

## **Section 4 Overview**

This section pertains to the policy and procedures necessary when an out-of-home placement of a child across state lines is being considered.

## **Chapter 25 Overview**

This chapter describes procedures and protocols when seeking to place a child in another state or when another state wishes to place a child in Missouri. There are five interstate compacts which impact the placement of children across state lines. They are:

1. Interstate Compact on the Placement of Children (ICPC),
2. Interstate Compact on Adoption and Medical Assistance (ICAMA),
3. Interstate Compact on Juveniles (ICJ), and
4. Interstate Compact on Mental Health (ICMH).
5. Interstate Compact of Educational Opportunity for Military Children (ICEOMC)

The two Compacts which primarily impact the Children's Division are ICPC and ICAMA.

The Interstate Compact on the Placement of Children (ICPC) is a legally binding contract among member states approved by the U.S. Congress and the legislatures of all 50 states, District of Columbia, and the U.S. Virgin Islands as uniform law. The law governing ICPC in Missouri is found in Section 210.620, RSMo.

ICPC assures the protection of children crossing state lines and ensures they receive the same supports and services as if they remained in their own state. The Compact establishes orderly procedures for placements and outlines the responsibility of each state.

The Interstate Compact of Adoption and Medical Assistance (ICAMA) requires states to provide Medicaid (Title XIX) to eligible children with an adoption subsidy agreement, when that child's family moves between member states. Currently, all states except Vermont and Wyoming are members of ICAMA. The territories of the Virgin Islands and Puerto Rico are also non members. The law governing ICAMA is found in Section 453.500-453.503, RSMo.

The other two compacts: ICJ is under the Juvenile Court; ICMH is under the Department of Mental Health and the ICEOMC is administered and managed by a compact commissioner appointed by the Governor.

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## 25.1 Type Of Placements Governed By The ICPC

The ICPC applies when children are to be placed in the following settings:

- Interstate adoptive placements;
- Interstate placement for care into relative or kinship placements, foster homes, group homes, and/or residential treatment;
- Interstate placement with parents and relatives when there is court jurisdiction; or
- Interstate placement of adjudicated delinquents *only* when placement is sought for residential treatment.

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## 25.2 Type Of Placements Exempt From The ICPC

The compact *does not apply* when placement is sought under any of the following circumstances:

- Interstate placement from birth parent to birth parent, *when there is no court jurisdiction;*
- Interstate placement from birth parent to relative (as defined in RSMo 210.620 Article VIII), *when there is no court jurisdiction;*
- Interstate placement from legal guardian to birth parent or relative, *when there is no court jurisdiction;*
- Interstate placement to a medical or psychiatric hospital;
- Interstate placement to an educational program (Job Corp, college, etc.);
- Interstate placement of adjudicated delinquents unless placement is sought for residential treatment (see above);
- Divorce/custody assessments;
- International adoptions when the United States Citizenship and Immigration Services (USCIS) has issued an IR-3 visa (adopted in the child's country of origin);
- Placement of a child into/or out of Canada, Puerto Rico, Guam/American Samoa or any other foreign country; or
- Children under court jurisdiction visiting a relative/parent for 30 days or less. *Anything over 30 days is considered a placement and would be subject to ICPC.*

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## **25.3 Placement of a Missouri Child into Another State (Regulation 2)**

### **25.3.1 Making an ICPC Referral**

The Children's Service Worker must contact the proposed caretaker, to determine whether they are interested in providing for the child before making a formal ICPC request. The Children's Service Worker will use the CD-ICPC-104 to document this contact.

1. Send the following packet of material to the immediate supervisor and Circuit Manager/designee for review and approval:
  - a. Original plus two (2) copies of the Transmittal Checklist, ICPC 100-D; (mandatory)
  - b. Original and four (4) copies of the signed Placement Request, ICPC 100-A; (mandatory)
    - The Children's Division is financially responsible for the child(ren) unless the agency does not have custody. In cases where the CD does not have legal care and custody, an agent for the juvenile court must sign the ICPC 100-A as the legally and financially responsible party for any costs.
  - c. Original and two (2) copies of the cover letter which includes the following:
    - Reason out-of-state placement is being pursued;
    - Name of the proposed out-of-state placement resource and relationship to the child(ren);
    - Statement indicating the person/agency/court which has legal custody of the child(ren);
    - Permanency plan/case plan for the child(ren);
    - Indication of the child(ren)'s eligibility for Title IV-E or Supplemental Security Income (SSI); and
    - Plans for meeting the cost of care in the other state which includes the financially responsible party. *Any costs, other than regular maintenance payments, need to be approved through proper administrative channels.*

