SB
629

"An Act relating to the enactment of the Interstate Compact on the Placement of Children; and providing for an effective date."

COMMITTEE REPORT

4/12/76 HOUSE JUDICIARY

Mr. Speaker: Date May 11, 1976

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had CSSB 629 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MAY 12, 1976

Present: Ostrosky Sullivan Hackney
Parr

Testifying: Gary Sheridan, Div. of Soc. Services
Lee Moeelein, Evergreen Memorial Chapel
Marjorie Gorsuch, League of Women Voters
Robert Lapotnick

HCR 143 - Legislative Affairs Agency Study on aged Housing

Kathryn presented background reasons for her introducing this resolution. Louise Crane and Gregg Erickson, Legisl. Affairs there to answer questions.

Committee does not see why a new study has to be done, Gleen thinks the information is allready been studies and just has to be compiled. Also questioning the travel $$ and why two people needed to travel.

Amendment, p 1, line 25, after agency, add "in consultation with the Department of Health and Social Service".

amendment passed.

Letter of Intent -to be written to indicate that information should be pulled together from various agencies, office of agin, dept, etc. Envision utilizing personnel in other legislative affairs agencies in the state and legislators to accumulate and investigate.

REsolution adopted.

Erickson wants to know if this means reduced or 0 budget from now on regarding this resolution. Committee asks that Gregg redo fiscal note taking all possible economies and report back to committee.

SB 371 am Child protection

Amendment that was adopted last committee meeting regarding the definition of mental was deleted. Bill has one amendment that relates to guardian ad litem.

Motion to move bill - passed

SB 629 - Interstate Compact on Children - Chance

Gary Sheridan explains the need for this and why the Dept. would like to see it passed.

Genie Chance explains how other states have participated and passes around some info collected by other states.

Gary has some proposed amendments, but the committee asks that he present those to the judiciary committee since this bill has another referral.

Motion to move bill out, passes

SB 653 - ~~Child Protection~~ Dept. Philo. on Children

Very little discussion, good bill
Motion to move bill out - do pass

SB 716 am Funeral and Mortuary Science

Lee Moeelein, makes some proposed amendments
p 7, delete (3) propblems with this by adding the cremation clause.
doesn't feel it is needed.

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST
Bill No. Senate Bill No. 629
Title: An Act relating to the Interstate Compact on Placement of Children
Requested by: _____ Date: _____
Return Date Requested: _____
Agency: SS Program: Social Services

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Program Services

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES		0				
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL		0				

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Senate Bill No. 629 will have no significant impact on the Program Services BRU

IV. ATTACHMENTS

V. DATE: 2/27/76 PREPARED BY: Mary Eldemar

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

Sullivan

MEMORANDUM State of Alaska

TO: Eric Lee, Director
Division of Community Services

DATE: April 6, 1976

FILE NO:

TELEPHONE NO:

FROM: F. Harvey Pitts
Child Care Programs
Coordinator

SUBJECT: Need for legislation to comply with Federal Regulations regarding AFDC recipiants.

As you know, we have encountered a problem in implementing both the legislative intent and AS 44.47.280 with regard to coordinating day care recipiants with those receiving benefits under Aid To Families with Dependent Children. The problem lies with the refusal by the Department of Health and Social Services to allow us access to their recipiant files in order to assure that there is no duplication of client population. Inasmuch as federal regulations prohibit such access, it appears that the Department of Health and Social Services are justified in their refusal.

The appropriate federal regulations do provide for an exception to the confidentialilty under special circumstances. In discussing our problem with Ron Lorensen of the AG's office he pointed out that paragraph 205.50 sub-paragraph (e) "exception" provides that an exception can be made with respect to strict confidentiality "by reason of the enactment or enforcement of State legislation, prescribing any conditions under which public access may be had to records of disbursement of funds or payments under such titles within the State, if such legislation prohibits the use of any list or names obtained through such access to such records for commercial or political purposes.

In essence what we need is legislation allowing us access to the confidential files covered by federal confidentiality requirements. Attached is a proposed amendment which would, according to Ron Lorensen, accomplish that purpose under the exceptions allowed. The amendment could be attached to HB 560 which is currently in free conference committee.

FCC-HB560

AMENDMENT

To: HOUSE BILL NO. 560 am S

AMENDMENT: PAGE 2 BETWEEN LINES 14 and 15:

Insert a new Section 3 to read as follows:

"AS 44.47 is amended by adding a new section to read:

Sec. 44.47.285. RELEASE OF INFORMATION. For the purpose of implementing subsections (1) and (4) of sec. 280 of this chapter, the Department of Health and Social Services shall release to the department the names of persons receiving assistance under title I, IV-A, XIV and XVI of the Social Security Act, 42 U.S.C. Secs. 301-1397. In processing these names the department shall be subject to standards of confidentiality which are comparable to those of the Department of Health and Social Services."

Re-number Sections 3 through 8 accordingly.

POSITION PAPER
ON
CS FOR SENATE BILL 629

"An Act relating to the enactment of the Interstate Compact on the Placement of Children; and providing for an effective date."

This bill would join Alaska in compact with thirty-four other States who have already passed such legislation, and possibly the eleven additional States presently giving consideration to similar legislation this year, under the Interstate Compact on the Placement of Children.

The Interstate Compact on the Placement of Children establishes agreed procedures to be followed in the making of placements among states party to it. They apply alike to placements made by public agencies, private agencies, and, where the laws of a particular jurisdiction allow, by private individuals. However, placements of children made between very close relatives of the child (e.g., by the mother of the child with an adult grandparent, uncle or aunt) are excluded from the operation of the Compact and left to take place as normal family relationships.

The placements to which this Compact apply are those made to secure foster care and those which are preliminary to a possible adoption of the child; also, placements in appropriate institutions located in other states, to provide services for a particular child or delinquent juvenile, when such services are not available within Alaska.

This Compact requires a pre-placement investigation to be made to determine whether a proposed placement is likely to provide the child with suitable conditions in the home or institution. In the absence of this Compact, such investigations often are not forthcoming from other states. Also, necessary supervisory services during the continuance of the placement would be assured under Compact while they are often unavailable on an interstate basis at the present time. Participation in the Compact would enable us to effectively monitor the services and benefits received by children and adolescents for whom we find it necessary to make an out-of-state placement because the Compact requires a public official (Compact Administrator) in the receiving state to provide us with investigations and evaluations of proposed placement

POSITION PAPER/Department of Health and Social Services

facilities. Such service from the receiving state is extended as a matter of right under the Compact. At present, it is provided only as a courtesy. In effect, we will be in a position to determine whether or not placements are successful, practical and worth the expenditure.

At the present time, thirty-four (34) states have enacted the Interstate Compact on the Placment of Children. A list of these thirty-four (34) states now party to this Compact is presented at the end of this statement. Additionally, there are eleven (11) states which already have or plan to introduce enabling legislation to enact the Compact in the 1976 legislative sessions. These are: Alabama, Arizona, District Of Columbia, Idaho, Indiana, Kansas, Michigan, Mississippi, South Carolina, Virgin Islands and Wisconsin. The following states are not in regular session in 1976, but have made a commitment to introduce enabling session in 1977: Arkansas, Nevada and New Mexico.

