

**Interstate Placement of Children  
January 18, 2019 – PT 2019.02**

**PROCEDURES 328  
INTERSTATE PLACEMENT OF CHILDREN**

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**== 328.10 Purpose**

**328.20 Definitions**

"Home study" means an assessment/evaluation conducted for the purpose of placement 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.

"Interstate Compact on Juveniles" means a vehicle for the interstate supervision of juvenile offenders, the return of absconders and escapees and runaways. The Compact Administrator is responsible for the administration and management of the state's supervision and transfer of juveniles subject to the terms of the compact [45 ILCS 11/10].

"Licensing study" means a written review and assessment, for the purposes of placement, of an application for license, on-site visits, interviews, and the collection and review of supporting documents to determine compliance with the Child Care Act of 1969 and the standards prescribed by Department **Rule 402**. A licensing study is not a home study, unless the request from ICPC is for licensure of the home.

"Receiving party/state" means the party/state to which a child is sent, brought, or caused to be sent or brought, whether by public authorities or private persons or agencies, and whether for placement with state or local public authorities or for placement with private agencies or persons. (45 ILCS 15/1 Article II, (c)).

"Sending party/agency" means the person/agency that is legally responsible for a child and is seeking to place the child in another state.

**328.30 Placement of Illinois Children**

a) Through the Interstate Compact on the Placement of Children

The following procedures apply to the placement of all Illinois children, except when jurisdiction is transferred to a tribal court and the child is placed out of state. The Compact allows each state to use its discretion when deciding whether to require ICPC involvement in the placement of youth over the age of 18 years old. Some states require ICPC involvement in the placement of youth 18 or older to and from other states; however, Illinois does not have this requirement.

1) Placement Requests

Any party who has legal responsibility for an Illinois child, when an Illinois court has jurisdiction, and wishes to place the child in another state shall submit a written request regarding the proposed placement to the Department's Interstate Compact Office, 406 E. Monroe – Station 50, Springfield, Illinois 62701.

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When preparing the interstate request, the Permanency Worker should determine which ICPC regulation(s) applies.

- A) Regulation 1 – Relocation of Family Units: An Illinois family relocating to another state with a child for whom the Department is legally responsible;
- B) Regulation 2 – Court Jurisdiction: Placements for public adoption, foster care, relatives or parents. Used when child is not yet placed or to upgrade from an unlicensed relative to a licensed foster home or to adoption home placement category;
- C) Regulation 4 – Residential Placement: Applies to cases involving children who are being placed into residential facilities whether under the jurisdiction of a court for delinquency, abuse, neglect, dependency; and/or
- D) Regulation 7 – Expedited Placement Decision: Requires that a child being considered for placement in another state with a parent, step-parent, grandparent, adult uncle or aunt, adult brother or sister, or a child’s guardian, must meet one of the following criteria:
  - i) the dependency must be unexpected;
  - ii) the child must be four years of age or younger or part of a sib group in which one child is age four or less;
  - iii) there must be a substantial relationship between the child and the proposed placement resource; or
  - iv) the child is currently in an emergency placement.

Whenever a DCFS/POS Permanency Worker requests a study of a proposed placement for a child for whom DCFS is legally responsible, the requested materials shall be reviewed by the Permanency Worker's Supervisor prior to submitting them to the Interstate Compact Office. The supervisory review is to ensure the accuracy, completeness and appropriateness of the request. Supervisory approval is indicated by signing the cover letter.

**All requests** to the Interstate Compact Office shall include the following items:

- A completed **CFS 490, Interstate Compact Placement Request**;
- The **CFS 490-14, Interstate Acknowledgement Form** that verifies that the proposed placement’s information is accurate. Incorrect information may result in an automatic denial or rejection by the receiving state;
- A cover letter summarizing the child and the permanency goal for the child. The cover letter should be completed on Department or POS agency letterhead;

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- The most current summary information related to the child's and family's history, which must include the child's most recent medical reports, school reports, Individualized Education Plan, Integrated Assessment or social history, any available psychological and/or psychiatric reports, any recent progress reports (if the child was recently in residential care or is currently in a residential care facility), and the child's SACWIS client service plan. (Refer to **Administrative Procedure #5, Child Welfare Case Record Organization and Uniform Recording Requirements, Appendix A**, for the Social History Recording Format);
- A copy (not certified copies or originals) of the child's birth certificate, social security card, and **CFS 490-16, Determination Notice**. The **CFS 490-16** can be obtained by emailing "DCFS.ICPCCobra" via Outlook or directly at DCFS.ICPCCobra@illinois.gov. The request for the **CFS 490-16** must include the child's name, DCFS ID number, date of birth and the reason the Determination Notice is needed;
- Copies of all court orders/legal documents, including, the most recent court order indicating the child's adjudicatory status and disposition, permanency order, copy of adoptive surrender, or a copy of the court order that terminated parental rights;
- Copies of the signed adoption assistance agreement when the placement will involve a child determined eligible for adoption assistance and the agreement is available or a statement specifying the child's eligibility for adoption assistance payments; and
- **If the child is or will be receiving either specialized or therapeutic level foster care services, in the other state, you must contact the Illinois interstate office prior to sending the referral.**

**In addition to the items required above, requests for relocation cases shall include the following items:**

- The licensing file;
- The foster family home study or adoptive home study, when the child will be moving with the foster or adoptive family to another state (Regulation 1). When an adoptive home study from the receiving state is available, it shall be forwarded with the other referral materials; and
- The **CFS 490-1, Interstate Compact Report on Child's Placement Status**.