*If Missouri is the sending agency and plans to make a maintenance payment to the resource when the placement is approved, a foster home study should be requested regardless of the degree of relationship. The home study is not "official" until the ICPC Coordinator in the receiving state has made a determination for or against placement.*

- d. Original and two (2) copies of the Statement of Case Manager/ Potential Placement/ Party Under ICPC Regulation 2, CD-ICPC-104; (mandatory). This statement is a pre-verification that the proposed resource is interested, willing and able to participate in the ICPC home study process prior to a home study being requested
- e. Original and two (2) copies of the child(ren)'s social summary; [Section 6, Chapter 9 Attachment B](#) provides a Suggested Outline for a Child's Summary.
- f. Three (3) copies of the original court order granting jurisdiction and giving custody to the CD:
- g. Three (3) copies of the most recent court order (within the last 12 months);
- h. If the request is for an adoptive study, then three (3) copies of the Termination of Parental Rights (TPR) order or petition if TPR has not yet been completed. It is important to note that there are states that will *not* complete an adoptive study without a Termination of Parental Rights order as the children are considered "legal risk";
- i. Three (3) copies of the Priority home study court order, (if ordered);
- j. Three (3) copies of diagnosed medical and special needs/educational reports (IEP, report cards, psychological evaluations, counseling/ therapy reports etc.);
- k. Three (3) copies of appropriate citizenship documentation as detailed in Section 4 Chapter 24.3.5.1 Medicaid Eligibility Documentation of U.S. Citizenship and Identity;
- l. Three (3) copies of the Child Assessment and Service Plan (CS-1);
- m. Three (3) copies of the written service agreement, if applicable;

- n. Three (3) copies of the Financial/Medical Plan, ICPC-3; (mandatory); and,
  - o. Three (3) copies of the Statement of Case Manager/ Potential Placement/ Party Under ICPC Regulation 2 (regular ICPC) (mandatory)
2. Enter the initial ICPC referral information into FACES and write the assigned call/case number in the appropriate space on the ICPC Transmittal Checklist, CD ICPC 100D.
  3. The Circuit Manager/designee will sign the ICPC 100D and submit the completed packet to the ICPC Coordinator in Central Office.
  4. The ICPC Coordinator will review and submit the packet to the receiving state's ICPC office.
  5. The ICPC Coordinator will submit the placement decision to the Children's Service Worker.

If the request is for an adoptive placement, the Children's Service Worker will submit the same documentation as for any other type of home study request through ICPC. In addition to the documentation listed above, the following documentation is to be included:

- a. Three (3) copies of the home study provided by the family for the adoption staffing, *if one is available*. Please note: A child specific addendum to an existing study will be requested from the receiving state;
- b. If Termination of Parental Rights has not yet occurred, three (3) copies of the most recent permanency hearing order which clearly states that adoption is the selected permanency plan for the child;
- c. Three (3) copies of the Petition to Terminate Parental Rights, if available;
- d. Three (3) copies of a medical/ genetic social history on the biological parents;
- e. Three (3) copies of a statement regarding whether or not the Indian Child Welfare Act Of 1978 (ICWA) applies to the child/ren (Section 4, Chapter 19 [Special Populations – Native American and Refugees](#) ;
- f. Three (3) copies of any additional documentation that was used during the adoption staffing to determine the home as a possible adoptive placement [Section 4, Chapter 28 Selecting Adoptive Families](#)

*Placement prior to ICPC approval is a violation of state law and may result in the home study process being stopped or the home study being denied. The home study and approval of the ICPC 100-A are valid for only six (6) months, RSMo 210.620 Regulation VI.*

Related Subject: [E-Forms and Instructions](#)

### **25.3.2 Placement of a Missouri Child with an Approved Resource**

The Children's Service Worker should receive approval for the placement from the ICPC Coordinator before making a recommendation to the court. After the Children's Service Worker has obtained court approval for the placement, the following must be done:

