

THE COUNCIL OF STATE GOVERNMENTS

EXECUTIVE SUBCOMMITTEE

Resolution on the Interstate Compact on the Placement of Children

WHEREAS, the Interstate Compact on the Placement of Children (ICPC) has been adopted by all fifty-states, the District of Columbia and the U.S. Virgin islands; and

WHEREAS, the ICPC is the only vehicle for the interstate placement of children in foster and adoptive homes; and

WHEREAS, the Association of Administrators of the Interstate Compact on the Placement of Children have developed specific recommendations as to the improvements needed to strengthen the ICPC; and

WHEREAS, the Council of State Governments, in cooperation with the American Public Human Services Association, is currently developing a revised ICPC agreement to address a number of areas including administration, rulemaking, financial support and information sharing; and

WHEREAS, the 108th Congress has introduced legislation (HR.4504 / S.2779) to federalize aspects of the ICPC that would negatively impact states ability to effectively meet the needs of children subject to the ICPC.

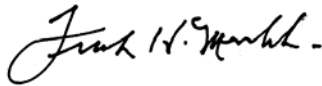
NOW THEREFORE BE IT RESOLVED, that the Council of State Governments hereby supports the effort currently underway by APHSA and CSG to cooperatively revise the existing ICPC.

BE IT FURTHER RESOLVED, that the Council of State Governments recommends the following regarding HR.4504 / S.2779:

- 1) Extend home study time-limits from 60 calendar days;
- 2) Include a “good cause” exception for time-limits, specifically for factors outside of agency control such as background checks and the 7 day time-limit for placement decisions once a home study is received;
- 3) Include corrective compliance language that is proportionate to the ICPC population in a state, similar to that found in the amendments to the Multi-Ethnic Placement Act;
- 4) Include a provision to allow states to opt-out of criminal background check requirements to ensure they have the flexibility to make placement determinations based on the individual circumstances of a case rather than having to adhere to prescriptive federal requirements;
- 5) Remove requirement that the Dept. of Health & Human Services define home study;

- 6) Include a Sunset Provision to take effect once the revised ICPC agreement has been ratified by the requisite number of states and the governing body of the new compact has assumed control of the administration of the agreement; and
- 7) Include Congressional Consent for the Interstate Compact on the Placement of Children that recognizes the role of the states in the development and execution of agreements related to the interstate placement of children in adoptive and foster care.

Adopted this 29th Day of September, 2004, by the
CSG Executive Subcommittee
Anchorage, Alaska



Governor Frank Murkowski
2004 CSG President



State Senator John Hottinger
2004 CSG Chair