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The Interstate Compact Office staff shall forward the materials to the receiving state within five (5) working days of receipt.

When a home study is requested from another state, the Permanency Worker shall treat any home study report received from another state, a Native American Indian tribe, or from a private agency under contract with that other state, as meeting all Illinois requirements for the completion of a home study before placing a child in the home in the other state. This requirement may be waived if, within 14 calendar days after receipt of the home study report, the Permanency Worker and the Interstate Compact Office staff person assigned to the home study determine that making a decision in reliance solely on the home study report would be contrary to the welfare of the child. A decision to waive the requirement must be based on grounds specific to content of the report.

**Note:** Permanency Workers are reminded that only home study reports properly processed and approved through both the receiving and Illinois Interstate offices are official home study reports.

2) Placement Resources

Placements that may be utilized under the Interstate Compact on the Placement of Children include:

- A) home of parents;
- B) home of relatives;
- C) foster family homes;
- D) adoptive homes;
- E) group homes (as determined by the receiving state); and
- F) child care institutions (as determined by the receiving state).

3) Residential Placement of DCFS Children

Clinical Intervention for Placement Preservation (CIPP) shall be used to make placement recommendations regarding residential care for children whom the Department is legally responsible. If it is determined during a CIPP staffing that an out-of-state residential placement is necessary, the members of the Centralized Matching Team shall initiate matching the child with a placement resource that can meet the needs of the child. Once the proposed placement has been approved by the Centralized Matching Team/Support Services Administrator, the Permanency Worker must submit application materials to the Department's Interstate Compact Office.

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**Requests for out-of-state residential placement shall include the following items:**

- A) One (1) copy of the recommendation (or match) from the Bureau of Operation's Administrator of Support Services authorizing a request for out-of-state placement;
- B) Five (5) copies of the completed **CFS 490, Interstate Compact Placement Request**; and
- C) Three (3) copies of the court order indicating the Department's authority to place, letter of acceptance from the residential facility, current integrated assessment/social history, client service plan, financial and medical plan, **CFS 490-16, Determination Notice**, and **CFS 490-15, Placement Disruption Agreement**.

The Interstate Compact Office staff shall forward the materials to the receiving state within ten (10) working days. Approval must be secured from the receiving state prior to making the placement. DCFS Regional Contract staff, in conjunction with the Central Office Contract Office, shall have negotiated a contract with the facility prior to placement.

4) Placement Approvals/Denials

When the Department's Interstate Compact Office receives a response to a placement request from the receiving state, the Interstate Compact Office shall notify the placing party of the approval or denial by forwarding one (1) copy of the **CFS 490** and one (1) copy of the assessment and recommendation from that state within five (5) working days of receipt. If the placement is approved by the receiving state, arrangements for the child's actual placement shall be made directly between the sending and receiving parties/agencies.

Following the placement of a child in another state, the sending and receiving parties/agencies may correspond directly with each other regarding any placement-related issues (progress reports, case planning, etc.) **but shall ensure** that the Interstate Compact Offices in both states are provided copies of all correspondence.

When a placement request has been approved, the placement of the child must occur within 180 calendar days of the approval. If the placement is not made within 180 calendar days, the approved placement request becomes invalid and another approval is required before the child can be placed.

Immediately following the placement of a child in another state, the placing party/agency shall confirm the placement and the date of placement by submitting a copy of the **CFS 490-1, Interstate Compact Report on Child's Placement Status**, to the Department's Interstate Compact Office. The Interstate Compact Office shall forward a copy of the **CFS 490-1** to the receiving state in order to confirm the child's

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placement and to initiate supervision and monitoring of the placement. The placing party/agency shall retain full responsibility (including financial) for the child until the placement is terminated with concurrence from receiving state's ICPC office.

No Illinois child subject to compact regulation shall be placed in another state prior to receipt of approval from the Interstate Compact Office of that state nor shall the child be placed when the Interstate Compact Office of that state disapproves the placement request. When the Interstate Compact Office has been made aware that a child has been placed in an unapproved placement or a placement not approved under the interstate agreement, then the Interstate Compact Office shall notify the DCFS Office of Legal Services of the corresponding county regarding the violation. If a placement decision has been disputed or violated, DCFS Legal shall notify DCFS Clinical of the concern and DCFS Clinical shall convene a staffing with the sending Permanency Worker, Permanency Supervisor, and Guardian Ad Litem (GAL), to develop an appropriate plan to return the child. Regulation 1 cases are the exception to this rule as the child is already placed in the home and the resource family is moving from Illinois to another state. Approval for Regulation 1 cases cannot be received until the family actually relocates to the new state.

5) Placement Changes

When the sending party/agency decides to not proceed with a placement, that party shall immediately cancel the placement request by submitting a copy of the **CFS 490-1** to the Department's Interstate Compact Office.

Any placement related changes that occur while the child is in the receiving state shall be reported by the placing party to the Department's Interstate Compact Office by submitting a copy of the **CFS 490-1** that fully explain the reason/nature and the date of the change. This includes, but is not limited to:

- change in placement status (i.e., from foster care to adoptive);
- change in the placement resource (i.e., from foster care to home of parent/relative);
- change in caregiver's address; and/or
- change in the child's legal status.

