



CDSS

JOHN A. WAGNER  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**

744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



ARNOLD SCHWARZENEGGER  
GOVERNOR

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

December 21, 2010

ALL COUNTY LETTER NO. 10-56

TO: ALL COUNTY WELFARE DIRECTORS  
 ALL COUNTY CHIEF PROBATION OFFICERS  
 ALL CHILD WELFARE SERVICES PROGRAM MANAGERS  
 ALL TITLE IV-E AGREEMENT TRIBES  
 ALL CDSS ADOPTION DISTRICT OFFICES  
 ALL PUBLIC AND PRIVATE ADOPTION AGENCIES  
 ALL INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN COUNTY LIAISONS

SUBJECT: REGULATIONS ADOPTED AND AMENDED BY THE ASSOCIATION OF ADMINISTRATORS OF THE INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN (ICPC) EFFECTIVE OCTOBER 1, 2010

REFERENCE: INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN; FAMILY CODE SECTIONS 7900-7912; REGULATION NO. 1 AS AMENDED APRIL 1999; MANUAL OF POLICIES AND PROCEDURES (MPP) DIVISION 31-510.434(b); ALL COUNTY LETTER 09-38, 8-11-09, ICPC EQUIVALENCY LETTER FOR RELATIVE/NREFM OUT-OF-STATE PLACEMENTS.

The purpose of this All County Letter (ACL) is to provide counties with a copy of new regulations which govern the placement of children pursuant to the ICPC. Regulation No. 1, a previously existing regulation governing Interstate Relocation of Family Units, was amended. Regulation No. 11, a new regulation, governs supervision of placements made pursuant to ICPC. These regulations were adopted on April 18, 2010, at the Annual Business Meeting of the Association of Administrators of the Interstate Compact on the Placement of Children (AAICPC). The regulations are effective October 1, 2010. County child welfare and probation departments will be required to adhere to them for placements made via ICPC both coming into and going out of California.

**Regulation No. 1 - Conversion of Intrastate Placement into Interstate Placement; Relocation of Family Units**

This previously existing regulation was amended by the AAICPC to expedite the process for placements of children moving across state lines pursuant to the ICPC with a family/provider who has already been approved and has had the child placed with

them in the originating state. The following are highlights of the major changes to this regulation.

#### Provisional Approval Request/Process

The regulation establishes a provisional approval process. Under this process, in any instance where a decision is made by a foster family to relocate to another state, or the child and the family unit are already in the receiving state, an ICPC 100A form and its supporting documentation must be prepared immediately and transmitted to the receiving state within five business days by the sending state's compact administrator. The sending agency must also request that the receiving state respond within five business days of receipt of the request. If the family unit and child are already present in the receiving state, the receiving state's compact administrator is required to determine whether provisional approval can be granted and provide the decision in writing to the sending state within five business days of receipt of the ICPC 100A and a complete home study request packet.

#### Documentation to be Provided with a Request for Prompt Handling

The regulation defines those items that must be part of a request for provisional approval. This documentation includes: ICPC 100A, ICPC 100B (new requirement), court order placing child, case history for child, most recent license, certificate or approval of placement resource, copy of most recent home study for placement resource, progress reports on family unit (new requirement), child's case plan, and child's Title IV-E eligibility status.

#### Acknowledgement of Existing License

Regulation No. 1 has always required a receiving state to give effect to a current license, certificate or approval from the sending state of a placement resource unless the receiving state compact administrator has substantial evidence that the license, certificate, or approval is not valid. The new regulation now requires if the receiving state requires licensure for placement approval, or the sending state's license, certificate or approval is not valid, both the sending state and the placement resource must state in writing that the placement resource will become licensed in the receiving state. (Reference ACL 09-38, 8-11-09, ICPC Equivalency Letter for Relative/NREFM Out-of-State Placements.)

### Initial Home Study Report

The receiving state is required within 60 days after receiving a home study request, to conduct, complete, and report back to the sending state on the results of the study of the home environment for purposes of assessing the safety and suitability of the child remaining in the home. In the event the parts of the home study involving the education and training of the placement resource remain incomplete, the report must include a prospective date of completion. Additionally, the regulation provides that if approval of the request is conditioned upon compliance by the placement resource with any licensing or education requirement in the receiving state, a reasonable date for compliance with the education or licensing requirement must be in the documentation granting approval.