In respect to the fiscal impact of this legislation, it is noteworthy that in the case of the thirty-four (34) states currently party to this Compact, the fiscal analysts of those states have determined that participation in Compact has no significant cost implications and requires no special appropriation. According to a recent analysis, experience in those states which have been operating under the Compact for up to fifteen (15) years supports this.

The Compact makes sound interstate placements easier and forestalls many which are likely to deteriorate.

As of February, 1976, the following states are party to the Interstate Compact on the Placement of Children:

California
Colorado
Connecticut
Delaware
Florida
Illinois
Iowa
Kentucky
Louisiana
Maine
Maryland
Massachusetts
Minnesota
Missouri
Montana
Nebraska
New Hampshire
New York
North Carolina
North Dakota
Ohio
Oklahoma
Oregon
Pennsylvania
Rhode Island
South Dakota
Tennessee
Texas
Utah
Vermont
Virginia
Washington
West Virginia
Wyoming

OSHTHON RAPPER/Department of Health and Social Services

The Department supports the Bill without change.

Recommended By: Ken J. Brandt 5/11/76
(Director) (Date)

Approved By: Lois M Jurd 5/11/76
(Commissioner) (Date)

Comments by Governor's Office:

By: _____ _____
(Date)

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

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Bill No. Senate Bill No. 629
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Requested by: _____ Date: _____
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Budget Request Unit(s) Affected: Program Services
A. EXPENDITURES: (Thousands of dollars)

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	TOTAL		0				

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

CS for Senate Bill No. 629 will have no significant impact on the Program Services BRU

IV. ATTACHMENTS

SENATE BILL NO. 629

For an act entitled: "An Act relating to the enactment of the Interstate Compact on the Placement of Children; and providing for an effective date"

34 states have adopted the Interstate Compact on the Placement of Children. Senate Bill 629 proposes the addition of that compact to Alaska State Statutes. In order to determine other states' experience on this issue, a survey letter was forwarded to each state which had adopted the compact. The specific areas of interest included:

(1) Uses and advantages of the compact by the state,

(2) problem areas of implementation noted by states,

(3) unforeseen costs of implementation,

(4) Information and referral services available to compact states,

(5) general conclusions about experience with program.

12 states (35%) responded to the survey.

STATE	YEARS IN PROGRAM*
California	2
Colorado	1
Florida	2
Iowa	not stated
Kentucky	16
Louisiana	8
Minnesota	3
Missouri	1
New Hampshire	11
North Carolina	5
Oregon	1
Wyoming	13

* Rounded to nearest year.

The analysis that follows outlines the experience of these states in utilizing the Interstate Compact. Probably the most positive statement received to date was that forwarded by the Commonwealth of Kentucky:

> We in the Commonwealth of Kentucky can state without reservation that we would recommend the passage of this compact as enabling legislation for the State of Alaska, thus providing the administrative and operational structure to make a more adequate delivery of services to the eligible clients under the Interstate Compact on the Placement of Children.

It should be noted that Kentucky speaks from 16 years of experience in the program, the longest of any respondent to the survey.

SURVEY FINDINGS

OF 12 COMPACT STATES' EXPERIENCE

WITH AGREEMENT

I. Uses and Advantages of Compact by State

A. Better Protection for Dependent Children Placed Across State Lines.

The Interstate Compact on the Placement of Children was established to insure better protection for dependent children being placed across state lines. The Interstate Compact gives recognition to the needs and rights of children to be protected and insures safeguards by establishing a system for responsible planning.

The Compact provides guidelines for member states working together cooperatively to provide for communication and written summaries between the sending and receiving states prior to the children's placement. It insures that dependent children will be placed in a suitable environment and that they receive supervision by the receiving state.

The purpose of the Interstate Compact on Placement of Children is designed to effect cooperation among member states to insure that:

1. Each child requiring placement will receive the maximum opportunity to be placed in a suitable environment.

2. Appropriate agencies in the state where the child is to be placed can determine the full circumstances of the proposed placement, thereby promoting the protection of the child. 3. Appropriate

3. Appropriate agencies in the state from which the child is being sent can obtain the most complete information on the proposed placement and evaluate the placement before it is made.

4. Jurisdictional arrangements for the care of the child to be placed are appropriate.

B. Definition of Responsibility

The Compact clearly defines who is financially and legally responsible for the child and under what circumstances these responsibilities may be transferred or terminated. These reponsibilities are placed in statute by adopting state carrying that level of authority for enforcement.

C. Uniformity of Procedures

Each adopting state approves a basic compact agreement. This uniformity in law simplifies transactions. Rather than state dealing with each individual states' unique statutes and laws, all states approving the compact agree to one standard set of procedures. Prior to the compact, individual states had no central authority. Practices often lacked coordination. The compact is one means of minimizing problems in these interstate procedures.

D. "Spirit of Cooperation"

Most of the states responding to the survey noticed a renewed interest in cooperation between states on placement of children since adoption of the compact. Planning for proper placement of child often involves much discussion and correspondence in order to find most appropriate situation for him.

E. Designated Person in Each Compact State to Coordinate Placements with Compact Adoption.

Persons were designated in each state to coordinate placements across state lines. These people were held responsible for implementing the compact and thus became knowledgeable in interstate laws, including their requirements and limitations. Prior to the compact, many states had no single individual designated with these responsibilities.

F. Retention of Jurisdiction included in Compact

Many states that have adopted the compact find that specification of jurisdiction is invaluable to safety and proper placement of children in a mobile society. This provision allows compact states to monitor care of dependent children currently placed out of state. Specific examples included reviewing care of abused or neglected dependent child returned to his family on a "trial basis", when that family has moved to another state. The original state would retain jurisdiction in that situation.

II. Problem Areas of Implementation Noted by States

A. Administrative

1. Adjustment of agencies to new forms and procedures.

2. Informing those individuals or agencies receiving children of provisions of compact.

3. Re-education of staff in preparation of referrals to process them in a timely manner to insure that studies are completed by the time the scheduled placement is to occur.

4. Creation of more paperwork than anticipated to monitor placements.

5. Insufficient state funding to adequately implement the program.

B. Medical

Reluctance of other states medical communities to provide medical care for children from other states.

C. Legal

No amendment or adverse legal decision since passage of compact in two states

III. Unforeseen Costs of Implementation

A. Survey Results:

RESPONSE	# OF RESPONSES	% OF RESPONSES
No Appreciable Additional Cost	6	50%
Program Not Implemented due to Legislative Freeze on New Programs	1	8%
Cannot be determined	1	8%
No Comment	4	34%
Total	12	100%

B. Areas of Expenditure:

1. Staff from 0 additional in New Hampshire to 2 additional in California

2. Long Distance Telephone

3. Training of Staff

4. Printing and distribution of forms and manuals

IV. Information and Referral Services Available to States

a. Compact itself does not provide specific information but serves as a vehicle to obtain such information.

B. No state provides actual planned education activities to inform others in compact of available services.

C. Compact states provide specific information, evaluation, and recommendations regarding institutions, and other placement facilities, upon request.

V. General Conclusions About Experience with Program

A. Survey Results:

Responses	# of Responses	Category Total
"Favorable Response"		10
"Useful and affords children better care and protection"	6	
"Very pleased"	2	
"Feeling of confidence with placements"	1	
Recommend passage of compact "without reservation"	1	
"Neutral" Response		2
"No comment"	1	
"Not implemented yet, due to legislative freeze on new programs"	1	
Total:	12	12

ALASKA LAW AND THE INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN

Alaska is in a situation that is both materially similar to and substantially different from that of the contiguous forty-eight states. As in any of these other jurisdictions, the Alaska State Government bears the public responsibility for the welfare of children. It is up to state law to fix the procedures and responsibilities attendant on adoption, foster care, and the institutional placement of juveniles under adjudication of delinquency.