1. Submit the Child Placement Status Report, ICPC 100-B, in triplicate to the ICPC Coordinator when a confirmation date for placement is made or placement occurs. In some instances, the Children's Service Worker may need to contact the CD travel desk to make airline reservations. Regardless of the mode of transportation for the placement, the ICPC 100-B should be submitted as soon as possible in order to ensure services are provided. (See ICPC 100-B and Instructions.) Update the ICPC Function under Case Management in FACES to document placement.
2. Complete any appropriate forms (such as, but not limited to, the Vendor Licensure/Placement Resource form, SS-60, Alternative Care Client form, SS-61, etc.) needed to implement services the child may require in the other state;

*Any costs, other than regular maintenance payments, need to be approved through proper administrative channels.*

The Cooperative Agreement for Purchase of Foster Care Services, CM-3, should be sent to out-of-state providers to sign. Out of state resource homes are eligible to receive maintenance at the Missouri foster care rate, but they are not eligible for the Professional Parenting payment **or for above the traditional rate of maintenance**. They should not complete the Cooperative Agreement for the Purchase of Professional Foster Care Services, CM-14. **They should not complete Cooperative Agreement Amendment for Level A foster care services.**

3. Contact the ICPC Coordinator in Central Office if progress reports or additional assistance is needed to ensure continued placement. Do not contact the ICPC Coordinator in the sending state;
4. If the plan is for adoption of the child(ren) by the proposed resource, the ICAMA Coordinator in Central Office should be contacted to ensure the appropriate paperwork is completed.
5. Supervision/ services may not occur until the Child Placement Status Report, ICPC 100-B, is procured by the receiving state. The Cooperative Agreement for Purchase of Foster Care Services, CM-3, should be sent to out-of-state providers to sign. Placement providers out of state are eligible to receive maintenance at the Missouri foster care rate, but they are not eligible for the Professional Parenting payment. They should not complete the Cooperative Agreement for the Purchase of Professional Foster Care Services, CM-14.

Related Subject: [E-Forms and Instructions](#)

### **25.3.3 Compact Termination/Placement Disruption or Closure:**

Compact termination can occur after a period of 6 months supervision and with the concurrence of the receiving state's ICPC office under one of the following circumstances:

- The child's adoption is legally finalized;
- The child reaches the age of majority (18 years);
- The child becomes self-supporting;
- The child returns to Missouri; or
- The child is discharged from court jurisdiction with the concurrence of the appropriate authority in the receiving state.

The Children's Service Worker shall submit the Child Placement Status Report, ICPC 100-B, and the court orders to the ICPC Unit in Central Office; or

Notify the ICPC Coordinator in Central Office as soon as possible if the placement is disrupting. Send the ICPC 100-B to close out the ICPC case, if a disruption may or has occurred.

Permanency is achieved through reunification with a parent, finalization of an adoption or finalization of a legal guardianship.

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If legal guardianship is awarded to the approved ICPC resource placement and the placement is stable for a minimum of six (6) months, then the child is eligible for Medicaid under the Interstate Compact on Adoption and Medical Assistance (ICAMA) under the Fostering Connections and Increasing Adoptions Act of 2008 (Public Law 110-351). A Guardianship Subsidy Agreement will need to be negotiated with the resource placement in the other state and ICAMA procedures followed to initiate the Medicaid through ICAMA in the receiving state. ([Section 4, Chapter 25.7.1 Interstate Compact on Adoption and Medical Assistance](#) (ICAMA)).

Related Subject: [E-Forms and Instructions](#)

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## 25.4 Placement of Another State's Child into Missouri

### 25.4.1 Missouri as the Receiving State:

The Children's Service Worker will provide case management services as outlined in Regulation 11 of the ICPC. Regulation 11 clarifies the supervisory role of the assigned worker in the receiving state once placement is made through an approved ICPC home study. The supervising worker in the receiving state is to provide the following services. Please note, this is not an all inclusive list. Each case is different and will require different approaches and services.

