



The Interstate Compact on the Placement of Children (ICPC) Procedures Manual

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History and Overview of Inter-jurisdictional Placements: The Interstate Compact on the Placement of Children and the Safe and Timely Interstate Placement of Children in Foster Care

The need for regulations governing the interstate movement of children was recognized in the 1950's by a group of east coast social service administrators and children's advocates who identified problems or barriers for children moved out of state for foster care and adoption. Those problems/barriers included:

- a) Failure of the current importation and exportation statutes enacted by individual states to provide protection for children;
- b) A state's jurisdiction regarding the child ends at its borders and that a state can only compel an out-of-state agency or individual to discharge its obligations toward a child through a compact, and;
- c) A state to which a child was sent was not compelled to provide supportive services or financial assistance.

The stakeholders concluded that children placed out of state are to be assured of:

- a) The same protections and services that would be provided if they remained in their home states; and,
- b) Return to their original jurisdictions should placements prove not to be in their best interests or should the need for out-of-state services cease.

Both the great variety of circumstances which makes interstate placement of children necessary and the types of protections needed offer compelling reasons for a mechanism which regulates those placements. An interstate compact – a contract among and between the states that enact it – is one such mechanism. Under a compact, the jurisdictional, administrative, and human rights obligations of all the parties involved in an interstate placement can be protected.

As a result of these deliberations, the Interstate Compact on the Placement of Children (ICPC) was drafted. The State of New York was the first state to enact the ICPC in 1960. The State of Tennessee enacted the ICPC in 1974 *Tennessee Code Annotated (TCA) 37-4-201 et seq.* The State of New Jersey enacted the ICPC in 1990 as the 52nd jurisdiction. Puerto Rico, and with the consent of Congress, the Government of Canada or any province thereof are eligible to join the ICPC by passing legislation.

Currently, the ICPC is a uniform language law that has been enacted by all 50 states, the District of Columbia, and the U.S. Virgin Islands. Each "party state" commits to cooperate with each other in the interstate placement of children. Each "party state" adopts policies and procedures which provides compliance with the ICPC statutes and regulations. Those policies and procedures ensure safety, protection, supervision and services to children in the custody or guardianship of a State's Public Child Welfare agency, or court, or person or other entity who are responsible to "place" across state lines for foster care or as a preliminary to an adoption or for temporary placement into a licensed residential treatment facility or child caring institution or adjudicated delinquents in institutions in other states.

What the ICPC Does:

The ICPC contains 10 Articles. Each Article defines a specific function of the law including identifying the types of placements and placers subject to the law; the procedures to be followed in making an interstate placement; and the specific protections, services, and requirements brought by enactment of the law as well as penalty for illegal placement. <https://aphsa.org/AAICPC/AAICPC/Resources.aspx>; (TCA) 37-4-201 et seq).

As provided in Article VII, the ICPC consists of 12 regulations established by the officers of each party jurisdiction to more effectively carry out the terms and provisions of each of the Articles in the Statute. <https://aphsa.org/AAICPC/AAICPC/Resources.aspx>; (TCA) 37-4-201 et seq).

Types of Placements Covered:

Articles II (d), III and VI of the ICPC identify the four types of placements of children which are subject to compliance:

- a) Placement preliminary to an adoption -independent, private or public agency adoptions. (TCA) 37-4-201 et seq (Reg. # 1 & 2 & 3 & 10 & 12)
- b) Placements into foster care, including foster homes, group homes, residential treatment facilities, and child-caring institutions. (Reg. #1& 2 & 3 & 4 &10)
- c) Placements with parents and relatives/kin when a parent or relative is not making the placement. (Reg. #1 & 2 & 3 & 7 &10)
- d) Placements of adjudicated delinquents in institutions in other states. (Reg. #3 & 4)

Not all placements of children into other states are subject to compliance with the ICPC. ICPC compliance is not required for placements made into a medical or psychiatric hospital or facility or institution for the mentally retarded or mentally ill or in boarding schools, or "any institution primarily educational in character." (Article II (d))

Who Must Use the ICPC?

Article II (b) of the ICPC defines who must use the ICPC. These agencies, courts, persons, and other entities are called "the sending agent or sending agency" and are identified as:

- a) A state party to the ICPC, or any officer or employee of a party state.
- b) A subdivision, such as a county or a city, or any officer or employee, of the subdivision.
- c) A court of a party state.
- d) Any person (including parents and relatives in some instances), corporation, association, or charitable agency of a party state.

Article V (a), (b) and (c) identifies the jurisdictional or custodial authority and financial responsibility these agencies, courts, persons and other entities must possess and maintain to "send, bring, or cause a child to be brought or sent" to another party state.

Exceptions/Limitations to ICPC Compliance:

- a) Placements: ICPC compliance is not required for (1) placements made into a medical or psychiatric hospital or facility; institutions for the mentally retarded or mentally ill or boarding schools, or any institution primarily educational in character (Article II (d)) or (2) any placement, sending or bringing of a child into a receiving state pursuant to any other interstate compact to which both the state from which the child is sent or brought and the receiving state are party, or to any other agreement between said states which has force of law. (Article VIII (b) & Reg. #3 (3) (e)) or (3) a placement with a parent from whom the child was not removed: when the court places the child with a parent from whom the child was not removed, and the court has no evidence that the parent is unfit, does not seek any evidence from the receiving state that the parent is either fit or unfit, and the court relinquishes jurisdiction over the child immediately upon placement with the parent. (Reg. #3 (3) (a).
- b) Sending Agents: Article VIII (a) excludes from ICPC compliance the sending or bringing of a child by a parent, stepparent, grandparent, adult brother or sister, adult uncle or aunt, or the child's non-agency guardian who has responsibility for the child, and leaving the child with a parent, stepparent, grandparent, adult brother or sister, adult uncle or aunt or the child's non-agency guardian in the receiving state. The wording of the provision is specific in that exclusion from ICPC occurs only when both the sending agent and the placement recipient belong to the enumerated classes of individuals example: a placement of a child made by a parent whose rights to plan for the child has not been diminished by a court action or through a custodial action and the placement is with an "adult uncle or aunt" of the child in another State is exempt from compliance with the ICPC). (Reg. #3 (3) (c).
- c) Divorce or Custodial Change: Placements of children across state lines which result from the exclusive jurisdiction of a divorce court, or probate court or as a result of paternity proceedings are not subject

to compliance with the ICPC. Specific examples include requests for a study or supervision of a parent in another state related to a change in custody between divorced parents, whether agreed upon or adversarial or a change in visitation schedule or supervision during a visitation schedule which is based on a divorce court action. Such requests are directed to private licensed child placement agencies or private licensed LCSW in the receiving state. (Reg. #3 (3)(d))

- d) Child Protective Services Investigations: Child protective services investigations which require contacts in another state to document or report on the circumstances of a child or family or location of child or adult, identify or confirm enrollment in school, supervision or well-being check or other services does not constitute nor meet the definition as a placement; therefore, a child protective services investigation is not subject to compliance with the ICPC nor ICPC procedures. Contact the Child Protective Services Hotline in each State for assistance. (Article II (d)) Note: If the inferred or stated purpose or intention of the child protective services investigation request is placement, compliance with the ICPC is required. DCS Policy [14.1, Child Abuse Hotline](#) and [Work Aid 5: CPS Courtesy Requests](#).
- e) Courtesy Check/Studies: Requests for a courtesy check/study or courtesy supervision or courtesy case management services by an agency or court on behalf of a custodial or non-custodial child does not establish appropriate safety, protection and jurisdictional terms of the ICPC nor meet criteria for placement compliance under the Interstate Compact on the Placement of Children. Such requests will be directed to private entities licensed in the receiving state to conduct such courtesy checks/studies/supervision/case management services for a fee. The responsibility for the credentials and quality of the “courtesy” rests directly with the sending court/agency and the person or party in the receiving state who agrees to conduct the “courtesy” without invoking the protections offered under the ICPC. (Reg. #3 (3(b))). Note: If the inferred or stated purpose or intention of the courtesy check/study/supervision/case management services request is placement, compliance with the ICPC is required both from an agency or court. (DCS Policy [14.20, Orders of Reference](#); reference [TN ICPC Judicial Guidebook](#)).
- f) Placements made in violation of Article III (a), (b) and (d) and Article V (a) of the ICPC: The placement of a child into a receiving state deemed in violation of Article III (a), (b) or (d) or V (a) of the ICPC constitutes a violation of the safety, protection, and jurisdictional terms of the ICPC including the child safety, child-placing and child-caring laws of both States. The sending state/agency bears full liability and responsibility for the safety of the child and as such is subject to penalty in both states which may include suspension or revocation of any license, permit or other legal authorization held which empowers it to place or care for children. (Article IV)

The receiving state has discretion to request immediate return of the child to the sending state/agency; or to request a complete referral, assign study and issue a decision regarding placement which specifically cites the Violation and to determine if any supervision will be assigned to the placement and/or to close the request to further services.

TN DCS ICPC does not grant “retro-active” decisions.

TN DCS ICPC, as a receiving state, does not provide provisional determinations without prior request agreement with the sending state.

All placement decisions are in writing, not verbal, and are based on receipt of appropriate child – specific study or licensing document. TN DCS/ICPC does not issue verbal decisions on an ICPC placement. (Article III (a), (b), and (d) Article V (a), Regulation #2 (c), #4 (2) (d))

Safeguards Offered by the ICPC:

Articles I and V of the ICPC outlines the safeguards provided for the child and placement resource and the parties involved in the child's placement:

- a) Provides the sending agency the opportunity to obtain home studies and an evaluation of the proposed placement prior to placement.
- b) Allows the prospective receiving state to ensure that the placement is not "contrary to the interests of the child", is safe and appropriate for the child and that its applicable laws and policies have been followed before it approves the placement.
- c) Guarantees the child's legal and financial protection by fixing these responsibilities with the sending agency or individual.
- d) Ensures that the sending agency continues to have financial responsibility for support and maintenance of the child during the period of placement.
- e) Ensures that the sending agency retains jurisdiction over the child once the child moves to the receiving state sufficient to determine all matters in relation to the custody, supervision, care and disposition of the child, which it would have had if the child had remained in the sending agency's state.
- f) Provides the sending agency the opportunity to obtain services, supervision and regular reports on the child's adjustment and progress in the placement until the child is adopted, reaches majority, becomes self-supporting or is discharged with concurrence of the appropriate authority in the receiving state.

These safeguards are routinely available when the child, the person, or responsible agency and the placement resource are all in a single state or jurisdiction. When the placement involves two states or jurisdictions, however, these safeguards are available through compliance with the ICPC.

Procedures for Making ICPC Placements:

Articles I and III and V of the ICPC serve as the basis for the procedures for ICPC compliance including the referral process, study process, the basis for and the authority to issue a decision regarding the placement, the case-management process, and closure process, including permanency or disruption for each child. Regulations #1, #12 provide "best practice" applications.

Penalties for Illegal ICPC Placements:

Article IV of the ICPC identifies violations of the terms of the ICPC under Article III and V of the ICPC and the penalty provisions, which may be sought. Interstate placements made in violation of the ICPC constitute a violation of the "laws respecting the placement of children of both the state in which the sending agency is located or, from which it sends or brings the child and of the receiving state" (Article IV). Violators are subject to punishment or penalties in both jurisdictions in accordance with their laws. In addition to liability for any such punishment or penalty, any violation shall constitute full and sufficient grounds for suspension or revocation of any license, permit or other legal authorization held by the sending agent which empowers or allows a child to be placed.

Violations involve:

- The placement of a child into a receiving state without filing of a notice of intent to place or prior to filing a notice of intent to placement by a sending agency or person (Article III (a) and (b)), or;
- The placement of a child into a receiving state without an appropriate report regarding the circumstances of the proposed placement, or without a written notice from the appropriate public authority in the receiving state that the proposed placement does not appear to be contrary to the interest of the child (Article I (b) and Article III (a) and (d)), or;
- Dismissal of jurisdiction prior to the child being adopted, or reaching the age of majority, or becoming self-supporting or prior to being discharged with the concurrence of the appropriate authority in the receiving State. (Article V (a)).

In Tennessee, *TCA sec. 37-5-405* cites violation of child placement laws constitutes a class "A" misdemeanor that carries a fine up to \$200 and/or imprisonment to 6 months.

Safe and Timely Interstate Placement of Children in Resource Care Act of 2006:

Delays in the placement of children across state lines which occur due to inconsistent and non-uniform child welfare practices in placing custodial (dependent) children through the ICPC continued to be of concern among national stakeholders including the National Council of Juvenile and Family Court Judges, the National Association of Public Child Welfare Administrators and the Association of Administrators of the Interstate Compact on the Placement of Children. ICPC Regulation #7 Expedited Placement Decision, originally adopted in 1996 and further amended in 1999, 2001 and 2011 emphasizes the joint support between the courts and public child welfare agencies to expedite interstate placements. These efforts to expedite placements under the ICPC Regulation #7 continue to impact a limited but specific population of children and resources.

The Safe and Timely Interstate Placement of Children in Foster Care Act of 2006" P.L. 109-239 was signed into law on July 3, 2006 with primary purpose to improve protections for children in the custody/guardianship of the public child- welfare agency and to hold States accountable for safe and timely placements of those children across State lines.

The impact of the provisions in P.L. 109-239 is directly noted in the policy and practice provisions of public child-welfare agencies in the following areas:

- a) Interfacing the provisions of P.L.109-239 for interstate placement of children in the foster care system with the provisions of the Interstate ICPC on the Placement of Children (TCA 37-4-201-207);
- b) Integrating current federal and state child welfare provisions including the Adoption and Safe Families Act, the ***Safe and Timely Interstate Placement of Children in Foster Care Act of 2006 (P.L. 109-239)***, the ***Adam Walsh Child Protection and Safety Act of 2006 (P.L. 109-248)***, ***Tax Relief and Health Care Act of 2006 (P.L. 109-432)***, ***Child and Family Services Improvement Act of 2006 (P.L. 109-288)***; and ***Fostering Connections to Success and Increasing Adoption Act of 2008 (P.L. 110-351)***.
- c) Incorporating federal and state requirements regarding inter-jurisdictional placements into comprehensive policy and practice manuals in each State in the nation.

Additional Information:

There are three (3) other Compacts that regulate certain types of interstate placements of children.

Interstate Compact on Adoption and Medical Assistance (ICAMA):

The Interstate Compact on Adoption and Medical Assistance (ICAMA) ensures that adoptive parents of children with special needs receive the services and benefits provided for in their adoption assistance agreement, particularly medical assistance in interstate cases. ICAMA facilitates the delivery of benefits and services when families move during the continuance of the adoption assistance agreement or in cases when the child is initially placed for adoption across state lines. The ICAMA Compact was developed in response to the mandate of the Adoption Assistance and Child Welfare Act of 1980 that directs states to protect the interstate interests of adopted children with special needs. (Reference: TCA 36-1-201 et seq.) (<http://aaicama.org/cms/>).

Interstate Compact for Juveniles (ICJ):

The Interstate Compact for Juveniles is a Compact adopted by the 50 states, the District of Columbia and the Virgin Islands that regulates the interstate movement of juveniles who are under court supervision or who have run away from home and left their state of residence. States ratifying the ICJ are bound by federal law to observe the terms of the agreement.

ICJ provisions take precedence over conflicting state laws.

The ICJ provides for states' supervision and return of juveniles who have run away from home and left their state of residence; are on probation, parole, or other supervision, or have escaped to another state; and have been accused of an offense in another state.

The placement of certain juvenile delinquents/youth offender in an out-of-state public or private residential treatment facility or institution is governed by the Interstate Compact on the Placement of Children under Article VI.

Effective May 21, 2012, the Association of Administrators of the Interstate Compact on the Placement of Children (AAICPC) and the Interstate Commission for Juveniles (ICJ) entered into a Memorandum of Understanding (MOU) whose purpose is to foster communication, collaboration, education, and training to clarify issues and resolve confusion at the local, state and national levels in the handling of those cases when both compacts may apply or in other cases when only one compact is to be used. (Reference: TCA 37-4-101 *et seq.*) (<http://www.juvenilecompact.org/>)

Interstate Compact on Mental Health (ICMH):

The Interstate Compact on Mental Health (ICMH) permits the transfer of mentally ill and mentally retarded children and adults from a public institution in one state to a public institution in another state. It may also be used to secure publicly provided aftercare services in another state. A patient transferred through this Compact becomes the responsibility of the receiving state. The Interstate Compact on Mental Health has been enacted by most states and jurisdictions. (Reference: TCA Sec. 33-9-201 to 33-9-206).

https://ballotpedia.org/Compact_on_Mental_Health .

Interstate Compact on the Placement of Children (ICPC):

Text for the Interstate Compact on the Placement of Children, its' Regulations and Forms may be accessed from the following web site: <https://aphsa.org/AAICPC/AAICPC/Resources.aspx> .

[Tennessee Code-Lexis Nexis](#) site for access to 37-4-201 to 207 etc. seq.

The TN Department of Children's Services [Interstate Compact on the Placement of Children Practice and Procedure Manual](#) may be accessed from the following web site:

<https://files.dcs.tn.gov/policies/chap1/ICPCProceduresManual.pdf>

Interstate Compact on the Placement of Children - Contact Information:

The TN DCS Website provides a listing and contact information on persons who administer/manage the day-to-day operations of the TN Department of Children's Services Interstate Compact on the Placement of Children. This same site provides information regarding processing of ICPC documents.

<https://www.tn.gov/dcs/program-areas/interstate-compact/icp/contact.html>

(ICPC Regulation #5.

General Information:

ICPC Code Citation: (TCA sec. 37-4-201 through 37-4-207)

Statutory Penalties Under Article IV: Violation of child placement laws-class "A" misdemeanor-fine up to \$200 and/or imprisonment to 6 months. (Reference: TCA Sec. 37-5-405)

Child Abuse and Neglect : *Per ICPC Regulation #11". . .the receiving state shall respond to any report of abuse or neglect of a child placed in the receiving state pursuant to an approved placement under Article III (d) of the ICPC and will respond in the same manner as it would to a report of abuse or neglect of any other child residing in the receiving state. (Reference TCA 37-5-102 et seq., DCS Policies [14.1, Child Abuse Hotline](#), [14.14, Removal: Safety and Permanency Considerations](#),[14.9, DCS Response to Allegations Involving Drug Exposed Children](#), [14.10, Special Investigations Unit Child Protective Services Investigations](#)).*

Divorce Cases and Custody Investigations: Not subject to compliance with the ICPC as does not constitute nor meet the definition as a placement or requirements regarding jurisdiction. Divorce or custody studies are to be conducted by private providers for a fee. Private providers listed on TN DCS Internet <https://www.tn.gov/dcs/program-areas/licensing/adoption-agencies-licensing.html>. Requests received in the TN ICPC STATE office will be forwarded to the TN party who will be advised to contact a private agency.

Child Protective Services Investigations: Child protective services investigations which require contacts in our state or another state to document or report on the circumstances of a child or family or location of child or adult, identify or confirm enrollment in school, supervision or well-being check or other

services. Not subject to compliance with the ICPC nor ICPC procedures. Contact the Child Protective Services Hotline in each State for assistance. DCS Policy [14.1, Child Abuse Hotline](#); [Work Aid 5: CPS Courtesy Requests](#).

Courtesy Checks/Supervision/ Reports: Not subject to compliance with the ICPC. Responsible party may enter into a contractual agreement with an authorized public or private agency to secure this service. The responsibility for credentials and quality of the “courtesy check” rests directly with the sending agency and the person or party in the receiving state who agrees to conduct the “courtesy check without invoking the protection of the ICPC. At their discretion, the TN DCS Regional administration may determine to assign staff to conduct courtesy services which is not mandated by Departmental policy or under the ICPC (TCA 37-4-201 et seq.) or expressly directed by a Court Order of Reference (DCS Policy [14.20, Orders of Reference](#)) . (Reg. #3 (3) (b)).

Monitoring/Supervision: Contact for supervision services for children in an approved ICPC placement in TN will be conducted at a minimum of every thirty (30) days in accordance to Section 422 of the Federal Social Security Act, ICPC Regulation #11 *Responsibility of States to Supervise Children*, TN DCS Policy [16.38, Visitation Guide](#) and TN DCS Policy [31.14, Documentation in TFACTS Case Recordings](#).

Children in an approved ICPC placement outside of TN will be expected to be contacted for supervision at a minimum of every thirty (30) days in accordance to Section 422 of the Federal Social Security Act, ICPC Regulation #11 *Responsibility of States to Supervise Children* and policy and practice of the receiving state.

Progress Reports: Written progress reports which address the safety, well-being and achievement of permanency of the child in an approved ICPC placement and which address the continued appropriateness of the resource are completed by a receiving state every ninety (90) days unless otherwise authorized or dictated by circumstances. Written progress reports which are compiled from the monthly supervisory contacts with the child and the resource, are documented on the form and in the electronic format as proposed in ICPC Regulation #11, TN DCS Policy [16.32 Foster Care Review](#) (Form: [CS-0430 Progress Report on Child in State Custody](#)) and DCS Policy [16.23 Foster Home Records](#) (Form [CS-0709 Foster Home Monthly Visit Checklist](#)) or TN DCS Policy [31.14 Documentation in TFACTS Case Recordings](#) or per the policy and practice of the receiving state. Those written reports will be filed with the Receiving State ICPC office within five (5) business days of completion and may conclude with a recommendation to proceed to permanency.