Like other states, Alaska has a large number of people who have come from or will go to other states, often accompanied by their own natural children or those for whom they are caring on some other basis. Movement of adults also means the certainty that situations will occur in which children who have been deprived of normal home environments with their natural parents are or should be placed into Alaska from other states or are the subjects of placements from Alaska to other jurisdictions.

Every state has found that it is not and cannot be a closed and self-sufficient child care community. At any given time, there are children in the state for whom no appropriate placement resources can be found locally or for whom there are better ones elsewhere. Conversely, there inevitably are instances in which children in other states do or should come to Alaska for preadoptive placement, foster care, or post delinquency adjudication placement.

In attempting to deal with these situations, Alaska finds itself in an unusual situation. Its own population is small, thereby decreasing the likelihood of a local balance between children needing placement and adults or institutions willing or anxious to provide them. Furthermore, the noncontiguous position of Alaska makes every interstate placement a long distance

affair, and so one in which the parties are confronted with even greater than normal difficulties in ascertaining the facts about the present and intended environment for the child and in providing or making arrangements for placement supervision and child care services.

Alaska statutes recognize the importance of interstate arrangements to the state, but they do not sufficiently provide the basis for the necessary interstate relationships and procedures. To make this point clear, it is desirable to examine each of the several statutes and to indicate its coverage and limitations.

The Interstate Compact on Juveniles. (Ala. Stat. 47.15.010 et seq.)

All fifty states, including Alaska, are parties to the Interstate Compact on Juveniles. This compact is sometimes confused with the Interstate Compact on the Placement of Children, but their coverages are different. The Juvenile Compact deals with interstate runaway children and with parole and probation supervision for juveniles adjudicated delinquent. The Interstate Compact on the Placement of Children covers preadoptive placements, foster care placements, and institutional placements of adjudicated delinquents.

Article X of the Juvenile Compact authorizes the making of agreements between compact states for the institutional care and confinement of adjudicated delinquents and Alaska is one of the few states which have made significant use of its provisions. This has been done in the past because of Alaska's relative lack of appropriate facilities and specialized juvenile reformative or correctional programs. However, the provisions of Article X make it difficult or impossible to use the Juvenile Compact properly for placements in private child caring institutions. Thus major resources in other states for child care (particularly where specialized programs are needed) cannot be utilized under that compact. The Interstate Compact on the Placement of Children remedies this deficiency.

Another recognition in Alaska statutes of the need for interstate arrangements for child welfare is a seemingly very broad authorization to the Department of Health and Social Services to make reciprocal agreements with other states. Section 47.05.010(11) of the Alaska Statutes provides that the Department has a duty to enter into reciprocal agreements with other states relative to ... welfare services ... which are considered advisable. While this appears to be an appropriate provision to cover most placement services provided by the Department or other public agencies, and even services procured from out-of-state private agencies by public agencies in Alaska, such is not actually the case. The problem is that the statute is only authorizing in character. As a unilateral act of the Alaska Legislature, Section 47.05.010(11) may be enough to allow the Department to negotiate for services from persons and agenc in other jurisdictions who are both authorized and willing to provide them to children and public agencies of other states. For welfare departments and other public agencies in other states, this means the ones which have sufficient authorization from their own legislatures and which are also willing to commit staff time on a voluntary basis. In other words, Section 47.05.010(11) can be useful for such purely voluntary cooperation as Alaska may be able to secure from other states. The amount of such cooperation is certainly worthwhile, but it is far from sufficient. In the absence of the compact, each public agency in every state often feels impelled, and sometimes is statutorily restricted, to provide for its purely intrastate placement situations and to give lesser or no attention to interstate placements. While this circumstance is understandable, it seriously diminishes opportunities for needed placements, lessens the quality and quantity of available protective and other children's services, and results in deprivation for children in Alaska and elsewhere.

Alaska law presently provides for the support of a child by parents or other responsible private persons in some circumstances where placements have been made. (Ala. Stat. 47.10.120) So long as all the parties involved are in Alaska, such statutory requirements can be enforced. However, where either the obligated adults or the child are in other states, such responsibilities are now enforced either with great difficulty or not at all. This is especially true when the liability is or should be that of a nonrelative because provisions of the Uniform Reciprocal Enforcement of Support Laws do not apply.

Experience has shown that no state can rely entirely on its own internal resources to take care of the placement needs of its children. Also, it is clear that every state needs the support of law and appropriate administrative processes in other states if interstate placements are to be properly supervised and services assured. These are the reasons why thirty-four states have already enacted the Interstate Compact on the Placement of Children. Of particular interest to Alaska is the fact that all three of the states of Washington, Oregon and California are in the Compact. However, this is by no means the limit of its significance for Alaska. Experience has shown that in our presently mobile society, interstate placements are made among even the most distant jurisdictions.

Value of the Compact.

This memorandum has identified several problems relating to the interstate placement of children. It should also be emphasized that the public policy of no state prohibits interstate placements of children, nor could it constitutionally do so. Such placements occur among states, whether or not they have the Compact. Indeed, as population and mobility continue to increase, the numbers of such interstate placements also are bound to increase. However, the Compact makes known many interstate placements which, in its

absence, remain outside the knowledge of public authorities and so largely beyond the protection of the law.

The Compact either cures entirely or provides substantial help in overcoming each of the deficiencies and omissions noted earlier. Notably, it makes the obtaining of home studies and supervisory services in other states a matter of right rather than of uncertain voluntary cooperation; it removes confusion as to responsibilities in interstate placement situations and makes them enforceable; it opens up the resources of private institutions and programs in other states on a legally protected basis for the placement, care and treatment of adjudicated delinquents who need special facilities and programs.

The Interstate Compact on the Placement of Children accomplishes all of these objectives to an extent impossible for the ordinary statutes of Alaska because enactment of it makes the Compact law on a multilateral basis in all of the party jurisdictions. Consequently, both ends of the interstate placement transaction, all parts of the process, and all of the individuals and agencies involved with the placements have the Compact as part of the statutory framework in their own jurisdictions.

Susan Sullivan
ALASKA STATE LEGISLATURE

1131 LALANDE
ANCHORAGE, ALASKA 99504
333-6412

POUCH V
JUNEAU, ALASKA 99801
465-3797

HOUSE OF REPRESENTATIVES

Dear

Dear

It is my understanding that your state is one of the 34 which have adopted the Interstate Compact on the Placement of Children. The state of Alaska has used the services and institutions of other states in the past and we are researching the possibility of adopting this compact. Thus we are seeking any information regarding the uses that your state has had in relation to the compact, as well as any problem areas that have arisen during its use; and the unforseen costs which might be incurred by passage of this compact. Another area of concern is whether the compact enables the states involved to be educated as to the services of the institutions involved.

We would appreciate the above information and any other that you feel is relevant . Because our legislature is in session now and has a relatively short session, your expediency in this matter is urged.