If the Illinois child and/or the child's caregiver plan to move to yet another state, it is necessary to obtain prior approval for the child's continued placement in the new state. The original Illinois placing party or agency shall submit a new placement request to the Department's Interstate Compact Office, as noted in **Section 328.3 a) 1**. When the Illinois placing party was unaware of or not notified of a change in residence prior to the move, a new placement request shall be submitted immediately upon learning of the move.

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The placing party/agency shall submit a copy of the **CFS 490-1** and any additional required documentation to the Department's Interstate Compact Office in order to request termination of the placement. Such requests shall be made when any of the following changes occur:

- the child is legally adopted (submit three (3) copies of the decree);
- the child is self-supporting;
- the Compact Administrator in the receiving State has agreed, in writing, that a discharge of jurisdiction of the placing party is appropriate (submit a copy of the discharge/termination order);
- the child has left the placement and returned to Illinois; or
- the Department has received confirmation that the child has run away.

**Note:** Upon notification from the receiving state that the child has run from the placement the DCFS/POS Permanency Worker shall take appropriate action in accordance with **Procedures 329, Locating and Returning Missing, Runaway, and Abducted Children**.

After receipt of the **CFS 490-1** and supporting documents, the Department's Interstate Compact Office shall forward a copy of the **CFS 490-1** to the receiving state to notify that state of the placement termination.

b) Through the Interstate Compact on Juveniles

When a child for whom the Department is legally responsible has been adjudicated "delinquent" **and** placed on probation or parole, the child's out-of-state placement shall be made in accordance with the provisions of the Interstate Compact on Juveniles (ICJ). Minors who are under the direct jurisdiction of an Illinois court or probation office must also be placed in accordance with the Juvenile Compact.

Whenever the Department contemplates placement of an adjudicated delinquent who is on probation/parole with a party in another state, a referral shall be made through the probation/parole officer. The Permanency Worker shall request the participation of the minor's probation/parole officer when planning the placement.

The placement of a child for whom the Department is legally responsible, that was made in accordance with the Interstate Compact on Juveniles, terminates when the minor's specific term of probation/parole expires. When the Department plans to allow the youth to remain in the out-of-state placement after the probation/parole terminates, staff shall forward a referral through the DCFS Interstate Compact Office **PRIOR** to the expiration date of the probation/parole to request approval from the receiving state for the child's continued placement in that state.

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c) Exempt Placements Under the Interstate Compact on the Placement of Children

The following kinds of placements/facilities are exempt from coverage under the Interstate Compact on the Placement of Children:

- children placed in accordance with **Rules and Procedures 307, Indian Child Welfare Services**;
- visits of thirty (30) calendar days or less when the purpose is to provide the child with a social or cultural experience such as a stay in a camp or with friends or relatives with no intent of placement in the immediate future;
- educational institutions that are primarily for the purpose of meeting the child's educational, extracurricular and co-curricular needs, and student support services, for the usual and customary school year only (exempt status shall be determined by the state in which the facility is located);
- hospitals or other medical facilities, primarily for the care and treatment of an acute illness or medical problem and the child is discharged following the completion of such treatment;
- institutions or other facilities that provide medical care and treatment, psychiatric care and treatment, or rehabilitative treatment for mentally ill or developmentally disabled persons;
- a placement made by a parent or relative, as defined in these Procedures, with a parent or other relative in another state and no juvenile court has current jurisdiction over the minor child; and
- a placement covered by another Interstate Compact, i.e. Compact on Juveniles, Compact on Mental Health.

**328.40 Placement of Children From Other States**

a) From Compact States

1) Placement Requests

All requests for placement into Illinois must be sent to the Department's Interstate Compact Office. Requests that are received by Department staff directly from other states shall be returned to the sender with instructions to resubmit the request through their Interstate Compact Office.

Title IV-E requires interstate home studies to be completed within sixty (60) days of being requested. Following the receipt of a request from another state's Interstate Compact Office for a placement, the Department's Interstate Compact Office shall review and forward, within three (3) business days, one (1) copy of the request and all other materials pertaining to the proposed placement to the appropriate DCFS regional/field office or POS provider.

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2) Response to Placement Requests

Following receipt of the request and referral materials, Department or POS staff shall conduct a thorough assessment of the proposed placement resource utilizing the **CFS 490-13, Interstate Home Study Outline**. When the study/assessment has been completed, supervisory staff shall review the materials for accuracy and completeness and provide supervisory approval via signature on the cover transmittal. Three (3) copies of a written report of the assessment and recommendation concerning the placement shall be provided to the Department's Interstate Compact Office within thirty (30) calendar days of the receipt date. The written report shall:

- A) address all issues identified in the referral material;
- B) include a statement regarding the positive aspects of the proposed placement as well as any areas of concern that must be taken into account;
- C) include specific information concerning whether or not special medical/educational needs or other specialized needs of the child can be adequately and appropriately provided by the proposed caregiver and/or the community;
- D) include verification of the licensure of the proposed caregiver, including license number and effective dates for when the caregiver became:
  - a non-relative foster family home;
  - an adoptive family;
  - a parent or relative whose parental rights have been terminated;
  - a putative father or relatives of the putative father whose paternity has not been established; or
  - an Illinois child care license, if required, for a group home or child care institution;
- E) include a statement from the proposed caregiver regarding the financial arrangements for the care of the child and an assessment of whether these arrangements are sufficient to ensure an adequate level of care and protection for the child;
- F) include a statement regarding the proposed arrangements for the provision and payment of medical care and treatment of the child and an assessment of whether such arrangements will ensure adequate medical care for both ongoing and any serious illness or catastrophic occurrence;
- G) indicate whether adoption assistance from the other state will be required when the placement is for the purpose of adoption and whether a monthly assistance payment will be necessary or if any other assistance will be required to affect the placement of the child; and

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H) include an overall assessment of the proposed plan and a specific recommendation as to whether the Department's Interstate Compact Office should approve the placement. A **“Recommended Approval”** is based on evidence that the proposed placement does not appear to be contrary to the best interests of the child and a **“Recommended Denial”** is based on evidence that the placement would be contrary to the best interests of the child.

