

## **GUIDELINES FOR THE INTERSTATE PLACEMENT OF CHILDREN INTO LICENSED OUT-OF-STATE RESIDENTIAL FACILITIES**

The Interstate Compact on the Placement of Children (ICPC) is a reciprocal state law enacted in the 50 states, the District of Columbia, and the Virgin Islands. Each state has its own legal citation. In Texas it is the **Texas Family Code Chapter 162, Subchapter B.**

The ICPC establishes procedures for the interstate placement of children in residential facilities and the responsibilities for those involved in placing these children. Under the ICPC, the state that is placing the child is called the **sending state**. The agency or person who makes the arrangements in the sending state is called the **sending agent**. The sending agent may be a biological parent, a public agency, an agency licensed or certified to place children, a relative who has legal custody or guardianship, or a court. The facility or person with whom the child is placed in the receiving state is called the **receiving agent**. The state where the child will be placed is called the **receiving state**.

The ICPC requires the appropriate authority in the receiving state to give written notification that the proposed placement does not appear contrary to the best interests of the child. This permission must be given before the child is brought into the receiving state by signature of the compact authority on the **ICPC Form 100A**. In Texas, the compact authority is the **Texas Department of Family and Protective Services (TDFPS)**. The placement remains active under the compact until the child is returned to the sending state or reaches majority age (18 years of age)

### **ICPC PROCEDURES**

1. The sending agency (County JPD or TJJD) sends the following to the Texas ICPC compact authority (TDFPS):
  - a. ICPC Form 100A;
  - b. Copy of the probation or disposition order showing where the child is to be placed;
    - i. All orders or attachments shall include the following judicial findings (*refer to The Texas Family Code Chapter 162, Article VI*):
      1. Equivalent facilities for the child are not available in the sending agency's jurisdiction, and
      2. Institutional care in the other jurisdiction is in the best interest of the child and will not produce undue hardship.
  - c. Current psychological evaluation (if available);
  - d. Copy of child's social security card;
  - e. Copy of child's birth certificate;
  - f. Copy of child's social history report;
  - g. Documentation stating whether or not the child is Title IV-E certified and who is financially responsible for payment of the placement (*this information can be included in the cover memo which is part of the required documentation*); and
  - h. A letter (or other documentation) showing the child has been accepted into the facility in the receiving state.
2. Texas ICPC authority (TDFPS) reviews the material and, if acceptable, signs the 100A and forwards the necessary documentation to the receiving state ICPC authority.
3. The receiving state ICPC authority reviews the material and, if acceptable, completes Section IV of Form 100A indicating that placement may be made. They then forward documentation to the receiving agent and TDFPS within 30 days. TDFPS will notify the County JPD/ TJJD.

4. If there is a change in placement the County JPD/TJJD notifies the TDFPS via Form 100B who in turn notifies the receiving state ICPC authority.
5. When the placement is terminated, the County JPD/TJJD notifies the TDFPS via Form 100B and they in turn notify the receiving state ICPC authority. The ICPC file is closed.

**The mailing address for the Texas ICPC office is:**

Texas Department of Family and Protective Services  
 Attn: Texas Interstate Compact Office - MC W223  
 PO Box 149030  
 Austin, Texas 78714-9030

**County JPDs/TJJD may also email the ICPC request to:**

[lcpc.homestudies@dfps.state.tx.us](mailto:lcpc.homestudies@dfps.state.tx.us)

**For urgent requests that must be processed immediately, please contact one of the Texas ICPC staff below:**

Deputy Compact Administrator	Gina Gelnett	<a href="mailto:Gina.gelnett@dfps.state.tx.us">Gina.gelnett@dfps.state.tx.us</a>	512-438-5141
TX ICPC Program Specialist	Jonathan Levit	<a href="mailto:Jonathan.levit@dfps.state.tx.us">Jonathan.levit@dfps.state.tx.us</a>	512-438-3567
TX ICPC Program Specialist	Rebecca Pope	<a href="mailto:Rebecca.pope@dfps.state.tx.us">Rebecca.pope@dfps.state.tx.us</a>	512-438-4957
TX ICPC Program Specialist	Denise Ceder	<a href="mailto:Denise.ceder@dfps.state.tx.us">Denise.ceder@dfps.state.tx.us</a>	512-38-2878
TX ICPC Admin. Technician	Ruben Mancillas	<a href="mailto:Ruben.mancillas@dfps.state.tx.us">Ruben.mancillas@dfps.state.tx.us</a>	512-438-5148
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