Sincerely

Sharon Macklin
Staff Assistant

STATE OF IOWA

Department of Social Services

LUCAS STATE OFFICE BUILDING DES MOINES, IOWA 50319

ROBERT D. RAY
Governor

KEVIN J. BURNS
Commissioner

February 25, 1976

Ms. Sharon Macklin
Staff Assistant
House of Representatives
Alaska State Legislature - Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

Mrs. Turnbull, our Adoption Specialist, has requested that I reply to your letter of February 10, 1976, as Deputy Administrator of the Interstate Compact on the Placement of Children and the Interstate Compact on Juveniles.

It has been our experience in Iowa that both these compacts have greatly assisted us in planning for our children when they are out of the jurisdictional boundaries of our state. We have found these states to be very responsive and there is a cooperative effort between these states in planning for children. One of the significant factors in this cooperation is that there are specific designated persons in these states who are responsible for seeing that the placement laws are adhered to and in dealing with interstate laws. The law related to the Compacts is a uniform one, and these persons are knowledgeable of its requirements and also of its limitations.

Unless a state is a member of the Interstate Compact on the Placement of Children and the child is placed through the Interstate Compact, the jurisdictional boundary ends at the state line. Whereas, when a child is sent through the Compact, the laws of the sending state apply to that child.

The Interstate Compact on the Placement of Children does provide for placement of the delinquent child through this Compact and such a child could be placed in a private institution in another state. However, after-care service for the delinquent child, either on probation or parole, would be placed through the Interstate Compact on Juveniles. If your state has not inacted Article X of that Compact, which is the Out-of-State Confinement Amendment, placement in a public institution in another state would have the same jurisdictional limitations as mentioned above even with your being signatory to the basic Compact of the Interstate Compact on Juveniles. We have placed children from Iowa through the Interstate Compact on the Placement of Children in private institutions in our bordering states through a purchase of service contract; but, although we have the Out-of-State Confinement Amendment of the Juvenile Compact, we have never placed a juvenile in a public institution in another state or received one in Iowa.

I would certainly encourage your Legislature to become signatory to the Interstate Compact on the Placement of Children as I am sure every other state that is a member would. My experience, in the five years I have been in this position and worked with the Compact, has been very positive and I can think of no negative reason to give to you. I would certainly encourage you to contact Mr. Brendan V. Callanan, Project Director, Interstate Compact on the Placement of Children, American Public Welfare Association, and Mr. Mitchell Wendell, the Compact's legal consultant. I guess I would also like to add that one of the additional side effects of this Compact for member states is the spirit of cooperation between the states and also, when we have problems, we have a designated person within the other state with whom we can discuss the matter and come to some agreement and resolution.

You also requested some information regarding unforeseen costs that might be incurred by passage of this Compact. I am rather uncertain how to respond to this question. If your state is already purchasing services for care of children in jurisdictions outside of your state and see as your responsibility on-going planning and financial support in the area of services, there would be no additional expense. Usually the person designated as the Compact Administrator probably should be appointed by your Governor as the Administrator of your Department of Social Services and the alternate would be someone at your state level who already is involved in placement planning for children. Therefore, the additional cost that I could probably see would be the expense of printing forms and procedures and staff development which is already a component of your Department of Social Services.

I hope this information will be helpful to you and I would be glad to reply to any additional specifics you may have.

Sincerely yours,

Jane C. McMonigle

Jane C. McMonigle
Deputy Administrator
of Interstate Compacts

JCM/djr

cc: C. O.
Debra S. Dahab, Research Analyst
Iowa Legislative Service Bureau

State of New Hampshire
DEPARTMENT OF HEALTH AND WELFARE
DIVISION OF WELFARE
8 LOUDON ROAD
CONCORD 03301

February 25, 1976

Sharon Macklin, Staff Assistant
House of Representatives
Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

Your letter of February 10 regarding the Interstate Compact on the Placement of Children to Arthur G. Marx, Office of Legislative Services, was forwarded to me for reply.

New Hampshire has made considerable use of the Compact and of course as states join in, more use will be made of it. The Compact speaks for itself in terms of the protection of the children and all parties involved in the placement. It clearly defines who is financially and legally responsible for the child and under what circumstances these responsibilities may be transferred or terminated.

Another advantage is that the procedure for implementing the Compace are uniform and therefore simplify transactions between member states (one procedure instead of one for each state).

In respect to education as to the services of the institutions (or family home) involved, the Compact does not speak to this specifically. However, when a particular placement is selected for a child, it is done so on the basis of whether the institution's or home's program can meet the child's need,and professional staff must know what the home's program is.

Your question as to the possibility of unforeseen cost is not difficult to answer. All states make interstate placements, whether members of the Compact or not, and in this regard the Compact simply unifies the procedure. New Hampshire was one of the first states to join the Compact (1965) and no new staff has been added for Compact purposes since that time. Since things run smoother under the Compact, there should be reduction of cost in interstate placements.

I hope this helps in your deliberation.

Sincerely yours,

Arthur Roberge, Assistant Chief
Bureau of Child and Family Services

AR:s

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RENEE P. HILL
DIRECTOR-ADMINISTRATOR

JUNE P. STALLINGS
DEPUTY ADMINISTRATOR
PHONE: 919-829-4622

STATE OF NORTH CAROLINA

INTERSTATE COMPACT ON JUVENILES

DEPARTMENT OF HUMAN RESOURCES

DIVISION OF SOCIAL SERVICES

325 N. SALISBURY STREET RALEIGH 27611

March 4, 1976

The Honorable Susan Sullivan
House of Representatives
Alaska State Legislature
Pouch V
Juneau, Alaska 99801

Dear Ms. Sullivan:

Your February 10, 1976 letter regarding the Interstate Compact on the Placement of Children was referred to us for response. We were pleased to hear that Alaska is considering enactment of the Compact. Each additional state participant strengthens the Compact and further ensures that dependent children will be adequately protected as they move into placement across state lines.

North Carolina became a member of the Interstate Compact on the Placement of Children in 1971. (We had joined the Interstate Compact on Juveniles in 1963). Through the years we had operated more or less successfully in interstate placement situations involving dependent children on the basis of North Carolina's unilateral interstate placement statute. Success depended, however, on the degree of cooperation the other state was willing to give.

The growing nation wide evidence of the scope of abuse and neglect situations served as an impetus to us to seek support from the public and the Legislature to enact the Interstate Compact on the Placement of Children into North Carolina Law.

First of all we asked the Attorney General to verify for us that the Compact would not be in conflict with other North Carolina Statutes.

We then pointed out reasons we believe the Compact would provide greater protection to our children than previously existing unilateral Interstate Placement Laws.

We saw as the major benefit of the Compact over North Carolina law, Article V relating to Retention of Jurisdiction. We cited three types of cases to support our position favoring enactment of the Compact.

The first kind of situation involved abused or neglected children being returned to parents or relatives, but remaining in the legal custody of the placing agency. It is generally recognized that families receiving protective services are quite mobile. We argued that surely children who have been victims

of abuse or neglect need maximum protection when returned to their families for trial placement, especially when the families have moved to another state and cannot be closely followed by the agency holding court custody of the children. Retention of jurisdiction would facilitate removal of the children from the home in the receiving state, should conditions warrant such action.

The second type of case which was pointed up as needing the authority of Article V of the Compact behind it involved the child who is allowed to move to another state with agency foster parents. As an illustration, we used the case of foster parents who were permitted to take two children in agency custody with them when they moved to another state. A unilateral interstate agreement was made. The foster parents filed abandonment proceedings against the children's parents and petitioned to adopt the children in the other state without the North Carolina's agency knowledge or consent. The adoption was upheld in spite of North Carolina's protest.

