



North Carolina Department of Health and Human Services
Division of Social Services

325 North Salisbury Street • Raleigh, North Carolina 27603
Courier # 56-20-25 MSC 2409

Beverly Eaves Perdue, Governor
Lanier M. Cansler, Secretary

Sherry S. Bradsher, Director
(919) 733-3055

February 16, 2010

DEAR COUNTY DIRECTOR OF SOCIAL SERVICES

**ATTENTION: CHILDREN'S SERVICES SUPERVISORS
CHILDREN'S SERVICES SOCIAL WORKERS**

**SUBJECT: SAFE AND TIMELY INTERSTATE PLACEMENT OF FOSTER CHILDREN
ACT OF 2006 (P.L. 109-239)-UPDATE**

The Safe and Timely Interstate Placement of Foster Children Act was signed by President Bush on July 3, 2006 with an implementation date of October 1, 2006. In October of 2006, initial notification of the act was forwarded, please refer to the Dear County Director letter dated October 25, 2006. This letter serves as an update to that notification.

There are two (2) major provisions of the act. Those provisions are: (1) to complete foster and adoptive home studies in a timely manner and (2) for more frequent caseworker visits.

1. Timely Foster And Adoptive Home Studies

Each state is required to complete and report on foster and adoptive home studies requested by another state within **60 days**. The 60 day "clock" starts when the home study request is received by the North Carolina Division of Social Services' Interstate Compact on the Placement of Children (ICPC) office. The 60 day time frame has already started when the home study request reaches the local department of social services for completion.

A home study is required within 60 days and ideally, the home study will include the results of the criminal record check and a recommendation. When the criminal record/background check is not complete, please forward a home study which **does not** contain a placement recommendation. Indicate in the home study that the results of the criminal background check are pending. The parts of the home study involving education and training of prospective foster and adoptive parents do not have to be completed within the same 60 day timeframe.

To assist in monitoring the receipt of home studies within the required timeframe, the Division of Social Services' ICPC office has updated its database to more closely track home study requests. Notification of overdue home studies can then be sent to counties by transmittals, e-mail and/or phone calls. Upon receipt of the completed home study, the state that requested the study must accept the study unless, within 14 days of receiving the report, the state determines that reliance on the report would be contrary to the child's welfare.

2. Required Caseworker Visits For Out Of State Placements

Additionally, the law increases the frequency of required caseworker visits from every **12** months to every **6** months for children in out-of-state foster care placements, and allows for a private agency under contract with either state to perform those visits. Per ICPC Article V, the sending agency has both the authority and the responsibility to determine all matters in relation to the “custody, supervision, care, treatment, and disposition of the child”, just as the sending agency would have “if the child had remained in the sending agency state.” Therefore, an agency that holds legal custody of a child placed out of state should arrange to visit the child at least every **6** months. In between these visits, the supervising agency in the receiving state, upon proper notification by the ICPC Form 100-B, will commence monthly visitation with the child and family, with written reports being sent to the sending/custodial state monthly, quarterly, or any other specified frequency. **The requirement for out of state placement caseworker visits should not be confused with the monthly case worker visit requirements.**

Progress reports are used to determine if placement continues to be suitable to meet a child’s needs, and to best plan for the child(ren)’s permanency. **The supervising agency will need to document that these required visits have taken place.**

If you have any questions, please feel free to contact Carla McNeill, Interim Program Administrator, at (919) 334-1105 or by email at Carla.McNeill@dhhs.nc.gov or your ICPC consultant.

Sincerely,



Charisse S. Johnson, Chief
Child Welfare Services

cc: Sherry S. Bradsher
Sarah Barham
Child Welfare Services Team Leaders
Children’s Services Program Representatives
Local Business Liaisons
Regulatory and Licensing Services Consultants
Jack Rogers