

## DEPARTMENT OF SOCIAL SERVICES

## CHILDREN'S DIVISION

P. O. BOX 88

JEFFERSON CITY, MISSOURI

**October 13, 2006****What's Inside:**New Federal law  
establishing ICPC  
homestudy  
timelines.MEMORANDUM

TO: REGIONAL EXECUTIVE STAFF, CIRCUIT MANAGERS, AND  
CHILDREN'S DIVISION STAFF

FROM: PAULA NEESE, INTERIM DIRECTOR

SUBJECT: Safe and Timely Interstate Placement of Foster Children Act of  
2006 - P.L. 109-239 Interstate Compact on the Placement of  
Children (ICPC)

## DISCUSSION:

The purpose of this memorandum is to provide staff with an overview of the federal public law (PL) 109-239 and the impact it will have on the Interstate Compact on the Placement of Children (ICPC) with regard to the timeliness of completing home studies.

On July 3, 2006, President Bush signed into law the Safe and Timely Interstate Placement of Foster Children Act of 2006, P.L. 109-239. This new law amends Title IV-B and Title IV-E of the Social Security Act and encourages all states to improve the protections in place for children *and holds them accountable for the safe and timely placement of children across state lines*. The new law became effective **October 1, 2006**.

The Safe and Timely Interstate Placement of Foster Children Act of 2006 seeks to expedite the placement of foster care children across state lines and to remove barriers traditionally recognized as detrimental to timely interstate placements.

The home study provision contained in P.L. 109-239 will:

- require states to evaluate the home environment in accordance with applicable requirements of the state where the home is located;
- require states to conduct, complete and report the results of a home study within 60 calendar days after a state receives a request from another state;

- provide to states an additional 15 days to complete and report the results for home studies begun on or before 09/30/2008, if the delay is due to reasons beyond the receiving state's control (i.e. FBI fingerprint results); and
- not require the receiving state to have completed the parts of the home study that involve education/ training for prospective foster/ adoptive parents.

Our current policy is consistent with the new timeframes as it requires ICPC home studies be completed and returned to MO ICPC within 45 calendar days from the date the study is assigned at the local level for regular, non licensed or caregiver licensed relative homes, and parental homes. Current policy additionally requires 30 calendar days from the date of assignment at the local level for the completion of home studies for ICPC Regulation 7/ Priority referrals. A Regulation 7 or Priority referral is a request for placement of a child(ren) with a "parent, stepparent, grandparent, adult brother or sister, adult uncle or aunt".

A report to Congress from the Department of Health and Human Services is required under section 4(a) (2) of P.L. 109-239. The report, due one year after enactment, shall identify the following: (1) how often states need the 15-day extension to complete home studies; (2) why the extension was needed; (3) if the extension led to a resolution of the problem that prevented the home study from being done in 60 days; and (4) the actions taken by states and federal agencies to resolve the issues that led to a need for an extension.

At this time, federal regulations have yet to be developed to assist states in implementing this law. Once the regulations are published, additional information will be forthcoming.

<b>NECESSARY ACTION:</b>	
<ol style="list-style-type: none"> <li>1. Review this memorandum with all Children's Division staff.</li> <li>2. All questions should be cleared through normal supervisory channels and directed to:</li> </ol>	
<b>PDS CONTACT:</b> Monica Sekscinski or Mary C. Kliethermes (573) 751-2981	<b>DEPUTY DIRECTOR:</b> James C. Harrison (573) 751-2502
<b>CHILD WELFARE MANUAL REVISIONS:</b>	
N/A	

<b>FORMS AND INSTRUCTIONS:</b> N/A
<b>REFERENCE DOCUMENTS and RESOURCES:</b> N/A
<b>RELATED STATUTE:</b> <a href="#">P.L. 109-239 Safe and Timely Interstate Placement of Foster Children Act of 2006</a>
<b>ADMINISTRATIVE RULE:</b> N/A
<b>COUNCIL ON ACCREDITATION (COA) STANDARDS:</b> N/A
<b>PROGRAM IMPROVEMENT PLAN (PIP):</b> N/A
<b>SACWIS REQUIREMENTS:</b> N/A