Permanency/Closure: Jurisdiction over the child is retained by the sending state until the child is adopted, reaches majority, becomes self-supporting or is discharged with concurrence of the appropriate authority in the receiving state and appropriate documentation received which allows proper administrator to authorize the closure of the ICPC record. (TCA 37-4-201 et seq., Article V (a), Regulation #0.01)

Licensing Requirements:

TN Department of Children’s Services (DCS): Child-caring institutions (13 or more children), child placing agencies placing children for resource care or adoption, group care homes (7-12 children), family boarding homes or resource homes (1 -6 children) must be licensed annually. (TCA sec. 71-3-501 through 71-3-531) Resource homes operated by state, or licensed child-placing agencies are not licensed but are approved biennially. These Resource homes must meet appropriate standards and are subject to

inspection by TN DCS. Adoptive homes are not licensed but are approved biennially by TN DCS or annually by the applicable licensed child-placing agency. (*TCA sec 71-3-501 through 71-3-531*) The license of a child-placing agency includes any family boarding home or group care homes operated by the agency. (*TCA sec. 71-3-504*) (Reference: *TCA 37-5-501 et seq.*)

TN Department of Mental Health and Substance Abuse:

Authority to establish rules for licensure of services and facilities operated for the provision of mental health, developmental disability and personal support services (*TCA sec. 33-2- 401 et seq.*) ; rules include provisions for denial, suspension or revocation of license and sanctions/civil penalty for non-compliance; licensee defined as a proprietorship, a partnership, an association, a governmental agency or corporation that operates a facility or a service; facility defined as a developmental center, treatment resource, group residence, boarding home, sheltered workshop, activity center, rehabilitation center, hospital , community mental health center, counseling center, clinic, halfway house or any other entity that provides a mental health or developmental disabilities service; service defined as any activity to prevent, treat or ameliorate mental illness, serious emotional disturbance or developmental disabilities and includes diagnosis, evaluation, residential assistance, training, habilitation, rehabilitation, counseling, case coordination or supervision of persons with mental illness, serious emotional disturbance or developmental disabilities. License is valid for up to one year from date of issuance on services identified; annual renewal. (*TCA sec 33-2-406*)

Independent Adoptive Placements:

Unlicensed individuals and un-chartered or non-licensed child caring institutions, child placing agencies or maternity homes may not engage in activities placing children for temporary care or for adoption. (*TCA Sec. 36-1-108 (a); TCA Sec. 37-5-507*). Only licensed child-placing agency, clinical social worker, prospective adoptive parents or an attorney subject to TN Supreme Court Rules are authorized to advertise for the placement of children for adoption. (*TCA Sec. 36-1-108*). Placement of a child or children for adoption means that a person, corporation, agency or other entity is employed, contracted or engaged in any manner for any remuneration, fee, contribution or thing of value, of any type by or on behalf of any person in the selection of prospective adoptive parent for a child through preparation of home studies, preliminary home studies, court reports or provision of supervision or advertising for such services, accepting clients for a fee or providing any placing services for a fee (*TCA 36-1-108*). A service fee, other than medical or legal expenses or reasonable living expenses, is prohibited. (*TCA Sec. 36-1-109*) . Subsequent surrenders executed in Tennessee generate a requirement that the court obtain the child's social and medical history and refer the natural parent(s) for counseling if desired. (*TCA Sec. 36-1-111*). Investigation by TN DCS or a licensed child-placing agency is mandatory unless the child is related by blood to the petitioner as a grandchild, niece, nephew, or is the petitioner's stepchild, then the Tennessee Court may waive the investigation. (*TCA Sec.36-1-111*).

Adoption Petition:

Petitioner must have lived in Tennessee or in Federal enclave within Tennessee for 6 months prior to filing of petition. Requirement is not applicable to petitioner in military service, stationed out of state but who resided in Tennessee for at least one year prior to entering military service. Residence requirements waived if child is a relative or stepchild of petitioner. (*TCA Sec. 36-1-115*). Final decree granted no later than 2 years and no sooner than 6 months after filing of petition. Probationary period waived for relatives. (*TCA sec.36-1-119*) Final decree may be granted as early as 6 months after filing of petition if

child has resided with petitioner for at least 1 year. (TCA sec. 36-1-115) Petition may be filed at time of placement or thereafter.

TN Licensed Residential Treatment Facility/Institution/Group Home/Child-Caring Facility or Maternity Home Placements :

Approval for a placement of a child from another State into a TN licensed Residential Treatment Facility/Institution/ Group Home/Child-Caring facility or Maternity Home is based upon the licensure status of that facility with its TN Regulatory Authority- TN Department of Mental Health-Substance Abuse Services remaining in good standing. (TCA 33-2-406; ICPC Regulation #4).

Supervision in Licensed RTF/Institution/Group Home/child—Caring Facility or Maternity Home Placements : The TN Licensed RTF/Institution/Group Home/Child-Caring facility or Maternity Home is the agency responsible for the 24-hour care of a child and responsible for supervision , protection, safety and well-being of the child during the period of placement as well as provide a program plan for treatment and provide written progress reports or treatment reports on the child every 90 days. Neither the DCS child welfare worker or probation staff are expected to provide any monitoring or supervision of children placed in an residential facility. (ICPC Article II; Regulation #4)

Licensure Authorities: Department of Children's Services, Director of Licensing, Telephone: (615) 532-5640 (Office) .

Department of Mental Health and Substance Abuse, Director of Licensure, Telephone: (615) 770-0467.

Payments/Fees/Rates:

TNCARE/Medicaid Payments:

Eligibility continues for foster care and subsidized guardianship and subsidized adoptive placement. Identification and enrollment of providers is required. COBRA requirements are in effect for all eligible Title IV-E/Adoption Assistance foster and adoptive placements and for adopted children who are receiving state adoption assistance payments for medical and/or rehabilitation conditions into and out of Tennessee. (DCS Policy [15.11, Adoption Assistance](#), DCS Policy [15.15, Subsidized Permanent Guardianship](#)).

Foster Care Payments: Foster parents moving from Tennessee with a foster child are expected to continue to provide care at Tennessee rates. With approval of the Director, Adoptions or Foster Care, the rates of the receiving state may be paid for continued placement in foster home or facility in the receiving state. Current TN DCS Foster Parent Board rates are located on TN DCS Intranet:

https://www.tn.gov/content/dam/tn/dcs/documents/foster_care/TN_FCBoardRate.pdf

or call 1-877-327-5437 (DCS Policy [16.29 Foster Home Board Rates](#)).

Rate Setting: Rates are established by the administrative body for each service.

Useful Telephone Numbers:

CHILD ABUSE HOTLINE (877- 237-0004):

Tennessee DCS Child Abuse Hotline is a 24-7 state- wide child abuse hotline. This number is used to report child abuse and neglect **only**. Direct all other calls to the appropriate county office.

CHILD PROTECTIVE SERVICES HISTORY CHECK/ [*ADAM WALSH CHILD PROTECTION AND SAFETY ACT OF 2006*](#)

Process request at <https://www.tn.gov/dcs/program-areas/qi/cps-history.html>

INTERSTATE COMPACT ON ADOPTION AND MEDICAL ASSISTANCE (ICAMA) :

(615-532-5634) Deputy Compact Administrator

DEPARTMENT OF CHILDREN’S SERVICES LICENSING:

(615 532-5640) Director of Licensing

DEPARTMENT OF MENTAL HEALTH/SUBSTANCE ABUSE SERVICES LICENSING:

(615) 770-0467) Director of Licensure

DEPARTMENT OF CHILDREN’S SERVICES INTERSTATE COMPACT FOR JUVENILES (ICJ):

(615) 741-9856), Deputy Compact Administrator (615-532-5548) or ICJ Commissioner

RUNAWAYS (TRAVEL ARRANGEMENTS) TN DCS Only:

(615) 741-8489 or (615) 532-5619

MENTAL HEALTH COMPACT SERVICES:

Telephone: (615) 741-3709

MENTAL RETARDATION COMPACT SERVICES:

Telephone: (615) 741-3806

Appointment and Duties of Interstate Compact on the Placement of Children ICPC Administrators

Per Article VII, each party state's governor appoints a Compact Administrator. The Commissioner of the Tennessee Department of Children's Services is the designated Compact Administrator of the Interstate Compact on the Placement of Children (ICPC), and shall be responsible for coordinating activities under the ICPC and who, acting jointly with like officers of other party jurisdictions, shall have power to promulgate rules and regulations to carry out more effectively the terms and provisions of the ICPC. (Reference: *TCA 37-4-201-207*)

The Commissioner of the Department of Children's Services shall appoint a departmental ICPC Deputy Compact Administrator. The ICPC Deputy Compact Administrator shall be responsible for administering the day-to-day operations of the ICPC; duties that may include but are not limited to:

1. Development and implementation of policy and procedure for all parties;
2. Monitoring and enforcing compliance with law, policy and procedure;
3. Implementation of the case management process which includes assignment of referrals which initiates the assessment, forms processing, authorizing decisions regarding placement and implementing other services including closures;
4. Design and implementation of basic training and orientation on ICPC procedures for all parties involved in the process;
5. Provision of information, technical assistance, and consultation to all parties involved in the ICPC process;
6. Maintaining a data collection within the TFACTS, analyzing data and statistics to support the program, provision of reports both state and federal; and,
7. Advocating for the safe and timely inter-jurisdictional placement of children.

The ICPC Deputy Compact Administrator may be empowered to represent the Compact Administrator. The Office of the Interstate Compact on the Placement of Children is the designated central clearing house for all matters regarding inter-jurisdictional or interstate placements subject to compliance with *TCA 37-4-201* et seq. and P.L. 109-239 Safe and Timely Placement of Children in Resource Care and Regulation #5 Central State Compact Office.

NOTE: Throughout this manual, the term "ICPC Administrator" is used to designate both the person appointed pursuant to Article VII and those persons to whom the responsibility for day-to-day operation of the ICPC has been administratively designated.

This Manual provides practices and procedures which meets requirements for compliance with the Interstate Compact on the Placement of Children and the Safe and Timely Interstate Placement of

Children in Resource Care Act of 2006 on behalf of children who are in the custody /guardianship of the TN Department of Children's Services. This Manual interfaces ICPC statute and Regulations with pertinent TN DCS policy and provides references /linkages to those DCS policies and their associated procedure/protocol/manuals/forms/work aids to assist DCS Regions in their practice. Practice and Procedure provided in this Manual applies to all Tennessee Department of Children's Services child-welfare staff, Contract Provider Agency staff and DCS supporting staffs who provide services and support to children in the custody/guardianship of TN DCS and in partnership with other ICPC party states.

Requirements for ICPC Compliance which involves a child who is under the jurisdiction of a Tennessee court (non-custodial) or in the custody/guardianship of a TN private licensed agency or any person including parents and relatives are separate and posted on the TN DCS Web Page.

<https://www.tn.gov/dcs/program-areas/interstate-compact/icp/reference.html> .

Reference: Guide-ICPC Residential Treatment Facility/Institutional Placement (Article VI); Guide for Independent/Private Agency Placement Referral, ICPC Manual-Independent and Private Agency Adoptive Placement, and ICPC Manual-Judicial Guidebook.

Tennessee DCS Custodial Children Placed in another State

ICPC Regulation #5: "...each state party to the Interstate Compact on the Placement of Children ...establish a procedure by which all compact referrals from and to the state shall be made through a central state compact office." (ICPC Regulation #.01, 1, 2, 3, 4, 7, 12).

DCS Policy/Protocol/Forms References: [1.30 Interstate Compact on the Placement of Children](#)

Initiating an ICPC Referral:

1. During the course of assessment, diligent search, permanency planning, and or selection planning for a child/youth in the custody /guardianship of TN DCS or through contact from a parent, relative or significant kin, or filing of a petition or other document, TN Department of Children's Services (TN DCS) Regional personnel identifies and documents potential placement resources for a child/youth. (Ref: DCS Policies: [16.46 Child Youth Referral and Placement](#); [16.48 Conducting Diligent Searches](#), [16.31 Permanency Planning for Children/Youth in DCS Custody](#); [31.1 Family Permanency Plans](#); [15.1 Adoption Related Disclosure](#); [15.5 Registering and Maintaining Status of Child with AdoptUSKids](#); [18.12 DOE Services for Identified Student Needs](#); [Chapter 19 Mental Health Treatment and Behavior Support Management](#)).

2. All placement considerations for children/youth in the custody/ guardianship of TN DCS are initiated within the context of a Child and Family Team Meeting (CFTM), Judicial or Foster Care Review. The CFTM will be appropriately documented by the assigned TN DCS Regional staff in the ***Tennessee Family and Children's Tracking System*** (TFACTS) as prescribed. (DCS Policies/documents [Child and Family Team Meeting Guide](#), [15.11 Adoption Assistance: Protocol for Making Adoptive Placements](#); [16.32 Foster Care Review and Progress Reports](#); [16.33 Permanency Hearings](#); [18.12 DOE Services for Identified Student Needs](#); [31.1 Family Permanency Plans](#); [31.14 Documentation of TFACTS Case Recordings](#)).
3. When an identified out of state placement resource (parent, relative, kin, foster or adoptive, or licensed residential treatment facility, group home, child –caring agency or institution under Article VI of the ICPC) is considered for placement of a child/youth who is in the custody/guardianship of TN DCS, the assigned TN DCS Regional staff is responsible to:
 - a) Develop, properly organize and collate one copy of the ICPC referral per requirements identified for the type of ICPC Referral (Article III (b)) ;
 - b) Submit a copy of the complete ICPC referral to the Tennessee State ICPC office via electronic scan/ e-mail TNICPC.Ei-DCS@tn.gov or by express overnight or regular mail <https://www.tn.gov/dcs/program-areas/interstate-compact/icp/contact.html>;
 - c) Create an ICPC instance in TFACTS Family case for each child involved in an ICPC transaction per TFACTS ICPC/ICJ Storyboard <https://www.teamtn.gov/dcs/tfacts/knowledge-base.html> and <https://files.dcs.tn.gov/intranet/cccw/KB/ICPCandICJ/Storyboards/ICPCInstance.pdf>; and
 - d) Assign the TFACTS ICPC instance to the appropriate TN ICPC Administrator in the TFACTS system: <https://www.tn.gov/dcs/program-areas/interstate-compact/icp/contact.html>.
4. TN DCS Regional Staff utilizing electronic mail (TNICPC.Ei-DCS@tn.gov) are not required to follow-up with a paper copy unless specifically requested by the TN DCS State ICPC Office Administrator. TN DCS Regional Staff submitting an ICPC referral by mail or Express mail are required to submit two copies of the complete referral to the TN DCS State ICPC Office.
5. The TN DCS Regional staff will maintain pertinent ICPC documents including the referral electronically in TFACTS (DCS Policy : [31.14 Documentation of TFACTS Case Recordings](#)) and/or in the Family Case File per TN DCS Policy [31.5 Organization of Family Case Files](#). The Regional Family Case file will include any original documents or signatures and all supportive documents required under the ICPC, which upon closure, is an official record of ICPC activities to be maintained per TN DCS Records Disposition Authority (RDA) policy [located in DCS Policy Chapter 33](#).
6. The TN ICPC Administrator maintains a duplicate paper “working” file with copies of all ICPC documents per each child involved in an active ICPC transaction, which upon closure of the ICPC instance is destroyed as outlined in TN DCS RDA policy, [DCS Policy Chapter 33](#) or as appropriate, filed with the DCS Adoption Registration Unit. (DCS Policy [15.8 Preparing Adoption Records for Archives](#)) .

7. Pending initiation of the Referral and the issuance of a written decision by the Receiving State ICPC Administrator regarding placement of the child with that out-of-state resource, the TN DCS Regional staff is not authorized to place the child across state lines under the ICPC but maintain the child in an intra-state placement. (Article III (a)-(d)).

NOTE: Exception to a placement prior to issuance of a written decision by the Receiving State ICPC Administrator regarding an inter-jurisdictional placement may be made under specific provisions outlined in ICPC Regulation #1, Conversion of Intrastate Placement (TN) into Interstate Placement; Relocation of Family Unit or under the explicit and limited ICPC Reg. #7 Expedited placement provisions outlined in a Border Agreement into which the TN DCS has entered (Refer to DCS Web Page <https://tn.gov/dcs/article/interstate-compact-reference-guides>).

ICPC Referral Packets:

Article I and Article II(d) and Article III (a) and (b): "Prior to sending, bringing, or causing any child to be sent or brought into a receiving state for placement in foster care or preliminary to a possible adoption, or in a child-caring agency or institution, the sending agency shall furnish the appropriate public authorities in the receiving state written notice of the intent to send, bring or place the child in the receiving state." DCS

Policies: [9.3 DOE Youth Education Records](#), [9.4 Confidential Child-Specific Information](#), [9.5 Access and Release of Confidential Child-Specific Information](#), [9.10 Closed Youth Case File Disposition in a Youth Development Center](#), [13.9 Juvenile Justice Case Transfers Within and Between Regions](#), [20.25 Health Information Records and Access](#), and [Policy Chapter 32 HIPAA](#).

Article V (b): "When the sending agency is a public agency, it may enter into an agreement with an authorized public or private agency in the receiving state providing for the performance of one or more services in respect of such case by the latter as agent for that sending agency." (ICPC Article I -III, Reg. # .01 & #1, #2, #4, #7, #8 and #12; DCS Policy [3.27 Fiscal Administrative Process for Implementation of New Programs and Services and Changes to Existing Programs and Services](#); [3.33 Purchasing](#)).

A. **ICPC Regulation # 1 Conversion of Intrastate (TN) Placement into Interstate Placement:**

Relocation of Family Unit Referral . . . During the course of an in-state placement, circumstances occur wherein the TN DCS relative or kin or -foster or adoptive resource moves to another state. The intent of the permanency plan for the TN DCS custodial child who is currently in a placement with the approved TN DCS relative or kin or foster or adoptive resource is to remain in placement with the TN resource as they relocate pending permanency. With the filing of an ICPC Regulation #1 Referral as prescribed below, the child may move with the approved TN relative or kin or foster or adoptive resource prior to the issuance of a placement decision by the receiving state ICPC office. Pursuant to the provisions of the [Safe and Timely Interstate Placement of Children in Foster Care, P.L. 109-239](#), within sixty (60) days of receipt of the Reg. #1 request, the TN relative or kin or foster or adoptive resource home will be

required to meet the resource home approval and/or licensure in the receiving state for the continued placement of the child as evidenced by a decision on an ICPC 100A. However, supervision/contact with the child and family is implemented within thirty (30) days of receipt of the referral packet/notice of placement Form ICPC 100B, [Interstate ICPC Report on Child's Placement Status \(CS-0523\)](#). (ICPC Regulation #1, #8 and #11).

1. An ICPC Regulation #1 Referral packet which involves a TN DCS custodial child in the circumstances described above is to be developed and submitted prior to or no later than 30 days after the actual relocation date of the child. The ICPC Regulation #1 Referral packet must contain the following documents as a minimum to be considered complete:
 - a) [ICPC Referral Checklist \(CS-0796\)](#);
 - b) An ICPC 100A - [Interstate ICPC Placement Request \(CS-0525\)](#) accurately completed and signed/dated. This form should contain the new address;
 - c) Cover Letter (Per Sample in Appendix B) signed/dated by DCS Case Manager and Supervisor;
 - d) Current Case History on Child: DCS CANS Summary and Initial CFTM Summary and Current CFTM Summary and/or other Disclosures on designated forms with attachments and signatures/dated. DCS Policy: [15.1 Adoption Related Disclosure](#);
 - e) Current custody/guardianship order and other pertinent court documents (signed and dated) including previous petitions, custodial orders, the required annual court review for family permanency plan which reaffirms "reasonable efforts" and if appropriate, court documents regarding delinquency adjudications, visitation limitations and any "no contact orders". Include any order that authorizes the child to be placed outside the jurisdiction of the TN court;
 - f) Current Permanency Plan in TFACTS or designated forms (either handwritten signed/dated copy or court ratified copy) including any revisions and/or supplemental or supporting plans, such as Interdependent Living Plan or Planned Permanent Living Arrangements with attachments and signatures/dated per DCS Policies/Protocols and Manuals: [16.31 Permanency Planning for Children/Youth in the Department of Children's Services Custody](#), [16.51 Independent Living and Transition Planning](#); [16.53 Eligibility for Independent Living Services](#); and [31.1 Family Permanency Plans](#);
 - g) [ICPC Medical-Financial Plan \(CS-0795\)](#) with [Notice of Child Welfare Benefit Summary for Custodial Child \(CS-0508\)](#) attached and appropriate supporting documents including as appropriate, signed and dated written agreement from placement resource to meet the financial and/ or medical needs of the child. However, other attachments as applicable

may be required including but not limited to **Subsidized Permanent Guardianship Agreement (CS-0721)** and **Adoption Assistance Agreement (CS-0513)** and **Child Welfare Benefits Determination Notification of Change of Circumstance (CS-0476)**; DCS Policies **15.10 Adoption Assistance Agreements Created Prior to 1997**, **15.11 Adoption Assistance**, **15.15 Subsidized Permanent Guardianships**, **Criteria for Authorizing TennCare**, **16.36 Title IV-E Foster Care Funds**, **16.50 Concurrent Eligibility for Supplemental Security Income (SSI)**, **16.59 Disclosure of Legal Options and Available Services for Relative or Kin Caregivers** and **16.29 Foster Home Board Rates**.

- h) Current Educational Passport and School Enrollment Letter (CS-0657) including Individual Education Plan, TEIS, Immunization Records and all current school records-DCS Policies **21.14 Serving the Educational Needs of the Child/Youth**, **21.16 Rights of Foster Child with Disabilities and IDEA**, **21.18 Notification to School Principals of Certain Delinquent Adjudications**, and **21.19 Education Passport**;
- i) Social Security Card and Birth Certificates plus as appropriate, documentation of paternity on legal and/or birthfather to include putative father registration or clearance, court order of paternity/ parentage or order of child support;
- j) TFACTS Health Summary with supporting documents. DCS Policies: **20.25 Health Information and Access**, **20.7 Early Periodic Screening Diagnosis and Treatment Standards (EPSDT)**, **20.8 Reproductive Health Education and Services**, **20.12 Dental Services**, **20.18 Psychotropic Medication**, and **20.19 Communicable Diseases**;
- k) Any histories, and discharge summaries of placements into RTC or other treatment facilities;
- l) Current approved or valid relative or kin or foster or adoptive resource home study/re-assessments including narrative and all supporting documents such as local background checks, criminal history/ fingerprint results and child abuse and neglect checks documented for no less the period of 5 years prior and waivers. DCS Policies: **16.4 Foster Home Selection and Approval**, **16.8 Responsibilities of Approved Foster Homes**, **16.11 Shared Foster Homes** and **16.20 Expedited Custodial Placements**;
- m) Form ICPC 100B, Interstate ICPC Report on Child's Placement Status (CS-0523) which specifies the date that the child and the relative or kin or foster or adoptive resource family relocated and the address to which the family and child relocated (Regulation 0.01) ; and,
- n) Unique Care Agreement/Purchase of Services Agreement, authorized via a Delegated Purchase Authority Contract if negotiated or contracts (Article V (b); DCS Policy **3.33 Purchasing**);

2. Upon completion, the assigned TN DCS Regional staff is responsible to:

- a) Develop, properly organize and collate one copy of the ICPC referral per requirements identified as an ICPC Regulation #1 referral;
- b) Submit a copy of the complete ICPC Reg. #1 referral to the Tennessee State ICPC office via electronic scan/ e-mail TNICPC.Ei-DCS@tn.gov or by express overnight mail. Refer to: <https://www.tn.gov/dcs/program-areas/interstate-compact/icp/contact.html>;
- c) Create an ICPC instance in TFACTS Family case for each child who is involved in an ICPC transaction. Refer to: <https://www.teamtn.gov/dcs/tfacts/resources/tr/knowledge-base.html>; and
- d) Assign each instance to the appropriate TN ICPC Administrator in the TFACTS system. Refer to: <https://www.tn.gov/dcs/program-areas/interstate-compact/icp/contact.html>;

B. ICPC Regulation #2 . . . *to provide, at the request of a sending agency, a home study and placement decision by a receiving state for the proposed placement of a child with a proposed caregiver who falls into the category of: placement as a preliminary to an adoption or resource care and /or with parents, or relatives or kin."*

ICPC Regulation #2 applies when requesting the initial child specific home study on a parent, relative, kin, foster or adoptive proposed resource in compliance with Interstate Compact on the Placement of Children and [Safe and Timely Interstate Placement of Children in Foster Care Act of 2006 P.L. 109-239](#) or a new child-specific home study /re-assessment on a current approved placement resource to upgrade the status of the study which also is in compliance with ICPC and [Safe and Timely Interstate Placement of Children in Foster Care Act of 2006 P.L. 109-239](#). Example includes an upgrade from relative to licensed/approved foster resource home or to adoption resource. (Regulation #2 (a) –(b))

Article V (b): "When the sending agency is a public agency, it may enter into an agreement with an authorized public or private agency in the receiving state providing for the performance of one or more services in respect of such case by the latter as agent for that sending agency." (ICPC Article I -III, Reg. # .01 & #1, #2, #4, #7, #8 and #12; DCS Policies: [3.27 Fiscal Administrative Process for Implementation of New Programs and Services and Changes to Existing Programs and Services; 3.33 Purchasing](#)).