3) Placement Approvals/Denials

Within five (5) working days of receipt, staff of the Interstate Compact Office shall review the assessment and recommendation materials for completeness and to approve or deny the request for placement of the child in Illinois. Following the disposition, Interstate Compact staff shall simultaneously send two (2) copies of the assessment and recommendation and the signed **CFS 490** to the Interstate Compact Office in the sending state and one (1) copy of the signed **CFS 490** indicating approval or denial to the Illinois POS agency or DCFS office.

If the proposed placement is approved, actual placement arrangements shall be made between the sending and receiving agencies/parties. After approval of the placement, the worker should periodically check with the proposed caregiver to confirm the actual placement. Once the child has been placed, the Illinois Interstate Compact Office shall be notified of the date of placement by the sending party/agency. The Interstate Compact Office shall notify the appropriate Illinois DCFS field office or POS agency office of the placement, at which time supervision and monitoring must be arranged for and provided. Following the placement of the child, the sending and receiving parties/agencies may correspond directly with each other regarding any placement-related issues (progress reports, case planning, etc.) but shall ensure that the Interstate Compact Offices in both states are provided copies of such correspondence. (Minimally, reports required in accordance with the **CFS 490**.)

Supervision must include face-to-face visits with the child at least once each month, beginning no later than 30 calendar days from the date the child is placed or 30 calendar days from the date the receiving state is notified of the child's placement, if notification occurs after placement. The assigned caseworker shall complete a written supervision report at least once every ninety (90) calendar days. Such reports shall include the following:

- A) Date and location of each face-to-face contact with the child since the last supervision report was completed;
- B) A summary of the child's current circumstances, including a statement regarding the on-going safety and well-being of the child;
- C) If the child is attending school, a summary of the child's academic performance along with copies of any available report cards, education-related evaluations or Individual Education Plan (IEP);

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- D) A summary of the child's current health status, including mental health and the dates of any health-related appointments that have occurred since the last supervision report;
- E) An assessment of the current placement and caretakers (e.g., physical condition of the home, caregiver's commitment to the child, any changes in family composition, health, financial situation, work, legal involvement, social relationships, and/or child care arrangements); and
- F) A description of any unmet needs of the child and any recommendations for meeting identified needs.

4) Placement Changes

The Illinois supervising agency shall notify the DCFS Interstate Compact Office when any planned change in the placement status of a child occurs while the child is placed in Illinois. Such changes include, but are not limited to:

- A) a change in placement status (e.g., from foster care to adoptive);
- B) a change in residence of the child (e.g., from foster care to the child's parent);
- C) a change in address of child and caregiver; or
- D) a change in legal status.

When any unplanned placement changes or a placement disruption occurs, the Permanency Worker shall immediately contact the DCFS Interstate Compact Office.

b) Responsibilities for Placed Children

The sending party/agency shall continue to have full planning responsibility for the child as if the child had remained in the sending state. Illinois shall recognize the sending state's jurisdiction and enforce orders of the sending state's court, as its agent, when such orders are in compliance with the Interstate Compact on the Placement of Children. The sending party/agency in the other state retains financial responsibility for the child for the entire duration of the placement in Illinois.

The Interstate placement agreement between the State of Illinois and the sending agency/party shall terminate when:

- the child has been adopted;
- the child becomes self-supporting;

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- the child has reached the age of legal majority;

**Note:** A child that has reached the legal age of majority may continue to be served at the discretion of both the sending and receiving states. The sending and receiving states must make the agreement to continue to serve the child in writing prior to the child reaching the age of majority.

- the DCFS Interstate Compact Office has recommended or concurred with a discharge of the placing agency's/state's legal responsibility;
- the child has left the Illinois placement and returned to the other state;
- the child has moved to another state; or
- the child has run away from the Illinois placement and cannot be returned to that placement.

**Note:** The DCFS/POS worker will notify the sending state so that they can follow the runaway procedures that apply to that state.

### **328.50 Removal of Placed Children**

a) Illinois Children Placed in Other States

When requested by the other state's Interstate Office, an Illinois placing party shall make immediate arrangements for the removal and transportation back to Illinois of the child placed in the other state. The placing party shall work with the supervising agency in the other state when advised by the Department's Interstate Compact Office of a request to remove an Illinois child from an out-of-state placement. If the placing party does not return the child within five (5) working days after notification, the DCFS Interstate Compact Office shall contact the DCFS Office of Legal Services for monitoring in order to ensure that the Compact is neither violated nor circumvented in a manner that compromises the safety of children. The DCFS Office of Legal Services shall notify DCFS Division of Clinical Practice and Development. DCFS Division of Clinical Practice and Development will convene a staffing with the sending agency/party caseworker and supervisor, and the GAL. All incurred costs shall be the responsibility of the placing party in Illinois unless other arrangements are mutually agreed upon by the parties involved.

