers, or the granting of legal guardianship to the child's current
956 caregivers.
957

- 958 G. The receiving state will respond to any report of abuse or neglect of a child placed
959 in the receiving state on an approved ICPC placement and will respond in the
960 same manner as it would to a report of abuse or neglect of any other child
961 residing in the receiving state.
- 962 1. If the receiving state determines that a child must be removed from his or
963 her home in order to be safe, and it is not possible for the child placing
964 agency in the sending state to move the child at the time that the receiving
965 state makes this determination, the receiving state will place the child in a
966 safe and appropriate setting in the receiving state. The receiving state will
967 promptly notify the sending state if a child is moved to another home or
968 other substitute care facility.
- 969 2. The receiving state will notify the central compact office in the sending
970 state of any report of child abuse or neglect of a child placed in the
971 receiving state on an approved ICPC placement, regardless of whether or
972 not the report is substantiated. Notification of the central compact office
973 in the sending state will occur as soon as possible after such a report is
974 received.
- 975 3. It is the responsibility of the public child placing agency in the sending state
976 to take action to ensure the ongoing safety of a child placed in a receiving
977 state, including return of the child to the sending state as soon as possible
978 when return is requested by the receiving state.
- 979 4. It is the responsibility of the public child placing agency in the sending state
980 to take timely action to relieve the receiving state of any financial burden
981 the receiving state has incurred as a result of placing a child into substitute
982 care after removing the child from an unsafe home in which the child was
983 previously placed by the public child placing agency in the sending state.
- 984
- 985 H. The sending state is required by ICPC guidelines to maintain jurisdiction
986 throughout the time the child is in the approved placement. Generally,
987 supervision services will last four to six months but may be longer depending on
988 the permanency goals of child. During this time, the sending state is responsible
989 for the legal and financial support of the child. The sending agency has the both
990 the authority and the responsibility to determine all matters in relationship to the
991 "custody, supervision, care, treatment, and disposition of the child", just as the
992 sending agency would have "if the child had remained in the sending agency
993 state." (APHS Guide to the Interstate Compact for Placement of Children.)
- 994 1. Utah must provide courtesy supervision until the sending state's
995 jurisdiction terminates. The sending state must have the agreement of
996 Utah in order to close the ICPC case. Courtesy supervision ends when the
997 child is returned to the sending state, the adoption finalizes, or permanent
998 custody/guardianship is given to a relative or parent. In some cases the
999 sending state may obtain court jurisdiction (PSS) when temporary custody

- 1000 and guardianship of the child is given to a relative or parent. In such
1001 instances, the case will remain open until the sending state's jurisdiction
1002 terminates.
- 1003 2. The Utah caseworker can recommend that the case be closed when it is
1004 felt that the family is stable and is no longer in need of supervision
1005 services. This can be done by submitting a written report to the region
1006 ICPC coordinator.
- 1007 3. The Utah caseworker will adhere to the case plan provided by the sending
1008 state as it pertains to the needs of the child. This may include visitation,
1009 obtaining counseling, school enrollment, and other resources as outlined in
1010 the plan.
- 1011
- 1012 I. Medicaid Eligibility for ICPC and ICAMA Pertaining to Residential Treatment
1013 Placements: The following Practice Guidelines apply for children entering Utah
1014 through ICPC or ICAMA for placements in residential programs, even if the child
1015 has been determined IV-E eligible in the originating state.
- 1016 1. Psychiatric Residential Treatment Facility (PRTF).
- 1017 a. PRTF is a specific category of institution for mental disease under
1018 Medicaid for children under the age of 21 years. The Utah Medicaid
1019 State Plan does not pay for PRTF as a covered service.
- 1020 b. A PRTF must be certified by the state where it is located in order to
1021 qualify to receive Medicaid payments for PRTF services from any
1022 state. The Utah Department of Health certifies PRTFs located in
1023 Utah to enable those programs to serve children from other states
1024 that pay for PRTF services under their Medicaid State Plans. PRTFs
1025 must also complete a process to certify and enroll as a Medicaid
1026 provider with each specific state that will be paying for PRTF
1027 services under that State's Medicaid Plan.
- 1028 c. The Department of Human Services (DHS) does not have any
1029 responsibility pertaining to provider certification and enrollment
1030 processes for PRTFs in Utah.
- 1031 d. Children placed in a PRTF in Utah do not qualify for Utah Medicaid
1032 and will not have any of the costs for services provided by the PRTF
1033 or any medical, dental, pharmacy, or mental health services provided
1034 outside of the PRTF funded by Utah Medicaid. Utah Medicaid will
1035 not be opened for those children, even if determined IV-E eligible by
1036 the sending state.
- 1037 e. If the sending state's Medicaid State Plan covers PRTFs and has
1038 completed the necessary certification and enrollment for the
1039 specific Utah PRTF that the child will be placed in, that state could
1040 place children in these facilities through ICPC and ICAMA and cover

- 1041 the service through their Medicaid State Plan. The child must
1042 continue Medicaid eligibility coverage in the sending state.
- 1043 f. For a list of Utah certified PRTFs, contact the ICPC Compact
1044 Administrator.
- 1045 2. Residential Treatment Facility. Beginning July 1, 2010, the Centers for
1046 Medicare and Medicaid Services (CMS), the Federal Medicaid agency, is
1047 requiring Utah to implement some key corrective action requirements
1048 pertaining to residential treatment facilities, which may impact children
1049 placed in Utah through ICPC and ICAMA. These changes will also impact
1050 children from Utah being placed in other states.
- 1051 a. Limitation on Facility Size/Configuration.
- 1052 (1) Children placed in residential treatment facilities that are
1053 licensed for 17 or more beds will not qualify for any Medicaid
1054 funding while residing in those facilities and will not qualify
1055 to have any of the costs for services provided by the
1056 residential treatment facility or any medical, dental,
1057 pharmacy, or mental health services provided outside of the
1058 facility funded by Utah Medicaid. This means that any
1059 children placed in these facilities will not be eligible for Utah
1060 Medicaid, even if determined IV-E eligible by the sending
1061 state.
- 1062 (2) Children placed in residential treatment facilities licensed for
1063 16 or fewer beds, but that are part of a campus for which the
1064 total number of beds on the campus is 17 or more, are
1065 subject to the limitations listed in (1) above.
- 1066 b. Reduction in Medicaid Coverage.
- 1067 (1) Medicaid will no longer pay for mental health services in
1068 residential treatment services as part of a bundled daily rate.
1069 Residential treatment facilities will be required to bill
1070 Medicaid directly for discrete mental health treatment
1071 services.
- 1072 (2) Medicaid will no longer pay for the therapeutic supervision
1073 component of residential treatment services, which has been
1074 a large component of the payment under the bundled daily
1075 rate. Supervision costs will be the responsibility of the
1076 sending state or adoptive parents as part of maintenance
1077 cost (room and board).
- 1078 3. Utah ICPC Staff Responsibilities.
- 1079 a. ICPC staff will check facility status when a sending state is
1080 requesting placement of a child in a residential treatment program in
1081 Utah through the Office of Licensing website, SAFE, and/or other
1082 facility lists as available.

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- b. If a facility is a PRTF or a residential treatment program that does not qualify a child to receive Utah Medicaid, the sending state will be notified.
 - c. ICPC staff will only refer children being placed in residential care from other states for Medicaid eligibility if the facility is licensed for 16 or fewer beds and is not part of a campus program.
 - d. The Revenue Team will provide ICPC staff with resources and technical assistance to be able to identify if a facility qualifies for Medicaid coverage in Utah.