1. An ICPC Referral packet which involves a child in the custody/guardianship of TN DCS wherein the Region is requesting a child specific study for the proposed placement with a parent, relative or kin or foster or adoptive resource must contain the following documents as a minimum to be considered complete:

- a) An [ICPC Referral Checklist \(CS-0796\)](#);

- b) A 100A form [Interstate ICPC Placement Request \(CS-0525\)](#) accurately completed and signed/dated;
- c) Cover Letter (Per Sample in Appendix B) signed/dated by DCS Case Manager and Supervisor;
- d) Forms [CS-0958 Placement Resource Statement of Confirmation ICPC Reg. #2](#) ;
- e) Current Case History on Child: DCS CANS Summary and Initial CFTM Summary and Current CFTM Summary Family Functional Assessments and/or other Disclosures including FAST, CANS on designated forms with attachments and signatures/dated per DCS Policy [15.1 Adoption Related Disclosure](#);
- f) Current Custody/Guardianship Order and other pertinent court documents (signed and dated) plus pertinent petitions, custodial order, the required annual Court review for permanency plan (or equivalent) which reaffirms “reasonable efforts” and if appropriate, court documents regarding delinquency adjudications, visitation limitations, termination proceeding and any “no contact orders”;
- g) Current Permanency Plan in TFACTS or designated forms (either handwritten signed/dated copy or court ratified copy) including any revisions and/or supplemental or supporting plans, such as Independent Living Plan or Planned Permanent Living Arrangements with attachments and signatures/dated per DCS Policies and Manuals [16.31 Permanency Planning for Children/Youth in the Department of Children's Services Custody](#), [16.51 Independent Living and Transition Planning](#); [16.53 Eligibility for Independent Living Services](#); and [31.1 Family Permanency Plans](#);
- h) [ICPC Medical-Financial Plan \(CS-0795\)](#) with [Notice of Child Welfare Benefit Summary for Custodial Child \(CS-0508\)](#) attached and appropriate supporting documents including as appropriate signed and dated written agreement from placement resource to meet the financial and/ or medical needs of the child. However, other attachments as applicable may be required including but not limited to **Subsidized Permanent Guardianship Agreement (CS-0721)** and **Adoption Assistance Agreement (CS-0513)** and [Child Welfare Benefits Determination Notification of Change of Circumstance \(CS-0476\)](#) ; DCS Policies [15.10 Adoption Assistance Agreements Created Prior to 1997](#), [15.11 Adoption Assistance](#), [15.15 Subsidized Permanent Guardianships](#), [Criteria for Authorizing TennCare](#), [16.36 Title IV-E Foster Care Funds](#), [16.50 Concurrent Eligibility for Supplemental Security Income \(SSI\)](#), [16.59 Disclosure of Legal Options and Available Services for Relative or Kin Caregivers](#) and [16.29 Foster Home Board Rates](#).

- i) Current [Education Passport and School Notification Letter \(CS-0657\)](#) including the Individualized Education Plan, TEIS and Immunization record and all current school records. DCS Policies [21.14 Serving the Educational Needs of the Child/Youth](#), [21.16 Rights of Foster Children with Disabilities](#), [21.18 Notification to School Principals of Certain Delinquent Adjudications](#), [21.19 Education Passport](#)
 - j) Social Security Card and Birth Certificates plus, as appropriate, documentation of paternity on legal and/or birthfather to include putative father registration or clearance, court order of paternity/ parentage or order of child support;
 - k) TFACTS Health Summary, with supporting documents; DCS Policies [20.25 Health Information Records and Access](#), [20.7 Early Periodic Screening Diagnosis and Treatment Standards \(EPSDT\)](#), [20.8 Reproductive Health Education and Services](#), [20.12 Dental Services](#), [20.18 Psychotropic Medication](#), and [20.19 Communicable Diseases](#);
 - l) Any histories, and discharge summaries of placements into RTC or other treatment facilities;
 - m) Unique Care Agreement/Purchase of Services Agreement, authorized via a Delegated Purchase Authority Contract if negotiated (Article V (b) DCS Policy [3.33 Purchasing](#)); and,
 - n) Other documents, which provide pertinent information about the child and family and are not included in the required attachments listed above also may be submitted by TN DCS Regional staff electronically by scan/e-mail, mail or fax, directed to the designated TN ICPC Administrator.
2. Upon completion, the assigned TN DCS Regional staff is responsible to:
- a) Develop, properly organize and collate one copy of the ICPC referral per requirements identified as an ICPC Regulation #2 parent, relative, kin, foster or adoptive referral;
 - b) Submit a copy of the complete ICPC Reg. #2 referral to the Tennessee State ICPC office via electronic scan/ e-mail TNICPC.El-DCS@tn.gov or by express overnight mail: <https://www.tn.gov/dcs/program-areas/interstate-compact/icp/contact.html>;
 - c) Create an ICPC instance in TFACTS Family case for each child who is involved in an ICPC transaction <https://www.teamtn.gov/dcs/tfacts/resources/tr/knowledge-base.html>; and,
 - d) Assign each instance to the appropriate TN ICPC Administrator in the TFACTS system <https://www.tn.gov/dcs/program-areas/interstate-compact/icp/contact.html>.

C. ICPC Regulation #7 Expedited Placement Decision Referral . . .*In order to address delays in the placement of a child who is four years of age or younger, including older siblings sought to be placed with the same proposed placement resource; or is currently in an emergency placement; or is an unexpected*

dependency due to a sudden or recent incarceration, incapacitation, or death of a parent or guardian; or is part of a sibling group who are documented as having spent substantial amount of time in the home of the specific class of placement resources, the sending state agency and the sending state court will partner to submit an ICPC referral under Regulation #7 Expedited Placement Decision. The specific class of relative placement resources which applies in an ICPC Regulation #7 Placement Decision referral is defined in Article VIII specifically identified as parent, stepparent, grandparent, adult brother or sister, adult uncle or aunt or guardian as defined under the ICPC Regulation #10.

ICPC Regulation #7 Expedited Placement Decision process does not apply if the request for placement of the child is for licensed or approved resource family care or as a preliminary to an adoption or the child is already in placement in the receiving state in violation of Article III of the ICPC. NOTE: In the event that the intended placement, (parent, stepparent, grandparent, adult aunt or uncle, adult brother or sister or guardian per Article Viii (a)) is already a licensed or approved resource in the receiving state at the time of the request, such licensing or approval would not preclude application of this regulation. (Reg. #7)

1. Upon determination to process an ICPC Reg. #7 Expedited Decision Referral request for an out-of-state placement for a child in the custody of TN DCS on a resource as defined under Article VIII, or the processing of an ICPC Reg. #7 Expedited Decision Referral for a custodial child involved in a Border Agreement placement, the DCS Regional staff will coordinate with the Tennessee court of jurisdiction to execute, sign and date an ICPC Regulation #7 Expedited Placement Decision order with finding entitlement to an expedited placement. (Border Agreement Referrals: All active current TN Border Agreements are posted to the TN DCS Webpage:
<https://www.tn.gov/dcs/program-areas/interstate-compact/icp/border-agreements.html>).
2. The Tennessee court of jurisdiction will submit the ICPC Regulation #7 Expedited Placement Decision order to the TN DCS Regional staff within two (2) business days as prescribed in the Regulation and /or less as prescribed in the Border Agreement.
3. Within three (3) business days of the Tennessee Court's signature/date on the ICPC Regulation #7 Expedited Placement Decision Order or less if a Border Agreement, the TN DCS Regional staff will:
 - a) Develop, properly organize and collate one copy of the ICPC referral per requirements identified for an ICPC Regulation #7 Expedited Placement Referral or as prescribed in the Border Agreement;
 - b) Submit a copy of the complete ICPC Reg. #7 or Reg. #7 Border Agreement referral to the Tennessee State ICPC office via electronic scan/ e-mail TNICPC.EI-DCS@tn.gov or by express overnight mail. Refer to:
<https://www.tn.gov/dcs/program-areas/interstate-compact/icp/contact.html> ;

- c) Create an ICPC instance in TFACTS Family case for each child who is involved in an ICPC transaction. Refer to: <https://www.teamtn.gov/dcs/tfacts/resources/tr/knowledge-base.html>; and
 - d) Assign each ICPC instance to the appropriate TN ICPC Administrator in the TFACTS system. Refer to: <https://www.tn.gov/dcs/program-areas/interstate-compact/icp/contact.html>.
4. The ICPC Reg. #7 Expedited Placement Decision Referral which involves a TN DCS custodial child must contain the following documents as a minimum to be considered complete:
- a) [**ICPC Referral Checklist \(CS-0796\)**](#);
 - b) [**ICPC 100A - Interstate ICPC Placement Request \(CS-0525\)**](#) accurately completed and signed/dated;
 - c) Cover Letter (Per Sample in Appendix B) signed/dated;
 - d) [**Placement Resource Statement of Confirmation ICPC Reg. #7 and Border Agreement \(CS-0957\)**](#);
 - e) Current Case History on Child: DCS CANS Summary and Initial CFTM Summary and Current CFTM Summary Family Functional Assessments and/or other Disclosures including FAST, CANS on designated forms with attachments and signatures/dated. per DCS Policy [**15.1 Adoption Related Disclosure**](#);
 - f) Current custody/guardianship order and other pertinent court documents (signed and dated) including previous petitions, custodial orders, the required annual court review for family permanency plan which reaffirms "reasonable efforts" and if appropriate, court documents regarding delinquency adjudications, visitation limitations and any "no contact orders";
 - g) ICPC Regulation #7 Expedited Placement Decision Order (reference format at <https://www.teamtn.gov/dcs/forms-and-documents.html>);
 - h) Current Permanency Plan in TFACTS or designated forms (either handwritten signed/dated copy or court ratified copy) including any revisions and/or supplemental or supporting plans, such as Interdependent Living Plan or Planned Permanent Living Arrangements [**\(CS-0681- Request for Permanency Goal of Planned Permanent Living Arrangement\)**](#); *
 - i) ICPC Medical-Financial Plan (CS-0795) with Notice of Child Welfare Benefit Summary for Custodial Child (CS-0508) attached. In addition if appropriate, the signed and dated written agreement from placement Resource to meet the financial and/ or medical needs of the child DCS Policies [**15.10 Adoption Assistance Agreements Created Prior to 1997**](#), [**15.11 Adoption Assistance**](#), [**15.15 Subsidized Permanent Guardianships**](#), [**Criteria for Authorizing TennCare**](#), [**16.36 Title IV-E Foster Care Funds**](#), [**16.50 Concurrent Eligibility for Supplemental Security**](#)

[Income \(SSI\)](#), [Title IV-E Foster Care Payments](#), [16.59 Disclosure of Legal Options and Available Services for Relative or Kin Caregivers](#);

- J) Current [Education Passport and School Notification Letter \(CS-0657\)](#) including Individual Education Plan, TEIS, Immunization Records and all current school records. DCS Policies [21.14 Serving the Educational Needs of the Child/Youth](#), [21.16 Rights of Foster Children with Disabilities](#), [21.18 Notification to School Principals of Certain Delinquent Adjudications](#), [21.19 Education Passport](#)*
 - k) Social Security Card and Birth Certificate plus as appropriate, documentation of paternity on legal and/or birthfather to include putative father registration or clearance, court order of paternity/ parentage or order of child support;
 - l) TFACTS Health Summary including supporting documentation DCS [20.25 Health Information Records and Access](#), [20.7 Early Periodic Screening Diagnosis and Treatment Standards \(EPSDT\)](#), [20.8 Reproductive Health Education and Services](#), [20.12 Dental Services](#), [20.18 Psychotropic Medication](#), and [20.19 Communicable Diseases](#) ; * OR,
 - m) * Form [ICPC 101: Sending State ICPC Regulation #7 Expedited Decision Home Study Request \(CS-0563\)](#) in lieu of Child Case History /Family Permanency Plan/ Educational Passport/TFACTS Health Summary; and,
 - n) Any histories, and discharge summaries of placements into RTC or other treatment facilities.
- Refer to specific Border Agreement document for additional information needed for Reg. #7 Expedited Decision Home Study request.

- 5. Upon receipt of the ICPC Regulation #7 Expedited Placement Decision Referral, the designated TN DCS ICPC Administrator will submit by scan or overnight mail, the complete request for the child specific expedited study to the receiving State ICPC Administrator and request either a provisional placement decision be issued within seven (7) calendar days (if the receiving state practice includes a provisional decision) and/or an expedited decision be issued no later than twenty (20) business days from the date the referral is received.

D. ICPC Residential Facility Referral: *Per ICPC Article II (a)-(d) supported by Regulation No.4, 1(a)-(c), 2 (b) (c) (d), 3(a)-(c), ICPC compliance is required for the temporary placement of a custodial child into a "residential facility" which is defined as a facility providing a 24-hour supervised care that is beyond what is needed for assessment or treatment of an acute condition. Residential Facility includes a licensed Group Home, Residential Treatment Center, and Child-Caring Agency.*

- 1. The TN DCS Regional staff in collaboration with TN DCS Network Development staff is responsible to research, identify appropriate out of state residential facility placements and if appropriate, complete

an application and provide documents needed directly to the out- of- state Residential Facility in order for that facility to determine in advance of that child's placement, the eligibility of that child to be placed in the Residential facility program as evidenced by the Residential Facility acceptance letter.

2. The ICPC Residential Facility Referral which involves a TN DCS custodial child must contain the following documents as a minimum to be considered complete:

- a) [ICPC Referral Checklist \(CS-0796\)](#);
- b) [ICPC 100A - Interstate ICPC Placement Request \(CS-0525\)](#) accurately completed and signed/dated;
- c) Cover Letter (Per Sample in Appendix B) signed/dated which includes a summary of the program expectations, the expected level of supervision and treatment, frequency and nature of written treatment and progress reports, statement regarding the Department's responsibility to return the child to our state upon successful completion of care or treatment or if the child disrupts from the facility or a request is made to terminate the child's program or remove the child from the program and return to TN;
- d) Current Case History on Child: DCS CANS Summary and Initial CFTM Summary and Current CFTM Summary - and/or other Disclosures on designated forms with attachments and signatures/dated. DCS Policies: [15.1 Adoption Related Disclosure](#); [14.16, Due Process Procedures and the Release of Information for Alleged Perpetrators of Child Abuse and Neglect](#);
- e) Current custody/guardianship order and other pertinent court documents (signed and dated) including previous petitions, custodial orders, the required annual court review for family permanency plan (or equivalent) which reaffirms "reasonable efforts" and if appropriate, court documents regarding delinquency adjudications, visitation limitations, terminations and any "no contact orders";
- f) Current Permanency Plan in TFACTS or designated form (either handwritten signed/dated copy or court ratified copy) including any revisions and/or supplemental or supporting plans, such as Interdependent Living Plan or Planned Permanent Living Arrangements (CS-0681-Request for Permanency Goal of Planned Permanent Living Arrangement) or Treatment Plan as appropriate;
- g) [ICPC Medical-Financial Plan \(CS-0795\)](#) with the [Notice of Child Welfare Benefit Summary for Custodial Child \(CS-0508\)](#) attached, and as appropriate additional documentation of the Department's support of fee for services through Unique Care Agreement/Purchase of Services Agreement, as authorized Delegated Purchase Authority Contract if negotiated (Article V (b)) DCS Policies [15.10 Adoption Assistance Agreements Created Prior to 1997](#), [15.11 Adoption Assistance](#), [15.15 Subsidized Permanent Guardianship](#), [Criteria for Authorizing TennCare](#), [16.36 Title IV-E Foster Care Funds](#), [16.50 Concurrent Eligibility for Supplemental Security Income \(SSI\)](#), [Title IV-E Resource Care Funds](#), [16.59 Disclosure of Legal Options and Available Services for Relative or Kin Caregivers](#) [3.27 Fiscal Administrative Process for the Implementation of New Programs and Services or Changes to Existing Programs and Services](#);
- h) Current [Education Passport and School Notification Letter \(CS-0657\)](#) including the Individualized Education Plan, TEIS, Immunization Records and current school records. DCS Policies [21.14 Serving the Educational Needs of the Child/Youth](#), [21.16 Rights of Foster Children with Disabilities](#), [21.18 Notification to School Principals of Certain Delinquent Adjudications](#), [21.19 Education Passport](#);

- i) Social Security Card and Birth Certificates plus as appropriate, documentation of paternity on legal and/or birthfather to include putative father registration or clearance, court order of paternity/parentage or order of child support;
 - j) TFACTS Health Summary including supporting documentation according to DCS Policies [20.25 Health Information Records and Access](#), [20.7 Early Periodic Screening Diagnosis and Treatment Standards \(EPSDT\)](#), [20.8 Reproductive Health Education and Services](#), [20.12 Dental Services](#), [20.18 Psychotropic Medication](#), and [20.19 Communicable Diseases](#);
 - k) Any histories, and discharge summaries of placements into RTC or other treatment facilities; and
 - l) Letter of Acceptance of the child into the Residential Facility (RF) on RF letterhead which confirms receipt of documents for application, the agreed services, supervision and written reports noted in the DCS Cover letter, the understanding that the child is to return to the sending state upon discharge or disruption and provides dates for placement.
3. Upon completion, the assigned TN DCS Regional staff is responsible to:
- a) Develop, properly organize and collate one copy of the ICPC referral per requirements identified for an ICPC Residential Treatment Facility Referral;
 - b) Submit a copy of the complete ICPC referral to the Tennessee State ICPC office via electronic scan/ e-mail: TNICPC.EI-DCS@tn.gov or by express overnight mail;
 - c) Create an ICPC instance in TFACTS Family case for each child who is involved in an ICPC transaction: <https://www.teamtn.gov/dcs/tfacts/resources/tr/knowledge-base.html>; and
 - d) Assign each instance to the appropriate TN ICPC Administrator in the TFACTS system: <https://www.tn.gov/dcs/program-areas/interstate-compact/icp/contact.html> ;

E. ICPC Article VI Institutional Care of Delinquent Children: *Per ICPC Article VI.as supported by Regulation #4, 1(a)-(c), and 2 (a) (1) & (2),(b)(c)(d), a child adjudicated delinquent may be placed in a residential institution in another party jurisdiction pursuant to this compact but no such placement shall be made unless the child is given a court hearing on notice to the parent or guardian with opportunity to be heard prior to his being sent such other party jurisdiction for residential institutional care and the court finds that: (1) equivalent facilities for the child are not available in the sending agency's jurisdiction; and, (2) Institutional care in the other jurisdiction is in the best interest of the child and will not produce undue hardship.*

- 1. TN DCS Regional staff in collaboration with TN DCS Network Development staff is responsible to research, identify appropriate out of state residential institutional placements and if appropriate, complete an application and provide documents needed directly to the out- of- state institution in order for that facility to determine in advance of a placement, that child's eligibility to be placed into their program as evidenced by the Residential Institution acceptance letter.