Additionally, Department staff shall take action to remove a child for whom DCFS is legally responsible from an out-of-state placement when any of the following circumstances exist:

- the facility is not licensed or approved for licensure in accordance with applicable laws of that state;
- the facility loses its license; or
- the facility commits or omits any action that would be grounds for license revocation in Illinois.

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The placing party shall immediately submit three (3) copies of the **CFS 490-1** to the Department's Interstate Compact Office as notification of when the child has been returned to Illinois. The child's return to Illinois shall be reason to terminate the Compact agreement or Guaranty between the two (2) states.

b) Out-of-State Children Placed in Illinois

The placing party shall make immediate arrangements for removing a child from Illinois when the Illinois supervising agency through the Department's Interstate Compact Office has requested removal because the Illinois placement is believed to be contrary to the best interest of the child. All incurred costs related to the interim, temporary placement of the child in Illinois and/or the child's return shall be the responsibility of the placing party in the sending state provided the placing party had prior knowledge of such costs and gave prior approval.

The Illinois supervising agency shall provide the Department's Interstate Compact Office with a request documenting the need for the child's removal and verification of the removal by submitting three (3) copies of the **CFS 490-1**. Following the removal of the child from Illinois, the Compact agreement or Guaranty shall be terminated between the two (2) states.

**328.60 Interstate Private/Independent Adoptions**

a) The Referral Packet

1) Receipt of the Referral Packet

The interstate adoption process begins with the receipt of the complete referral packet. The referral packet may be sent to Illinois ICPC by:

- email to [DCFS.InterstateCompactGeneral@illinois.gov](mailto:DCFS.InterstateCompactGeneral@illinois.gov);
- fax: 217-8785-2459 or 217-785-2454; or
- mail to:

Illinois DCFS Interstate Office,  
406 E. Monroe, Station 50  
Springfield, IL 62701-1498

2) Required Documents

The referral packet for all Private/Independent Interstate Adoptions must contain the following documents, if applicable:

- A list of email addresses for all attorneys and agencies involved in the adoption process for the child (750 ILCS 50/4.1);

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- Registration of Out-of-State Sending Agency (CFS 490-1A) and/or Attorney, where the Sending Agency and/or Attorney (CFS 490-1B) is seeking to place a child in Illinois and the placement is subject to the Interstate Compact on the Placement of Children. Registration is required at least every 2 years. (750 ILCS 50/4.1);
- ICPC 100A/CFS 490 (45 ILCS 15);
- Cover letter or statement from Sending agency/Attorney with Circumstances of Placement (45 ILCS 15);
- Consent or Relinquishment (45 ILCS 15);
- Attorney or Adoption Agency Certification that Consent is in Compliance in Sending State (45 ILCS 15);
- Indian Child Welfare Act acknowledgement (ICWA) (45 ILCS 15);
- Legal Risk acknowledgement (45 ILCS 15);
- Medical risk acknowledgement (45 ILCS 15)
- Adopting Parent Acknowledgement of Receipt of Information (45 ILCS 15)
- Statement of Authority (45 ILCS 15);
- Biological Parents' Social/Medical/Genetic Information (45 ILCS 15);
- Child's Medical Records (45 ILCS 15);
- Statement of Identification of Birth Father (750 ILCS 50/11 (b));
- Verification of Counseling being offered to Birth Parents/Counseling Summary (750 ILCS 50/A-2);
- Putative Father Registry certification, unless the biological mother and father are married or the birth mother specifies that the spouse is the biological father (750 ILCS 50/12.1);
- When the child is born in Illinois, verification is required that the adoptive family has been provided information on the Illinois Adoption Registry & Medical Information Exchange (750 ILCS 50/18.05 a and b);
- Adoptive Home Study or update to be no more than 1 year old (45 ILCS 15);
- Background Clearances (must be less than 2 years old) (750 ILCS 50/6);
- Itemized Expense Affidavit to finalize the adoption (45 ILCS 15);
- Order of Appointment of Legal Guardian, if applicable (45 ILCS 15);
- Post-Placement Supervision Statement (45 ILCS 15);
- Authority for the Prospective Adoptive Parents to Provide Medical Care, if applicable (45 ILCS 15);
- Agency license or other proper authorization by the state where agency is located (45 ILCS 15 & 750 ILCS 501/4.1 a) (1)).

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3) **Incomplete or Missing Documents**

If it is determined that there are incomplete or missing documents or that required information is missing from the packet, the Interstate Compact Administrator shall notify the sending agency/attorney of the incomplete or missing information via electronic mail or other electronic means. The adoption agency or attorney shall be provided a list of all incomplete or missing documents or other required information within 2 business days of receipt of the referral packet by the:

- Illinois licensed child welfare agency involved in the placement;
- Out-of-state child placing agency involved in the placement; and
- All attorneys representing the prospective adoptive parent and/or biological parent.

b) **Approved Referral**

If the adoption placement is approved by the Interstate Compact Administrator or his/her designee, the approval shall be provided to the sending adoption agency or attorney within 3 business days of the Administrator's receipt of the complete referral packet.

The notice of approval of an adoption placement is required to be in writing and shall be sent by electronic mail or other electronic means to the:

- Illinois licensed child welfare agency involved in the placement;
- Out-of-state child placing agency involved in the placement; and
- All attorneys representing the prospective adoptive parent or biological parent.

c) **Provisional Approved Referral**

At the discretion of the Illinois Compact Administrator, a provisional adoption placement approval may be issued pending the receipt of documentation missing from an adoption referral packet. The provisional approval shall be provided to the sending adoption agency or attorney by the Office of Interstate Compact within 3 business days of the Illinois Compact Administrator's receipt of the incomplete referral packet. The provisional approval of the adoption placement is required to be in writing and shall be sent by electronic mail or other electronic means.

