



Reform of the Interstate Compact on the Placement of Children

Background

The Interstate Compact on the Placement of Children (ICPC) was drafted in 1960 to ensure that children placed across state lines for foster care or adoption are placed with persons who are safe, suitable, and able to provide proper care. The Compact also fixes legal responsibility, and responsibility for supervision and the provision of services for the child. ICPC outlines the process and procedures necessary to place a child out of state, defines the types of placements subject to the law, and the specific protections, services and requirements brought by ratification of the compact. ICPC has been enacted by all 50 states, the District of Columbia, and the U.S. Virgin Islands.

Concerns about the timeliness of the ICPC process and its “overly broad” application coupled with an outdated administrative process and procedures have given rise to a great dissatisfaction with ICPC. In addition, there has been recognition that the underlying assumption of quid pro quo regarding the cost of providing home studies and supervision is no longer accurate. A new financing scheme must be developed for interstate placements that will support improved performance and timeliness.

In an effort to address state concerns on the need to reform ICPC, the American Public Human Services Association (APHSA), the Secretariat of the Association of Administrators of the Interstate Compact on the Placement of Children, convened the ICPC Task Force in July 2003. Task Force members include state commissioners, state and local child welfare directors, ICPC administrators, and a representative from the American Association of Public Welfare Attorneys.

Recommendations for Reform

Children for whom interstate placement is in their best interest should be ensured that they will be placed with safe and suitable families in a timely manner. ICPC should not be a hindrance to their timely placement.

ICPC plays a necessary and desirable regulatory role for ensuring that children placed across state lines receive appropriate care and supervision. However, it has not been sufficiently amended in its forty-four (44) year existence.

Therefore, APHSA endorses a comprehensive reform of ICPC. The areas of reform should include, but are not limited to, the types of placements covered under ICPC, data collection and exchange, administrative practices, financing, and enforcement.

APHSA is committed to making immediate changes by July 2004, as well as recommending fundamental structural changes to the Compact by December 2004. APHSA recognizes that a number of reforms can be implemented immediately through administrative actions by state commissioners. To the extent that there is broad consensus on short-term revisions, APHSA calls for the expedited adoption and implementation of those changes by all states. With respect to the remaining fundamental and legal changes under consideration, APHSA will work with a broad and diverse group of outside stakeholders, dedicate existing staff resources, and seek additional resources to carry out the reform process. Comprehensive revisions to the Compact will be presented to our membership for consideration at the December 2004 APHSA Policy Summit.

APPROVED MARCH 28, 2004 BY THE APHSA EXECUTIVE COMMITTEE