2. The ICPC Article VI Institutional Referral which involves a TN DCS child/youth adjudicated delinquent in the custody/guardianship of TN DCS must contain the following required documents to be considered complete:
- a) **ICPC Referral Checklist (CS-0796)**;
 - b) **ICPC 100A - Interstate ICPC Placement Request (CS-0525)** accurately completed and signed/dated;
 - c) Cover Letter (Per Sample in Appendix B) signed/dated which includes a summary of the program expectations, the expected level of supervision and treatment, frequency and nature of written treatment and progress reports, statement regarding the Department's responsibility to return the child to the jurisdiction of our state upon successful treatment or if the child disrupts from the institution or a request is made to terminate the child's program or remove the child from the program and return to TN;
 - d) Current Case History on Child: DCS CANS Summary and Initial CFTM Summary and Current CFTM Summary and/or other Disclosures - on designated forms with attachments and signatures/dated. DCS Policy: **15.1 Adoption Related Disclosure**;
 - e) Current custody/guardianship order and other pertinent court documents (signed and dated) including delinquency adjudications, visitation limitations, terminations and any "no contact orders";
 - f) ***Motion to Review Institutional Placement Pursuant to Article VI of TCA 37-4-201 et seq. and Review of Institutional Placement Order Pursuant to Article VI of TCA 37-4-201 et seq. (reference <https://www.teamtn.gov/dcs/forms-and-documents.html>)***;
 - g) Current Permanency Plan in TFACTS or designated form (either handwritten signed/dated copy or court ratified copy) including any revisions and/or supplemental or supporting plans, such as Interdependent Living Plan or Planned Permanent Living Arrangements (**CS-0681-Request for Permanency Goal of Planned Permanent Living Arrangement**) or Treatment Plan as appropriate;
 - h) History and discharge Summaries on Residential Treatment placements;
 - i) **ICPC Medical-Financial Plan (CS-0795)** with the **Notice of Child Welfare Benefit Summary for Custodial Child (CS-0508)** attached plus additional documentation of the Department's support of fee for services through Unique Care Agreement/Purchase of Services Agreement authorized Delegated Purchase Authority Contract if negotiated (Article V (b)) DCS Policies: **15.10 Adoption Assistance Agreements Created Prior to 1997**, **15.11 Adoption Assistance**, **15.15 Subsidized Permanent Guardianships**, **Criteria for Authorizing TennCare**, **16.36 Title IV-E Foster Care Funds**, **16.50 Concurrent Eligibility for Supplemental Security Income (SSI)**, **Title IV-E Resource Care Funds**, **16.59 Disclosure of Legal Options and Available Services for Relative or Kin Caregivers**;
 - j) **Education Passport and School Notification Letter (CS-0657)** including Individualized Education Plan, TEIS, Immunization records and all current school records. DCS Policies: **21.14 Serving the Educational Needs of the Child/Youth**, **21.16 Rights of Foster Children with Disabilities**, **21.18**

Notification to School Principals of Certain Delinquent Adjudications, 21.19 Education Passport:

- k) Social Security Card and Birth Certificates plus as appropriate, documentation of paternity on legal and/or birthfather to include putative father registration or clearance, court order of paternity/ parentage or order of child support ;
 - l) TFACTS Health Summary including supporting documentation such as current medication/Prescription, psychological and behavioral assessments and associated counseling and treatment plans DCS Policies: **20.25 Health Information Records and Access, 20.7 Early Periodic Screening Diagnosis and Treatment Standards (EPSDT), 20.8 Reproductive Health Education and Services, 20.12 Dental Services, 20.18 Psychotropic Medication, and 20.19 Communicable Diseases**; and,
 - m) Letter of Acceptance of the child into the Residential Institution on their letterhead which confirms receipt of documents for application, the agreed services, supervision and written reports noted in the DCS Cover letter, the understanding that the child is to return to the sending state upon discharge or disruption and provides dates for placement.
3. Upon completion, the assigned TN DCS Regional staff is responsible to:
- a) Develop, properly organize and collate one copy of the ICPC referral per requirements identified for an ICPC Article VI Referral;
 - b) Submit a copy of the complete ICPC referral to the Tennessee State ICPC office via electronic scan/ e-mail **TNICPC.EI-DCS@tn.gov** or by express overnight mail. Refer to: **<https://www.tn.gov/dcs/program-areas/interstate-compact/icp/contact.html>**;
 - c) Create an ICPC instance in TFACTS Family case for each child who is involved in an ICPC transaction **<https://www.teamtn.gov/dcs/tfacts/knowledge-base.html>** and **<https://files.dcs.tn.gov/intranet/cccw/KB/ICPCandICJ/Storyboards/ICPCInstance.pdf>**; and
 - d) Assign each instance to the appropriate TN ICPC Administrator in the TFACTS system **<https://www.tn.gov/dcs/program-areas/interstate-compact/icp/contact.html>** ;
 - f). Border Agreement Referrals: All active current TN Border Agreements are posted to the TN DCS Webpage: **<https://www.tn.gov/dcs/program-areas/interstate-compact/icp/border-agreements.html>**. Follow criteria included in those documents.
 - g) Per Article I (b) and Article III (c) of the Compact, the Receiving State Administrator may request some of the secondary documents identified below prior to issuing a decision regarding placement. If requested, TN DCS Regional staff will submit the requested information prior to placement electronically by scan/e-mail, mail or fax to the designated TN ICPC Administrator/ Alternate within ten (10) working days. Such documents may include but not limited to:

- ◆ Current specific or specialty medical assessment;
- ◆ Immunization records if not previously submitted;
- ◆ Current Medication/Prescription records including dosages;
- ◆ Copy of Social Security Card if not previously submitted;
- ◆ Birth Certificate if not previously submitted;
- ◆ Current psychological assessment and treatment plan/regimen;
- ◆ Current psychiatric assessment and treatment plan/regimen;
- ◆ Current behavioral assessment and treatment plan/regimen;
- ◆ Current counseling reports/pertinent history including discharge summaries;
- ◆ History and discharge Summaries on Residential Treatment placements;
- ◆ Judicial and administrative reviews for children in care; and
- ◆ Unique Care Agreement/Purchase of Services Agreement, authorized via Delegated Purchase Authority Contract if negotiated per Article V (b) between TN DCS and a private licensed child-placing agency in the receiving state.

Note: Placement decisions and placements may be delayed based upon when the receiving state gets this information and can accommodate any adjustments or support planning which may need to be modified.

Processing:

Per ICPC Regulation #5: all Interstate referrals and associated ICPC documents to and from the State of Tennessee shall be made through the TN DCS State ICPC office. Accordingly, the TN ICPC Administrator is responsible to process all interstate referrals and associated documents to the designated central office of each of the party states or the identified county office of the states of California and Colorado and Ohio as well as with "sending agents" in the State of TN. The TN ICPC Administrator will maintain records on ICPC transactions within the TFACTS which serves as the official record.

1. TN ICPC Administrator will review all referrals and resultant ICPC documents received from appropriate "sending agents" and determine completeness of all required documents as well as determine appropriateness of the authorizing signatures.
2. TN ICPC Administrator will enter and/or manage a centralized ICPC database in the TFACTS, a database in Excel as well as maintain a centralized working paper file on each child involved in an ICPC record while active.

3. If referral is incomplete and/or additional information is needed before a ICPC Referral or other ICPC documents can be processed to a receiving state, within 2-5 days of receipt of the referral, the TN ICPC Administrator will notify the TN DCS Regional staff, utilizing the ICPC transmittals/scan/email/mail and/or TFACTS.
4. Additional information requested from the TN DCS Regional staff is scanned/e-mailed or mailed to the TN DCS State ICPC office to the designated TN ICPC Administrator within ten (10) business days or less by the TN DCS Regional staff.
5. If the requested information is not provided within ten (10) business days by the TN DCS Regional staff, or a written notice documenting the reasons that the information or documents are not available and a proposed date as to when they may be available, the TN ICPC Administrator is authorized to close the ICPC instance in TFACTS. The TN ICPC Administrator may return the referral packet or other information or destroy the documents.
6. All ICPC Referrals must meet minimum requirements (determined to be **complete**) in order to be processed to the Receiving State ICPC office. No limitations exist on the number of ICPC Referrals per child/youth which may be submitted by TN DCS Regional staff. No limitations exist pertaining to a timeframe within which an ICPC Referral may be submitted except as documented to support a permanency plan.
7. The TN ICPC Administrator will process all complete ICPC Referrals to the Receiving State ICPC office either by scan/e-mail or in paper form by mail within two (2) to five (5) business days of receipt unless otherwise specified.
8. The TN ICPC Administrator will record the date of receipt in the TN ICPC office in TFACTS ICPC Tracking Screen as the date received in the TN ICPC office; the date submitted to the Receiving state will be recorded in TFACTS ICPC Tracking Screen as the "date submitted " to the other State.
**Please note that some ICPC Party States are not equipped with a secure program or system to accept ICPC Referrals or other documents in any electronic medium or their policy limits use of electronic medium to emergency only.
9. A copy of the ICPC transmittals and other supporting documents will be scanned/e-mailed to the TN DCS Regional staff for their electronic TFACTS Record or Family Case record.
10. Pending the issuance of a written decision by the receiving State ICPC office regarding placement of the child with that out-of-state Resource, the TN DCS Regional staff is not authorized to place the child across state lines under the ICPC. The TN DCS Regional staff, responsible for planning for the child is responsible to maintain the child in an intra-state placement pending determination of appropriateness of the out-of-state Resource per the ICPC. Article III (d) NOTE: Exception to a placement prior to issuance of a written decision by the Receiving State ICPC Administrator regarding an inter-jurisdictional placement may be made under specific provisions outlined in ICPC Regulation #1, Conversion of Intrastate Placement (TN) into Interstate Placement; Relocation of Family Unit or under the explicit and limited ICPC Reg. #7 Expedited placement provisions outlined in a Border Agreement into which the TN DCS has entered (Refer to DCS Web Page <https://www.tn.gov/dcs/program-areas/interstate-compact/icp/border-agreements.html>).

Study:

Article I (b): *"The appropriate authorities in a state where a child is to be placed may have full opportunity to ascertain the circumstances of the proposed placement, thereby promoting full compliance with applicable requirements for the protection of the child."*

Article V (b): *"When the sending agency is a public agency, it may enter into an agreement with an authorized public or private agency in the receiving state providing for the performance of one or more services in respect of such case by the latter as agent for that sending agency."*

Regulation #5. . .the responsibility of each state party to the Interstate Compact on the Placement of Children to establish a procedure by which all Compact referrals from and to the state shall be made through a central state compact office. . ."

1. The Receiving State ICPC Administrator will assign the TN ICPC Referral to the appropriate local public agency in their State or to the contract licensed agency or the private licensed agency as designated on the Unique Care or Purchase of Service agreement to conduct a child-specific study or Safe and Timely Interstate Home Study reports on the placement resource as designated on the ICPC 100A. In ICPC referrals to Residential facilities, Group Homes, Residential Treatment Facilities, Child-Caring Agencies or Institutions, the "assignment" involves verification of the licensure of that facility in their State and acceptance of that child into that facility.
2. Upon assignment, the Receiving State Administrator may request additional or supporting information as it may deem necessary to conduct a child-specific study of the proposed resource or verification of the licensure and acknowledgement of acceptance of that child into the facility.
3. Requests for additional or supporting information from a Receiving State will be scanned/e-mailed through the TN ICPC Administrator to the TN Regional DCS staff who will be requested to submit the additional information requested by scan/e-mail to the TN ICPC office within ten (10) business days or less.
4. All child specific studies or Safe and Timely Interstate Home Study reports on the resource home in another State are conducted in accordance to applicable Federal and State laws and policy and licensing standards of the Receiving State.
5. Designated public/private authorities in the receiving State determine the appropriateness of the placement resource for the specific child or children identified in the ICPC Referral based on the conclusions of their child specific study or Safe and Timely Interstate Home Study report or the licensing/regulatory authorities.
6. An appeal or administrative review of the decision or the study process or licensure decision is filed with the Receiving State authorities and subject to their applicable laws and policy and licensing standards.
7. Per P.L. 109-239, the Receiving State ICPC Administrator is to receive the completed child specific study with decision or a Safe and Timely Interstate Home Study report* regarding parent, relative, kin, resource or adoptive placement Resources within sixty (60) calendar days. A Safe and Timely Interstate Home Study report issued under P.L. 109-239 by a Receiving State ICPC Administrator is considered a "notice of circumstances of the resource or a preliminary report * in the Receiving State. This report is not equivalent to nor supportive of a placement decision on the ICPC [100A Interstate Placement Request, CS-0525](#). (Regulation #1 (6), Reg. #2 (7), Reg. #3 (30 (g)),

- a) Placement of a child in the custody/guardianship of TN DCS with the out-of-state resource based on such a Safe and Timely Interstate Home Study report without a decision on the ICPC 100A does not meet Departmental policy as an approved resource placement nor provides full legal or financial protections for the child for that placement as designated under the ICPC and constitutes a violation of Article III (d).
- b) If the TN DCS Regional staff determines to make a placement based on the Safe and Timely Interstate Home Study report without a decision on the ICPC 100A, that "placement" will be considered in violation of Article III of the ICPC and places the child "at-risk" legally and financially. The receiving state is under no obligation to provide services or supervision on behalf of the child placed or resource family pursuant to ICPC and may execute their option to close the case.
- c) The TN ICPC Administrator is responsible to notify the TN DCS Regional staff of the receipt of such the Safe and Timely Interstate Home Study report from the Receiving State regarding the placement of the specific child or children with the out-of-state resource. Notification is by scan/e-mail and that report is maintained in the record. No data entry into TFACTS ICPC Screen.
- d) TN DCS Regional staff will have fourteen (14) days after receipt of a Safe and Timely Interstate Home Study report to notify the TN ICPC Administrator whether the Region continues interest in pursuing the placement to completion of the study and a decision issued on the ICPC 100A or whether the Region withdraws the study request which results in the closure of the ICPC instance.

- ◆ **Placement Made (Violation of Article III):** An [ICPC 100B, Interstate ICPC Report on the Child's Placement Status \(CS-0523\)](#) is completed and scanned, e-mailed or mailed accompanied with a written notice to the TN State ICPC office, to the appropriate TN ICPC Administrator. The written notice will specifically document the name of the child and date of birth, current location of the child, and name of the placement resource in the receiving state, date child was allowed to be placed, circumstances of the child's placement, recognition statement of ICPC Violation III and "at risk" status and responsibility for the child and to the placement Resource if placement disrupts. Notice is signed and dated by TN DCS Regional staff and supervisor. The TN DCS ICPC Administrator will authorize closure of the ICPC instance in TFACTS ICPC screen as a Violation of Article III. No further services available under the ICPC. (Reg. #0.01)
- ◆ **ICPC Referral Withdrawn:** An [ICPC 100B, Interstate ICPC Report on the Child's Placement Status \(CS-0523\)](#) will be completed and scanned/e-mailed or mailed to the designated TN ICPC Administrator in the TN DCS State ICPC Office. Upon receipt, the TN ICPC Administrator will document the Withdrawal in the TFACTS ICPC Screen and authorize the closure of the ICPC instance as "Referral Withdrawn." The TN ICPC Administrator will notify the Receiving State that the ICPC Referral has been withdrawn. No further services authorized under the ICPC. (Reg. #0.01)
- ◆ **Defer Placement pending Approval:** Written notice may be scanned/e-mailed or mailed by the TN DCS Regional staff to the TN DCS ICPC Administrator in the TN DCS State ICPC office within that fourteen (14) day period. The notice identifies the child, DOB, name/address of the placement Resource in the Receiving State along with a statement of intent to defer the placement of the child with the proposed placement until additional

information has been secured on the resource and a decision issued under the ICPC. No ICPC 100B is required for a notice of intent to defer placement. No entry into TFACTS ICPC screen.

- e) The designated TN DCS Regional staff will maintain a copy of ICPC documents in the TFACTS electronic file or Family Case File per TN DCS Policy [31.5 Organization of Family Case Files](#).

Chart: Timelines for Completion of Study/Issuance of Placement Decision by Receiving State ICPC office where “Start Date” is from the “receipt of the completed request packet by the Receiving State ICPC office.”

ICPC Study	ICPC/Safe & Timely PL 109-239	DCS Policy	Time
ICPC Reg. #1 Intact Family Move	60 -180 calendar days	16.4	60 calendar days or less
ICPC Reg. #2 Expedited Custodial Assessment Parent/Reunification Study	60-180 calendar days	16.20 *	30 calendar days or less
ICPC Reg. #2 Relative/Kin Study	60-180 calendar days	16.20	60 calendar days or less
ICPC Reg. #2 Foster Resource (Licensed or Approved)	60-180 calendar days	16.4	60-180 calendar days
ICPC Reg. #2 Adoptive Resource (Licensed or Approved)	60-180 calendar days	16.4	60-180 calendar days
ICPC Reg. #2 Status Change	60-180 calendar days	16.4	60-180 calendar days
ICPC Reg. #7 Priority Study (Parent)	20 working days or less	16.20	20 working days or less
ICPC Reg. #7 Priority (Relative)	20 working days or less	16.20	20 working days or less
ICPC Reg. #7 Provisional Decision (w- agreement)	7 calendar days or less	16.20	7 calendar days or less

Border Agreements	As prescribed in BA	16.20	As prescribed in BA
Group Home/Child Caring/Residential Treatment/Institutional Care under Article VI	Licensure 3 working days or less	Licensure	3 working days or less

Decision:

Article III (d) "The appropriate public authorities in the receiving state shall notify the sending agency, in writing to the effect that the proposed placement does not appear contrary to the interest of the child. "

1. Upon receipt of a child specific study or Safe and Timely Interstate Home Study report or licensure notice with an ICPC 100A decision by the Receiving State ICPC Administrator denying the placement of the child with the designated resource, TN ICPC Administrator will:
 - a) Enter the denial/denial date in TFACTS ICPC instance screens and authorize the closure of the ICPC instance as "placement denied".
 - b) Scan/e-mail the ICPC 100A denying the placement and the child specific study or Safe and Timely Interstate Home Study report or licensure notice which documents the reasons for denial to the appropriate TN DCS Regional Program staff.
 - c) The TN DCS Regional Program staff will retain a copy of that ICPC 100A and child specific study or Safe and Timely Interstate Home Study report or licensure notice in the TFACTS electronic case file or the ICPC portion of the Family Case file in accordance with TN DCS Policy [31.5 Organization of Family Case Files](#).
 - d) The TN State ICPC record will be closed "Placement denied" and destroyed pursuant to TN DCS RDA Chapter 33. No placement is authorized.
2. Reconsideration of an ICPC denial by Sending State: TN DCS Regional staff may request reconsideration of a denial within ninety (90) days from the date of the denial on the ICPC 100A. The request for re-consideration requires the Region to issue a new referral packet and enter a new instance in TFACTS.
 - a) Request reconsideration with or without a new study: Upon completion of a CFTM, TN DCS Regional staff may request the receiving state to reconsider the denial of the placement of the child with the placement resource by submitting to the TN ICPC Office Administrator by scan/e-mail , a cover letter which includes an explanation for the request for reconsideration, along with a new ICPC 100A and documentation of new evidence or corrected conditions to be reviewed or re-examined and considered by the Receiving State. Subsequent to the submission of the

request to the TN ICPC Office Administrator, the TN DCS Regional staff will enter a new ICPC instance into TFACTS.

- b) The Receiving State ICPC office has sixty (60) calendar days from the date the formal request for reconsideration of a denial has been received from the sending State to issue a decision to uphold or reverse the denial previously issued. That decision will be documented by the Receiving state on a transmittal letter or issuance of a modified study and the ICPC 100A.
 - c) After ninety (90) days from the date of the denial on the initial ICPC 100A, no further reconsideration of that decision can be made. However, nothing precludes the TN DCS Regional staff from requesting a new study.
3. Upon receipt of a child specific study or Safe and Timely Interstate Home Study report or licensure notice with an ICPC 100A decision by the Receiving State ICPC Administrator which approves the placement of the child with the designated resource, TN ICPC Administrator will:
- a) Enter the approval/approval date in TFACTS ICPC screens;
 - b) Scan/e-mail the ICPC 100A approving the placement and associated child specific study or Safe and Timely Interstate Home Study report which documents the study process or licensure and approval to the TN DCS Regional Program staff including FSW/Supervisor, CWBC Regional Program Coordinators/Field Supervisors, Regional Health Advocacy Representatives, Regional Education Coordinators and for RTC/Institutional Placement to Network Development Staff in the State Office.
 - c) The TN DCS Regional staff will maintain the ICPC 100A approving the placement and the study or report in the TFACTS electronic record or in the ICPC portion of the Family Case file per DCS Policy [31.5 Organization of Family Case Files](#).
 - d) Approvals for parent, relative, kin, foster or adoptive placements under the ICPC are valid for a period of six (6) months commencing from the date of the signature of the Receiving State ICPC Administrator.
 - e) Approvals for RTC/Article VI, Group Home or Child-Caring facilities are valid for thirty (30) days commencing from the date of signature of the receiving State ICPC Administrator.
 - f) Requests for extension of approval beyond the six (6) months or thirty (30) days by the sending state is documented in writing; extension will be based on mutual agreement between the sending and receiving state ICPC offices.
 - g) The TN DCS Regional staff will determine whether or not to use the approved placement, pursuant to the family permanency plan and utilizing a CFTM Placement change: DCS Policies [16.31 Permanency Planning for Children/Youth in the Department of Children's Services Custody](#) and [Child and Family Team Meeting Guide](#).
4. If the placement resource is approved and the TN DCS Regional staff has determined through a CFTM Placement Change that the placement will not be used or cannot be utilized within the six (6) month or thirty (30) calendar day time frame:
- a) The TN DCS Regional staff will scan/email to the TN ICPC Administrator a completed [ICPC 100B, Interstate ICPC Report on the Child's Placement Status \(CS-0523\)](#) which specifies that the "approved placement will not be used". (Reg. #0.01)

- b) The TN DCS Regional staff will retain a copy of the ICPC 100B in TFACTS electronic file or the ICPC Portion of the Family Case File per TN DCS Policy [31.5 Organization of Family Case Files](#).
 - c) The TN DCS Regional Team is responsible to notify other Regional parties that “approved placement will not be used.”
 - d) TN ICPC Administrator will authorize the closure of the ICPC instance in the TFACTS ICPC Screens and will notify the Receiving State ICPC Administrator in writing that the “Approved Placement will not be Used.” No placement or further services are authorized under the ICPC.
5. If the placement resource is approved and the TN DCS Regional staff has determined to utilize that specific placement within the six (6) month or thirty (30) calendar day time frame:
- a) The TN DCS Regional staff will convene the appropriate CFTM Placement Change per the DCS [Child and Family Team Meeting Guide](#).
 - b) The CFTM is to include pertinent in-state and out-of-state parties, including Regional PSD/RPS staff, GAL, CWBC, Educational Specialist, Health Advocate-Nurse, Regional Psychologist, the out of state parent, relative, kin, resource or adoptive placement resource or RTC or institutional Resource and the receiving state assigned case manager/supervisor.
 - c) The CFTM will address TN DCS responsibilities for the placement of the child that includes, but not limited to:
 - ◆ Invitation/Notification of pertinent permanency plan and court review schedules to which the parent, relative, kin or licensed or approved resource adoptive resource or RTC staff may attend/be present DCS Policy [16.32 Foster Care Review and Progress Reports](#); [16.33 Permanency Hearings](#);
 - ◆ Arrangements/responsibilities to provide records necessary to enroll the child in school in the receiving state DCS Policy [21.14 Serving the Educational Needs of the Child/Youth](#);
 - ◆ Confirming transfer of TennCare benefits to the Medicaid program and for medications in the Receiving State and /or arrangements to be made to secure medical support for the child/youth in the Receiving State via ACA and other means including coverage through vendor contracts DCS Policies: [16.36 Title IV-E Foster Care Funds](#), [16.59 Disclosure of Legal Options and Available Services for Relative or Kin Caregivers](#), [20.7 Early Periodic Screening Diagnosis and Treatment Standards \(EPSDT\)](#) & [Protocol](#), and [20.12 Dental Services](#);
 - ◆ Secure arrangements for temporary financial assistance on behalf of the child pending issuance of resource or relative board payments; clarifying any board payments, clothing allowance, or other assistance to be provided by the Department; confirming those expenses for the child which are not covered by the Department in an out-of-state placement such as child-care DCS Policies: [16.36 Title IV-E Foster Care Funds](#), [16.59 Disclosure of Legal Options and Available Services for Relative or Kin Caregivers](#), [Protocol for Clothing/Allowance](#) and [Protocol for Routine Transportation](#) (supplemental to DCS Policy [16.8](#) and [16.29](#)).
 - ◆ Clarifying arrangements for placement including date, provision of climate appropriate clothing and responsibility for payment of travel for placement;
 - ◆ Confirming the date of entry by the Department for assistance payment; and,