The Children's Service Worker assigned to complete the initial home study will:

1. Receive the placement request from the ICPC Coordinator in Central Office. *Any request received directly from a sending agency must be forwarded to Central Office. Do not complete an assessment, home study, or walkthrough without a referral from Central Office.* Walkthroughs are outside the scope of the ICPC.
2. Complete and return the results of the requested preliminary home assessment, as explained in Child Welfare Manual, [Section 6, Chapter 3 Attachment A](#), Guide for Conducting Resource Provider Assessments, within 60 calendar days to the ICPC unit in Central Office pursuant to Public Law 109-239. The preliminary home assessment does not require the training component or FBI checks, but should evaluate the safety and suitability of placing a child in the prospective relative, foster or adoptive home.
3. Staff will then proceed with completing the home study. The home study must address the extent to which the proposed placement will meet the specific needs of the child, including the child's safety, permanency and well-being. FBI background checks are required. *If the request is for licensure, then the training component must be completed. Please refer to [Memorandum CD07-60](#) regarding the acceptance of pre service training for resource providers who have moved to Missouri from other states.*
4. Staff will then make a recommendation in FACES under Referral in the Case Management screen using the Call/Case number provided by the ICPC unit on the transmittal. If the recommendation by the home study worker is against placement and the resource wishes to contest that recommendation, then staff are directed to follow the Children's Division Fair Hearing Process as stated in Child Welfare Manual, [Section 6, Chapter 7.1](#).

5. Complete the Vendor Licensure/Placement Resource form, SS-60, if the receiving state requests the family to be licensed. *The sending state is not obligated to make a payment to the family if the sending state did not request a licensing study. Missouri resource providers are not entitled to receive the Professional Parenting maintenance payment when they accept children from another state.*
6. The foster/adoptive home study must be completed and submitted to the ICPC unit in Central Office within 90 calendar days after the State received the *original* request. The Children's Service Worker should submit the original and 2 copies of the completed home study along with a *recommendation* for or against placement. The ICPC Coordinator will make the *decision* whether or not the placement is approved. **DO NOT** send the information directly to the requesting state's worker or to the requesting state's ICPC office.

If Missouri is the Sending Agency and is going to make a maintenance payment to the resource provider should the placement be approved, a foster home study should be requested regardless of the degree of relationship. The home study is not "official" until the ICPC Coordinator in the receiving state has made a determination for or against the placement.

***The above procedure does not apply to parents and unlicensed relatives.*** Parents and unlicensed relatives will go through the same home study process as an applicant applying for licensure, which is clarified in Memorandum [CD04-63](#) and in the Child Welfare Manual, [Section 6, Chapter 3, Attachment A](#), Guide for Conducting Resource Provider Assessments. The differences are that parents and unlicensed relatives are not required to complete training, and the time frame pursuant to Public Law 109-239 for completing their assessment/home study is 60 days.

7. [The assigned county will upon receipt of placement \(the ICPC 100B \) from the MO ICPC coordinator:](#)
  - a. Complete the Alternative Care Client form, SS-61, for relative foster care, foster, or adoptive placements, or the Family-Centered Services Case Report, SS-63, for a parent or non-licensed relative placement and notify ICPC Central Office of the assigned Children's Service Worker and supervisor;
  - b. Supervision/ contact is to be made/ initiated as soon as the receiving state is made aware that the child/ren have been placed;
  - c. Cooperate in arranging services for the family;

- d. Determine with verification from the sending state, if the child is eligible for Title IV-E Medicaid; and
  - e. Open Title IV-E Medicaid if the family is licensed and receiving payment from the sending state. Refer to Child Welfare Manual, [Section 4 Chapter 25.7](#) for more information regarding ICAMA.
8. Provide services accordingly pursuant to Child Welfare Manual, [Section 4, Chapter 6.1](#) to include:
- a. The worker who completed the home study should provide a copy of the initial referral and home study to the worker who has been assigned to supervise the placement.
  - b. Prepare written quarterly progress reports and submit the original and two (2) copies to ICPC Central Office. At a minimum, these reports are to include:
    - Date and location of each face-to-face contact with the child since the last report was submitted;
    - A summary of the child's current circumstances, including on-going safety & well-being;
    - A summary of the child's academic performance along with any pertinent documentation (i.e. Report card, IEP, etc);
    - A summary of child's current health status, including mental health and copies of any pertinent therapeutic or medical reports;
    - An assessment of the current placement/ caretakers and their continued appropriateness as a placement for child/ren;
    - A description of any unmet needs and any recommendations for meeting identified needs.
    - When applicable, the supervising worker's recommendation regarding continuation of placement, return or legal custody to a parent/s and termination of the sending state's jurisdiction, finalization of adoption by child's current caretakers or the granting of legal guardianship to the child's current caretakers.
  - c. Placement supervision is for a minimum of six (6) months.
  - d. If there is a hotline on the proposed placement and/or involving the child/ren placed through ICPC, the supervising worker is to follow their agency protocols for ensuring the safety of the child/ren. If the child/ren must be removed, the supervising worker does so and then notifies the sending state as well as the receiving state's ICPC office;

