

## TO BE RESCINDED

**5101:2-52-04 Requirements applicable to interstate placement of children when a PCSA, PCPA or Ohio court is the sending agency.**

- (A) Any public children services agency (PCSA) or private child placing agency (PCPA) holding custody of a child, or Ohio court planning the placement of a child into another state or territory shall advise the Ohio "Interstate Compact on the Placement of Children (ICPC)" office of its need to obtain an evaluation of a placement resource and the receiving state's authorization to place the child.
- (B) To initiate interstate placement procedures with another state or territory, the PCSA, PCPA or Ohio court shall send the following to the Ohio ICPC office for each placement resource being requested:
- (1) Five copies of the JFS 01661 "Interstate Compact Placement Request (ICPC 100A)" (rev. 08/2006) or if the receiving state or territory is not a member of the ICPC, four copies of the JFS 01660 "Guaranty Regarding Placing a Child into the State of Ohio" (rev. 08/2006). When such forms require the approval or counter signature of the Ohio ICPC office, approval shall only be given after the Ohio ICPC office has reviewed all information to be exchanged with the receiving state regarding the child and the placement resource.
  - (2) Three copies of a cover letter identifying the name, office location, and telephone number of the unit supervisor making the request, and clearly identifying the service requested. If the request is for a sibling group, family history need not be duplicated for each child.
  - (3) Three copies of a child summary that includes:
    - (a) All available social, medical, developmental, psychological and educational information.
    - (b) The family history of the biological parents. If the request is for a sibling group, family history need not be duplicated for each child.
    - (c) The reason for placement in another state.
  - (4) Three copies of the child's case plan document prepared pursuant to rule 5101:2-39-08.1 of the Administrative Code for PCSAs or rule 5101:2-39-10 of the Administrative Code for PCPAs.
  - (5) Three copies of the child's social security number, birth certificate, and

immunization record, if available.

(6) If the PCSA, PCPA or Ohio court is placing a child into the care of a relative or foster home:

(a) Three copies of the court order indicating one of the following types of legal dispositions:

(i) Legal custody.

(ii) Temporary custody issued or extended.

(iii) Protective supervision.

(iv) Planned permanent living arrangement (PPLA).

(v) Permanent commitment.

(vi) Permanent custody as a result of execution of a JFS 01666 "Permanent Surrender of Child" (rev. 04/2006) (or applicable JFS form at the time of surrender).

(vii) Direct court placement.

(7) If the PCSA, PCPA or Ohio court is placing a child into a children's residential center:

(a) Three copies of the court order indicating one of the following types of legal dispositions:

(i) Legal custody.

(ii) Temporary custody issued or extended.

(iii) Protective supervision.

(iv) Planned permanent living arrangement (PPLA).

(v) Permanent commitment.

- (vi) Permanent custody as a result of execution of a JFS 01666.
  - (vii) Direct court placement.
  - (b) Three copies of the JFS 02424 "ICPC Placement Financial Information Form" (rev. 7/2003).
  - (c) Three copies of the JFS 01674 "Statement of Assurance" (rev. 08/2006).
  - (d) When a child is adjudicated delinquent, documentation shall be provided indicating a placement for the child is not available in the PCSA's or PCPA's jurisdiction and the placement is in the best interest of the child and will not produce undue hardship on the child.
- (8) If the PCSA, PCPA or Ohio court is placing a child into an adoptive home:
- (a) Three copies of documentation indicating the child is legally free for adoption by submitting the JFS 01666 or a document demonstrating that parental rights have been terminated; and the agency's authority to place the child for adoption.
  - (b) Three copies of the JFS 01695 "Application For Search Of Ohio's Putative Father Registry" (rev. 9/2003).
  - (c) Documentation pursuant to rule 5101:2-42-54 of the Administrative Code ensuring the requirements are met regarding the Indian Child Welfare Act (25 USC Chapter 21, 2005).
  - (d) Three copies of JFS 01616 "Social And Medical History" (rev. 6/2006) of the biological family.
  - (e) Three copies of the JFS 01674 or three copies of the JFS 02424.
  - (f) If the PCSA, PCPA or Ohio court has a copy of the homestudy from the receiving state it may be submitted to the Ohio ICPC office. If the PCSA, PCPA or Ohio court submits the homestudy, the PCSA, PCPA or Ohio court should not request a homestudy on the JFS 01661.
- (9) If a court has ordered priority placement of a child with a parent or a relative as identified in rule 5101:2-52-02 of the Administrative Code, the following

documents must be submitted via overnight mail to the Ohio ICPC office within three days of the order:

(a) Three copies of the court order showing one of the following types of legal disposition which includes the name, address, telephone number and the fax number of the judge and court:

(i) Legal custody.

(ii) Temporary custody issued or extended.

(iii) Protective supervision.

(iv) Planned permanent living arrangement (PPLA).

(v) Permanent commitment.

(vi) Permanent custody as a result of execution of a JFS 01666.

(vii) Direct court placement.

(b) A court order showing verification of one of the following reasons for the priority placement:

(i) The child is under two years of age.

(ii) The child is in an emergency shelter.

(iii) The child has spent a substantial amount of time in the home of the parent or relative.

(c) One copy of the JFS 01663 "Sending State's Priority Home Study Request" (ICPC 101) (08/2006).

(d) Three copies of the JFS 02424.

(C) Upon notification by the Ohio ICPC office that the placement has been approved, the PCSA, PCPA or Ohio court shall:

(1) Make arrangements for the child to travel to the receiving state.

- (2) Submit the JFS 01662 "Interstate Compact Report on Child's Placement Status (ICPC 100B)" (rev. 08/2006) within ten business days of the child's placement or within ten business days of determining the placement will not be made. If the JFS 01662 is not submitted within the six month timeframe, the placement for approval will expire.
- (3) Maintain financial responsibility for the care, medical care and education of the child throughout the duration of placement.
- (4) Retain jurisdiction of the child until one of the following occurs:
  - (a) The child is adopted.
  - (b) The child reaches the age of majority.
  - (c) The child becomes self-supporting.
  - (d) The child custody is transferred with concurrence from the receiving state.
- (D) When there is a change in status for a child who has been placed, the PCSA, PCPA or Ohio court shall submit three copies of the JFS 01662 within ten business days of any of the following:
  - (1) Placement disruption.
  - (2) Discharge from placement.
  - (3) Adoption finalization.
  - (4) Custody termination.
- (E) Upon notification from the appropriate authority in the receiving state, from the agency supervising the placement, or from Ohio ICPC office, that a child's return is necessary, the PCSA, PCPA or Ohio court shall arrange for the child's return or for an alternative placement. All costs associated with the child's return or alternative placement shall be the responsibility of the Ohio sending agency.

Effective:

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Certification

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Date

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