

5101:2-52-08

Interstate placement requirements for Ohio parents or legal guardians when placing their child into another state or territory.

(A) When an Ohio parent or legal guardian plans to place his or her child into another state or territory for a placement ~~not exempted by rule 5101:2-52-02 of the Administrative Code~~, the parent or guardian shall notify the Ohio "Interstate Compact on the Placement of Children" (ICPC) office of the need to obtain an evaluation of a placement resource and the receiving state's authorization to place the child.

(B) The following situations are exempt from ICPC:

(1) The Ohio parent or legal guardian has the full legal right to plan for the child as established by law, those legal rights have not been terminated or limited by the court, and the Ohio parent or legal guardian is placing the child with another parent, step-parent, grandparent, adult brother, adult sister, adult aunt, adult uncle or guardian of the child.

(2) The Ohio parent or legal guardian is placing the child into a medical or mental health facility for short-term acute treatment.

(3) The Ohio parent or legal guardian is placing the child into a boarding school or any institution primarily educational in nature.

(4) The Ohio parent or legal guardian is placing the child out of state for a visit and the purpose of the visit is to provide the child with a social/cultural experience of short duration, such as a stay in a camp or with a friend or relative who has not assumed legal responsibility for providing daily care of the child. Situations in which the intention is to place the child either on a temporary or permanent basis and for which a homestudy or supervision is being requested, do not meet the requirements of a visit and are therefore not exempt from ICPC. The following are additional criteria for a visit:

(a) A visit shall have a defined ending date.

(b) A visit shall not be extended or renewed in a manner which causes the visit to exceed thirty days or the school vacation period.

~~(B)~~(C) To initiate an interstate placement of an Ohio child into a children's residential center, the parent or legal guardian shall send the following documents to the Ohio ICPC office:

(1) Five copies of the JFS 01661 "Interstate Compact Placement Request." (rev. ~~08/20066/2009~~). Section ~~1~~1 of the form shall identify the parent or legal guardian as the person having financial and planning responsibilities for the

child. Section 3 of the form shall indicate that monthly supervisory reports are requested.

- (2) Three copies of a cover letter identifying the parent or guardian and the placement resource including name, address, and telephone number, the reason for the placement and the services requested.
- (3) Three copies of a child summary, including all available social, medical, developmental, psychological and educational information for the child, and the family history of the biological parents.
- (4) Three copies of documentation verifying the person's legal authority to place the child (i.e., child's birth verification or guardianship order). If placement is being requested by only one parent, documentation supporting the other parent's consent shall also be provided.
- (5) Original and two copies of ~~A~~ a notarized JFS 01674 "Statement Of Assurance" (rev. 08/2006) completed and signed by the person identified on the JFS 01661 as being financially responsible.

~~(C)~~(D) To initiate an interstate placement of an Ohio child for the purpose of adoption, the parent or legal guardian shall be represented by an adoption agency or private attorney. The adoption agency or private attorney shall send the following documents to the Ohio ICPC office:

- (1) Five copies of the JFS 01661. Section ~~1~~1 of the form shall identify the parent or legal guardian as the person having financial and planning responsibilities for the child. Section 3 of the form shall indicate that monthly supervisory reports are requested.
- (2) Three copies of a cover letter identifying the parent or legal guardian, service being requested, the name, office location and telephone number of the originating agency supervisor or attorney making the request, and the placement resource including name, address, and telephone number, the reason for the placement and the services requested.
- (3) Three copies of a child summary, including reason for placement in another state, all available social, medical, developmental, psychological and educational information for the child, and the family history of the biological parents.
- (4) Three copies of documentation verifying the person's legal authority to place the

child (i.e., child's birth verification or court ordered guardianship). If placement is being requested by only one parent, documentation supporting the other parent's consent or the JFS 01695 "Application For Search Of Ohio's Putative Father Registry." (rev. ~~9/2003~~3/2008) shall be submitted.

- (5) ~~A~~Original and two copies of a notarized JFS 01674 completed and signed by the person identified on the JFS 01661 as being financially responsible.
 - (6) Three copies of the court order documenting parental consent to adoption pursuant to section 5103.16 of the Revised Code.
 - (7) Three copies of the JFS 01693 "Ohio Law And Adoption Materials" (rev. ~~1/2002~~ 5/2009).
 - (8) The child's social security number, birth certificate, and immunization record, if available.
 - (9) The JFS 01616 "Social and Medical History" rev. (6/2009) for the biological family.
 - (10) Documentation pursuant to rule 5101:2-53-03 of the Administrative Code ensuring the requirements are met regarding the Indian Child Welfare Act (25 USC Chapter 21, 2005).
- (~~D~~)(E) When a parent or legal guardian places a child into another state or territory through the Ohio ICPC office, the parent or legal guardian shall:
- (1) Make arrangements for the child to travel to the receiving state or territory.
 - (2) Maintain financial responsibility for the care, medical care and education of the child throughout the duration of placement.
 - (3) 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's custody is transferred with concurrence from the receiving state.

Effective:

R.C. 119.032 review dates: 10/01/2011

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 5103.20, 5103.21
Rule Amplifies: 2151.39, 5103.20
Prior Effective Dates: 1/14/83, 7/1/90, 2/15/02, 10/20/06