The third kind of situation which caused us concern involved children placed for adoption with families who then left the state before the legal adoption was finalized and custody remained with the placing agency. The example used here was where an infant was placed with a military family. The father was ordered overseas shortly after the petition for adoption was filed. The mother moved the baby to another state to await her husband's return. Neighbors there reported to the out-of-state agency providing courtesy supervision that the adoptive mother was abusing the child. This was confirmed and plans were made for the child to be returned to North Carolina. In the meantime, the adoptive father came home, carried the case to court, and the court in the other state overruled the North Carolina court, allowing the child to remain in the adoptive home.

We have found that the statutory weight of the Compact has served to strengthen cooperative relationships with other states and has afforded us the opportunity to intervene legally in crisis situations involving dependent children who have moved into or out of North Carolina under its provisions. Rather than causing problems relative to the interstate movement of children, the Compact has helped to avoid or overcome problems. We can think of at least one case involving the proposed placement of Alaskan children in North Carolina where the Compact could have provided additional needed protection. The fact that 20 states have enacted the Compact since 1971 attests to its benefits.

Since Alaska already has staff in the Family and Children's Services Division of the Department of Health and Social Services responsible for coordinating child welfare services with other states, there should be no appreciable additional costs to the state in implementing the Interstate Compact on the Placement of Children.

Compact states provide information, evaluation and recommendations regarding institutions and other child placement facilities upon request.

Mr. Brendan Callanan, Project Director of the Interstate Compact on the Placement of Children with the American Public Welfare Association in Washington can answer any additional questions you may have and can also provide technical assistance and legal consultation relative to legislation. Mr. Callanan's mailing

address is: 1155 Sixteenth Street, N.W., Washington, D. C. 20036. He can be reached by telephone at (202) 833-9250.

Hopefully this information will be helpful to you as you plan for enactment of the Compact in Alaska. Good luck.

Sincerely,

Renee P. Hill
Director-Administrator

June Stallings
June Stallings
Deputy Administrator

RPH:JS:dvh

cc: Mr. Brendan Callanan

STATE OF MISSOURI
DEPARTMENT OF SOCIAL SERVICES
DIVISION OF FAMILY SERVICES

ADULT SUPPLEMENTATION
AID TO DEPENDENT CHILDREN
GENERAL RELIEF
AID TO THE BLIND
BLIND PENSION
MEDICAID
SOCIAL SERVICES
CHILD WELFARE SERVICES
SERVICES TO THE BLIND
FOOD STAMP PROGRAM

LAWRENCE L. GRAHAM, DIRECTOR
DEPARTMENT OF SOCIAL SERVICES

EWING B. GOURLEY, DIRECTOR
DIVISION OF FAMILY SERVICES

BROADWAY STATE OFFICE BLDG.
JEFFERSON CITY, MISSOURI
65101

March 2, 1976

Ms. Sharon Macklin, Staff Assistant to
Representative Susan Sullivan
Alaska House of Representatives
Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

This letter is in response to your inquiry of February 10, 1976, to Mr. Frank Masters, Committee on Legislative Research regarding the adoption of the Interstate Compact on the Placement of Children by Missouri. As of September 1, 1975, Missouri became a member of the compact. We are still in the implementation stage therefore, we have very little documented information to give you.

You have been provided with a copy of the House Bill Number 254. The unforeseen costs which might be incurred by passage of this compact is impossible to pinpoint. The main cost appears to be the printing and distributing of all the necessary material to be used in educating those involved with the interstate compact. There would be additional forms and manual material that should go to all public and private agencies and institutions.

Surely, you have been provided information by the American Public Welfare Association, Brendan Callanan, Project Director, Suite 201, 1155 16th Street NW, Washington, D.C. 20036. Mr. Callanan helped Missouri a great deal with our questions when the compact was being considered.

Our main problem area has been the education of the public and private agencies as to the actual procedures to go through to complete an interstate placement according to the compact. As I stated, Missouri passed the bill and it became effective September 1, 1975. Very little prior knowledge about procedures used by other compact states was known to many of the public and private agencies in Missouri. We have not yet distributed manual material which gives specific instructions which can be followed by workers. Therefore, interstate correspondence comes in many different stages of placement other than a desired step by step procedure. This will all be ironed out soon hopefully, by planned meetings and manual material distributed.

The question "whether the compact enables the states involved to be educated as to the services of institutions involved" was not clear. This is translated to ask if member states take part in educating each other of their services provided. There is an Interstate Compact for the Placement of Children Manual provided by the APWA to member states such as: directions for correspondence, licensing requirements, state law on independent placements, adoption petition, age of majority and court jurisdiction.

However, there is no actual planned education of services available in member states that we know of presently. We have had no difficulty getting information needed regarding services, programs, procedures etc. from other states. Most of the time this is done by the Compact Administrators of the two states involved over the telephone.

Being a member of the compact gives us a feeling of confidence and willingness to help one another in our interstate placements. Knowing and agreeing to what is expected of us and other member states makes the interstate placements proceed much more efficiently.

I hope this information is helpful in Alaska considering the adoption of the Interstate Compact on the Placement of Children.

Sincerely,

Mary Ann Hall

Mary Ann Hall,
Child Placement Coordinator

MAH:eb

cc: Frank M. Masters

STATE OF FLORIDA

DEPARTMENT OF
Health & Rehabilitative Services

Reubin O'D Askew, Governor

5920 ARLINGTON EXPRESSWAY P.O. BOX 2050 JACKSONVILLE, FLORIDA 32203

REFER TO-SES

March 4, 1976

Mrs. Sharon Macklin
Staff Assistant to
Representative Susan Sullivan
Alaska State Legislature
Pouch V
Juneau, Alaska 99801

Dear Mrs. Macklin:

This is to acknowledge your correspondence of February 10, 1976, regarding the Interstate Compact On the Placement of Children.

Florida has been a member of the Compact for approximately two years. The Compact provides better protection for children being placed across state lines.

Please find attached a copy of manual material developed by our agency. We hope this information will be of some help to you.

Sincerely,

Barbara J. McGriff

(Mrs.) Barbara J. McGriff, Consultant II
Protective Services, Bureau of Children's Services

BJMcG:zf
Attachments

STATE OF FLORIDA DIVISION OF FAMILY SERVICES

MANUAL TRANSMITTAL LETTER

October 14, 1974

Number 2156

To: Region Directors

From: E. Douglas Endsley, Director

Re: Interstate Placement of Children

The attached manual material will become a part of the new Social Services Manual and is effective immediately upon receipt and is the program implementation of Laws of Florida 74.317, passed in the 1974 Legislative session. The procedures outlined represent a marked change in current practice and will require careful review.

Child Welfare Manual Chapter XIV, Interstate Placement of Children, dated March, 1961 (Operations Letter 906, 3-07-61) is obsolete upon receipt of this material.

EDE:br

Distribution:
Lists V and VI

INTERSTATE PLACEMENT OF CHILDREN

DEFINITION AND PURPOSE

Interstate placement is defined as the movement of children, by social agencies or authorized individuals, from one state to another on a planned basis.