The notice of provisional approval of the adoption placement shall be in writing and shall be sent to the:

- Illinois licensed child welfare agency involved in the placement;
- Out-of-state child placing agency involved in the placement; and
- All attorneys representing the prospective adoptive parent or biological parent.

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d) Denied Referral

If an adoption placement is denied by the Illinois Compact Administrator or his/her designee, the denial shall be provided to the sending adoption agency or attorney within 3 business days of the Illinois Compact Administrator's receipt of the complete referral packet. When an adoption placement is denied, the written decision shall include the reasons the placement was not approved and shall reference the requirements that were not met.

The denial of the adoption placement is required to be in writing and shall be sent by the Office of Interstate Compact by electronic mail or other electronic means to the:

- Illinois licensed child welfare agency involved in the placement;
- Out-of-state child placing agency involved in the placement; and
- All attorneys representing the prospective adoptive parent or biological parent.

e) Approved Referrals when Illinois is the Sending State

The Illinois Compact Administrator or his/her designee shall provide first approval of an adoption placement when Illinois is the sending state and a complete referral packet has been received from an adoption agency or attorney. Approval shall be provided within three (3) days of receipt of the complete packet. The referral shall then be sent to the receiving state for their final approval.

**328.70 ICAMA for Children with Adoption or Subsidized Guardianship Agreements with Illinois**

a) ICAMA Referral Process

The following process is for children adopted in Illinois or placed into subsidized guardianship in Illinois.

1) Family Residing Out of State

If a family resides out of state at the time the adoption is finalized or subsidized guardianship is granted, the Post Adoption Worker shall complete the ICAMA Referral Process as soon as the adoption or subsidized guardianship occurs in order to ensure the continuation of medical coverage for the child.

2) Family Relocates Out of State

If a family relocates to another state after the adoption is finalized or subsidized guardianship is granted, the Post Adoption Worker shall complete the ICAMA Referral Process so that medical assistance can be transferred to the new state.

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3) Notification of Family Relocating Out of State

When a Post Adoption Worker is notified by a family that they are relocating to another state, the Post Adoption Worker shall verify all pertinent case information including:

- name of child;
- birthdate of child;
- social security number of child;
- family telephone numbers; and
- complete mailing information for the new address.

Before an ICAMA Referral can be submitted, the new address and any other new information for the adoptive family must be entered into the CYCIS database or the database of any successor system.

b) ICAMA Referral Packet

An ICAMA referral packet is required for Post Adoption children to receive medical coverage in another state. The ICAMA referral packet consists of the following:

- The completed **CFS 490-17, ICAMA Referral Form**: all information needs to be verified with the adoptive parent as information can change or can be incorrect in our system;
- The Title IV-E Eligibility Determination Notice completed by “ICPC Cobra”. The Post Adoption Worker emails the child’s name and CYCIS ID number to “DCFS.ICPCCobra”. The subject of the email is “**FOR ADOPTION**”. The Post Adoption Worker should receive the Title 4-E Eligibility Determination Notice form from “DCFS.ICPCCobra” within 2 working days;
- The **CFS 1800-C-A, Adoption Assistance Agreement** form or the **CFS 1800-C-G, Subsidized Guardianship Agreement** form;
- The court order for the adoption, including name change; and
- A start date for the medical card in the new state shall be included on the ICAMA Referral Form. The initial start date must be after the adoptive family has left Illinois as the Illinois Medical card number will be deactivated the day before the start date in the new state.

The ICAMA referral packet cannot be processed until all forms are submitted to the ICAMA Coordinator. These documents shall be emailed to “[DCFS.InterstateCompactGeneral@illinois.gov](mailto:DCFS.InterstateCompactGeneral@illinois.gov)” with the subject of “ICAMA Coordinator”.

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The ICAMA Coordinator shall enter this information into the ICAMA National Database, which will enable the new state to provide a new medical card to the family. The family should receive their medical coverage from the new state is approximately 45 days after the Post Adoption Worker submits the completed ICAMA referral packet to the ICAMA Coordinator at the Illinois Interstate Office. The new state is allowed up to 45 days after they are notified by Illinois to issue the new medical card.

c) Updated Information for ICAMA

1) Eligibility of Extended Medical Coverage

Many of the children who are adopted or in subsidized guardianship and who are IV-E eligible, will receive medical coverage past the age of 18, per the eligibility criteria of the subsidy agreement. If the new state where the child is residing is not notified of the eligibility of extended medical coverage before the child reaches the age of 18, the new state may stop the medical coverage upon the 18<sup>th</sup> birthday. When medical coverage is stopped in the other state, the Post Adoption Worker must provide a new referral packet to restart coverage. **While the new packet is being processed the youth will not have any medical coverage.** Since the processing of the ICAMA packet can take up to several months, this a significant loss of medical coverage to the youth and their family.

To prevent this loss in medical coverage, the Post Adoption Worker shall email the Illinois ICAMA Coordinator a copy of the completed Final Notice of Intent to Discontinue Subsidy Payments, **CFS 1800-M-2** form as soon as it is approved by the Post Adoption Worker's supervisor.

