

FOSTER CARE
HANDBOOK



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I. OUT-OF-STATE-PLACEMENTS

Out-of-state placements are governed by the Interstate Compact on the Placement of Children (ICPC). The ICPC helps the County meet AFDC-FC service requirements for children placed out-of-state by creating a formalized process of reciprocal service provision outlined in the Interstate Compact Act. The receiving state will provide services to California dependents in accordance with the terms of the ICPC. All 50 states and the Virgin Islands have enacted the ICPC into their Statutes. The California Department of Social Services (CDSS) decentralized administration of the ICPC and delegated case processing functions to counties in 1991. However, California remains a member of the Compact and ICPC remains state law.

The ICPC does not apply to non-agency relative placements or when a placement is subject to another interstate compact, (i.e., the Interstate Compact on Juveniles which applies to juveniles on probation). Additionally, the ICPC does not apply to Indian tribes where those tribes have assumed responsibility for provision of services. In such cases, the sending county must request services from the local tribal authority or from the facility itself.

In Contra Costa County there is an assigned CFS ICPC Coordinator. The Juvenile Probation Department (JPD) handles its own ICPC process.

II. INTERSTATE PLACEMENTS SUBJECT TO ICPC

The use of ICPC is for the placement of foster care children and youth placed out of state, however, the compact includes additional services.

A. The ICPC applies to the following:

1. Placement preliminary to adoptions (adoption includes placements made by public agencies or birth parents).
2. Placement into foster care:
 - a. Licensed/approved foster family homes, and
 - b. Licensed/approved home of relatives.
3. Placement into a residential facility which includes:
 - a. Residential Treatment centers,

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- b. Group homes, and
- c. Child care institutions.

B. The ICPC does not apply to the following:

- 1. Non-court cases (only exception are independent adoption cases).
- 2. Child admitted to a mental institution or hospital.
- 3. Divorce/custody investigation.
- 4. International adoptions.
- 5. Requests received through International Social Services and
- 6. Visits.

III. OUT-OF-STATE PLACEMENT PROCEDURES

Prior to placing a child or youth in an out-of-state placement the receiving state must approve the facility. The Foster Care Eligibility Worker (FC EW) cannot fund an unapproved ICPC placement with federal or non-federal dollars.

If a dependent child or ward of the court is placed in another state, the sending county has continued responsibility for financial assistance, custody, supervision, care and treatment of that child. The sending county retains the state jurisdiction as if the child had remained in the State. The rates of the new host state or county placement are used. It is the SW/PO responsibility to work through the Inter-State Compact Act.

A. Eligibility Steps for **Incoming** ICPC Requests

The following process is for an Incoming Intake ICPC Request for Medi-Cal for both federal and non-federally eligible children who are placed in Contra Costa County by another state:

- 1. Review the intake packet which should include the following completed forms:
 - a. SOC 158A,

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- b. SAWS 1,
 - c. Proof of determination of Title IV-E (Federal) or Non-Federal eligibility,
 - d. Completed ICPC 100A form showing the home has been approved for placement,
 - e. MC 250 and
 - f. MC 13 (when applicable).
2. Approve ICPC Medi-Cal application using the following aid codes:
 - Federal: '46' aid code
 - Non-federal: '45' aid code
 3. Send copy of the granting Notice of Action to the assigned CCC Social Worker.

NOTE: For a non-federal child living with a relative who will not be receiving a payment from the placing state, the relative may choose to apply for CalWORKs for the child. If the relative does submit the application and is granted CalWORKs/Medi-Cal, it will not be necessary for a Foster Care Medi-Cal application to be processed. It is important, however, to ensure the child is covered by medical coverage either through CalWORKs or Foster Care ICPC.

B. Eligibility Steps for **Outgoing** ICPC Requests

The following process is for an Outgoing ICPC Request when Contra Costa County places a dependent child in another state:

1. Provide a copy of the FC3, *Determination of Federal AFDC-FC Eligibility form*, to the social worker upon request.
2. The EW receives a change of placement packet with information regarding the out-of-state placement.
3. Ensure the rate from the receiving state is listed as the payment amount on the SOC 158A (the receiving state's Foster Care rate is what will be paid for this placement).