The Interstate Compact on the Placement of Children was established to insure better protection for dependent children being placed across state lines. The Interstate Compact gives recognition to the needs and rights of children to be protected and insures safeguards by establishing a system for responsible planning.

The Compact provides guidelines for member states working together cooperatively to provide for communication and written summaries between the sending and receiving states prior to the child(ren)'s placement. It insures that dependent children will be placed in a suitable environment and that they receive supervision by the receiving state.

During the 1974 session, the legislature enacted House Bill 1836, establishing Florida as a member of the Interstate Compact on Placement of Children and providing the structure and limits for such placement. The Division of Family Services was designated the "appropriate public authority" for the establishment of guidelines.

Under the Compact, an Administrator is appointed by the Governor of each member state to coordinate planning for the placement of children within the guidelines of the Compact. The Director, Division of Family Services, has been appointed the Administrator of Florida's program. The Assistant Chief, Bureau of Children's Services, has been appointed Deputy Compact Administrator. The Compact applies to all children under the age of 18 whom a party or state or state sub-division, officer, employee, court or person, corporation, association, charitable agency or other entity sends, brings or causes to be sent or brought to another party state.

Children included under the Interstate Compact are:

a. Children placed with relatives
b. Children placed with non-relatives or foster families
c. Children placed in child caring institutions
d. Children placed in adoptive homes
e. Children placed through independent adoption placement

Children excluded from the Interstate Compact are:

a. Child(ren) brought or sent to another state by his parent, stepparent, grandparent, adult brother or sister, adult uncle or aunt, or guardian and placed with such relatives or any non-agency guardian

b. Children placed in institutions providing care for the mentally ill, mentally defective, epileptic, etc.

c. Children placed in educational institutions

d. Children placed in a hospital or other medical facility

As of the present time, twenty-three (23) states have enacted legislation enabling them to become members of the Interstate Compact:

Connecticut	Maine	North Dakota
Delaware	Massachusetts	Oklahoma
Florida	Minnesota	Pennsylvania
Illinois	Nebraska	Rhode Island
Iowa	New Hampshire	South Dakota
Kentucky	New York	Tennessee
Louisiana	North Carolina	Vermont
		Washington
		Wyoming

The purpose of the Interstate Compact on Placement of Children is designed to effect cooperation among member states to insure that:

a. Each child requiring placement will receive the maximum opportunity to be placed in a suitable environment.

b. Appropriate agencies in the state where the child is to be placed can determine the full circumstances of the proposed placement, thereby promoting the protection of the child.

c. Appropriate agencies in the state from which the child is being sent can obtain the most complete information on the proposed placement and evaluate the placement before it is made.

d. Jurisdictional arrangements for the care of the child to be placed are appropriate.

Requests to and from member states of the Interstate Compact on the Placement of Children will be handled according to the procedures established under the Compact. All correspondence will be forwarded through the Deputy Compact Administrator in the State Office.

In the interest of consistency, requests to and from non-member states will also be handled according to Compact procedures. The Deputy Compact Administrator maintains responsibility for assignment, routing, and consultation for all requests involving interstate placement originating in the regions or from out-of-state agencies.

Requests from individuals will not be accepted, unless the individual is a physician or attorney licensed to practice in Florida, who is acting as an Intermediary in an independent adoption. Usually, individuals will be referred back to the appropriate placement authority in their state.

PROCEDURES

I. Referrals from Agencies in Other States for Service in Florida

A. Method of Referral

The Compact Administrator of the state that wishes to place a child in Florida (hereafter called the "sending state") submits to the Florida Compact Administrator in quadruplicate the Request to Place Child (ICPC-100A) form along with additional summary information on the child (ICPC-101) and the prospective receiving family (ICPC-102) in Florida, if this latter is appropriate. This information is reviewed by the State Office and three copies of the Request to Place Child form (ICPC-100A), together with two copies each of the ICPC-101 and 102 summaries, are routed to the appropriate region office to request a recommendation within 30 days on the suitability of the placement. Additional information may be requested by the Florida Compact Administrator from the sending state prior to forwarding the request to the regions.

B. Approval of Placement Plan - Interstate Placement Agreement

Upon completing the study, using the ICPC-102 as a guide, the local office submits its summary and recommendation within the 30 day limit to the Florida Deputy Compact Administrator in the State Office. One copy of the ICPC-100A is to be used as a transmittal form for the summary submitted by the local office. After review, the Deputy Compact Administrator writes to the sending state either agreeing to or disagreeing with the proposed placement plans and attaching copies of the study summary. If the proposed placement plans are approved, the sending state will be asked to complete the Interstate Placement Agreement for DFS-S-2067. Copies of the correspondence are distributed by the two Compact Administrators to their appropriate local offices.

C. Finalization of Placement Plans

Details for the actual placement of the child can be worked out between the original requesting agency in the sending state and the appropriate regional office. Copies of all correspondence between the original requesting agency in the sending state and the appropriate regional office should be forwarded to both the sending and receiving states' Compact Administrators. Copies of all subsequent correspondence and supervisory reports are to be forwarded to both Compact Administrators.

D. Termination of Interstate Agreement

The Compact placement may be terminated by legal adoption or by other kind of discharge. When this occurs, the Compact Administrator of both states should be notified by forwarding of the Interstate Compact Report on Placement Status of Child form (ICPC-100B).

II. Referrals from Florida Agencies for Service in Other States

A. Method of Referral

When a Division region office or other individual or child placing agency in Florida wishes to seek approval for an interstate placement plan, that office or individual will forward five (5) copies of the Request to Place Child form (ICPC-100A) to the Florida Compact Administrator in the State Office. Accompanying the request will be summary information on the child (ICPC-101), as well as the most complete information known on the prospective receiving family (ICPC-102). The Florida Compact Administrator requests through the Compact Administrator of the state to which the child is to be placed, (hereafter called the receiving state), those services required by the region office or other individual or child placing agency.

B. Approval of Placement Plan

Upon receiving the request, the receiving state Compact Administrator will forward the request to the appropriate local agency in the receiving state. The requested information and recommendations will be returned within the thirty day limit to the receiving state Compact Administrator who will agree or disagree to the placement plan and will notify the Florida Compact Administrator, attaching copies of the study summary.

C. Finalization of Placement Plans - Interstate Agreement

If approval of the placement plan is granted by the receiving state, the Florida Compact Administrator will notify the region office or other individual or child placing agency, through copies of the original ICPC-100A form, and copies of the study summary, that approval has been granted. The region office or other individual or child placing agency will then proceed to complete details for the actual placement with the appropriate local agency in the receiving state. The receiving state may request the Division or sending agency to sign an interstate placement agreement. Appropriate sections of the agreement should be completed on the local level and then forwarded to the State Office for return to the receiving state. Copies of all correspondence to the local agency in the receiving state should be routed to the State Office and to the Compact Administrator in the receiving state.

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February 18, 1976

Ms. Sharon Macklin
Staff Assistant
Alaska State Legislature
Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

The Colorado General Assembly adopted legislation in the 1975 session (H.B. 1266) permitting the Governor to execute a compact on the placement of children. The compact serves as an added protection for children who are involved in transfers across state lines.

There has been a freeze on the implementation of new programs and the hiring of personnel. Thus Colorado has not implemented the compact to date. The Department of Social Services is in the process of hiring an administrator for the compact and one clerical assistant also will be available. The department simply does not have the experience necessary to comment upon your letter.

Enclosed is a copy of the compact language as adopted in Colorado.