2) Notice of Changes

After a family has moved out of state or returns to Illinois, the ICAMA Coordinator shall be sent any and all changes in the following:

- name of child- a copy of the court order reflecting the change is required if the name of child was changed after the adoption;
- social security number;
- telephone number; and
- complete mailing address- even if family is in the same house and the address has changed (e.g., Previous address listed as RR. 1, Quincy, Illinois and is now 123 Oak Lane, Quincy Illinois).

The ICAMA Coordinator shall send all updated information to the National ICAMA Database so that the family can continue to receive their Medicaid coverage.

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3) Decision to Close the Case

Once the decision has been made to close a child's post adoption/subsidized guardianship case, the information needs to be forwarded to the ICAMA Coordinator, including the name of child, CYCIS ID # and the reason for case closing.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

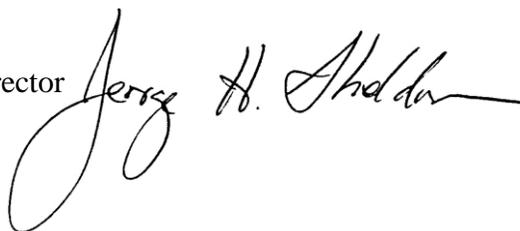
**POLICY GUIDE 2017.03**

**ILLINOIS INTERSTATE PLACEMENT OF CHILDREN: 18 AND OLDER**

**RELEASE DATE:** January 17, 2017

**TO:** DCFS and POS Staff

**FROM:** George H. Sheldon, Director



**EFFECTIVE:** Immediately

**I. PURPOSE**

The purpose of this Policy Guide is to inform and explain to DCFS and POS child welfare staff of the Department's decision to exclude all youth age 18 and older from the Interstate Compact on the Placement of Children (ICPC) approval process, unless required by another state's policy/procedures. **Procedures 328, Interstate Placement of Children**, will be revised to comport with this Policy Guide.

**II. PRIMARY USERS**

The primary users of this Policy Guide are DCFS and POS Permanency Supervisors and Caseworkers; DCFS and POS Foster Care Licensing Representatives and Supervisors, A&I Licensing Representatives and Supervisors; and Child Welfare Agency, Child Care Institution and Group Home Administrators, Supervisors and Staff.

**III. INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN REGULATIONS**

The Compact allows each state to use its discretion when deciding whether to require ICPC involvement in the placement of youth over the age of 18 years old to and from other states. Some states require ICPC involvement in the placement of youth 18 or older to and from other states; however, Illinois does not have this requirement for youth 18 or older.

**IV. ILLINOIS ICPC OFFICE**

Illinois, like many other states, has long had the practice of not being involved with youth 18 and older when it involves interstate placements. Generally, Illinois' ICPC office will not accept packets for placement of youth either incoming or outgoing who are over the age of 18. However, if a receiving state requires ICPC approval for such youth from Illinois to be



placed, the Illinois ICPC office will process the request. In turn, when a youth is being placed in Illinois from another state and that sending state requires ICPC involvement the request will be processed. These include all placement types: residential, Community Integrated Living Facilities (CILF), foster care, and adoption.

## **V. QUESTIONS**

Questions about this Policy Guide should be directed to the Office of Child and Family Policy at 217-524-1983 or via Outlook to OCFP – Mailbox.

## **VI. FILING INSTRUCTIONS**

This Policy Guide is to be filed immediately following **Procedures 328, Interstate Placement of Children.**

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

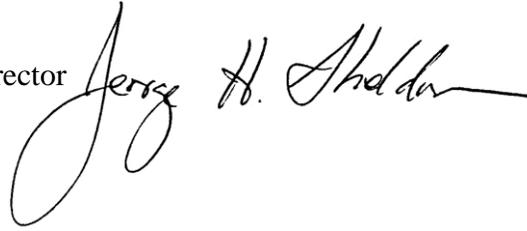
**POLICY GUIDE 2017.02**

**INTERSTATE COMPACT ON ADOPTION AND MEDICAL ASSISTANCE (ICAMA)**

**RELEASE DATE:** January 13, 2017

**TO:** DCFS and POS Staff

**FROM:** George H. Sheldon, Director



**EFFECTIVE:** Immediately

**I. PURPOSE**

The purpose of this Policy Guide is to inform Department and Purchase of Services (POS) staff of the Department's procedures for Interstate Compact on Adoption and Medical Assistance (ICAMA). At a future date, **Procedures 328, Interstate Placement of Children**, will be revised to include the information contained in this Policy Guide.

**II. PRIMARY USERS**

The primary users of this Policy Guide are DCFS and POS Permanency Supervisors and Caseworkers; DCFS and POS Foster Care Licensing Representatives and Supervisors, A&I Licensing Representatives and Supervisors; Child Welfare Agency, Child Care Institution and Group Home Administrators, Adoption Workers and Post Adoption Workers, Supervisors and Staff, Federal Eligibility and Determination Staff.

**III. BACKGROUND**

Currently 49 states and the District of Columbia have adopted ICAMA through legislation. ICAMA is an agreement between the member states that enables them to coordinate the provision of medical benefits and services to children receiving adoption assistance or in a subsidized guardianship placement in another state. When a child with special needs, receiving adoption assistance, is adopted by a family who is either living in another state at the time of the adoption or relocates to another state after the adoption, the ICAMA procedures apply. In addition, when a child with special needs lives in a subsidized guardianship (KINGAP) placement in another state at the time of the subsidized guardianship or relocates to another state after the subsidized guardianship the ICAMA procedures apply.



Medicaid benefits may change for the child when they move to another state as each state has its own standards for medical services. This means that a child may receive benefits equal to their sending state or benefits less than their sending state.