### Notification of Final Approval or Denial

The regulation requires that final approval or denial of the placement resource request must be provided by the receiving state compact administrator as soon as practical but no later than **180 days** from receipt of the initial home study request.

### Applicability to Temporary Relocations

The regulation clarifies that if a child is brought into the receiving state by an approved placement resource for **90 days or less** and remains with the approved placement resource, approval of the receiving state is **not required**. However, if a child is brought into the receiving state for a temporary placement in excess of 90 days or the temporary relocation will recur then compliance with the regulation is required.

### Supervision Responsibilities

The regulation requires face-to-face monthly supervision of placements to start within 30 days of notification by the sending state or by the placement resource that the placement resource and the child are in the receiving state. Such supervision continues until terminated by the sending state. Concurrence of the receiving state for termination of supervision should be sought by the sending state prior to termination. Reports of supervision visits are to be provided to the sending state in accordance with applicable federal laws and ICPC regulations every ninety days. The regulation also requires the sending state to be responsible for ensuring the ongoing safety of a child placed in a receiving state, including returning the child as soon as possible when requested by the receiving state.

## **Regulation No. 11 – Responsibility of States to Supervise Children**

This is a new regulation which was adopted by the AAICPC in an effort to create uniformity among states in the supervision of out-of-state placements. The following are Regulation No. 11 highlights.

### **Requirement for Supervision**

This regulation requires the receiving state to supervise a child placed in an approved placement if: (1) supervision is requested by the sending state, (2) the sending agency is a public child placing agency, (3) the agency that completed the home study for placement of the child in the receiving state is a public child placing agency, and (4) the child's placement is not in a residential treatment center or a group home. The supervision must include face-to-face visits with the child once monthly. A majority of the visits are to occur in the child's home and must be performed by a child welfare caseworker in the receiving state. The purpose of the visits is to help ensure the on-going safety and well-being of the child and to gather relevant information to include in written reports to the sending state.

### **Timelines for Supervision**

Supervision for an out-of-state placement is to begin no later than 30 days from the date a child is placed in the receiving state pursuant to an approved ICPC placement and is to continue until specified conditions occur. These conditions include: child reaches the age of majority or is legally emancipated, the child's adoption is finalized, legal custody is granted to a caregiver or a parent and jurisdiction is terminated by the sending state, the child no longer resides at the home approved for placement, jurisdiction is terminated by the sending state, legal guardianship of the child is granted to the child's caregiver in the receiving state, or the sending state requests that supervision be discontinued and the receiving state concurs.

### **Written Supervision Reports**

The regulation requires that the assigned child welfare caseworker in the receiving state complete a written supervision report at least once every 90 days following the receipt of the ICPC 100B. At a minimum, such reports are to include the date and location of face-to-face contacts with the child, a summary of child's current circumstances, a summary of child's academic performance, a summary of child's current health status, an assessment of current placement and caretakers, a description of any unmet needs and any recommendations for meeting identified needs, and the supervising caseworker's recommendation regarding continued placement.

### Additional Supervision Responsibilities

Regulation No. 11 requires receiving states to respond to any report of abuse or neglect of a child placed in a receiving state in the same manner as it would for any other child in that state. The regulation also clarifies the responsibilities of both the sending and receiving states with respect to such reports.

### Case Planning Activities and Responsibilities

Regulation No. 11 clarifies that the child placing agency in the sending state is responsible for case planning for any child it places in a receiving state. However, the receiving state is responsible for assisting the sending state in locating appropriate resources for the child and/or the placement resource. The receiving state is also responsible for notifying the sending state in writing of any unmet needs of a child placed in the receiving state. If the child's needs continue to be unmet after the notification has occurred, the receiving state may require the sending state to return the child to the sending state. Before requiring the return of the child, the receiving state must take into consideration the negative impact on the child that may result from being removed from his/her current home and is to weigh the potential for such negative impact against the potential benefits to the child of being returned. Ultimately, the receiving state has the **sole discretion** in determining whether or not to require the return of a child to the sending state.

The full text of both regulations has been attached for your information and compliance.

Should you have any questions regarding this ACL or the new regulations, please contact the Out-of-State Placement Policy Unit, within the Children's Services Operations and Evaluations Branch, at [ICPC@dss.ca.gov](mailto:ICPC@dss.ca.gov) or (916) 651-8100.

