

5101:2-52-08

Interstate placement requirements for Ohio parents, ~~or legal guardians, or private entities~~ when placing ~~their~~ a child into another state or territory for adoption.

- (A) Prior to placing a child into another state or territory for an adoptive placement, ~~When an Ohio parent, or legal guardian, PCPA, or attorney, hereafter referred to as the sending agent, plans to place his or her child into another state or territory for a placement, the parent or guardian shall notify~~receive written approval, as documented on the JFS 01661"Interstate Compact Placement Request (ICPC 100A)" (rev. 6/2009) from the Ohio "Interstate Compact on the Placement of Children" (ICPC) office of the need to obtain an evaluation of a placement resourcee and the receiving state's authorization to place the child state ICPC office. If the sending agent is a parent or legal guardian, the parent or legal guardian shall be represented by an adoption agency or private attorney.
- (B) The following situations ~~Visits,~~ are exempt from ICPC as defined by the association of administrators of the interstate compact on the placement of children (AAICPC) "Regulation 9" located at <http://icpc.aphsa.org>, are exempt from ICPC. Situations in which the intent is to place the child either on a temporary or permanent basis and for which a homestudy or supervision is or will be requested do not meet the requirements of a visit and are therefore not exempt from ICPC. The following are additional criteria for a visit:
- (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)(1) ~~The Ohio parent or legal guardian is placing the child into a medical or mental health facility for short-term acute treatment. The purpose of the visit shall be to provide the child with a social or 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 the daily care of the child.~~
 - (3)(2) ~~The Ohio parent or legal guardian is placing the child into a boarding school or any institution primarily educational in nature. A visit shall have a defined ending date and shall not be extended or renewed in a manner which causes the visit to exceed thirty days or the school vacation period.~~
 - (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.~~

(C) To initiate an interstate placement of an Ohio child ~~into a children's residential center~~for the purpose of adoption, the ~~parent or legal guardian~~sending agent shall send three hard copy packets or one electronic copy of the following documents to the Ohio ICPC office:

(1) ~~Five copies of the~~The completed JFS 01661 "Interstate Compact Placement Request (ICPC 100A)." (rev. 6/2009). Section 1 of the form shall identify the ~~parent or legal guardian as the~~ person or agency 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~~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.~~requesting interstate approval signed by the sending agent that includes the following:~~

(a) Name of the child(ren) to be placed.

(b) Name of the birthparents.

(c) Name(s), address, email address and contact phone number(s) of the prospective adoptive parents.

(d) Name, contact person, address, email address, and contact phone number(s) of the supervising agency or person in the receiving state.

(e) A statement as to how the match was made, including the reason for placement into another state.

(f) If the sending agent is an attorney, their Ohio supreme court number shall be included in the cover letter.

(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.~~A legal risk acknowledgment signed by the prospective adoptive parent(s), if applicable, in the receiving

state.

- (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.~~Documentation giving the prospective adoptive parents authority to provide medical care, if applicable.
- (5) ~~Original and two copies of 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.~~Copy of the approved adoptive homestudy on the prospective adoptive family, in accordance with the laws of the receiving state. If a homestudy is completed by a licensed private agency in the receiving state, the sending state shall not impose any additional requirements to complete the homestudy that are not required by the receiving state unless the adoption is finalized in the sending state. In addition to the homestudy, documentation is to include:
 - (a) Verification of compliance with federal and state background clearances, including state and federal bureau of investigation (FBI) fingerprint clearances and child abuse and neglect clearances.
 - (b) Sex offender registry clearance, available at www.nsopw.gov.
 - (c) A copy of any court order approving the adoptive home, if required in the receiving state.
 - (d) A statement by the person or entity who completed the homestudy verifying that the home is approved. This statement may be located within the homestudy.
 - (e) If the homestudy is more than twelve months old, an update to the homestudy must be provided.
- (6) A statement from the person or entity in the receiving state that will be providing post-placement supervision acknowledging the obligation to provide post-placement supervision. This statement may be located within the homestudy. Supervision shall be pursuant to rule 5101:2-48-17 of the Administrative Code. A copy of the supervising agent's license or certification shall be submitted, if applicable to the laws of the receiving state.
- (7) A current case history that includes:
 - (a) All available social, medical, including immunization record, developmental, psychological, and educational information. If the child

is an infant and has been discharged from the hospital, a copy of the discharge documentation is required.

(b) The JFS 01616 "Social and Medical History" (rev. 6/2009).

(8) Documentation verifying the sending agent's legal authority to place the child. If placement is being requested with only one parent's consent, there shall be documentation addressing the other person's parental rights.

(9) The JFS 01695 "Application for Search of Ohio's Putative Father Registry" (rev. 11/2010). If the sending agent has received preliminary or final results, copies of those results shall also be submitted.

(10) The JFS 01674 "Statement of Assurance" (rev. 8/2006) completed and signed by the person or entity identified on the 100A as being financially responsible.

(11) Documentation pursuant to rule 5101:2-53-03 of the Administrative Code ensuring the requirements are met regarding the Indian Child Welfare Act of 1978 (Pub. L. 95-608).

(12) The JFS 01693 "Ohio Law And Adoption Materials" (rev. 5/2009).

(13) The child's social security number and birth certificate, if available.

(14) Affidavit of expenses and fees, if applicable in the receiving state.

(15) If the sending agent is a PCPA, a copy of their agency license.

(16) If the placement request is for a foreign born child being placed across state lines subsequent to the child's arrival in the United States and prior to finalization of the adoption, the original documentation and a certified translation of all legal documents verifying the child's birth and the agency's or adoptive parent's authority to place the child shall be included.

~~(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 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. 3/2008) shall be submitted.~~
 - ~~(5) 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. 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).~~
- ~~(E)(D) 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: Upon approval by the receiving state as evidenced by a signed 100A indicating that the placement may be made, the sending agent shall:~~
- ~~(1) Make arrangements for the child to travel to the receiving state or territory.~~
 - ~~(2) Submit the JFS 01662 "Interstate Compact Report on the Child's Placement Status (ICPC 100B)" (rev. 6/2009) to the Ohio ICPC office within five business days of the child's placement in the receiving state.~~
- ~~(2)(3) Maintain financial responsibility for the care, medical care and education of~~

the child throughout the duration of placement, unless the case contains a contractual agreement to the contrary or a statement by the prospective adoptive parent(s) that they will assume financial responsibility.

~~(3)~~(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.~~ The child returns to Ohio.

(c) ~~The child becomes self-supporting.~~

(d) ~~The child's custody is transferred with concurrence from the receiving state.~~

(E) The sending agent shall submit a JFS 1662 (ICPC 100B) to the Ohio ICPC office within thirty business days when any of the following occurs:

(1) The child will not be placed.

(2) The placement disrupts.

(3) The child's adoption has been finalized. The sending agent shall also include a copy of the final judgment or decree of adoption.

(F) Upon notification from the appropriate authority in the receiving state from the agency supervising the placement, or from the Ohio ICPC office that a child's return to Ohio is necessary, the sending agent shall arrange for the child's return or alternative placement. The return shall be within five business days from the date of the notice of removal unless otherwise agreed upon between the sending and receiving state ICPC offices. All costs associated with the child's return or alternative placement shall be the responsibility of the sending agent.

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Certification

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