

Main Differences

1. The Revised ICPC updates the legal framework to address the health and human service needs as well as providing an infrastructure for serving children and families in the current century.
2. The Revised ICPC will increase timely placements in other states.
3. It clarifies the applicability of ICPC to non-custodial parents.
4. It provides an opportunity/availability for an administrative review of denials in the receiving state.
5. The Revised ICPC strengthens enforcement.
6. Rules can be changed more frequently and easily so that compact can remain current.

| Revised ICPC | Current ICPC |
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| Residentials | Residentials |
| <p>Does not apply to interstate placement of children by parents (w/ legal authority) who place with Residential Treatment Facilities (RTF)</p> <p>Would only require notification of placement to the receiving state prior to/upon placements being made by state agencies.</p> <p>(Article II, N.; Article III, A.1,2;)</p> | <p>Applies to interstate placement by parents (with the legal authority) who place with Residential Treatment Facilities (RTF)</p> <p>Currently need prior ICPC approval from the receiving state before placement can be made (Reg. 4).</p> |
| Non-Custodial Parents | Non-Custodial Parents |
| <p>Streamlines and clarifies when placement with an out-of-state, non-custodial parent can be made in the context of a dependency proceeding.</p> <p>(Article III, 5a,b,c; Article II, L)</p> | <p>States have had different interpretations of the applicability of the ICPC with regards to the placement of a child with an out-of-state, non-custodial parent in the context of a dependency proceeding (Reg 2).</p> |
| Administrative Reviews | Administrative Reviews |
| <p>Provides administrative review of the receiving state denial of placement to be conducted in the receiving state pursuant to its applicable Administrative Procedures Act.</p> <p>(Article VI, C1)</p> | <p>Does not require or provide for an appeal process or administrative review.</p> |
| Rules | Rules |
| <p>Creates a one state, one vote body to make rules and regulations for signatories and provides opportunities for input and public comment.</p> | <p>Rules and Regulations promulgated by AAICPC at the annual business meetings. One vote per state.</p> <p>No opportunity for public comment.</p> |

Through the rule making process of the Revised ICPC one home study template could be created to be used by all jurisdictions.

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| Provides: Rules promulgated by the Interstate Commission shall have the force and effect of administrative rules and shall be binding in the compacting states to the extent and manner provided in the compact (Article XI) | (Article VII) |
| Enforcement | Enforcement |
| Revised ICPC clarifies enforcement and provides the following: <ul style="list-style-type: none"> • Mediation and binding dispute resolution • Remedial training • Specific technical assistance (Article XII,C) | Does not have specific language about enforcement. (only language Article IV- Penalty for Illegal Placement) |
| Distinguishes between a home study and assessment: | Only defines a home study: |
| <ul style="list-style-type: none"> • Assessment- is an evaluation of a prospective placement by a public child placing agency to determine if the placement meets the individual needs of the child. • Home Study- evaluation of the home environment conducted in accordance with the applicable requirements of the state where the home is located. (Article II, B, F) | <ul style="list-style-type: none"> • 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 (Reg. 3). |

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