Sincerely,

### ***Original Document Signed By:***

GREGORY E. ROSE  
Deputy Director  
Children and Family Services Division

Attachments

## **Regulation No. 1**

### **Conversion of Intrastate Placement into Interstate Placement; Relocation of Family Units**

Regulation No. 1 as first effective May 1, 1973, amended April 1999, is repealed and is replaced by the following:

The following regulation was amended by the Association of Administrators of the Interstate Compact on the Placement of Children on April 18, 2010, and is declared to be effective as amended as of October 1, 2010.

1. A placement initially intrastate in character becomes an interstate placement subject to the Interstate Compact on the Placement of Children (ICPC) if the child's principal place of abode is moved to another state, except as set forth herein.
2. Intent: This Regulation addresses the request for approval for placement of a child in an approved placement resource in the receiving state where the sending state has already approved the placement in the sending state and the resource now desires to move to the receiving state. The intent of Regulation 1 is to ensure that an already safe and stable placement made by a sending agency in the sending state will continue if the child is relocated to the receiving state. Additionally, it is the intent of this Regulation for supervision of the placement to be uninterrupted, for the family to comply with the requirements of the receiving state, and for both states to comply with all applicable state and federal laws, rules and regulations.
3. Applicability to Relocation: This Regulation shall apply to relocation of a child and the placement resource where supervision is ongoing. A request for a home study solely for the purpose of a periodic assessment of the placement where there is no on-going supervision shall not be governed by this regulation and shall be a matter of courtesy between the states. Nothing shall prohibit a sending state from contracting privately for a periodic assessment of the placement.
4. Applicability to Temporary Relocation: If a child is brought into the receiving state by an approved placement resource for a period of ninety (90) days or less and remains with the approved placement resource, approval of the receiving state is not required. Either the sending or receiving state may request approval of the placement, and, if the request is made, the sending and receiving states shall take the necessary action to process the request if the sending and receiving states agree to do so.

Supervision by the receiving state is not required for a temporary relocation of ninety (90) days or fewer; however, pursuant to section 422(b)(17) of the Social Security Act 422 U.S.C. 622, supervision by the sending agency is required. Supervision may be provided as a courtesy to the sending state. If supervision is requested, the sending state shall provide a Form 100B and the information required in Section 5(b) below.

If a child is brought into the receiving state by an approved placement resource for a temporary placement in excess of ninety (90) days or if the temporary relocation will recur, full compliance with this regulation is required.

The public child placing agency in the sending state is responsible to take action to ensure the ongoing safety of a child placed in a receiving state pursuant to an approved placement under Article III(d) of the ICPC, including return of the child to the sending state as soon as possible when return is requested by the receiving state.

5. Provisional Approval:

- (a) In any instance where the decision to relocate into another state is made or it is intended to send or bring the child to the receiving state, or the child and existing family unit have already been sent or brought into the receiving state, an ICPC-100A and its supporting documentation shall be prepared immediately upon the making of the decision, processed within five (5) business days by the sending agency's state compact administrator and transmitted to the receiving state compact administrator with notice of the intended placement date. The sending agency's state compact administrator shall request that the receiving state respond to the case within five (5) business days of receipt of the request and with due regard for the desired time for the child to be sent or brought to the receiving state. If the family unit and child are already present in the receiving state, the receiving state's compact administrator shall determine within five (5) business days of receipt of the 100A and complete home study request packet whether provisional approval shall be granted and provide the decision in writing to the sending state compact administrator by facsimile, mail, overnight mail or electronic transmission, if acceptable.
- (b) The documentation provided with a request for prompt handling shall include:
- (1) A form ICPC-100A fully completed.
  - (2) A form 100B if the child is already present in the receiving state
  - (3) A copy of the court order pursuant to which the sending agency has authority to place the child or, if authority does not derive from a court order, a statement of the basis on which the sending agency has authority to place the child and documentation that supervision is on-going.
  - (4) A case history for the child, including custodial and social history, chronology of court involvement, social dynamics and a description of any special needs of the child.
  - (5) In any instance where the sending state has required licensure, certification or approval, a copy of the most recent license, certificate or approval of the qualification of the placement resource(s) and/or their home showing the status of the placement resource(s), as qualified placement resource(s).
  - (6) A copy of the most recent home study of the placement resource(s) and any updates thereof.
  - (7) Copies of the progress reports on the family unit for the last six months and the most recent judicial review court report and court order completed in the sending state.
  - (8) A copy of the child's case/services/permanency plan and any supplements to that plan, if the child has been in care long enough for such a plan to be required.
  - (9) An explanation of the current status of the child's Title IV-E eligibility under the Federal Social Security Act.