Medical assistance will be provided by the resident state to all Title IV-E eligible children. However, it is at the discretion of the resident state to provide medical benefits to children who are not Title IV-E eligible. Each state has the option to provide or not provide medical assistance for the children who are not Title IV-E eligible.

#### **IV. ICAMA PROCESS FOR CHILDREN ADOPTED IN ILLINOIS**

The following process is for children adopted in Illinois or placed into Subsidized Guardianship in Illinois.

Children from other states must start the process with their post adoption worker or ICAMA Coordinator in the state where the child was adopted or where the court ordered the subsidized guardianship.

- a) If a family is already residing out of state at the time that the adoption is finalized or subsidized guardianship is granted the Post Adoption Worker shall complete the ICAMA Referral Process as soon as the adoption or subsidized guardianship occurs in order to ensure the continuation of medical coverage for the child(ren).
- b) If a family relocates to another state after the adoption is finalized or subsidized guardianship is granted the Post Adoption Worker shall complete the ICAMA Referral Process so that medical assistance can be transferred to the new state.
- c) When a Post Adoption Worker is notified by a family that they are relocating to another state the Post Adoption Worker will verify all pertinent case information including:
  - child's name (a copy of the court order reflecting the change is required if the name of child was changed after the adoption);
  - birthdate;
  - social security number;
  - telephone number; and
  - complete mailing address.

Before an ICAMA Referral can be submitted the new address and any other new information for the adoptive family must be entered into the CYCIS Computer system.

## V. OUT OF STATE ICAMA REFERRAL PROCESS

An ICAMA Referral Packet is required for Post Adoption children to receive medical coverage in another state. The ICAMA Referral Packet consists of the following:

- a) The completed **ICAMA Referral Form, CFS 490-17**, information needs to be verified with the adoptive parent as information can change or can be incorrect in our system;
- b) The IV-E Eligibility Determination Notice completed by “ICPC Cobra”. The Post Adoption Worker emails the child’s name and CYCIS ID number to “ICPC Cobra”. The subject of the email is “for adoption”. The Post Adoption Worker will receive the Determination Notice from “ICPC Cobra” usually within 2 working days.
- c) The **CFS 1800-C-A, Adoption Assistance Agreement** form;
- d) All court orders on the adoption and name changes.
- e) A start date for the medical card in the new state should be requested on the ICAMA Referral Form. The initial start date for the new state must be after the adoptive family has left Illinois because the Illinois Medical card number will be deactivated the day before the start date of the new Medical card.

The ICAMA Referral Packet cannot be processed until all forms are completed.

These documents are emailed to “ICAMA Coordinator” at:  
[DCFS.InterstateCompactGeneral@illinois.gov](mailto:DCFS.InterstateCompactGeneral@illinois.gov).

The ICAMA Coordinator will enter this information into the ICAMA National Database which will enable the new state to provide a new medical card to the family. The best estimate of when the family will receive their medical coverage from the new state is approximately 45 days after the Post Adoption Worker submits the completed ICAMA Referral Packet to the ICAMA Coordinator at the Illinois Interstate Office. The new state is allowed up to 45 days after they are notified by Illinois to issue the new medical card.

### Updated Information for ICAMA

- a) Many of the adopted/subsidized guardianship children who are IV-E eligible will receive medical coverage past the age of 18. However, if we do not notify the state where the child is residing a few months before the child reaches the age of 18 then most states will stop the medical coverage at age 18. When this happens it takes a new request by the Post Adoption Worker to restart the medical coverage. This results in the child losing months of medical coverage, as well as additional work on the part of the Post Adoption Worker. To prevent this loss in medical coverage the

Post Adoption Worker shall email the ICAMA Coordinator at Illinois Interstate Office a copy of the Final Notice of Intent to Discontinue Subsidy Payments, **CFS 1800-M-2** form for any out of state youth. The Post Adoption Worker shall email the **CFS 1800-M-2** form to the ICAMA Coordinator as soon as the **CFS 1800-M-2** is approved.

- b) After a family has moved out of state, any changes in the following are to be forwarded to the ICAMA Coordinator at Illinois Interstate Office:
- children’s name, a copy of the court order reflecting the change is required if the name of child was changed after the adoption;
  - social security number;
  - telephone number; and
  - complete mailing address, even if family is in the same house and the address is has changed (e.g., Previous address listed as RR. 1, Quincy, Illinois and is now 123 Oak Lane, Quincy Illinois), or they move to another state or move to Illinois.

The ICAMA Coordinator will send this information through the ICAMA Database so that the family can continue to receive their medical card.

- c) When a decision has been made to close a child’s post adoption/subsidized guardianship case this information needs to be forwarded to the ICAMA Coordinator. Include the child’s name, CYCIS ID # and the reason for case closing.

## **VI. NEW FORM**

### **CFS 490-17, Interstate Compact on Adoption and Medical Assistance (ICAMA) Referral Form (1/2017)**

This form is available on the “T” Drive and DCFS Website.

## **VII. QUESTIONS**

Questions about this policy guide should be directed to the Office of Child and Family Policy at 217-524-1983 or via Outlook to OCFP – Mailbox. Non Outlook users may e-mail questions to [cfpolicy@idcfs.state.il.us](mailto:cfpolicy@idcfs.state.il.us).

## **VIII. FILING INSTRUCTIONS**

Please file this Policy Guide immediately following **Procedures 328, Interstate Placement of Children.**