- ◆ Clarifying responsible party for supervision including type and frequency of supervision; content and submission of Quarterly written progress reports and posting of those reports.
- d) The CFTM will also address pertinent requirements and responsibilities for the proposed placement resource to include:
- ◆ Clarification of the rights and responsibilities under TN Foster Care Bill of Rights with out-of-state resource Foster Parent Handbook;
 - ◆ Responsibility to establish and identify vendors in the receiving state who will provide counseling or medical services for the child;
 - ◆ Responsibility to secure financial assistance on behalf of the child through TANEF or confirmation of Resource Board or other payment to be made by TN DCS as agreed upon;
 - ◆ Responsibility to keep TN DCS Region informed of issues/milestones, participate with TN DCS in permanency planning for the child;
 - ◆ Eligibility for respite care per DCS [Protocol for Respite Care and other Events](#) (supplemental to DCS Policy [16.8, Responsibilities of Approved Foster Homes](#))
 - ◆ Responsibility to cooperate with the receiving state for supervision; and,
 - ◆ Responsibility for the maintenance of their approval of licensure as a resource parent, pursuant to the policy of the receiving state. [16.8, Responsibilities of Approved Foster Homes](#)
- e) The CFTM will be documented in the TFACTS Permanency Plan for the child.
- f) Concurrent with the CFTM and prior to placement of a child into the approved resource home in the receiving state, the TN DCS Regional staff will forward a copy of the ICPC 100A approving the placement and the child specific study or Safe and Timely Interstate Home Study report which documents the study process and approval to the TN DCS Regional RPS staff who will complete entering pertinent data on the out-of-state resource home in the TFACTS in accordance to [Protocol for Resource Eligibility Team \(RET\)](#) ; properly noting the date of the approval for the resource home, which is the date of the signature of the Receiving State ICPC Administrator on the ICPC 100A. The documents will be kept in the resource home file as required. Any other documents regarding this out-of-state resource home, *i.e.* monthly supervision conducted by the receiving state and periodic re-assessment to maintain approval or licensure as a resource home are to be shared and retained in the resource home File. DCS Policy [16.23, Foster Home Records](#);
- g) Within ten (10) working days or less of the date that the child physically left the jurisdiction of the State of TN, the TN DCS Regional staff will scan/e-mail to the designated TN ICPC Administrator a completed [ICPC Form 100B, Interstate ICPC Report on the Child's Placement Status \(CS-0523\)](#). Attached to the [ICPC Form 100B](#) will be a copy of CFTM documentation as well as DCS Form [Child Welfare Benefits Determination Notification of Change of Circumstances \(CS-0476\)](#) plus if appropriate, up-dated [ICPC Financial-Medical Plan \(CS-0795\)](#), (Reg. #0.01, DCS Policies: [16.36, Title IV-E Foster Care Funds](#), [16.59, Disclosure of Legal Options and Available Services for Relative or Kin Caregivers](#);

- h) Concurrently, the TN DCS Regional staff will share the information in (g) above with the TN DCS Regional CWBC Coordinator/Regional Health Advocacy/ Regional Educational Representative for assistance in securing transfer of medical/financial benefits/benefits to support this child in placement. DCS Policy
- i) The TN DCS Regional PSD/RPS staff will document the date of placement of this child into the specific resource home file in the TFACTS. DCS Policy [16.23, Foster Home Records](#);
- j) TN DCS Regional staff will maintain a copy of ICPC documents identified in this section in the TFACTS electronic file or in the Family Case File per TN DCS Policy [31.5, Organization of Family Case Files](#).

Case Management:

Article V (a): . . . The sending agency shall continue to have financial responsibility for support and maintenance of the child during the period of placement. . . (b) When the sending agency is a public agency, it may enter into an agreement with an authorized public agency or private agency in the receiving state providing for performance of one or more services in respect of such case by the latter as an agent for the sending agency. . .”

ICPC Regulation #11 2(d): Supervision means monitoring of the child and the child's living situation by the receiving state after a child has been placed in a receiving state pursuant to an approved placement under Article III (d) of the ICPC or pursuant to a child's relocation to a receiving state in accordance with Regulation #1 of the ICPC.”

1. The [ICPC 100B, Interstate ICPC Report on the Child's Placement Status form CS-0523](#) form is a required form which provides notice of placement of a child into a Receiving State. That notice authorizes the Receiving State to initiate contact with the child in the approved placement resource within thirty (30) days of receipt of the form and establish a schedule of monthly contact and supervision to support the safety, well-being of the child in that placement and to facilitate services to that child and placement in response to the Permanency Plan. That notice authorizes services and supervision to be initiated in a RTC or Facility placement with the RTC or Facility staff. ICPC Regulation #0.01, #2 , #4, and #7
2. Under the ICPC, supervision of the child in a resource placement in the receiving state includes face-to-face visits with the child at least once a month. More frequent contacts may be arranged in advance or if significant issues of concern arise which may warrant a request for more frequent contact. ICPC Regulation #11.
3. Under the ICPC, supervision of the child by the receiving state begins within 30 days of receipt of the ICPC 100B; however, supervision can and should begin prior to receipt of the form 100B if the receiving state has been informed by other means that the child has been placed.
4. Quarterly written progress reports are to be submitted every 90 days. Those reports are compiled from monthly face-to-face or other contacts and are to address the child's safety, well-being,

adjustment and services as specified on the family permanency plan in order for the child to achieve permanency. The reports at a minimum shall include:

- a) Date and location of each face –to-face contact with the child ;
 - b) Summary of the child’s current circumstances;
 - c) Summary of the child’s academic performance along with copies of any available report card, education –related evaluations or IEP documents;
 - d) Summary of the child’s current health status, including mental health, the date of any health-related appointments during the period, identity of any health providers seen, and copies of any available health-relative evaluations, reports or other pertinent records;
 - e) Assessment of the current placement and caretakers;
 - f) Description of any unmet needs and any recommendations for meeting identified needs; and,
 - g) If applicable, the supervising caseworker’s recommendation regarding continuation of the placement, return of legal custody to a parent or parents and termination of sending state’s jurisdiction, finalization of adoption or the granting of legal custody/guardianship to the child’s current caretakers or discharge from the facility.
5. Documentation to support the information in the Quarterly written progress reports are to be attached to the report.
 6. Nothing prohibits progress reports from being submitted on a more frequent basis, generally monthly, if agreed upon between the two locals. However, all quarterly written progress reports are to be processed between the designated Interstate Offices.
 7. If significant issues of concern are identified during a face-to-face visit or at any time during the child’s placement, the receiving state will promptly notify both ICPC offices and the sending agent in writing.
 8. The ICPC Form 100B, Interstate ICPC Report on the Child’s Placement Status also serves as the notice to the receiving state to initiate their responsibility to monitor the continued licensure or approval status of the resource home in their state for compliance with Federal IV-B and IV-E.
 9. The TN ICPC Administrator will forward the ICPC Form 100B, Interstate ICPC Report on the Child’s Placement Status and accompanying documents to the Receiving State ICPC Administrator requesting at a minimum monthly supervisory contacts and quarterly written progress reports and services and/or service assistance to the child and resource in accordance to the family permanency plan.
 10. The TN ICPC Administrator will enter the date that the child was placed into the TFACTS ICPC screens.
 11. Upon receipt of the quarterly written progress reports, the TN ICPC Administrator will enter the date of such reports in to the TFACTS ICPC screens.
 12. In some cases, the receiving state resource usually a residential treatment or institutional facility placement or a contracted agency has been granted security to upload progress reports directly into

the TFACTS system. Under the ICPC, that facility or agency is accountable under the statute to forward copies of those reports through their State ICPC office/ Administrator.

13. Copies of the quarterly written progress reports submitted by the Receiving State ICPC Administrator are forwarded to the TN DCS Regional staff by the TN ICPC Administrator. These reports are to be maintained in the ICPC documents section in TFACTS electronic record or the Family Case File per TN DCS Policy [31.5, Organization of Family Case Files](#).
14. The TN DCS Regional staff who receives the quarterly written progress report is responsible coordinate as necessary with the TN DCS Regional PSD/RPS staff if appropriate. The TN DCS Regional PSD/RPS staff is to maintain documentation regarding the Resource home in the TFACTS electronic record or Foster Home Case File. DCS Policy [16.23, Foster Home Records](#).
15. The TN DCS Regional staff is to utilize the information contained in the Quarterly Progress Report at pertinent planning intervals including at Foster Care Review Boards, Permanency Hearings and other court reviews. DCS Policies: [16.32, Foster Care Review and Progress Reports](#); [16.33 Permanency Hearings, Protocol for Resource Eligibility Team \(RET\)](#).
16. The Receiving State is responsible to continue monthly supervisory contacts and quarterly written progress reports addressing the status of the child's placement and their safety, well-being and permanency until the child has completed treatment or been discharged from the facility; has achieved permanency through adoption; reaches the age of majority; becomes self-supporting or is discharged with the written concurrence of the Receiving State ICPC office. (Article Va)
17. The Receiving State ICPC Administrator is responsible to provide written concurrence to discharge further services to a child under the ICPC if the permanency goal is legal custody returned to parent or legal custody given to relatives or guardianship granted to relatives or others, or the Sending State's jurisdiction over the child may be terminated. The Receiving State ICPC Administrator will base concurrence upon the recommendations contained in the written progress reports. (Article Va)
18. All actions that require written concurrence from the Receiving State are subject to Court action on behalf of the child in TN before the ICPC Administrator can authorize closure of an ICPC instance in TFACTS ICPC Screens.
19. The TN ICPC Administrator will forward the concurrence and current Progress Report to the TN DCS Regional staff requesting the Region to take appropriate court action.
20. The TN ICPC Administrator will enter the appropriate dates/notice of concurrence in the TFACTS ICPC instance screens.

Closure

Article V. (a) "The sending agency shall retain jurisdiction over the child sufficient to determine all matters in relation to the custody, supervision, care and disposition of the child which it would have had if the child had remained in the sending agency's state until the child is adopted, reaches majority, becomes self-supporting or is discharged with the concurrence of the appropriate authority in the receiving state. Such jurisdiction shall also include the power to effect or cause the return of the child or its transfer to another location and custody pursuant to law."

1. The TN DCS Regional staff will initiate proper action to secure a TN Court order for the return of or transfer of custody; or finalization of an adoption or secure guardianship per TN DCS policy and to dismiss jurisdiction as appropriate. DCS Policy [15.8, Preparing Adoption Records for Archives; Case Closure Protocol](#).
2. Copies of all documents are to be retained in the TFACTS electronic file or Family Case File per TN DCS Policy [31.5, Organization of Family Case Files](#). Proper Case disposition will follow the TN DCS RDA or other designated procedures. Closure is documented appropriately in TFACTS. The TN DCS Regional staff will be responsible to enter the child as part of the household in the TFACTS as appropriate.
3. The TN DCS Regional staff will scan/e-mail or mail to the TN ICPC Administrator the [ICPC 100B, Interstate ICPC Report on the Child's Placement Status form CS-0523](#) form appropriately documenting court action and attach the TN court order, which has been signed and dated to the TN DCS State ICPC office within thirty (30) days or less of the TN court action.
4. The TN ICPC Administrator will forward the documents to the Receiving State authorizing the closure of the ICPC record. No further services are available under the ICPC.
5. The TN ICPC office will document the date and reason for the closure in the TFACTS ICPC screen; effectively authorizing the closure of the ICPC instance. No further services are available under the ICPC.
6. The TN DCS Regional staff will maintain a secure record and/or dispose of an ICPC record in accordance to appropriate RDA that governs both paper and electronic records.
7. The TN DCS Regional PSD/RPS staff will secure the Resource home record [Protocol for Resource Eligibility Team \(RET\)](#) ; DCS Policy [16.23, Foster Home Records](#).
8. The TN State ICPC Office working records will be disposed of in accordance to the appropriate TN DCS RDA. The TN ICPC Office record is not considered the permanent record on the child, but a working file. The documents maintained in the TN DCS ICPC Office record are copies and not originals.
9. The TN State ICPC Office e-records will be disposed of in accordance to Departmental rules regarding maintenance of and access to electronic records per TFACTS.

Disruption of a Tennessee Child Placed in another State Through ICPC:

With a determination that the placement of a TN DCS custodial child placed into another State under an approved ICPC, no longer meets the individual needs of that child including the child's safety, permanency, health, well-being and mental, emotional and physical development, or the child disrupts from that placement prior to achievement of permanency or the placement resource in the other State fails to maintain licensure or otherwise becomes inappropriate for the continued placement of the child, the Receiving State will advise the TN DCS Regional office and the respective ICPC offices and may request TN DCS to make alternate placement or request the immediate return of the child to TN. (Article V (a); Reg. #2, #4, #7, and #11)

1. TN DCS as the Sending State party with custodial responsibility for the child retains jurisdiction over the child and maintains responsibility to plan for the child and if determined appropriate, the responsibility to remove the child from a placement; replace the child and/or return the child to TN.
2. Within five (5) days of notice of a potential or imminent disruption, the child's assigned TN DCS Regional staff will schedule a Placement Stability CFTM to ascertain the child's safety and well-being and risk of imminent or long range harm and determine if it is appropriate to continue the placement. [Child and Family Team Meeting Guide](#); DCS Policy [16.27, Notice of Removal](#).
3. The Placement Stability CFTM will include pertinent parties including case manager/supervisor of the Receiving State agency, the placement Resource and child as needed, the child's GAL and others in the Sending State. Copies of the written results of the CFTM which will include specific action steps and timetables agreed upon among parties will be forwarded to the TN ICPC Administrator within twenty-four (24) hours of the CFTM. Refer to the [Child and Family Team Meeting Guide](#).
4. If the child needs to be returned, the TN DCS Regional staff will need to establish a placement for the child to return to and will contact the appropriate TN State Office Personnel to secure transportation or flight arrangements, providing dates and locations/airports needed to be addressed. Responsible contact is listed in the front of this Manual. In addition, TN DCS Regional Staff will be responsible to initiate process to reinstate child's TennCare and other benefits which may have been transferred and to appropriately cancel any resource board or other payments being provided to the Resource family.
5. The TN DCS Regional staff is responsible to notify pertinent parties in the Receiving State of the transportation or flight arrangements, dates, etc., and is responsible to identify how the child will be transported to the airport and who will be responsible to assure that the child is monitored/secure until the child is placed on the flight home and who will meet the child upon arrival and take responsibility for the child.
6. If the child needs escort, it is the responsibility of the TN DCS Regional staff to secure arrangements for escort.
7. In addition, the TN DCS Regional staff is responsible to authorize payment for emergency paid foster care if needed in the receiving state until the child can be picked up or returned to TN. [Protocol for Respite Care and Other Events](#) (supplemental to DCS Policy [16.8](#))
8. Once the disruption circumstances has been resolved, the TN DCS Regional staff needs to file or scan a written report to the TN ICPC Administrator along with an ICPC 100B which designates whether the child remained in the placement in the Receiving State and services expected in order to stabilize the placement /permanency or that the child has been re-placed in the Receiving State or that the child has returned to the State of TN temporarily and TN DCS anticipates a return of the child to the same Resource within thirty (30) days or TN DCS is requesting the ICPC record to be closed effective the date the child physically returned to the jurisdiction of the State of TN as the Resource will not be used nor further services required under the ICPC. Reg. # 0.01
9. The TN ICPC Administrator/Alternate will forward the documents to the Receiving State authorizing the appropriate action in TFACTS ICPC/ ICJ screens including closure of the ICPC instance/record. No further services are available under the ICPC.

Report of Abuse or Neglect: Such determination in response to a report of abuse or neglect of the TN DCS child placed in the receiving state to which the receiving state will respond in the same manner as it would to a report of abuse or neglect of any other child residing in the receiving state. If the receiving state determines that the TN DCS child must be removed from the placement resource in order to be safe, and it is not possible for the child-placing agency in the sending state to move the child at the time the determination was made, the receiving state will place the child in a safe and appropriate setting in the receiving state, promptly notifying the proper authorities in the sending state of the location of the child in the neutral setting.

The receiving state shall notify the central compact office in the sending state as soon as possible of any report of child abuse or neglect of a child placed in the receiving state regardless of whether or not the report is substantiated.

Upon notice, TN DCS Regional Office is to take action to ensure the ongoing safety of a child placement and arrange as appropriate to return of child to sending state as soon as possible when requested. TN DCS Regional Office is to arrange reimbursement to the receiving of any costs incurred as a result of placement in a substitute care after removing the child from an unsafe resource.

Children from Another State Placed in Tennessee:

Article III (a) & (b) and Article II (d): "Prior to sending, bringing or causing any child to be sent or brought into a receiving state for placement in resource care or preliminary to a possible adoption, or in a child-caring agency or institution, the sending agency shall furnish the appropriate public authorities in the receiving state written notice of the intent to send, bring or place the child into the receiving state."

Referral

Per ICPC Regulation #5: all Interstate referrals and associated ICPC documents and other matters to and from the State of Tennessee shall be processed through the TN DCS State ICPC office. Accordingly, the TN DCS State ICPC office is responsible to process/assign all interstate referrals and associated documents from the designated central office of each of the party states or the identified county office of the states of California and Colorado and Ohio to appropriate parties in the State of TN. The TN DCS State ICPC office will maintain records on all ICPC transactions through the TFACTS ICPC screens.

1. All ICPC Referrals received from another party state or from non-DCS entities in TN pursuant to compliance with the Interstate ICPC on the Placement of Children are required to contain the same documents as specified under *ICPC Referral Packets (see page 19) Section A-G*, of this Manual. Specific documents to be included in referrals for Border Agreements are also identified in the Border Agreements located in the BA tab on DCS Website: <https://www.tn.gov/dcs/program->

[areas/interstate-compact/icp/border-agreements.html](#) (ICPC Article I and Article III, Reg. # .01 , #2, #4, #7, #8 and #12)

2. Within 2-5 days of receipt of an ICPC referral in the TN State ICPC office from other party states or from non-DCS entities in TN, the TN ICPC Administrator will review the contents of the referral and establish that referral in TFACTS.
3. Within that same 2-5 day period, the TN ICPC Administrator will establish an ICPC paper record on each child and register each child on an Excel spreadsheet. Both the paper file and the Excel spreadsheet will be maintained on each child who remains involved in an active ICPC transaction.
4. Within the 2-5 day period, the TN ICPC Administrator will notify the Sending State ICPC Administrator or the in-state sending agent in writing, of additional information needed for a complete ICPC Referral requesting the additional information to be submitted to the TN DCS State ICPC office within ten (10) working days or less.
5. If the requested information is not provided within the 10 working days or a written notice provided by the Sending State ICPC Administrator or the in-state sending agent as to the reason the information or documents are not available and when they will be available, the TN ICPC Administrator is authorized to close the TFACTS ICPC Other Intake and either return the ICPC referral packet to the Sending State ICPC Administrator or the in-state sending agent or destroy the referral packet with notice to the Sending State ICPC Administrator or the in-state sending agent. The ICPC paper file will be destroyed and the Excel spreadsheet entry will be closed. No services will be available under the ICPC.
6. If the referral is deemed "complete", the TN ICPC Administrator will link or create a "family case" in TFACTS for each child in that referral. The TN ICPC Administrator will complete the ICPC Screens in TFACTS.
7. Each TFACTS ICPC Family Case will be assigned electronically in TFACTS to the appropriate TN DCS Regional office ICPC designee or designated TN licensed contracted agent or agency identified on the ICPC 100A form and documented through purchase of services contract pursuant to Article V (b) or to the designated RTC or Institution identified on the ICPC 100A Form. The assignment will identify the type of study requested and as appropriate, the supervision, progress report and/or other services needed, (ICPC Article I & Article III & Article V(b) , Reg. #5 , <https://files.dcs.tn.gov/intranet/cccw/KB/otherIntake/OtherIntake.pdf>).
8. The TN ICPC Administrator will attach a "cover transmittal" to the ICPC referral packet which identifies the documents in that referral, the specific study or service requested, identifies the specific DCS policy to use to conduct the study; specifies the date that the completed study or a status report is due in the TN ICPC office and specifies compliance with ICPC/ [Safe and Timely Interstate Placement of Children in Foster Care Act-PL 109-249](#). The transmittal also will document any special issues which may be part of the referral/request.

9. The TN ICPC Administrator will scan/e-mail or mail a copy of the ICPC referral to the designated TN DCS Regional staff for the county of residence of the placement resource or to the designated contracted agent or agency identified on the ICPC 100A form and documented by supporting documents such as purchase of services contract in the ICPC referral or to the designated RTC or Institution identified on the ICPC 100A.
10. With increased technology and user security, the use of scanning all or limited portions of an ICPC record including an ICPC referral is being addressed within TN and among and between party states. Currently, the TN DCS State ICPC office is authorized to scan documents through the Tennessee secure network to parties in TN and among some but not all other party states.
11. All ICPC documents are maintained by TN DCS Regional staff in the TFACTS electronic file or Family Case File per TNDCS Policy [31.5, Organization of Family Case Files](#). The Family Case File will include any original documents or signatures.

Study

"The appropriate authorities in a state where a child is to be placed may have full opportunity to ascertain the circumstances of the proposed placement, thereby promoting full compliance with applicable requirement for the protection of the child."