- e. The sending state remains the financially responsible party for the child/ren and is responsible for all case management decisions. The receiving state assists in locating services to meet the needs of the child/ren and the placement resource. The sending state worker should be notified prior to any financial decision being made on behalf of the child (i.e.: residential treatment etc). Written verification **MUST** be received from the sending state that they are in agreement to and will be financially responsible for payment of the identified service prior to the initiation of the service. If it is determined that ICPC services are not appropriate, the Missouri ICPC Coordinator should be informed immediately, as per Child Welfare Manual, [Section 3, Chapter 1.3](#) Case Opening Criteria.
- f. Notify the ICPC Coordinator in Central Office as soon as possible if the child is returned. Send the ICPC 100-B [to close out the ICPC case, if a disruption may, or has occurred.](#)
- g. [Submit a recommendation](#) for a transfer of custody or case closing in writing to ICPC. Do not submit directly to the case manager in the sending state.

#### **25.4.2 Compact Termination/ Placement Disruption or Closure:**

Terminate services when permanency has been established through one of the following:

- The child's adoption is legally finalized;
- The child reaches the age of majority (18 years);
- The child becomes self-supporting;
- The child returns to the sending state;
- The child is discharged from court jurisdiction with concurrence of the appropriate authority in the receiving state; or
- The child's placement is disrupting. Notify the ICPC Unit in Central Office and send the [Child Custody Verification, CD-ICPC-4](#) within two (2) business days of the placement disrupting.

Close the case and record a brief narrative/summary in the file. Submit the closing narrative/summary in triplicate to the ICPC office and retain a copy in the ICPC section of the child's case file.

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## **25.5 ICPC Regulation 1**

The purpose of Regulation 1 is to allow an intact family who has a child in their home under Juvenile Court jurisdiction to relocate to another state with the court's approval. After arriving in the receiving state, the family must meet the licensing and/or approval standards established by the receiving state. Additionally, the receiving state must determine that the placement is in the best interest of the child. If the receiving state determines that placement is no longer suitable, the sending agency will return the child. The receiving state must recognize the license and/or approval from the sending state until a determination is made whether the family meets the receiving state's standards. Supervision and progress reports shall be provided by the receiving state during the completion of the home study process.

### **25.5.1 Missouri As The Sending State:**

1. The placement resource should notify the CSW of their relocation to another state as soon as possible.
2. The CSW should notify the court by written report of the family's desire to relocate with a child in Children's Division's care and custody.
3. The court authorizes approval for the move of the child with the family.
4. The CSW completes and submits the ICPC referral packet as set forth in Section 4, Chapter 25.3 Placement of a Missouri Child into Another State.

NOTE: Include three (3) copies of the current approved home study and/or license of the family in the referral packet.

### **25.5.2 Missouri As The Receiving State:**

1. The CSW receives the referral from the ICPC Unit.
2. The CSW completes the Alternative Care Client form, SS-61, (for relative, foster or adoptive placements) or the Family-Centered Services Case Report form, SS-63, (for a parent placement).
3. The CSW should cooperate with the sending state in arranging services for the family.
4. Determine with verification from the other state if the child is eligible for Title IV-E Medicaid.
5. Open IV-E Medicaid if the family was licensed and continues to receive maintenance from the sending state.

6. Begin the family assessment as outlined in CWM 4.25.4, Placement of another State's Child into Missouri. The assessment should be completed within 60 calendar days.
7. Maintain services accordingly.

Related Subject: Forms and Instructions

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## 25.6 ICPC Regulation 7 or Expedited Placements

Regulation 7 referrals, commonly referred to as “Expedited” referrals, were initiated to address the problem of frequent delays in completing home studies on a select group of individuals as identified in Article VIII of the Compact. A Regulation 7 referral *cannot* be court ordered if foster care licensing or an adoptive study is being requested, or if the child is already residing in the recipient’s home.