- (c) Requests for prompt handling shall be as provided in paragraph 5(a) hereof. Some or all documents may be communicated by express mail or any other recognized method for expedited communication, including electronic transmission, if acceptable. The receiving state shall recognize and give effect to any such expedited transmission of an ICPC-100A and/or supporting documentation, provided that it is legible and appears to be a complete representation of the original. However, the receiving state may request and shall be entitled to receive originals or duly certified copies if it considers them necessary for a legally sufficient record under its laws.
- (d) In an instance where a placement resource(s) holds a current license, certificate or approval from the sending state evidencing qualification as a foster parent or other placement resource, the receiving state shall give effect to such license, certificate or approval as sufficient to support a determination of qualification pursuant to Article III(d) of the ICPC, unless the receiving state compact administrator has substantial evidence that the license, certificate, or approval is expired or otherwise not valid. If the receiving state requires licensure as a condition of placement approval, or the receiving state compact administrator determines that the license, certificate, or approval from the sending state has expired or otherwise is not valid, both the sending state and the placement resource shall state in writing that the placement resource will become licensed in the receiving state.
- (e) The receiving state shall recognize and give effect to evidence that the placement resource has satisfactorily completed required training for foster parents or other parent training. Such recognition and effect shall be given if:
  - (i) the training program is shown to be substantially equivalent to training offered for the same purpose in the receiving state; and
  - (ii) the evidence submitted is in the form of an official certificate or document identifying the training.

6. Initial Home Study Report:

- (a) Pursuant to the Safe and Timely Interstate Placement of Foster Children Act of 2006, within sixty (60) days after receiving a home study request, the receiving state shall directly or by contract conduct, complete, and return a report to the sending state on the results of the study of the home environment for purposes of assessing the safety and suitability of the child remaining in the home. The report shall address the extent to which placement in the home would meet the needs of the child. In the event the parts of the home study involving the education and training of the placement resource remain incomplete, the report shall reference such items by including a prospective date of completion.
- (b) Approval of the request may be conditioned upon compliance by the placement resource with any licensing or education requirement in the receiving state. If such condition is placed upon approval, a reasonable date for compliance with the education or licensing requirement shall be set forth in the documentation granting approval.

7. Final Approval or Denial:

- (a) Pursuant to Article III(d), final approval or denial of the placement resource request shall be provided by the receiving state compact administrator as soon as practical but no later than one-hundred and eighty days (180) days from receipt of the initial home study request.
- (b) If necessary or helpful to meet time requirements, the receiving state may communicate its determination pursuant to Article III(d) to the sending agency and the sending agency's state compact administrator by "FAX" or other means of facsimile transmission or electronic transmission, if acceptable. However, this may not be done before the receiving state compact administrator has actually recorded the determination on the ICPC-100A. The written notice (the completed ICPC-100A) shall be mailed, sent electronically, if acceptable, or otherwise sent promptly to meet Article III(d) written notice requirements.

- 8. Nothing in this regulation shall be construed to alter the obligation of a receiving state to supervise and report on the placement; nor to alter the requirement that the placement resource(s) comply with the licensing and other applicable laws of the receiving state after arrival therein.
- 9. A favorable determination made by a receiving state pursuant to Article III(d) of the ICPC and this regulation means that the receiving state is making such determination on the basis of the best evidence available to it in accordance with the requirements of paragraph 5(a) of this regulation and does not relieve any placement resource or other entity of the obligation to comply with the laws of the receiving state as promptly as possible after arrival of the child in the receiving state.
- 10. The receiving state may decline to provide a favorable determination pursuant to Article III(d) of the Compact if the receiving state compact administrator finds that the child's needs cannot be met under the circumstances of the proposed relocation or until the compact administrator has the documentation identified in subparagraph 5(b) hereof.
- 11. If it is subsequently determined by the receiving state Compact Administrator that the placement in the receiving state appears to be contrary to the best interest of the child, the receiving state shall notify the sending agency that approval is no longer given and the sending state shall arrange to return the child or make an alternative placement as provided in Article V(a) of the ICPC.