1. A child specific study or Safe and Timely Interstate Home Study report on potential placement resources in TN pursuant to placement of a child under the ICPC including parent, relatives, kin, foster and adoptive resources will be assigned to and conducted by TN DCS Regional staff in accordance to applicable federal and Tennessee statute, and policy , meeting timelines and contacts as prescribed unless otherwise directed to designated contracted agent or agency identified on the ICPC 100A form and/ or as documented by supporting documents such as purchase of services contract in the ICPC referral. (Article V (b)).
2. TN DCS Regional staff assigned responsibility to conduct a child specific study or Safe and Timely Interstate Home Study report on TN resources (parent or stepparent, relatives, kin, foster or adoptive resources) for a custodial child from another state will follow TN DCS policies and procedures and protocols as listed below:
 - ◆ [16.4, Foster Home Selection and Approval](#)
 - ◆ [16.8, Responsibilities of Approved Foster Homes](#)
 - ◆ [16.11 Shared Foster Homes](#)
 - ◆ [16.20, Expedited Custodial Placements](#)
 - ◆ [Contract Provider Manual](#)

3. If a DCS resource home wants to become a foster home serving medically fragile children/youth who are in the custody of another state department, the home must become a shared home with a contract agency that is approved to serve medically fragile children/youth. For the scope of services for a medically fragile child/youth, refer to the [Contract Provider Manual](#). (DCS Policy [16.46, Child Youth Referral and Placement](#);
4. All child specific studies or Safe and Timely Interstate Home Study reports on potential placement resources in TN pursuant to the ICPC which are assigned to TN DCS Regional staff or their contract agencies or an authorized public or private agency pursuant to Article V (b) or a Purchase of Services agreement issued by the Sending State are to be completed within the following timelines which are projected from TFACTS Intake Services Start Date:

Chart: Timelines for Completion of Study/Issuance of Placement Decision TN DCS/Contract Agency where “Start Date” is from the TFACTS Intake Services Start Date

ICPC Study	ICPC/Safe & Timely PL 109-239	DCS Policy	Time
ICPC Reg. #1 Intact Family Move	60 -180 calendar days	16.4	60 calendar days or less
ICPC Reg. #2 Expedited Custodial Assessment Parent/Reunification Study	60-180 calendar days	16.20 *	30 working days or less
ICPC Reg. #2 Relative/Kin Study	60-180 calendar days	16.20	60 calendar days or less
ICPC Reg. #2 Foster Resource (Licensed or Approved)	60-180 calendar days	16.4	60-180 calendar days
ICPC Reg. #2 Adoptive Resource (Licensed or Approved)	60-180 calendar days	16.4	60-180 calendar days
ICPC Reg. #2 Status Change	60-180 calendar days	16.4	60-180 calendar days
ICPC Reg. #7 Priority Study (Parent)	20 working days or less	16.20	20 working days or less
ICPC Reg. #7 Priority (Relative)	20 working days or less	16.20	20 working days or less

ICPC Reg. #7 Provisional Decision (w- agreement)	7 calendar days or less	16.20	7 calendar days or less
Border Agreements	As prescribed in BA	16.20	As prescribed in BA
Group Home/Child Caring/Residential Treatment/Institutional Care under Article VI	Licensure 3 working days or less	Licensure	3 working days or less

4. Within seven (7) working days of the assignment date as documented in the TFACTS, the assigned TN DCS Regional PSD/RPS staff or designated study preparer will contact the identified placement resource. The TN DCS Regional PSD/RPS staff or designated study preparer will identify the purpose for the contact, provide an overview of the reason for the contact, identify the home study process and approval requirements and time schedule and assess their interest. The assigned TN DCS Regional PSD/RPS staff or designated study preparer will initiate the home study process as prescribed in relevant TN DCS Policies: [16.20](#) or [16.4](#) or [16.11](#) or [16.8](#) or [Contract Provider Manual](#) Standards and as directed on the TN ICPC transmittal and document in TFACTS.
5. If the child specific study or Safe and Timely Interstate Home Study report requested is not able to be completed within the projected timeline, by the due date, the TN DCS Regional PSD/RPS staff or designated study preparer is to document the barriers to completion, action steps to be taken and project an alternate date as to when study or report will be completed. Such documentation is entered into TFACTS by the TN DCS Regional PSD/RPS staff and the Regional Resource Home file; concurrently, the TN DCS Regional PSD/RPS staff will file a written status report which includes those details by scan/e-mail to the TN ICPC Administrator. The same status report is to be prepared, entered into TFACTS with a written report filed with the TN ICPC Administrator, every subsequent thirty (30) days, until the child specific study or Safe and Timely Interstate Home Study report is completed and/or a decision regarding the placement resource is issued on appropriate DCS documentation. (TN DCS Policies: [16.20](#), [16.4](#), [16.8](#), [16.11](#), [Contract Provider Manual](#))
6. If the requested child specific study or Safe and Timely Interstate Home Study report includes the requirement to complete TN KEY training, the assigned TN DCS Regional PSD/RPS staff or designated study preparer will provide the placement resource with specific information regarding the next available TN KEY class upon initial contact. In addition, the assigned TN DCS Regional PSD/RPS staff or designated study preparer will address specific information regarding availability of modified TN KEY training format and assignment to the Regional Training Contract. (TN DCS Policy [16.4](#))
7. Pertinent to the type of child specific study or Safe and Timely Interstate Home Study report requested/conducted, the TN DCS Regional PSD/RPS staff or designated study preparer will document contacts of the study process, identifying progress and status of the study process either in the resource home record and/or in the TFACTS case recordings. (DCS Policies: [16.20](#), [16.4](#), [16.8](#))

8. Per P.L.109-239, any Safe and Timely Interstate Home Study report issued in relationship to a relative study per TN DCS Policy [16.20, Expedited Custodial Placements](#), or a relative study upgrade ([16.20](#)) to Foster/Adoptive study ([16.4](#)) or a Foster/Adoptive Study ([16.4](#)), or a re-assessment or update to Foster /Adoptive Study per TN DCS Policy [16.8, Responsibilities of Approved Foster Homes](#) or [16.11, Shared Foster Homes](#) wherein all the requirements of the requested study process has not been fully met, that Safe and Timely Interstate Home Study Report constitutes a “notice of circumstances of the resource in the Receiving State”. No decision will be granted on an ICPC 100A until and unless the TN Resource meets study requirements under TN DCS Policies [16.4, Foster Home Selection and Approval](#), [16.8, Responsibilities of Foster Homes](#), [16.11 Shared Foster Homes](#) and [16.20, Expedited Custodial Placements](#). ICPC Reg.# 1(6(a-b) , #2(7 (a-b)),& #3 (30-g);
9. Per P.L.109-239, the TN ICPC Administrator will submit the Safe and Timely Interstate Home Study report to the sending state, without a decision on the ICPC 100A stating that Safe and Timely Interstate Home Study report does not meet Departmental policy/requirements which validate the placement resource as an approved relative or foster or adoptive placement nor provides full legal or financial protections for the child as designated under the ICPC. No decision will be granted on an ICPC 100A until and unless the TN Resource meets study requirements under TN DCS Policies [16.4, Foster Home Selection and Approval](#), [16.8, Responsibilities of Approved Foster Homes](#), [16.20, Expedited Custodial Placements](#) and [16.11, Shared Foster Homes](#) as evidenced in the study document.
10. Per P.L.109-239, the Sending State will have fourteen (14) days after receipt of a Safe and Timely Interstate Home Study report issued to notify the TN ICPC Administrator by written notice whether placement will be made or whether the ICPC Referral is being withdrawn or of their continued interest in pursuing the placement after approval on the ICPC 100A.
11. Per P. L. 109-239, the Sending State may take the following action:
 - a) **Placement Made (Violation of Article III):** Placement made without a decision on the ICPC 100A is in violation of Article III of the ICPC, places the child “at risk”. The responsibility for the child and the resource is vested with the Sending State. Upon notice of this action, the TN ICPC Administrator will document the Violation of Article III in TFACTS and authorize the closure of the TFACTS ICPC “case” , the Excel registration and the destroy the paper file. No further services are available under the ICPC.
 - b) **ICPC Referral Withdrawn:** The Sending State may determine to withdraw the request for a child specific study or Safe and Timely Interstate Home Study report on the TN Resource based on the information in the report. The Sending State will execute an [ICPC 100B, Interstate ICPC Report on the Child's Placement Status \(CS-0523\)](#) advising that the “Referral Withdrawn” prior to completion of the study. Upon receipt, the TN ICPC Administrator will document the Withdrawal in TFACTS and authorize the closure of the ICPC case as “Referral Withdrawn.” No further services authorized under the ICPC.
 - c) **Defer Placement pending Approval:** The Sending State may determine to defer the placement pending approval and will provide written notice of their intent to defer the placement of the child with the proposed placement until additional information has been secured on the Resource and a decision issued under the ICPC 100B is required for a notice of intent to defer placement.

12. A decision (approval/denial) as a result of child specific study or Safe and Timely Interstate Home Study report conducted on a TN parent, relative, kin, foster/adoptive Resource pursuant to an ICPC referral is both generic and child-specific. The child specific study or Safe and Timely Interstate Home Study report documents the reasons for the decision regarding the resource home including addressing any exceptions or waivers noted, identify the general characteristics of the home, specify financial/medical and other service supports which may be needed to support a placement, and document the reasons for the decision regarding the specific child and their placement with that specific TN resource. The child specific study or Safe and Timely Interstate Home Study report presented on DCS forms and is signed and dated by appropriate TN DCS Regional PSD/RPS staff or study preparer and supervisor(s) as designated in DCS Policies: [16.20](#), [16.4](#), [16.11](#), [16.8](#), or Licensing standards.
13. All “relative or kin” resources approved under [16.20, Expedited Custodial Placements](#), for a child or children from another party state must be advised of the TN requirement that they must meet requirements of DCS Policy [16.4, Foster Selection and Approval](#), become an approved TN DCS foster home within 120 days of a placement. DCS Policy [16.20](#), [16.4](#).
14. All relative resources including those TN Resources identified pursuant to an ICPC Referral from another state on a custodial child must meet all initial and continuing requirement/qualifications as any TN DCS Resource per TN DCS policies [16.3, Desired Characteristics of Foster Parents](#) and [16.4, Foster Home Selection and Approval](#) and [16.20, Expedited Custodial Placements](#). The ICPC Resource Home is considered as a TN DCS Regional Resource home and properly entered as a Resource Home Listing in the TFACTS by the TN DCS Regional PSD/RPS staff. The ICPC Resource Home may be considered as a placement Resource under the provisions of the Department’s Unified Placement Plan and is subject to review and monitor [RET](#) protocol.
15. All relative Resources including TN Resources identified pursuant to an ICPC Referral from another state on a custodial child who do not meet qualifications as a TN DCS Regional Resource home and/or are denied as a TN DCS Regional Resource Home Resource are to be listed in the Resource Home Listing in the TFACTS by the TN DCS Regional PSD/RPS staff. The ICPC Resource Home is not to be considered for placement of children in the custody/guardianship under the Department’s Unified Placement Plan. A denial of the ICPC relative Resource under this section will automatically constitute a denial of the specific child or children for placement pursuant to the ICPC. The TN DCS Regional PSD/RPS Staff or study preparer is responsible to notify the proposed Resource home in writing of the reasons for the denial, and to include information regarding pertinent appeal processes as specified in TN DCS Policies [16.7, Foster Family Recruitment and Retention](#), [16.20 Expedited Custodial Placements](#), and [Resolution of Disagreements and/or Conflicts between Foster Parents and DCS](#) as appropriate.
16. If the child specific study or Safe and Timely Interstate Home Study report does not recommend placement of the specific custodial child identified in the ICPC, the reasons for that denial of that specific child must be included in the child specific study or Safe and Timely Interstate Home Study report narrative, which is produced on TN DCS letterhead or form or other designated form. The TN DCS Regional PSD/RPS Staff or study preparer is responsible to provide the reasons for their determination to deny the placement of the specific child with the Resource and to inform the Resource of pertinent appeal processes as specified in TN DCS Policy [16.7, Foster Family Recruitment and Retention](#), [16.16, Denial, Closure, Suspended Admissions, or On-Hold Status of](#)

[Foster Homes](#), and [Resolution of Disagreements and/or Conflicts between Foster Parents and DCS](#) as appropriate.

Note: A study which results in the denial of placement of the specific child due to the characteristics of that child in the relative or foster or adoptive resource home does not automatically designate that the placement resource is not approvable as a TN DCS Regional Resource Home and does not automatically close the TN DCS Regional Resource Home for consideration for placement under the Region's Unified Placement Plan in TFACTS.

17. If the study or report concludes that the parent or relative resource has met all of the requirements under TN DCS Policy [16.20, Expedited Custodial Placements](#) as an expedited Resource only pending further training/ fingerprint checks etc. and supports the placement of the specific identified child in the ICPC referral, the narrative must conclude with:
 - ◆ Confirmation that the Resource is appropriate for the specific child or children as an expedited placement only;
 - ◆ Any placement is considered "at-risk" as the Resource has not met full policy requirement as a TN DCS foster/adoptive Resource; and
 - ◆ As such, does not meet requirements for IV-E federal financial reimbursement until those qualifications are met. The study narrative must also contain action steps and projected time frames needed to complete all requirements under TN DCS Policy [16.4, Foster Home Selection and Approval](#).
18. If the study or report concludes that the relative /kin resource has met all requirements under TN DCS Policy [16.4](#) and supports the placement of the specific child identified in the ICPC referral, the narrative must conclude with confirmation:
 - ◆ The Resource is an approved foster/adoptive Resource for the State of TN;
 - ◆ The Resource is approvable for "x" number of children, ages (range) with certain characteristics;
 - ◆ Currently is certified as meeting the requirements for IV-E Federal Financial reimbursement; and
 - ◆ A statement of recommendation for the placement of the specific child identified in the ICPC referral.
19. All recommendations/ conclusions which result from a study or report are to be addressed with the placement Resource by the TN DCS Regional PSD/RPS staff including whether the Foster home is approvable as a TN DCS Foster or Adoptive Resource and the decision regarding placement of the specific child. In addition, the Resource will be notified as to whether they are IV-E certified and also, their right to a supervisory review or appeal pursuant to TN DCS Policy [16.16, Denial, Closure, Suspended Admissions, or On-Hold Status of Foster Homes](#) or equivalent licensing standards.
20. The TN DCS Regional PSD/RPS staff is responsible to establish the TN DCS Regional Foster Home into the TFACTS. Policy [16.23](#)

21. The TN DCS PSD/RPS staff or authorizing TN DCS Regional personnel will mail or scan/ e-mail one completed study including all signatures and required documents and with verifications of entry in TFACTS to the TN DCS State ICPC office.
22. Per Article III (d), the TN ICPC Administrator is the authorizing agent for the State of Tennessee to issue the written notice of the decision regarding the placement of a child into TN on the ICPC Form 100A, Interstate ICPC Placement Request, and Section IV. Once the TN DCS Regional PSD/RPS staff has filed the completed study and properly established the Foster Home in TFACTS, the TN ICPC Administrator will issue the decision.
23. No study or report alone is valid for an interstate placement under the ICPC without a properly signed [ICPC 100A, Interstate ICPC Placement Request](#). No study or report will be submitted directly to the Sending State ICPC Administrator or to local sending state agent by any means or mode without express permission of the TN ICPC Administrator.
24. The TN DCS resource Home approved as the result of an ICPC referral will remain active on the Regional level in the TFACTS and available under the Region's Unified Placement Plan. The TN DCS Regional PSD/RPS staff is responsible to provide periodic monitoring of the foster home as required by TN DCS [16.23, Foster Home Records](#), i.e., quarterly if no child is in placement or monthly if a child is placed; file and maintain reports on the foster home in the appropriate file, etc.
25. The ICPC case in the TFACTS will be assigned by the Regional TC or TL to the TN State ICPC Administrator who will maintain the ICPC case active until issuance of a decision by the Sending State as to whether the approved placement will be used, or closure is authorized.

Decision:

Article III (d): "The appropriate public authorities in the receiving state shall notify the sending agency, in writing to the effect that the proposed placement does not appear contrary to the interest of the child. "

1. TN ICPC Administrator will issue a decision on the [ICPC Form 100A, Interstate ICPC Placement Request](#) and submit notice of the decision to the Sending State ICPC Administrator. TN ICPC Administrator will notify the TN DCS Regional PSD/RPS staff or appropriate party by scanning/e-mailing a copy of the TN ICPC transmittal and the [ICPC Form 100A Interstate ICPC Placement Request](#). TN ICPC Administrator will enter the decision into the TFACTS.
2. If placement is denied, TN ICPC Administrator will deny the ICPC Form 100A and notify both the Receiving State and the TN DCS Regional PSD/RPS, or appropriate party. TN ICPC will authorize the closure of the ICPC case in the TFACTS as "placement denied." No further services are available under the ICPC for this child. The TN DCS Regional PSD/RPS staff or appropriate party is to retain a copy of the ICPC Form 100A and the child specific study or Safe and Timely Interstate Home Study report results in the TFACTS electronic file or Family Case File per TN DCS Policy [31.5, Organization of Family Case Files](#).
3. If the placement of the child is denied under the ICPC, the TN DCS Foster Home can remain open and available in the TFACTS pursuant to the Region's Unified Recruitment and Retention Plan. The utilization of and disposition of the Foster Home and the Foster Home Case File will be in accordance to TN DCS policy and the responsibility of the Region.

4. If placement is approved, TN ICPC Administrator will approve the ICPC Form 100A and notify both the Sending State ICPC office and the TN DCS Regional PSD/RPS staff that the placement is authorized. Copies of the ICPC Form 100A and the child specific study or Safe and Timely Interstate Home Study report will be forwarded by mail or scan/e-mail to the Sending State ICPC administrator and the TN DCS Regional PSD/RPS staff who will maintain a copy of the ICPC 100A and the study or report in TFACTS electronic file or Family Case File per TN DCS Policy [31.5, Organization of Family Case Files](#). TN ICPC Administrator will also enter the decision into the TFACTS.
5. A placement, which is approved under the ICPC, is valid for a period of six (6) months commencing with the date when TN ICPC Administrator/ signed and dated the document. The ICPC Case remains open in the TFACTS in the caseload of the TN ICPC Administrator for that period unless otherwise directed.
6. The Resource Home can remain open pursuant to the TN DCS Unified Recruitment and Retention Plan. The disposition of the Foster Home Case File will be in accordance with TN DCS policy [16.23, Foster Home Records](#).
7. Pursuant to ICPC Regulation #2, the Sending State may request reconsideration of an ICPC placement denial issued by TN DCS Region. The Sending State may request reconsideration of a denial within ninety (90) days from the date of the denial on the ICPC 100A. The request can be with or without a new home study.
8. Request reconsideration without a new study: The Sending State ICPC may request TN DCS ICPC to reconsider the denial of the placement of the child with the TN placement Resource by submitting to the TN ICPC Office Administrator by scan/e-mail, a cover letter which includes an explanation for the request for reconsideration, along with a new ICPC 100A and documentation of new evidence or corrected conditions to be reviewed or re-examined and considered by the Receiving State. The TN ICPC Administrator will execute a new request into TFACTS and assign the request/review to the appropriate TN DCS Regional personnel.
9. The TN DCS Regional personnel assigned has sixty (60) calendar days from the date the formal request for reconsideration of a denial to issue a report/decision to uphold or reverse the denial previously issued.
10. The TN ICPC Administer will document the approval/denial to all parties as specified.
11. After ninety (90) days from the date of the denial on the initial ICPC 100A, no further reconsideration of that decision can be made. However, nothing precludes the Sending State from requesting a new study.

Case Management:

Article V (a): . . . The sending agency shall continue to have financial responsibility for support and maintenance of the child during the period of placement. . . (b) When the sending agency is a public agency, it may enter into an agreement with an authorized public agency or private agency in the receiving state

providing for performance of one or more services in respect of such case by the latter as an agent for the sending agency” “ DCS Policies: [3.27](#), [3.33](#)

1. The Sending State is required to file an ICPC Form 100B Interstate Compact Report on Child's Placement Status within the six (6) months period of the date of the signature on the ICPC 100A Interstate Compact Placement Request , Section IV to notify TN DCS ICPC State Office whether the Regulation #2 or Reg. #7 placement will be used. Reg. 0.01, Reg. #6
2. Upon receipt of the [ICPC Form 100B](#), wherein the Sending State has advised that the approved placement will not be used, the TN ICPC Administrator will enter the date the Sending State has determined that the “approved placement will not be used” into TFACTS. TN ICPC Administrator will authorize the closure of the ICPC case as “approved placement will not be used”. No placement is authorized nor further services under the ICPC. Per TN DCS policy [31.5, Organization of Family Case Files](#), the TN ICPC transmittal and the ICPC 100B are retained in the TFACTS electronic file or the ICPC portion of the Family Case File subject to disposition of the record will be in accordance with the TN DCS RDA.
3. Upon receipt of the [ICPC Form 100B](#), wherein the Sending State has advised that placement has been made, the TN DCS Administrator will enter the placement date into the TFACTS. The TN ICPC Administrator will scan and e-mail the ICPC Form 100B to the TN DCS Regional PSD/RPS staff or home study preparer and the designated ICPC supervisor in the Region currently assigned to the case in TFACTS requesting if necessary that the ICPC case be re-assigned to a more appropriate TN DCS Regional staff for supervision and case management. The ICPC Form 100B and transmittal will be cc'd to the Regional CWBC Specialist, Ed Specialist and Health Advocate.
4. Case management services to be provided to an ICPC placement include at a minimum:
 - a) Contact at a minimum of every thirty (30) days with the child and Resource home as prescribed in TN DCS, ICPC Regulation #11 Responsibility of States to Supervise Children and Section 422 of the Federal Social Security Act; and TN DCS policies [16.8, Responsibilities of Approved Foster Homes](#), [16.11, Shared Foster Homes](#) and [16.23, Foster Home Records](#).
 - b) Assistance in identifying vendors and services available to the child and family in the community to address needs outlined on the family permanency plan and enhance stability of the placement and enhance permanency and making referrals as appropriate; and securing other services on behalf of the child and family which would be available to them as a TN resident.
 - c) Quarterly progress reports provided at a minimum every ninety (90) days on designated TN DCS forms that address the child's safety, well-being and progress toward permanency.
 - d) Quarterly reports provided at a minimum every ninety (90) days on designated TN DCS forms which address the Resource home and its continued appropriateness for the placement.
5. The assigned TN DCS Regional PSD/RPS staff will initiate contact with the child and the placement Resource within seven (7) working days of receipt of the ICPC 100B Notice of Placement. The assigned TN DCS Regional PSD/RPS staff will establish a supervisory schedule and will provide case management services on behalf of the child and the placement Resource and document these services in the TFACTS.
6. The assigned TN DCS Regional PSD/RPS staff is responsible to assist in implementing the child/youth's family permanency plan as outlined by the sending state. The TN DCS Regional

PSD/RPS staff will document reunification services, and or identify vendors/services in the Region to assist in the services outlined on the family permanency plan with contacts will be documented in the TFACTS.