### 25.6.1 Missouri as the Sending State:

1. The Children’s Service Worker should determine if the child(ren) qualifies for an expedited request.
2. The proposed placement must belong to a class of persons who, under Article VIII of the Compact, would be exempt if there were no court involvement, is specifically addressed in the accompanying court order and meets one of the following criteria:

The proposed placement recipient is a relative (as defined in RSMo 210.620 Article VIII) of the child(ren), **and applies to:**

- child(ren) four (4) years old and younger **and** their siblings if being placed in the same home;
  - Child(ren) in an emergency placement requiring the child to be moved within 30 days,
  - one child being placed has a substantial relationship with the proposed resource, or
  - Child (ren) are in unexpected dependency.
3. Whenever a Juvenile court, upon request from the Children’s Division, or on its own authority, determines that an expedited placement is necessary, the court shall sign an order recognizing the findings that the placement resource is within the scope of the Compact and meets one of the above criteria. The order must be sent to the local CD office within two (2) business days.

Within three (3) business days of receipt of the court order the Children’s Service Worker must complete an ICPC referral packet and submit it to the ICPC Unit in Central Office by overnight express mail. For information on how to make an ICPC referral, see [Section 4 Chapter 25.3.1](#), Making an ICPC Referral.

4. The Sending State Expedited Home Study Request, ICPC 101, for expedited referrals must be included and placed on *top* packet. The Statement of Case Manager/ Potential Placement/ Party under ICPC

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Regulation 7 (Expedited), ICPC CD-ICPC-101a must also be included in the referral packet.

5. Within a timeframe not to exceed two (2) business days after receipt of the ICPC expedited referral, the ICPC Unit in Central Office will submit the expedited referral packet to the receiving state's ICPC office by overnight express mail.
6. The receiving state's ICPC Unit will make a determination within two (2) business days whether additional documentation is needed before forwarding for completion. Once assigned to the receiving state's local office, they have twenty (20) business days to complete the home study and make a placement recommendation. If there are extraordinary circumstances making it impossible to comply with the timeframes, the receiving state's ICPC office shall notify the sending state's ICPC Unit of their inability to comply and provide a date for completion.
7. Upon receipt of the home study and the Placement Request, ICPC 100-A, from the receiving state's ICPC office, Central Office ICPC Unit will notify the Children's Service Worker of the placement decision. The Children's Service Worker will notify the court immediately of the placement decision.
8. The Children's Service Worker and court should determine a date for the child(ren) to be placed with the ICPC approved resource. The Children's Service Worker should complete the Child Placement Status Report, ICPC 100-B, to inform the receiving state that the child was placed in their state in order for services to begin.

Related Subject: [E-Forms and Instructions](#)

#### **25.6.2 Missouri as the Receiving State:**

1. The MO Central Office ICPC Unit will receive the expedited referral from the sending state's ICPC unit.
2. Within two (2) business days after receipt, the ICPC Unit will determine if the referral meets the definition of "expedited placement" and all required documents are included. The referral will then be forwarded to the local CD office by overnight express mail.
3. Upon receiving the referral from the Central Office Unit, the assigned Children's Service Worker should telephone (if possible) the proposed placement resource and set up an appointment for a face-to-face contact, to include at least one home visit.

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4. Within five (5) business days the assigned Children's Service Worker will make a home visit to the placement resource.
5. The Children's Service Worker should complete the Receiving State's Expedited Home Study, ICPC-102, **or** a narrative home study, within twenty (20) working days after being assigned to the local county office by the ICPC Unit in Central Office. The completed ICPC-102 or home study **must** contain FBI fingerprint results, as well as a recommendation for/against the placement.
6. The Children's Service Worker should send the original and two (2) copies of the ICPC-102 or the narrative home study by overnight express mail to the ICPC Unit in Central Office.
7. Within two (2) business days the ICPC Unit will make a decision for or against the placement and forward the ICPC-102, or home study, by overnight express mail to the sending state's ICPC office.
8. The sending state can then place the child with the approved ICPC placement resource.
9. The sending state will notify the ICPC unit in Central Office via the Child Placement Status Report, ICPC-100-B, of any changes, such as a disruption, closure or termination of the compact.

