



## **ICPC TASK FORCE REPORT**

*March 2004*

### **BACKGROUND**

The Interstate Compact on the Placement of Children (ICPC) was drafted in 1960 and has been enacted by all of the states, the District of Columbia and the U.S. Virgin Islands. It ensures protection and services to children who are placed across state lines for foster care or adoption by establishing procedures for ensuring that the placements are safe, suitable and able to provide proper care, and fixing legal and financial responsibilities for those involved in making the placements.

There has been growing dissatisfaction with the Compact as it is currently written and implemented: (1) its language is overly broad in terms of the definition of its scope, (2) its procedures are antiquated, and (3) its current structure lacks enforcement and accountability.

In July 2003, APHSA formed the ICPC Task Force. The members of the task force include state commissioners, state and local child welfare directors, ICPC administrators, and a representative from American Association of Public Welfare Attorneys (AAPWA). The task force was charged with identifying steps that need to be taken to improve the process of placing children across state lines. To date, the task force has met 10 times.

The task force has addressed: (1) case accountability at the staff level; (2) the need for receiving state responsibility for timely placements of children being placed in their state by other states, not just children on their caseloads; (3) the lack of system oversight and enforcement; (4) the need to review ICPC regulations and opinions and recommend and make any necessary changes; (5) the appropriate role of the Secretariat in administering the Compact; and (6) the need for a more comprehensive approach for working with critical stakeholders.

### **NEXT STEPS**

The task force members agreed that while there are a number of interim steps that can be taken to improve the interstate placement process, true reform will require revisions to the actual language of ICPC itself. The question that was not answered conclusively by the task force is whether the revised compact should be passed by the states themselves (a new ICPC) or whether federalization of a revised compact would be the most effective and enforceable route to addressing the issues regarding the interstate placement of children.

## **DATA**

It was agreed that accurate and complete data on the number of children placed across state lines, the types of placements being made, and the time it takes to complete the process is critical information that is needed to guide changes in policy and practice. To that end, APHSA conducted a survey of states requesting such data and found that states ability to capture this type of data was limited. The recommendation of the task force is to determine why states are unable to capture the data and what support and assistance they need to be able to capture the data.

## **FINANCE/ACCOUNTABILITY**

The underlying assumption regarding the provision of home studies and post placement supervision in interstate cases is one of quid pro quo: each state would send the same number of children as they received, therefore the financial burden for all the states for conducting home studies and post-placement supervision for children placed in their states would be similar. However, both data and anecdotal evidence suggest that this is no longer the case. Many states send more children than they receive, and some state receive many more children than they send.

The task force recommended the development of a new financing scheme for interstate placements that will support improved performance and timeliness. In addition, they suggested an analysis of the administrative costs, the costs of the home study and post placement supervision, as well as states' purchase of service (POS) capability and barriers to POS. Other suggestions included: (1) identifying ways that receiving states can capture federal dollars for the cost of providing home studies and post-placement supervision, and (2) alternative federal support for these cases including an enhanced federal match.

## **COVERAGE**

The task force reviewed each of the types of placements that are "covered" by ICPC including those specifically identified and those that have been via secretariat opinion or practice to be included. For each placement type, e.g. private adoption, independent adoption, public adoption, residential treatment placement, the task force discussed whether ICPC was an appropriate regulatory system for the placement and what the underlying public policy interest was for it. If the placement type should not fall under ICPC, then how is the protection of these children ensured. A summary has been developed outlining all the placement types and the public policy supporting and not supporting ICPC coverage of the placement type for consideration by all states that, in turn, will be used to inform the process of reforming the language of the ICPC.

## **PRACTICE AND ADMINISTRATION**

The task force recommended the following: (1) there needs to be a bedrock of values that the states are bought into which are demonstrated in their interaction with each other and that are communicated from the top level administrators, e.g. interstate cases are as important as intrastate cases, child centered practice, presumption of good will, etc., (2) there needs to be performance management through the use of technology and identification of what outcomes states will hold themselves to and how to measure them consistently, and (3) the secretariat should identify and develop tools that support best practice.