7. The TN DCS Regional PSD/RPS staff is responsible to provide services to the TN placement Resource in accordance to TN DCS Policies [16.8, Responsibilities of Approved Foster Homes](#), [16.11 Shared Foster Homes](#), [16.23, Foster Home Records](#), and [RET](#) Protocol; maintaining appropriate periodic contacts; filing and maintaining reports monthly or quarterly as required as the Resource home meets and is to maintain all responsibilities and requirements as an approved TN DCS Resource home. Contacts and services are documented in the TFACTS.
8. The assigned TN DCS Regional PSD/RPS staff will be responsible to monitor the child and the Resource home monthly and document the progress of the child and the progress of the Resource Home in TFACTS. The reports serve as the departmental documentation of the activities and progress of the child in meeting the objectives of the family permanency plan and the continued appropriateness of the placement Resource in meeting the needs of the child and pursuing permanency.
9. Quarterly (every 90 days) a written summary or compilation of the monthly progress reports on the child and the placement Resource is scanned/e-mail to the TN ICPC State Office, TN ICPC Administrator. One copy of the written summary or compilation or the monthly progress report(s) are to be retained in the Family Case File per TN DCS Policies [16.23, Foster Home Records](#) and [31.5, Organization of Family Case Files](#). The written progress report serves as the official departmental record which identifies actions taken on behalf of this child and Resource and identifies areas of stability and/or in-stability or incompleteness or need for improvement for the child and the approved Resource to achieve the desired permanency.
10. The TN DCS Regional PSD/RPS staff is responsible to maintain the Resource home as valid, including determination of all requirements. The TN DCS Regional PSD/RPS staff is responsible to initiate the biennial re-assessment of the home as required by TN DCS Policy [16.8, Responsibilities of Approved Foster Homes](#) (Protocol: [RET](#)), notify Resource home of the required training topics and hours etc. to maintain their approval as a TN DCS Resource Home and their status as eligible under Title IV-E.
11. The TN DCS Regional PSD/RPS staff may initiate a Child and Family Team Meeting (CFTM) or equivalent to include the sending State custodial representatives as a case management tool during the course of supervision of the placement to sustain activities involved in the placement and to assist in achieving stability and permanency for the child or as prescribed in the DCS [Child and Family Team Meeting Guide](#).
12. When the progress of a child in a placement supports the permanency goals, the assigned TN DCS Regional staff will initiate a discharge Child and Family Team Meeting (CFTM) and the sending state custodial representative must be invited to participate via telephone.
13. The TN DCS Regional staff will scan/e-mail documentation of the discharge CFTM as a progress report the TN ICPC Administrator. The Progress report will conclude with a recommendation regarding permanency and a request for closure of the ICPC instance.

Closure:

Article V. (a) "The sending agency shall retain jurisdiction over the child sufficient to determine all matters in relation to the custody, supervision, care and disposition of the child which it would have had if the child had remained in the sending agency's state until the child is adopted, reaches majority, becomes self-supporting or is discharged with the concurrence of the appropriate authority in the receiving state. Such jurisdiction shall also include the power to effect or cause the return of the child or its transfer to another location and custody pursuant to law."

1. The TN ICPC Administrator will submit the documentation and concurrence as appropriate to notify the Sending State ICPC office and request proper legal documents and an [ICPC Form 100B Interstate ICPC Placement Status Report](#) to close the ICPC Case. Processing of this documentation will be entered into the TFACTS by the TN ICPC Administrator.
2. Upon receipt, the TN ICPC Administrator will mail and scan and e-mail the documents to the assigned TN DCS Regional staff authorizing closure of the ICPC instance in the TFACTS.
3. Copies of all documents are to be retained in the Family Case File per TN DCS Policy [31.5 Organization of Family Case Files](#) and will follow the TN DCS RDA for the proper case disposition. Closure will be documented appropriately per the TFACTS.
4. The TN ICPC State Office records will be disposed of in accordance to the TN DCS RDA. The TN ICPC office record is not considered the permanent record on the child. The documents maintained in the TN ICPC Office record are copies and not originals. The TN ICPC office e-records will be disposed of in accordance to Departmental rules regarding maintenance of and access to electronic records in the current child-welfare information system. [Chapter 33](#)
5. As noted previously, the closure of an ICPC case through permanency impacts the child; closure of the child's ICPC instance does not automatically close the foster Home. The TN DCS Regional PSD/RPS staff will determine whether the approved TN DCS Foster Home remains active or is closed.

Disruption of a Child from another State Placed in Tennessee through ICPC

1. With a determination that the placement of a custodial child placed into TN under an approved ICPC, no longer meets the individual needs of that child including the child's safety, permanency, health, well-being and mental, emotional and physical development, or the child disrupts from that placement prior to achievement of permanency or the placement resource in the other State fails to maintain licensure or otherwise becomes inappropriate for the continued placement of the child, TN DCS Regional Office will advise the Sending State and the respective ICPC offices and may request

that sending state to make alternate placement or request the immediate return of the child .

(Article V (a); Reg. #2,#4, #7, and #11)

2. If a disruption appears to be imminent, the TN DCS Regional FSW has primary responsibility to notify the Sending State case manager and the TN ICPC Administrator directly that a disruption may occur. The TN DCS Regional FSW must initiate a disruption CFTM to include the sending state and custodial representative and child as appropriate via the telephone. A written statement of the circumstances which lead to the disruption meeting along with the team's proposed resolution will be directed to the TN ICPC Administrator within twenty-four (24) hours of the CFTM. This report must advise whether the child will be removed from the approved placement, identify where the child is located if removed, and identify the action that TN DCS would recommend the Sending State to take to secure the child's safety and well-being and to reduce any further trauma.
3. Upon notice of a disruption, the TN ICPC Administrator will forward the notice and any other information by scan/e-mail to the Sending State ICPC office and request coordination between their office and the local office.
4. If the placement becomes contrary to the interest of the child based on action of the placement Resource, the TN DCS Regional PSD/RPS staff and FSW have dual responsibility to notify the Sending State case manager and the TN ICPC Administrator directly. A disruption of the placement of a child, whether placement was initiated through ICPC or not, due to closure of the TN DCS Resource Home must be in collaboration between TN and the Sending State.
5. The TN DCS Regional PSD/RPS staff and the FSW must initiate a disruption CFTM to include the sending state and custodial representatives, the placement Resource and the child as appropriate. TN DCS Policy regarding closure of a TN DCS Resource Home must be taken into account including any due process available to the Resource parents. A written statement of the circumstances which lead to the disruption along with the teams proposed resolution will be directed to the TN ICPC Administrator within twenty-four (24) hours of the CFTM. The most critical course of action will be for the child to return to the jurisdiction of the Sending State and the ICPC record closed. Again, every effort must address the safety and well-being of the child and reduction of trauma.
6. The Sending State retains jurisdiction over the child and maintain responsibility to plan for the child including the responsibility to remove the child from a placement. The Sending State is responsible for all arrangements for the child during the disruption period while the child remains in TN including an emergency placement pending return, payment for emergency placement and services provided; hospitalization or medical services and transportation arrangements.
7. The Sending State maintains responsibility to remove the child from a placement and return the child to the sending state within five (5) working days unless alternative timeframes have been established for the return of the child or alternate plans have been established to the agreement of all parties to support the child remaining in the placement with additional services or alternate plans have been established for re-placement in an approved Resource in TN.
8. The responsibility to file the notice of closure in both of these circumstances is that of the Sending State.

Report of Abuse or Neglect/ SIU: Such determination in response to a report of abuse or neglect of the TN DCS child placed in the receiving state to which the receiving state will respond in the same manner as it would to a report of abuse or neglect of any other child residing in the receiving state. If TN SIU determines that the child/youth must be removed from the TN DCS placement resource in order to be safe, and it is not possible for the child-placing agency in the sending state to move the child at the time the determination was made, TN DCS Regional office will place the child in a safe and appropriate setting in the receiving state, promptly notifying the proper authorities in the sending state of the location of the child in the neutral setting.

TN SIU shall notify the central compact office in the sending state as soon as possible of any report of child abuse or neglect of a child placed in TN regardless of whether or not the report is substantiated.

Visits of a Child into another State

1. Under ICPC Regulation #9, a “placement” of a child and a “visit” for the child are two (2) distinct events distinguished on the basis of purpose, duration and intention of the person or agency responsible for the child’s placement.
2. A “visit” is defined as a social or cultural experience of short duration, which has an express beginning and ending date which are thirty (30) days or less or falls within the period of a child’s vacation from school based on the child’s academic calendar.
3. A “visit” may not be extended or renewed by the Department or a court in a manner which causes or will cause it to exceed the thirty (30) days or the school vacation period.
4. The “visit” is with a parent or relative or significant kin who is known to the child and who is not and will not assume legal or physical responsibility for the child to the extent that a claim for financial assistance may be filed or enrollment in school or responsibility for medical service except in an emergency is authorized during the “visit”.
5. No study, background checks or supervision of the “visit” Resource is necessary nor will be authorized.
6. A “visit” which does not from the outset have a documented express beginning and ending (terminal) date or if its duration is not clear from the circumstances, shall be considered a placement or a proposed placement and not a “visit”. Such constitutes a violation of Article III and I of the ICPC and places the child “at-risk”.
7. A request for a home study or supervision filed by TN DCS Regional staff while a child is on a “visit” or that is pending at the time that the “visit” is proposed will establish a rebuttal presumption that the intent of the stay or proposed stay is a placement not a “visit”.
8. A Trial Home Visit ordered by a TN court on a TN DCS custodial child is identified as a placement not a “visit” as the terms and conditions of such an order issued by the Tennessee court typically does

not establish the temporary nature of the “visit” nor anticipates that the child will return to the State of TN DCS.

9. The TN DCS Regional staff is responsible to arrange for a visit of a child in TN with a parent, relative or significant kin in another State or as a visit of a sibling with a child who is in an out-of-state placement will need to document the child’s case record in accordance with TN DCS Policy [16.43 Supervised and Unsupervised Visitation Between Child-Youth, Family and Siblings](#). The authority and responsibility for child during the visit remains with the TN DCS Region.
10. Documentation entered into the child’s record in the TFACTS will specify the requirements noted in the ICPC Regulation #9 definition. These requirements must be clearly enunciated and agreed to with the parent, relative or significant kin with whom the child is to “visit”.
11. A child who remains in a “visit” for over thirty (30) days with a Resource which has not been assessed under provision of the ICPC or in accordance to TN DCS policy is considered to be in an un-approved placement in violation of ICPC Article III and “without proper guardianship”.
12. The child is considered “at risk” and subject to a protective services referral. Protections and services including supervision allowable under the ICPC are not available to the child in the receiving state.

Purchase of Services Pursuant to *TCA 37-4-201*:

1. Pursuant to *TCA 37-4-201* ET. seq., Article V (b) "When the sending agency is a public agency, it may enter into an agreement with an authorized public or private agency in the receiving state providing for the performance of one or more services in respect of such case by the latter as agent for the sending agency."
2. TN DCS Network Development has formally established agreements with an authorized public or private agency or institutions in the receiving state to provide for the performance of services except in a case by case basis.
3. TN DCS has established an agreement with Youth Villages through the TN continuum of service to provide for RTC services for TN DCS children that is subject to approval under the ICPC.

Purchase of Services Pursuant to ICPC P.L. 109-239:

1. Pursuant to compliance with the new P.L. 109-239 Safe and Timely Interstate Placement of Resource Children Act of 2006 Section 4: Home Studies: "States should use private agencies for home studies if necessary to meet the sixty (60) day requirement."
2. To meet the provisions above, each Region of the Department has entered into a contractual relationship with a designated licensed child-caring agency to provide permanency services including kinship, Resource and Interstate Family Home Studies and Tennessee Knowledge Empowers You (TN KEY) Training for Resource families. The scope of services provides financial and program supports for the completion of a valid study within the sixty (60) calendar day turn-around, and includes training and education of the Resource consistent with the requirements of TN DCS and the receiving State, which include results of criminal history background checks (5 years back) FBI fingerprint results etc. The contract provisions will require the contractor to conduct the home study/verification portion simultaneously/concurrently with (TN KEY) Training and fingerprint clearance.
3. Monitoring of the contracts has provided a mix results especially in light of ICPC studies. The Department is continuing to evaluate the use of contracted services for studies both in-state and out of state.

Appendix A

ICPC Forms and Work Aids

[CS-0796 ICPC Referral Checklist-Instructions](#)

ICPC Sample Cover Letter (Per Sample in Appendix B)

[CS-0957 ICPC Placement Resource Statement of Confirmation-Reg. #7 and Border Agreement-Instructions](#)

[CS-0958 ICPC Placement Resource State of Confirmation – Reg. #2-Instructions](#)

[CS-0525 ICPC 100A Interstate ICPC Placement Request-Instructions](#)

[CS-0523 ICPC 100B Report on Child's Placement Request-Instructions](#)

[CS-0682 Expedited Placement Assessment Summary - Instructions](#)

[CS-0927 Border Agreement Kinship Home Placement Checklist and Consent for Medical Treatment](#)

[CS-0928 Border Agreement Non-Custodial Immediate Safety Plan](#)

[CS-0929 Border Agreement Non-Custodial Consent for Transportation](#)

Interstate ICPC on the Placement of Children- Articles I-X:

<https://aphsa.org/AAICPC/AAICPC/Resources.aspx>

Interstate ICPC on the Placement of Children-Regulations .01-12:

<https://aphsa.org/AAICPC/AAICPC/Resources.aspx>

***16.20 ICPC Parent/Guardian Placement Study Procedure (attached)**

Appendix B

SAMPLE ICPC REQUEST LETTER



STATE OF TENNESSEE

DEPARTMENT OF CHILDREN'S SERVICES

American County

P.O. box 444

Scenic, Tennessee 30000

615-555-1111

(Date)

TN DCS ICPC Office Attn: (TN ICPC DCA/Alternate)

315 Deaderick Street

9th Floor USB Building

Nashville, Tennessee 37243-1000

RE: Children: Joel Smithson (DOB and TFACTS Personal ID #) *

Randy Smithson (DOB and TFACTS Personal ID #)*

Georgianna Brown (DOB and TFACTS Personal ID #)*

Parents: Daniel and Barbara Smithson (TFACTS Case ID #) *

Placement Resource: John and Beverly Rice (Maternal aunt & uncle)

250 Main Street

Dayton, OH 40000

Telephone: 123-123-1234

(This paragraph is an introduction statement) EXAMPLE: American County TN DCS is requesting an ICPC Regulation #2 parent or relative or kin or resource or adoptive study or ICPC Regulation #7 Expedited parent or relative study on John and Beverly Rice, 250 Main Street, Dayton OH 40000 who are the maternal aunt and uncle of the above named children.

(This paragraph is used to identify the “sending agent”, legal status of the child or children involved in the ICPC, brief statement as to how and when child or children came into care, current placement date of current placement, whether the child/children had previously been placed with placement Resource in sending state etc.) EXAMPLE:

American County TN DCS obtained temporary legal custody of the children October 25, 2011 after a neighbor reported that they had been left alone over an entire weekend and their parents could not be located for planning. Further investigation indicated that Mr. Smithson had abandoned his family several months prior to this incidence and Ms. Smithson, who is an alcoholic, had gone off on a weekend drunk. The Smithson’s are still legally married. After being located, Ms. Smithson identified her sister and brother-in-law in Dayton, Ohio, John and Beverly Rice might be willing to keep the children until she could receive alcoholism treatment and make a stable home for the children. In addition, Ms. Smithson identified a member of her church family as a possible in-state placement Resource which will be pursued concurrent with the ICPC.

(This paragraph speaks specifically to the child or children) EXAMPLE:

Randy and Kim are average, healthy children but Joel has been diagnosed with ADHD and attends a Special Education class as well as takes prescription medication. Currently all three children are in the same resource home; placed on Oct. 26, 2011. Tennessee DCS anticipates a placement wherein the siblings may remain together and with a relative if possible. The children have been determined IV-E eligible and currently receiving medical assistance through TennCare/Early Periodic Screening Diagnosis and Treatment (EPSD&T) program.

(This paragraph outlines Departmental requests for study and services/ action pursuant to the ICPC) EXAMPLE:

American Co. TN DCS is requesting the Ohio agency to conduct an ICPC relative study on the home of the maternal aunt and uncle and provide a report/decision within sixty (60) working days. Tennessee DCS anticipates if possible a placement wherein the siblings may remain together and with a relative. In addition, please address with the Resource their viewpoint regarding the sister’s alcohol and marital issues and their stated interest in being a placement for this child/children and their interest in permanency for these children.

The placement is being viewed as temporary as the Department has determined two concurrent permanency goals for these children: (1) reunification with the mother, Ms. Smithson and (2) custody/guardianship to relative.

If the Rice's are approved and the placement utilized, our agency would retain custody and provide the Rice's with authorization to enroll the children in school, consent to necessary medical or surgical care, etc. Attached is a financial medical plan developed with the Resource family which addresses responsibility for medical and financial support for the children, including day care and school tuition during placement up to permanency. Upon notice of placement, TN DCS would expect a minimum of monthly supervisory contact/ supervision of the children and the Resource home documented on quarterly written progress reports. During the period of placement, our Department would involve the approved Resource, the children as appropriate and the Ohio agency in periodic Child and Family Team meetings to address any issues/progress, including exploration of permanency for the children, or if the placement disrupts, identify a strategy to sustain placement in the current setting or to replace the children in an alternate setting or to return the children to TN jurisdiction.

The following documents are included: [Interstate ICPC Placement Request \(CS- 0525\)](#); [TN ICPC Placement Resource Statement of Confirmation](#); [Permanency Plan \(CS-0577\)](#), Custody/Guardianship Order and other pertinent court documents, [ICPC Medical-Financial Plan \(CS-0795\)](#) and [Education Passport and School Notification Letter \(CS-0657\)](#) and [Initial Intake, Placement and Well-Being Information and History \(CS-0727\)](#).

If you need additional information, please contact our office.

Sincerely,

Case Manager*

Supervisor*

Appendix C

Reference <http://icpc.aphsa.org/Home/Resources.asp> - 16.20* Parent/Guardian Expedited Placement Assessment Procedures for Parent/Guardian Placement Pursuant to the ICPC

16.20* ICPC Parent/Guardian Expedited Placement Assessment Procedure for Parent/Guardian Placement Pursuant to the ICPC

The TN Department of Children's Services Interstate ICPC Office will accept a referral/request to conduct an expedited placement assessment on an identified TN resident who is a biological parent, or step-parent of a child in the custody of another state child welfare agency or under the jurisdiction of another state court pursuant to compliance with the Interstate ICPC on the Placement of Children and ICPC Regulation #2 and #7 and Border Agreements.

All ICPC Expedited Placement Assessments conducted by TN DCS Regional staff on a TN biological parent or step-parent of a child who is in the custody of another state child welfare agency or under the jurisdiction of another state court will be conducted in accordance to TN DCS Policy 16.20 Expedited Custodial Placements which has been minimally modified to respect the rights of a parent or step-parent for re-unification.

TN DCS Policy [16.20 Expedited Custodial Placements](#) has been modified to provide a uniform state-wide procedure for TN DCS Regional PSD/RPS staff to evaluate the TN Resource, specifically a biological parent(s) or step-parent (s) and make a recommendation for placement and as appropriate, continued supervision or transfer/return of custody. In addition, the procedure identifies TN DCS Regional PSD/RPS staff responsibility to assist the TN parent or step-parent or guardian Resource to identify and access re-unification services available in their community and to provide limited supervision to facilitate permanency on behalf of the child and family.

All policy/procedure and practice prescribed in TN DCS Policy [16.20](#) is followed except as noted in the following modifications:

- ◆ **Timeframes:** ICPC Regulation #2 or Regulation #7 and Border Agreements Expedited Assessments conducted on the TN Resource who is a parent(s), or step-parents will be completed within a thirty (30) calendar days or twenty (20) working days or less or pursuant to the terms of the Border Agreement as prescribed <https://www.tn.gov/dcs/program-areas/interstate-compact/icp/border-agreements.html>

- ◆ **Training/Education:** ICPC Regulation #2 or Regulation #7 and Border Agreements Expedited Assessments conducted on the TN Resource who is a parent(s) or stepparent(s) will not require the parent or stepparent Resource to complete TN KEY or Educational Components, *i.e.* CPR/First Aid or Medical Administration, *etc.*
- ◆ **Training/Education:** Completion of TN KEY training and/or Educational Components, *i.e.* CPR/First Aid or Medical Administration within one hundred twenty (120) days for a non-parent/caregiver in the home of the parent or stepparent may be recommended by TN DCS Region to the Sending State as part of the Expedited Summary.
- ◆ **Safety Risks:** Form [CS-0676 Home Safety Check List](#) must be reviewed and addressed.
- ◆ **Forms:** TN DCS forms which are included in the [16.20](#) process and required to be completed which used terminology to identify the placement as a *Resource parent or relative Resource* are to be translated to mean parent or step-parent. All responses recorded on that form are to reflect the parent or stepparent.
- ◆ **Financial Support:** Parents or stepparent placements are to be responsible for support of their children if placement is approved.
- ◆ **Results:** Results of the Expedited Assessment process is documented and recorded on TN DCS Form [CS-0682 Custodial Expedited Placement Assessment Summary](#).
- ◆ **Decisions:** All decisions regarding the placement as stated on TN DCS Form [CS-0682 Custodial Expedited Placement Assessment Summary](#) must conclude with a definitive recommendation if this parental Resource is safe and appropriate for the placement of the specific child/ren that are identified in the ICPC referral and the reasons for that recommendation. In addition, a recommendation as to a time period for continued supervision if placement is approved or a recommendation that custody can be returned or transferred to the parent/guardian with no further supervision and ICPC services closed.
- ◆ **TFACTS:** The TN Resource Home of the parent or stepparent is documented in TFACTS as ICPC, Expedited and with modifications being proposed to TFACTS, further identified as "Parent/Stepparent".
- ◆ **Resource Home File:** The Expedited Placement Assessment documentation is maintained in the Resource Home File per TN DCS Policy [16.23 Foster Home Records](#).

Documentation for all Expedited Placements Assessments on a TN parent or stepparent must be completed and documented and submitted to the TN DCS ICPC office to execute a decision regarding placement.

The identified parental/guardian Resource must meet the minimum criteria as outlined in this procedure and have their legal options as defined in the referral explained to them. Due to the nature of placement, waivers of requirements outlined in this procedure are not permitted. Tennessee DCS Contract Providers may not be assigned to conduct studies on TN parental Resources under this procedure.

All decisions regarding the placement as stated at the end of the study must conclude with a definitive statement/recommendation as to whether this parental Resource is safe and appropriate for the placement of the specific child/ren that are identified in the ICPC referral and the reasons for the approval or denial. Furthermore, the conclusion must also include a recommendation as to a time period for continued supervision if placement is approved or if placement is approved, a recommendation that custody can be returned or transferred to the parent /guardian with no further supervision and ICPC services closed.