12. Supervision:

Within thirty (30) days of the receiving state compact administrator being notified by the sending state compact administrator or by the placement resource that the placement resource and the child have arrived in the receiving state, the appropriate personnel of the receiving state shall visit the child and the placement resource in the home to ascertain conditions and progress toward compliance with applicable federal and state laws and requirements of the receiving state. Subsequent supervision must include face-to-face visits with the child at least once each month. A majority of visits must occur in the child's home. Face-to-face visits must be performed by a Child Welfare Caseworker in the receiving state. Such supervision visits shall continue until supervision is terminated by the sending state. Concurrence of the receiving state compact administrator for termination of supervision should be sought by the sending state prior to termination. Reports of supervision visits shall be provided to the sending state in accordance with applicable federal laws and as set forth elsewhere in these regulations.

The public child placing agency in the sending state is responsible to take action to ensure the ongoing safety of a child placed in a receiving state pursuant to an approved placement under Article III(d) of the ICPC, including return of the child to the sending state as soon as possible when return is requested by the receiving state.

13. Words and phrases used in this regulation have the same meanings as in the Compact, unless the context clearly requires another meaning.
14. This regulation is adopted pursuant to Article VII of the Interstate Compact on the Placement of Children by action of the Association of Administrators of the Interstate Compact on the Placement of Children at its annual meeting of April 2010.

## **Regulation No. 11**

### **Responsibility of States to Supervise Children**

The following regulation was adopted by the Association of Administrators of the Interstate Compact on the Placement of Children on April 18, 2010 and is declared to be in effect on and after October 1, 2010.

1. Words and phrases used in this regulation have the same meanings as those ascribed to them in the Interstate Compact on the Placement of Children (ICPC). A word or phrase not defined in the ICPC shall have the same meaning ascribed to it in common usage.
2. Definitions:
  - (a) “Central Compact Office” means the office that receives ICPC placement referrals from sending states and sends ICPC placement referrals to receiving states. In states that have one central compact office that services the entire state, the term “central compact office” has the same meaning as “central state compact office” as described in Regulation 5 of the ICPC. In states in which ICPC placement referrals are sent directly to receiving states and received directly from sending states by more than one county or other regional area within the state, the “central compact office” is the office within each separate county or other region that sends and receives ICPC placement referrals.
  - (b) “Child Welfare Caseworker” means a person assigned to manage the cases of dependency children who are in the custody or under the supervision of a public child welfare agency.
  - (c) “Public Child Placing Agency” means any government child welfare agency or child protection agency or a private entity under contract with such an agency, regardless of whether they act on behalf of a state, county, municipality or other governmental unit and which facilitates, causes or is involved in the placement of a child from one state to another.
  - (d) “Supervision” means monitoring of the child and the child’s living situation by the receiving state after a child has been placed in a receiving state pursuant to an approved placement under Article III(d) of the ICPC or pursuant to a child’s relocation to a receiving state in accordance with Regulation 1 of the ICPC.
3. A receiving state must supervise a child placed pursuant to an approved placement under Article III(d) of the Interstate Compact on the Placement of Children (ICPC) if supervision is requested by the sending state, and;
  - (a) the sending agency is a public child placing agency, and
  - (b) the agency that completed the home study for placement of the child in the receiving state is a public child placing agency, and
  - (c) the child’s placement is not in a residential treatment center or a group home.
4. Supervision must begin when the child is placed in the receiving state pursuant to an approved placement under Article III(d) of the ICPC and the receiving state has received a form 100B from the sending state indicating the date of the child’s placement. Supervision can and should begin prior to receipt of the form 100B if the receiving state has been

informed by other means that the child has been placed pursuant to an approved placement under Article III(d) of the ICPC.

5. (a) Supervision must continue until:
  - (1) the child reaches the age of majority or is legally emancipated; or
  - (2) the child's adoption is finalized; or
  - (3) legal custody of the child is granted to a caregiver or a parent and jurisdiction is terminated by the sending state; or
  - (4) the child no longer resides at the home approved for placement of the child pursuant to Article III(d) of the ICPC; or
  - (5) jurisdiction over the child is terminated by the sending state; or
  - (6) legal guardianship of the child is granted to the child's caregiver in the receiving state; or
  - (7) the sending state requests in writing that supervision be discontinued, and the receiving state concurs.
- (b) Supervision of a child in a receiving state may continue, notwithstanding the occurrence of one of the events listed above in 5(a)(1-7), by mutual agreement of the sending and receiving state's central compact offices.
6. Supervision must include face-to-face visits with the child at least once each month and beginning no later than 30 days from the date on which the child is placed, or 30 days from the date on which the receiving state is notified of the child's placement, if notification occurs after placement. A majority of visits must occur in the child's home. Face-to-face visits must be performed by a Child Welfare Caseworker in the receiving state. The purpose of face-to-face visits is to help ensure the on-going safety and well being of the child and to gather relevant information to include in written reports back to the Public Child Placing Agency in the sending state. If significant issues of concern are identified during a face-to-face visit or at any time during a child's placement, the receiving state shall promptly notify the central compact office in the sending state in writing.
7. The Child Welfare Caseworker assigned to supervise a child placed in the receiving state shall complete a written supervision report at least once every ninety (90) days following the date of the receipt of the form 100B by the receiving state's central compact office notifying the receiving state of the child's placement in the receiving state. Completed reports shall be sent to the central compact office in the sending state from the central compact office in the receiving state. At a minimum 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 Program (IEP) documents.