Related Subject: [E-Forms and Instructions](#)

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## 25.7 Other Interstate Compacts

### 25.7.1 Interstate Compact on Adoption and Medical Assistance (ICAMA)

The Interstate Compact on Adoption and Medical Assistance (ICAMA), Sections 453.500-453.503 RSMo (<http://www.moga.mo.gov/statutes/c400-499/4530000500.htm>), requires states to provide Medicaid coverage to eligible adoption subsidy children when families move across state lines. A child who is eligible for Title IV-E benefits is automatically eligible to receive Medicaid in the receiving state. However, a child who receives state-funded adoption assistance does not automatically qualify for Medicaid in the receiving state unless the sending state has a reciprocal agreement with the receiving state to provide state health care services. MO Healthnet services will be opened on all children who move from *any* state with an adoption subsidy agreement (full reciprocity for IVE and state only adoption subsidy which meet eligibility requirements). ([http://aaicama.org/cms/uploads/COBRA\\_Current.pdf](http://aaicama.org/cms/uploads/COBRA_Current.pdf))

All states except Wyoming are members of ICAMA. The territories of Puerto Rico and the Virgin Islands are also non members.

The Compact Administrator (Division Director) and Deputy Compact Administrator (Interstate Unit Program Manager) are designated in each member state and approved by the national ICAMA Office. ICAMA Coordinators work together with Coordinators in other states to process the required paperwork so Medicaid eligibility can be established in the adoptive family's current residence state.

The following forms are to be used to share information between member states:

1. ICAMA Form 6.01, Notice of Medicaid Eligibility/Case Activation. This form is completed by the adoption subsidy worker who forwards it, and the following paperwork, to the state's ICAMA Coordinator to open a case:
  - One copy of the current Adoption Subsidy Contract and Amendment (mandatory);
  - One copy of the adoption decree (optional); and
  - One copy of the child's birth certificate (optional).
2. ICAMA Form 6.02, Notice of Action. This form is completed by the ICAMA Coordinator to notify a family that a case has been opened.
3. ICAMA Form 6.03, Report of Change in Child/Family Status. This form is completed by the adoption subsidy worker in Missouri to notify ICAMA of any updated information on the family to include address changes and closures.

### **25.7.1.1 Missouri as the Sending State**

When a child/ adoptive family has moved from Missouri to another state, the adoption subsidy worker will:

1. Update the Alternative Care (AC) Client Information Screen/ Placement Information to show new address of adoptive family and the county as "999". This code identifies the child as being placed out of state.  
Please note: There is a check box labeled "ICAMA Indicator" on the AC Client Information Screen. DO NOT mark this box. This box is for Central Office Use only.
2. Complete [ICAMA Form 6.01, Notice of Medicaid Eligibility/ Case Activation](#) and fax it to the ICAMA Unit in Central Office along with the documentation notated above.
3. Upon receipt of the ICAMA Form 6.01 and collateral documentation, the ICAMA Coordinator will review the forms for accuracy and completion. The ICAMA Coordinator will also update the AC Information screen in FACES to show the case is an ICAMA case and will close out the Title XIX with the date given for closure on the ICAMA Form 6.01.
4. The ICAMA Coordinator will then complete the Form ICAMA 6.02, Notice of Action and fax the 6.01, 6.02 and collateral documentation to the appropriate ICAMA Coordinator in the new state of residence.
5. A copy of the Form ICAMA 6.02 and notification letter to the receiving state is mailed to the adoptive parents by the MO ICAMA coordinator.
6. A case file is maintained in Central Office for the duration of the ICAMA case.
7. Should the family move to another state, the adoption subsidy worker is responsible for completing the [ICAMA 6.03, Report of Change in Child/ Family Status](#) and submitting it to the MO ICAMA coordinator in order to close the ICAMA Medicaid in that previous state of residence. If the family is moving to another state (other than the state where the subsidy originated), the adoption subsidy worker is to new ICAMA 6.01 to the MO ICAMA coordinator to notify the new state of residence and initiate ICAMA Medicaid.

### **25.7.1.2 Missouri as the Receiving State**

Upon receipt of the Form ICAMA 6.01 and collateral documents from the sending state, the ICAMA Coordinator will:

1. Open a vendor license in PROD for the adoptive parents and assign a DCN to the child/ren if they are not already in the PROD/ FACES systems;
  - a. Open the AC Client Information Function in FACES or update if the child/ren is already in the system to show that ICAMA Medicaid is opened for the child/ren;

2. Request a MO HealthNet card for the child/ren to be sent to the new MO residence. The case will be opened for MO HealthNet services only and will display the assigned ICAMA Coordinator as the case manager.