Appendix D

TN DCS Policy Reference List

Note: All policy/ document web links in blue can be accessed from the TN DCS Intranet or Internet.

[1.30, Interstate ICPC on the Placement of Children](#)

[9.4, Confidential Client-Specific Information](#)

[9.5, Access and Release of Confidential Child-Specific Information](#)

[14.13, Non-Custodial Immediate Protection Agreements](#)

[14.14, Removal: Safety and Permanency Considerations](#)

[14.20, Orders of Reference](#)

[14.19, Family Crisis Intervention Program](#)

[16.3, Desired Characteristics of Foster Parents](#)

[16.4, Foster Home Selection and Approval](#)

[16.8, Responsibilities of Approved Foster Homes](#)

[Protocol for Resource Eligibility Team \(RET\)](#)

[16.11, Shared Foster Homes](#)

[16.16, Denial, Closure, Suspended Admissions, on On-Hold Status of Foster Homes](#)

[16.20, Expedited Custodial Placements](#)

[16.23, Foster Home Records](#)

[16.27, Notice of Removal from a Foster Home](#)

[16.31, Permanency Planning for Children/Youth in DCS Custody](#)

[16.33, Permanency Hearings](#)

[16.36, Title IV-E Foster Care Funds](#)

[16.46, Child Youth Referral and Placement](#)

[16.48, Conducting Diligent Searches](#)

[16.59, Disclosure of Legal Options and Available Services for Relative or Kin Caregivers](#)

[21.14, Serving the Educational Needs of the Child-Youth](#)

[31.5, Organization of Family Case Files](#)

[32.1, General HIPAA Privacy Requirements](#)

[32.2, Client Privacy Rights](#)

[32.3, Use and Disclosure of PHI](#)

[Child and Family Team Meeting Guide](#)

ICPC Glossary

1. **Adoption:** (TN DCS Glossary) The social and legal process of establishing by Court order, other than by paternity or legitimization proceedings or by voluntary acknowledgement of paternity, the legal relationship of parent and child. *TCA 36-1-102*. ICPC Regulation #3: The method provided by State law that establishes the legal relationship of a parent and child between persons who are not so related by birth or some other legal determination, with the same mutual right and obligations that exist between children and the birth parents. This relationship can only be termed adoption after the legal process is complete.
2. **Adoption Categories:** As defined under ICPC Regulation #3, (a) Independent Adoption: adoptions arranged by a birthparent, attorney, other intermediary, adoption facilitator or other person or entity as defined by state law; (b) Private agency adoption: an adoption arranged by a licensed agency whether domestic or international that has been given legal custody or responsibility for the child including the right to place the child for adoption and (c) Public adoption: Adoptions for public court jurisdiction cases.
3. **Adoption Home Studies:** Reference "Home studies."
4. **Adjudicated delinquent:** TN DCS Glossary/ICPC Regulation #3: a person found to have committed an offense that, if committed by an adult, would be a criminal offense.
5. **Adjudicated Status offender:** TN DCS Glossary: (a) One who has been adjudged guilty of a status offense (unruly). (b) A term used to designate a child adjudicated by the juvenile court and placed under court supervision, but legally remaining non-delinquent. {(AKA) Child in Need of Supervision (CINS), (CHINS); Person in Need of Supervision (PINS); Deprived Child, Undisciplined Child. ICPC Regulation #3: a person found to have committed an offense that would not be a criminal offense if committed by an adult.
6. **Age of majority:** TN DCS Glossary: *aka* Juvenile: A young person under the age of 18, or as defined in the local jurisdiction as under the age of majority. (Note: In the Juvenile Justice system, a juvenile may remain in the custody of DCS until age 19.) ICPC Regulation #3: the legally defined age at which a person is considered an adult with all the attendant rights and responsibilities of adulthood. The age of majority is defined by state laws, which vary by state and is used in Article V, ". . . reaches majority, becomes self-supporting or is discharged with the concurrence of the appropriate authority in the receiving state."
7. **Approved Placement:** (ICPC Article III [d]) The appropriate public authorities in the receiving state shall notify the sending agency, in writing to the effect that the proposed placement does not appear to be contrary to the interests of the child." ICPC Regulation #3: The receiving state ICPC Administrator has determined that "the proposed placement does not appear to be contrary to the interests of the child."
8. **Boarding Home:** ICPC Article II (ICPC Regulation #3) as used in Article II (d) means the home of a relative or unrelated individual whether or not the placement recipient receives compensation for care or maintenance of the child, resource care payments, or any other payments or

reimbursements on account of the child's being in the home of the placement recipient (See meaning as "family free".)

9. **Case History:** (ICPC Regulation #3) An organized record concerning an individual, their family and environment that included social, medical, psychological and educational history and any other additional information that may be useful in determining appropriate placement. TN DCS/ ICPC case history includes specifically includes but is not limited to: current [Initial Intake, Placement and Well-Being Information and History \(CS-0727\)](#), and [Education Passport and School Notification Letter \(CS-0657\)](#).
10. **Case Plan or Services Plan:** (ICPC Regulation #3) Defined as a comprehensive individualized program of action for a child and his/her family establishing specific goals and objective and deadlines for meeting these goals and objectives. TN DCS/ICPC case plan or services plan includes specifically a Permanency Plan.
11. **Central State ICPC Office or Central ICPC Office:** (As described in ICPC Regulation #5 and Regulation #3).The designated ICPC office in each State or designated county or regional office in a State who is charged with the responsibility to establish a procedures by which all ICPC referrals from and to the state shall be made. The Central State ICPC Office or Central ICPC Office shall serve as a Resource for inquiries into requirements for placement into the state for children who come under the purview of this ICPC. The ICPC Administrator and deputies appointed by the executive head of each state under Article VII shall be located in this central state ICPC office. As specified in ICPC Regulation #3, In states in which ICPC placement referrals are sent directly to receiving state and received directly from sending state by more than one county or other regional area within the state, the "central ICPC office" is the designated office within each separate county or other region that sends and received ICPC placement referrals. Currently limited to States of Colorado, California and Ohio.
12. **Certification:** (ICPC Regulations #3) To attest, declare or swear to before a judge or notary public.
13. **Child:** A person, who by reason of minority, is legally subject to parental guardianship or similar control.
14. **Child Welfare Caseworker:** (TN DCS Glossary) A DCS employee responsible for providing case management services for children under the State's supervision, in State custody, or at risk of State custody and their families. Also see **Family Service Worker**.
(ICPC Regulation #3) A person assigned to manage cases of dependency child who are in the custody or under the supervision of a public child welfare agency.
15. **Concurrence:** (ICPC Article V [a]) Is a written notice of agreement or a recommendation to cease the involvement of the ICPC by achievement of permanency for the child or agreement to cease services. Concurrence is issued by the appropriate authority in the receiving state where designated as appropriate. (ICPC Regulation #3)
16. **Conditions for Placement:** ICPC Article III establishes conditions for placement which apply to any placement as defined in Article II (d) and regulations adopted by action of the Association of Administrators of the Interstate ICPC on the Placement of Children.
17. **Courtesy:** (ICPC Regulation #3) Consent or agreement between State ICPC offices to provide a service that is not required by ICPC.

18. **Courtesy Check:** (ICPC Regulation #3) Process that does not involve the ICPC, used by a sending court to check the home of a parent from whom the child was not removed. TN DCS policy [14.20. Orders of Reference](#) applies regarding courtesy checks as defined.
19. **Court Jurisdiction Only:** (ICPC Regulation #3) A sending state court which has an open abuse, neglect or dependency case that establishes the court's express jurisdiction with the authority to supervise, remove and/or place the child. The child has not been ordered into the custody or guardianship of a public or private agency; or custody of an individual.
20. **Custody:** (TN DCS Glossary) The control of actual physical care of the child and includes the right and responsibility to provide for the physical, mental and morale well-being of the child *TCA 37-1-102 (b) (8)*.
21. **Emancipation:** (TN DCS Glossary) Emancipated minor: A person under the age of 18 years of age who is totally self-supporting. Or Emancipation to Adulthood: When a youth adjudicated dependent/neglect or unruly reaches the age of 18 or when a delinquent youth reaches the age of 19 and services or custody with DCS are discontinued, the youth is said to have "Emancipated to Adulthood". ICPC Regulation #3: the point at which a minor becomes self-supporting assumes adult responsibility for his or her welfare and is no longer under the care of his or her parents or child-placing agency by operation of law or court order.
22. **Emergency Placement:** (TN DCS Glossary) Any event in which a child/youth placed in an out-of-home care setting poses an imminent or immediate risk of harm to the physical safety of himself/herself or other individuals. Emergency Confinement: The confinement of a youth (without due process) in a secure setting as ICPC Regulation #3 a temporary placement of 30 days or less in duration.
23. **Family Free or Boarding Home:** The home of a parent, relative or unrelated individual whether or not the placement recipient received compensation for care or maintenance of the child, resource care payment or any other payments or reimbursements on account of the child's being in the home of the placement recipient. (See **Boarding Home**)
24. **Family Service Worker (FSW):** (TN DCS Glossary) A DCS term used to identify the position previously known as the DCS case manager or home county case manager. The person is principally responsible for the case and has the primary responsibility of building, preparing, supporting, and maintaining the Child and Family Team as the child and family move to permanence. Note: those working with delinquent youth are referred to Juvenile Probation Officer or Juvenile Service Worker.
25. **Family Unit:** A group of individuals living in one household.
26. **Resource Care:** Care of a child on a twenty-four (24) a day basis away from the home of the child's parents. Such care may be by a non-custodial parent, relative of the child, by a non-related individual, by a group home or by a licensed residential treatment facility or any other entity. In addition, if twenty-four (24) hour a day care is provided by the child's parents by reason of a court ordered placement (and not by virtue of the parent-child relationship), the care is resource care.
27. **Resource Parent:** A person, including a relative or non-relative, licensed to provide a home for orphaned, abused, neglected, delinquent or disabled children, usually with approval of the government or a social service agency.

28. **Guardian:** A public or private agency, organization or institution which holds a valid and effective permanent appointment from a court of competent jurisdiction to have custody and control of a child, to plan for the child and to do all other things for or on behalf of the child which a parent would have the authority and responsibility for doing by virtue of an unrestricted parent-child relationship. Guardian also means an individual who is a non-agency guardian who holds a currently valid appointment from a court of competent jurisdiction to have all of the authority and responsibility as defined above. (ICPC Regulation #10 and Regulation #3)
29. **Guardianship Appointment-Permanent:** An appointment is permanent for purposes of the ICPC if the appointment would allow the guardianship to endure until the child's age of majority without any court review, subsequent to the appointment, of the care that the guardian provides or the status of other permanency planning which the guardian has a professional obligation to carry out. (See Legal Guardianship)
30. **Home Study:** For purposes of PL 109-239, "home study" means an evaluation of a home environment conducted in accordance with applicable requirements of the State in which the home is located, to determine whether a proposed placement of a child would meet the individual needs of the child, including the child's safety, permanency, health, well-being, and mental, emotional and physical development. As defined under the Safe and Timely Interstate Placement of Children in Resource Care Act, the conclusion of a "home study" conducted under this provision is to address the safety and appropriateness of this Resource and to address the appropriateness of the placement of the specific child involved in the ICPC transaction.
- Hospital or other medical facility:** An institution for the acutely ill which discharges in patients when they are no longer acutely ill, which does not provide or hold itself out as providing child care in substitution for parental care or resource care and in which a child is placed for the primary purpose of treatment of an acute medical problem.
31. **Independent Adoption Entity:** Any individual authorized in the sending state to place children for adoption other than a state, county or licensed private agency. This could include courts, private attorneys and birthparents.
32. **Institution for the Mentally Ill or Mentally Defective:** A facility which is responsible for the treatment of acute conditions, both psychiatric and medical, as well as such custodial care as is necessary for the treatment of such acute conditions of the minors who are either voluntarily committed or involuntarily committed by a court of competent jurisdiction to reside in it. Developmentally disabled has the same meaning as the phrase "mentally defective."
33. **Interjurisdictional Placement Under the ICPC:** The arrangement for the care of a non-delinquent child in the home of his parent, other relative or non-agency guardian or a family free or boarding home or in a child-caring agency or institution or a licensed residential treatment facility across State lines which is subject to compliance with the Interstate ICPC on the Placement of Children and P.L. 109-239 "Safe & Timely Interstate Placement of Resource Children Act of 2006". Placement may be temporary or long-term resulting in permanency for the child. ICPC placement compliance is not required for inter-jurisdictional placements of a child with any institution licensed or certified to care exclusively for the clinically mentally ill, or clinically mentally defective or epileptic or any institution licensed or certified as primarily educational in character, and any hospital, or other medical facility.
34. **Interstate:** Involving, connecting or existing between two or more states.

35. **Intrastate:** Existing or occurring within a state
36. **Interstate ICPC Administrator:** (or ICPC Administrator) Refers to the Officer designated to coordinate activities under the ICPC in their jurisdiction (state) and who, jointly with like officers of other party jurisdictions, is designated the power to promulgate rules and regulations to carry out more effectively the terms and provisions of the ICPC .
37. **Interstate ICPC on the Placement of Children (ICPC):** A uniform law enacted by all fifty states, the District of Columbia, and the Virgin Islands that establishes orderly procedures for the placement of children across state lines into other party states for the purpose of resource care or preliminary to an adoption and fixes responsibility for those involved in placing the child.
38. **Interstate Home Study:** A home study conducted by a State at the request of another State, to facilitate an adoptive or resource placement of a child in custody or guardianship of the Sending State. A relative or kin or Resource home study conducted by the Tennessee Department of Children's Services personnel or DCS contracted provider based on receipt of a complete ICPC request/referral submitted through the Tennessee Department of Children's Services Office of the Interstate ICPC on the Placement of Children in compliance with P.L. 109-239 and *TCA 37.4.201 et seq.* An Interstate Home Study may be conducted on a relative or resource or adoptive Resource who resides in Tennessee and shall be conducted in accordance to appropriate federal and state laws and meet the requirements of TN DCS policy and standards including TN DCS Policy [16.4](#), [16.8](#), [16.11](#), [16.16](#), [16.20](#). The Interstate Home Study on relative or kin or resource home or a report on the progress is to be completed within sixty (60) calendar days.
- The conclusion of an Interstate Home Study is child-specific recommendation regarding the appropriateness of placement of the child with the identified Resource. The Interstate Home Study will serve as the basis for a decision regarding placement under the ICPC.
39. **Jurisdiction:** (1) The power and authority of a court to hear and decide matters; (2) Fixes responsibility for those involved in placing children.
40. **Legal custody:** Court-ordered or statutory right and responsibility to care for a child either temporarily or permanency.
41. **Legal guardianship:** a judicially created relationship between child and caretaker that is intended to be permanent and self-sustaining as evidenced by the transfer to the caretaker of the following parental rights with respect to the child: protection, education, care and control of the person, custody of the person, and decision-making. The term legal guardian means the caretaker in such a relationship.
42. **Legal risk Placement:** a placement made preliminarily to an adoption where the prospective adoptive parents acknowledge in writing that a child can be ordered returned to the sending state or the birth mother's state of residence, if different from the sending state and a final decree of adoption shall not be entered in any jurisdiction until all required consents or termination of parental rights are obtained or are dispensed with in accordance with applicable Law.
43. **Member state or Party State:** U.S. State or Territory that has enacted into law the Interstate ICPC on the Placement of Children.
44. **Non-agency guardian:** Refer to Regulation #10: an individual holding a currently valid appointment from a court of competent jurisdiction to have all of the authority and responsibility of a guardian as defined in ICPC Regulation #10, Section 1(a).

45. **Non-custodial parent:** A person, who at the time of the commencement of court proceedings in the sending state, does not have sole legal custody of the child or physical custody of the child.
46. **Non-offending parent:** the parent who is not the subject of allegations or findings of child abuse or neglect.
47. **Non-relative:** A person not connected to the child by blood, marriage or adoption or otherwise defined by the sending or receiving state.
48. **Parent/Guardian:** A biological, adoptive parent or legal guardian as determined by applicable state law and is responsible for the care, custody and control of a child or upon whom there is legal duty for such care.
49. **Parent study:** 16.20* ICPC Parent/Guardian Expedited Assessment is used to conduct a study on a parent or stepparent pursuant to the ICPC. This assessment is completed in twenty (20) calendar days.
50. **Permanency:** Permanency for children involved in an inter-jurisdictional placement under the Interstate ICPC on the Placement of Children is defined as adoption, reaching the age of majority, becoming self-supporting or is discharged with concurrence in the following: legal custody returned to parents; legal custody granted to relatives; permanent guardianship ordered with or without subsidy; and sending State's jurisdiction terminated. Once permanency for a child has been achieved, the ICPC incident is closed to further services. Transfer of jurisdiction of a child to another State is not a permanency goal of the ICPC. Transfer of Jurisdiction is a legal transaction subject to the terms of the UCCJEA.
51. **Party State or Member State:** U.S. State or Territory that has enacted into law the Interstate ICPC on the Placement of Children.
52. **Placement:** The arrangement for the care of a child in a family free or boarding home (with parents, other relative or non-agency guardians) or institution such as licensed Residential Treatment Facility or licensed Group Homes.
53. **Placement Categories:** ICPC Regulation #3 identified four (4) types of placement categories: (1) Adoptions: Placement preliminary to an adoption (Independent, private or public agency adoptions); (2) Licensed or approved resource homes: Placement with related or un related caregivers; (3) Placements with parents and relatives: when a parent or relative is not making placement as defined in Article Viii (a) "Limitations" and (4) Group Homes/Residential treatment placements of all children: including adjudicated delinquents in institutions in other states as defined in Article VI and Regulation No. 4.
54. **Placement Services Division (PSD):** (TN DCS Glossary) A DCS term is used to identify a combined division which include staff previously known as Resource Parent Support Unit or Residential Case Management Staff, Resource Managers, and Recruiters. This newly formed division is responsible for recruitment of DCS Resources Families, support to DCS Resource Families, and Placement of all children in DCS custody including referrals to private provider agencies.
55. **Primarily educational Institution:** An institution which operates one or more programs that can be offered in satisfaction of compulsory school attendance laws, in which the primary purpose in accepting children is to meet their educational needs and which does not do one or more of the following: (a) accept responsibility for children during the entire year; (b) provide or hold itself out to provide child care constituting nurture sufficient to substitute for parental supervision and control

or resource care; (c) provide any other services to children, except for those customarily regarded as extracurricular or co-curricular school activities, pupil support services, and those services necessary to make it possible for the children to be maintained on a residential basis in the aforementioned school program or program.

56. **Prospective Adoptive Parents:** Individual or Individuals with whom a child is placed as a preliminary to a possible adoption. Prospective Adoptive Parents cannot be considered a non-agency guardian of the child for the purpose of determining applicability of the ICPC to the placement unless the individual would qualify as a lawful recipient of a placement of a child within having to comply with the ICPC as provided in Article VIII (a).
57. **Public Child Placing Agency:** Any government child welfare agency or child protection agency or a private entity under contract with such an agency, regardless of whether they act on behalf of a state, county, municipality or other governmental unit and which facilitates, causes or is involved in the placement of a child from one state to another.
58. **Receiving State:** The party state to which a child is sent, brought, or caused to be sent or brought, whether by public authorities, courts or private persons or agencies, and whether for placement with state or local public authorities or for placement with private agencies or persons.
59. **Resource Parent Support (RPS):** (TN DCS Glossary) A DCS term is used to identify regional staff previously known as Resource or Resource Parent Support or Residential Case Management or Resource Managers and Recruiters who are currently combined into the Resource Parent Support division.
60. **Safe and Timely Interstate Study Report:** Per P.L. 109-239, a State is required to complete and report on resource and adoptive home studies requested by another State within sixty (60) calendar days of receipt of the request. If the requirements for the resource or adoptive study requested cannot be completed within the 60 calendar day period, the "report" is necessary to document the progress toward completion of the study, identifies the barriers to completion of that study and projects a timeframe in which it is anticipated that the resource or adoptive study will be completed and a decision issued. Such a report is due at the 60 calendar day juncture and every thirty (30) days thereafter until the study is complete and a decision is issued regarding placement. Maximum time frame to complete a resource or adoptive study per ICPC Regulation #2 is 180 days.
61. **Sending State:** A party state, officer or employee thereof; a subdivision of a party state, or officer or employee thereof; a court of a party state; a person, corporation, association, charitable agency or other entity which sends, brings or causes to be sent or brought any child to another party state.
62. **Supervision:** Monitoring of a child and the child's living situation by the receiving state after the child has been placed pursuant to an approved placement under Article III (d) of the ICPC or pursuant to a child's relocation to a receiving state in accordance with Regulation 1 of the ICPC.
63. **Timely Interstate Home Study:** Per P.L. 109-239, the term 'timely interstate home study' means an Interstate Home Study completed by a receiving State within 30 working days after receipt of an ICPC request which meets all statutory requirements of the applicable Interstate ICPC statute from a sending State. A Timely Interstate Home Study will meet all requirements under TN DCS Policy [16.20](#), and will include a child-specific recommendation for the placement of the child and will identify further requirements per TN DCS policy that must be met.

64. **TN DCS Regional Staff:** References to TN DCS Regional Staff throughout this document may be specific, such as TN DCS Regional FWS or PSD or generic example, home study preparer or educational support staff. However, the term designates where primary responsibility for the action on behalf of the child or family resides.
65. **Types of “home study” as defined in ICPC Regulation #3:**
- a) **Adoption Study:** A study conducted for the purpose of placing a child for adoption with a placement Resource. The adoption study is the assessment and evaluation of a prospective adoptive parent(s);
 - b) **Resource Study:** A study conducted for the purpose of placing a child with a placement Resource who is required to be licensed or approved in accordance with federal and/or receiving state law;
 - c) **Parent study:** Applies to the study conducted - to determine whether a parent placement meets the standards for reunification of a child with a parent.
 - d) **Relative study:** A study conducted for the purpose of placing a child with a relative. Such study may or may not require the same level of screening as required for a resource study or an adoption study depending upon applicable law and/or requirement
 - e) **Non relative study:** A study conducted for the purpose of placing a child with a non-relative. Such a study may or may not require the same level of screening as required for a resource study or an adoptive study depending upon the applicability law and/or requirements.

Other Definitions: Other Definitions that are unique to the ICPC or affect processing under inter-jurisdictional placements are contained in the Regulations, Work Aids and instructions associated with required forms.