Very truly yours,

David F. Morrissey
Assistant Director

DM/po

WYOMING COUNCIL FOR CHILDREN AND YOUTH
1614 GARFIELD AVENUE
LARAMIE, WYOMING 82070

ED HERSCHLER
GOVERNOR

EVERETT LANTZ
EXECUTIVE-SECRETARY

February 23, 1976

Sharon Macklin, Staff Assistant
Alaska State Legislature
Pouch V
Juneau, Alaska 99801

Dear Ms Macklin:

The Honorable Nels J. Smith, House of Representatives, State of Wyoming, referred your letter concerning the Interstate Compact on Placement of Children to me. I am pleased to respond for Mr. Smith.

Wyoming is one of 34 having adopted the Interstate Compact. Other states are giving consideration to the plan. Kansas approved their version of the Act today.

Wyoming adopted its Compact Act, Section 14-52.1, in 1963. No amendments nor counter decisions have been made since that time. Authority and responsibilities for enforcement were placed with the Division of Public Assistance and Social Services.

Mr. John Steinberg, adoption Consultant Division of Public Assistance and Social Services, Hathaway Building, Cheyenne, Wyoming 82002, is Compact Administrator for Wyoming. Mr. Steinberg could provide first hand information should you wish to talk with him. His telephone number is 307-777-7657.

Wyoming views the Interstate Compact as a positive factor. The Act goes into effect when a child crosses a state line. Wyoming presently has 47 children envolved in the Interstate Compact program. Basically, a child receiving assistance in a Compact State can not be taken into another Compact State without the knowledge and consent of the Compact Administrator. The state involved must write to the Administrator for permission. Thus providing information as to who is responsible for the child. This is definitely protection for the child, the family, and the state. It appears to be a desirable program for Wyoming.

Should you desire additional information, please let me know.

Cordially yours,

Everett D. Lantz
Executive Secretary

EDL:mea
cc: Nels J. Smith
John Steinberg

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC WELFARE
CENTENNIAL OFFICE BUILDING
ST. PAUL, MINNESOTA 55155

OFFICE OF THE COMMISSIONER
612/296-2701

GENERAL INFORMATION
612/296-5117

February 27, 1976

Susan Sullivan
House of Representatives
Alaska State Legislature
Pouch V
Juneau, Alaska 99801

ATTENTION: Sharon Macklin, Staff Assistant

Re: Interstate Compact on the Placement of Children

Dear Representative Sullivan:

I have been asked by our Senate Research Staff to respond to your letter of February 10, 1976, with questions concerning the Interstate Compact on the Placement of Children. Minnesota became a Compact member in 1973, and we feel very fortunate in having three of our four adjoining states as Compact members.

Minnesota, like most states, has for some time had specific statutes concerned with the importation-exportation of children for the purpose of adoption or placement in foster care. Operating under such statutes with individuals or agencies in other states often proves frustrating because of the lack of coordination, central authority and conflicting statutes. Requests for information or service were often ignored or greatly delayed with courts and local agencies acting autonomously in some states. The Compact, although not a panacea for all interstate placement problems, does provide a uniform statutory base and a designated individual responsible for administering placements.

Minnesota has made extensive use of the Compact for adoption and foster care placements. Present Minnesota Statutes do not require our Commissioner's consent for children either leaving or entering the state for placement in residential treatment facilities. For member states, the Compact does provide for the Compact administrator's approval for residential placements, giving us, for the first time, an opportunity to review the propriety of such placements. Our experience with the Compact has been positive and our expectations as envisioned under the Purpose and Policy in Article I of the Compact have been fulfilled.

Although dealing with other Compact states is not without problems, the problems are more easily reconcilable under the Compact. New states, including our

own, appear to have problems in adjusting to new forms and procedures, and informing those individuals or agencies placing or receiving children of the provisions of the Compact. Time and experience usually reconcile these problems and the Secretariat has been more than willing to provide technical assistance.

I am not aware of any unforseen costs incurred because of our membership in the Compact. Article V of the Compact does establish the sending state's continuing responsibility for the child, and this may pose a problem for those states that refuse to pay for children outside of that state.

It is my understanding that the purpose of the Compact is not to provide specific information concerning services of individual institutions, but rather, the Compact provides a more efficient and uniform vehicle for obtaining such information.

Although Minnesota has been a Compact member for only a short time, I feel the Compact is the best response to the interests of children being placed between states and our local agencies have expressed faith in placements made under the Compact.

If I can be of any service, please feel free to contact me.

Sincerely yours,

Gary Koehler
Protective Services Specialist
Division of Social Services

GK:rj

LOUISIANA LEGISLATIVE COUNCIL
BOX 44012, CAPITOL STATION
BATON ROUGE, LOUISIANA 70804
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ACTING ASSISTANT DIRECTOR

February 27, 1976

The Honorable Susan Sullivan
State Representative
Pouch V
Juneau, Alaska 99081

Dear Ms. Sullivan:

In response to your request received on February 17, 1976, I have enclosed a copy of the applicable Louisiana statutes concerned with the Interstate Compact on the Placement of Children. This statute was enacted in 1968 and there have been no amendments nor court cases dealing directly with the statute.

I spoke with Mrs. Weinstein in the Division of Family Services concerning your request as to the uses, problem areas, and unforseen costs of the statute. She informed me that the compact is used only with other states which also have adopted the Interstate Compact on the Placement of Children. The Interstate Compact is applied to children who have been abused, neglected, or exploited, but it does not apply if the child is being sent from one relative to another, it applies only if the child is being sent to an institution. Information concerning institutions available under the compact in the various compact states may be obtained upon request from the respective states.

This was all she could tell me without any specific request for information. If you want to receive more information or have any questions concerning the operation of our interstate compact, you may get in touch with the Deputy Commissioner of the Interstate Compact for the Placement of Children. You may write her at the address listed below:

Mrs. Wilma Salmon
Division of Family Services
Box 44065
Baton Rouge, Louisiana 70804 Phone: (504) 389-5571

If this office can be of further assistance to you, please do not hesitate to let us know.

Sincerely,

FOR THE DIRECTOR
Thomas L. Tyler
Thomas L. Tyler
Staff Attorney

TLT/rs
encl.

DEPARTMENT OF HUMAN RESOURCES
CHILDREN'S SERVICES DIVISION

PUBLIC SERVICE BUILDING • • SALEM, OREGON • • 97310

March 1, 1976

ROBERT W. STRAUB
GOVERNOR

Richard A. Davis
Director

• • •

DEPARTMENT OF
HUMAN RESOURCES

FRED SEGREST
Administrator

DIVISIONS
Children's Services
Corrections
Employment
Health
Mental Health
Vocational Rehabilitation
Welfare

SPECIAL PROGRAMS
Aging
Camps
Economic Opportunity
Multi-Service Centers

Ms. Sharon Macklin, Staff Assistant
Alaska State Legislature
House of Representatives
Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

Your letter to Mr. Thomas G. Clifford, Office of Oregon's Legislative Council, requesting information on Oregon's experience as a Compact State on the Placement of Children has been referred to me for reply. My assignment is as the Deputy Administrator for the Compact. This entails coordinating plans between the local office and/or private agencies in Oregon with other member states and plans from other states with our local offices and/or local private agencies. I review and sign the agreements on placements in Oregon and the requests for placement in other states.