The child/ren's adoption subsidy state (where the adoption subsidy contract originated) will remain responsible for maintenance and other special expenses under the terms of the adoption subsidy agreement.

Related Subject: Section 4 Chapter 30 Attachment B [Interstate Medicaid Guidelines](#)

#### **25.7.1.3 Compact Termination/ Closure**

Compact termination or closure can occur under one of the following circumstances:

- The child reaches the age of majority (18 years) and the adoption subsidy is not extended by the subsidy originator state; or
- The family moves back to the sending state; or
- The child becomes self – supporting.

Upon one of these circumstances occurring, the adoption subsidy worker is to submit to the ICAMA office [the ICAMA Form 6.03, Report of Change in Child/Family Status](#). This will then be forwarded to the receiving state's ICAMA office to notify them of case closure in their state.

Related Subject: [Section 4, Chapter 30.9, Termination of Subsidy Agreement](#)

#### **25.7.2 Interstate Compact on Juveniles**

The Interstate Compact on Juveniles (ICJ), Section 210.570-210.590 RSMo, pertains to children who have been declared delinquent. The ICJ is administered in Missouri by the Division of Youth Services (DYS).

The Children's Division must honor this compact for any child in its custody or when providing any services to a child who comes under the jurisdiction of the court for delinquent behavior.

#### **25.7.3 Interstate Compact on Mental Health**

The Interstate Compact on Mental Health (ICMH), Sections 630.810-630.835 RSMo, pertains to persons who have been declared mentally ill or deficient. The ICMH is administered by the Department of Mental Health (DMH).

Placements of children are made only from DMH administered state institutions or other medical facilities to a similar facility in another state.

#### **25.7.4 Interstate Compact on Educational Opportunity for Military Children**

The Interstate Compact on Educational Opportunity for Military Children, Section 160.2000 RSMo., makes provisions for children of families serving in the military by allowing greater opportunities for military children to meet Missouri's educational requirements. The compact commissioner responsible for the administration and management of the state's participation in the compact shall be appointed by the Governor.

Some of the Compact's 18 Articles which could impact Children's Division case management are listed below:

##### ARTICLE III

- The provisions of the compact shall apply only to local education agencies and to the children of active duty military members or veterans (including the National Guard or Reserve) who are severely injured, medically discharged, retired from service, or died on active duty or as a result of injuries sustained on active duty, for a period of one year after discharge, retirement or death.

##### ARTICLE IV

- Unofficial or "hand-carried" education records—In the event that official education records cannot be released to the parents for the purpose of transfer, the custodian of the records in the sending state shall prepare and furnish to the parent a complete set of unofficial educational records. The school in the receiving state shall enroll and appropriately place the student based on the information provided in the unofficial records pending validation by the official records, as quickly as possible.
- Official records/transcripts—Simultaneous with the enrollment and conditional placement of the student, the school in the receiving state shall request the student's official education record from the school in the sending state. The sending state will process and furnish the official records within ten days or within such time as is reasonably determined under the Compact.

- Immunizations—Compacting states shall give thirty days from the date of enrollment or within such time as is reasonably determined to obtain any immunization(s) required by the receiving state.
- Kindergarten/First grade entrance age—Students shall be allowed to continue their enrollment at grade level in the receiving state commensurate with their grade level (including Kindergarten) from a local education agency in the sending state at the time of transition, regardless of age. A student that has satisfactorily completed the prerequisite grade level in the local education agency in the sending state, shall be eligible for enrollment in the next highest grade level in the receiving state, regardless of age.

#### ARTICLE V

- Absences as related to deployment activities—Students whose parent or legal guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the local education agency superintendent to visit with his or her parent or legal guardian relative to such leave or deployment of the parent or guardian.

#### ARTICLE VI

- A local education agency shall be prohibited from charging local tuition to a transitioning military child in the care of a noncustodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent.
- The transitioning military child, placed in the care of a non-custodial parent or other person standing in loco parentis who lives in another jurisdiction other than that of the custodial parent, may continue to attend the school in which he/she was enrolled while residing with the custodial parent.

#### ARTICLE XVIII

All member states' laws conflicting with this compact are superseded to the extent of the conflict.

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