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4. When the receiving state's rate is not listed on the SOC 158A the EW will request the rate information from the Social Worker via the Clerical Specialist.

5. For **Federal** cases the EW will:

Review the Placement Change packet to ensure the following forms are included:

- a. SOC 158A,
- b. Completed ICPC 100A form showing the home has been approved for placement,
- c. The EW will need to obtain from the relative caregiver the following forms:

Youakim vs. Miller Packet which includes:

- Miller vs Youakim Cover Sheet,
- IM 16, *Applicant's Statement of Relationship to Aided Children*,
- FC 35 – *Foster Care Relative's Statement*,
- GEN 22 – *Documentation of Language Capability and Action*,
- FC 1683, *Lump Sum Important Notice* and
- Self-address/Stamped Return Envelope.
- Update CalWIN screens to process the placement change.

6. For **Non-Federal (State)** applications the EW will:

- a. Obtain from the relative caregiver the Miller vs. Youakim Packet (see 3 d above for required packet forms),
- b. Ensure receipt of a completed ICPC 100A form showing the home has been approved for placement,

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- c. Update CalWIN screens to process the placement change,
- d. Clear MEDS/CalWIN alerts,
- e. Complete MEDS 3 to request that code '99' is entered into the Resident field; forward to the DC Unit (see C. Medical Coverage section below).

C. Medical Coverage

Federal AFDC-FC eligible placements are entitled to receive Medicaid in the host state where they reside and are generally automatically eligible according to federal regulations. Federal law permits but does not require states to provide Medicaid coverage for children who receive non-federal, state only foster care benefits from another state. Special attention must be paid to state AFDC-FC cases as they may not qualify for payment or medical benefits in another state.

The California Department of Health Care Services (DHCS) has made a decision to extend full-scope out-of-state Medi-Cal coverage to non-federal children in Aid Code '40'. The out-of-state medical provider must apply to become a Medi-Cal provider with the California DHCS. The Contra Costa Social Worker or ICPC Coordinator will provide to the other state the instructions needed for the process they must follow to become a Medi-Cal provider in order to be paid by California DHCS when requested.

IMPORTANT: To provide Medi-Cal benefits for all non-federally eligible placements including out-of-state Group Homes the FC EW must manually identify these children with a specific residence code '99' in the residence field in MEDS. The child's out-of-state address must be entered into MEDS along with the out-of-state residence code of '99' in order for Medi-Cal to pay out-of-state claims to those out-of-state Medi-Cal enrolled providers. A 'MEDS 3' form must be completed by the FC EW requesting to have the Residence Code '99' added to the residence field in MEDS for these non-federally eligible placements.

D. Out-of-State Rates

The Social Worker must obtain the appropriate rate for the placement from the receiving state's rate setting authority. For an out-of-state foster family home/resource family placement, the receiving state's foster family home rate is to be paid. This payment information is to be entered into the SOC 158A as part of the Intake or Placement Change Packet.

For an out-of-state group home placement, the receiving state's rate for that facility must

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be paid, not exceeding California's Rate Classification Level (RCL) 14/Short Term Residential Treatment Program (STRTP) rate. In the rare circumstance when a dependent is placed in an out-of-state Group Home when the rate exceeds California's RCL 14 or the STRTP rate, the placement must be approved by the Children & Family Service Director and the difference in the RCL 14/STRTP rate and the higher rate approved will be paid by County Board and Care for Children (CBCC) funds. The proper documentation and approval will be obtained and processed by the Social Worker and forwarded to the FC EW for payment.

IV. REFERENCE

[CFS Handbook Section 31-510, Interstate Compact on the Placement of Children, ICPC](#)

EAS 31-510, Interstate Compact on the Placement of Children, ICPC

Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985, PL 99-272