- (d) A summary of the child's current health status, including mental health, the dates of any health-related appointments that have occurred since the last supervision report was completed, the identity of any health providers seen, and copies of any available health-related evaluations, reports or other pertinent records.
  - (e) An assessment of the current placement and caretakers (e.g., physical condition of the home, caretaker's commitment to child, current status of caretaker and family, any changes in family composition, health, financial situation, work, legal involvement, social relationships; child care arrangements).
  - (f) A description of any unmet needs and any recommendations for meeting identified needs.
  - (g) If applicable, the supervising caseworker's recommendation regarding continuation of the placement, return of legal custody to a parent or parents with whom the child is residing and termination of the sending state's jurisdiction, finalization of adoption by the child's current caretakers or the granting of legal guardianship to the child's current caretakers.
- 8.
- (a) The receiving state shall respond to any report of abuse or neglect of a child placed in the receiving state pursuant to an approved placement under Article III(d) of the ICPC and will respond in the same manner as it would to a report of abuse or neglect of any other child residing in the receiving state.
  - (b) If the receiving state determines that a child must be removed from his or her home in order to be safe, and it is not possible for the child placing agency in the sending state to move the child at the time that the receiving state makes this determination, the receiving state shall place the child in a safe and appropriate setting in the receiving state. The receiving state shall promptly notify the sending state if a child is moved to another home or other substitute care facility.
  - (c) The receiving state shall notify the central compact office in the sending state of any report of child abuse or neglect of a child placed in the receiving state pursuant to an approved placement under Article III(d) of the ICPC, regardless of whether or not the report is substantiated. Notification of the central compact office in the sending state will occur as soon as possible after such a report is received.
  - (d) It is the responsibility of the public child placing agency in the sending state to take action to ensure the ongoing safety of a child placed in a receiving state pursuant to an approved placement under Article III(d) of the ICPC, including return of the child to the sending state as soon as possible when return is requested by the receiving state.
  - (e) Pursuant to Article V of the ICPC, it is the responsibility of the public child placing agency in the sending state to take timely action to relieve the receiving state of any financial burden the receiving state has incurred as a result of placing a child into substitute care after removing the child from an unsafe home in which the child was previously placed by the public child placing agency in the sending state pursuant to Article III(d) of the ICPC.
- 9.
- (a) The child placing agency in the sending state is responsible for case planning for any child placed in a receiving state by the child placing agency in the sending state pursuant to an approved placement under Article III(d) of the ICPC.

- (b) The child placing agency in the sending state is responsible for the ongoing safety and well-being of any child placed in a receiving state by the child placing agency in the sending state pursuant to an approved placement under Article III(d) of the ICPC and is responsible for meeting any identified needs of the child that are not being met by other available means.
- (c) The receiving state shall be responsible to assist the sending state in locating appropriate resources for the child and/or the placement resource.
- (d) The receiving state shall notify the central compact office in the sending state in writing of any unmet needs of a child placed in the receiving state pursuant to an approved placement under Article III(d) of the ICPC.
- (e) If the child's needs continue to be unmet after the notification described in (d) above has occurred, the receiving state may require the child placing agency in the sending state to return the child to the sending state. Before requiring the return of the child to the sending state, the receiving state shall take into consideration the negative impact on the child that may result from being removed from his or her home in the receiving state and shall weigh the potential for such negative impact against the potential benefits to the child of being returned to the sending state. Notwithstanding the requirement to consider the potential for such negative impact, the receiving state has sole discretion in determining whether or not to require return of a child to the sending state.