Our experience with the Compact is somewhat limited in that the program became operational on September 13, 1975. Other states that have been members for a longer period of time could undoubtedly give you a better view of the Compact's effectiveness. So far we have found the Compact useful in providing information about resources in other states and affording children better care and protection in supervised placements.

The American Public Welfare Association has recently published a Compact Administrators Manual prepared by Mr. Brendon V. Callanon and Ms. Maureen H. Herman which provides in the first chapter the pros and cons of an Interstate Placement Law.

So far our biggest problem has been in reluctance of other states medical communities to provide medical care for children from other states. This has also been a problem in our own state in some locations securing medical care. Another problem has been in the re-education of staff in preparing referrals in sufficient time so that studies, etc. can be completed by the time the scheduled placement is to take place.

If we can be of further service to you, please feel free to contact us.

Sincerely,

INTERSTATE COMPACT ON PLACEMENT OF CHILDREN
Fred Segrest, Administrator

Clyde Bale

Clyde Bale, Deputy Administrator

cc: Thomas G. Clifford

DEPARTMENT FOR HUMAN RESOURCES
COMMONWEALTH OF KENTUCKY
FRANKFORT 40601

BUREAU FOR SOCIAL SERVICES

February 26, 1976

Ms. Sharon Macklin
Staff Assistant
Alaska State Legislature
House of Representatives
Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

The Interstate Compact on the Placement of Children was enacted by the Legislature of the Commonwealth of Kentucky in their 1960 session. At the same time, the Interstate Compact on Juveniles was ratified by the legislature, and there is a relationship between these two compacts, as well as the Interstate Compact on Mental Health.

As Alaska has ratified the Interstate Compact on Juveniles, it would certainly be appropriate to supplement this legislation by ratifying the ICPC as there are instances when these compacts can be used together so that one supplements the other one. Even if these two compacts were to be administered by different state agencies, by cooperation the maximum benefits in the delivery of services to children could be made possible by combining the services available under the compacts. This is particularly applicable to the runaway provisions of the Interstate Compact on Juveniles, and I am sure that these provisions are well known in your state.

This Compact can also be utilized to affect the return of a foster child or other children who have not been adjudicated as being delinquent. The runaway provisions of the ICJ are especially likely to provide support for placements under the ICPC. As brought out in the manual of procedures, another opportunity to use both compacts in tandem is presented by juveniles adjudicated delinquent and placed in institutions in receiving states pursuant to Article VI of the Interstate Compact on the Placement of Children. If such juveniles escape from the institutions and flee to a third state, the mechanism which provides for their return is Article V of the Interstate Compact on Juveniles.

We here in Kentucky have found that the delivery of services in the placement of children into all types of residential facilities for children, other than those having been committed as delinquent, becomes a realistic and workable plan on a purchase of care agreement between the sending and receiving agencies. The utilization of the ICPC would eliminate the possibility of the placement of a child into an unlicensed setting and would insure services to the sending state by the monitoring of a case by the receiving state agency delegated the mandated responsibility for the administration of the ICPC.

The secretariat services to the Interstate Compact on the Placement of Children is provided by the American Public Welfare Association, and I am taking the liberty of sending a copy of your request for information, and my reply, to Mr. Brendan V. Callanan, Project Director, American Public Welfare Association, 1155 Sixteenth Street, N.W., Suite 201, Washington, D.C. 20036. A copy is also being sent to Mr. Mitchell Wendell, Legal Consultant, American Public Welfare Association, 1155 Sixteenth Street, N.W., Suite 201, Washington, D.C. 20036. These two gentlemen were instrumental in the preparation of the manual on the Interstate Compact on the Placement of Children and as a part of project services prepared to provide states with information and technical assistance towards legislative enactment and administrative implementation of the Interstate Compact on the Placement of Children. I am sure you might wish to contact either of them; however, I am requesting that they forward you pertinent information, via a copy of this letter, as quickly as possible because of the relatively short session of the legislature in your state.

I would like to assure all concerned that the enactment of this Compact should not in any way create problem areas, and in our state it has eliminated to a great degree many of the tragic circumstances surrounding the placement of children without proper agency controls. Our experiences have also shown that no unforeseen costs have developed by the enactment of this Compact and, without presenting any specific statistical data, should enable your state to provide a delivery of services to children more compatible with the needs of the eligible clients in your state.

Information regarding the programs of licensed private facilities, as well as information regarding public or governmental facilities would be available from each individual state which has ratified the Compact.

We in the Commonwealth of Kentucky can state without reservation that we would recommend the passage of this Compact as enabling legislation for the State of Alaska, thus providing the administrative and operational structure to make a more adequate delivery of services to the eligible clients under the Interstate Compact on the Placement of Children.

Sincerely yours,

Jack C. Lewis

Jack C. Lewis
Commissioner

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cc: Ms. Dianna McClure
Mr. Raymond T. Lathrem
Mr. Brendan V. Callanan
Mr. Mitchell Wendell

Airmail

C A L I F O R N I A L E G I S L A T U R E

SENATE OFFICE OF RESEARCH

SENATE P.O. BOX 47, STATE CAPITOL SACRAMENTO, CALIFORNIA 95814
(916) 445-1727

William [illegible]ier, Director

February 19, 1976

Ms. Sharon Macklin
Staff Assistant
Alaska State Legislature
House of Representatives
Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

California adopted the Interstate Compact on the Placement of Children in 1974. The statute went into effect in 1975; therefore, the state's experience with the use of the compact is somewhat limited. However, I am pleased to share with you what knowledge we have on the matter.

The Family and Children's Services Unit and the Adoptions Unit of the Social Services Division of the State Department of Health have shared responsibility for implementing the compact. In general, both units are pleased to have the compact as it provides protection for children that was previously lacking.

They have found that the compact has created more of a workload than they originally estimated. Initially they assumed that one-half time of one person in the Family and Children's Unit and one-half time of one person in the Adoptions Unit would be sufficient. But, the workload has required nearly the full-time of the two persons.

One reason for this is, as you might imagine, the paperwork involved. When a child and family comes into the state, a copy of the child's case study and a copy of the placement family's study must be obtained, reviewed and approved. The procedure reverses itself when a child and family leave the state. If a California child is placed for adoption or foster care outside the state, the responsibility on this end is to send a copy of the child's case study to the receiving state. Simultaneously, the receiving state is requested to send the placement family's case

study for California to review and approve. The reverse is also true in this instance. As you can see from these examples, paperwork is considered crucial to the process and additional paperwork can be expected.

Some additional direct costs appear likely to also be incurred. It is difficult to determine just what those costs are in detail without some longer experience. It can be determined, for instance, that long distance telephone calls must be an anticipated cost. On the other hand, it is questionable whether the compact will have any noticeable effect on California's adoption and foster care caseload costs.

California's adoption and foster care laws clearly state that no child-in-need can be refused; and that certain adoption and foster care costs are to be paid out of the state's general fund money. So, whatever the caseload costs per year are, that is what the state pays, regardless of why the caseload exists. The caseload has fluctuated greatly since 1971, thus making it quite difficult to focus on "additional" costs (if any).

Lastly, a consultant from the American Public Welfare Association who is paid from a special fund (federal, I believe) acts as project coordinator of the Interstate Compact on the Placement of Children for the Department of Health, Education and Welfare. He has proven to be helpful to California in implementing the compact. His name is Brendan V. Callanan (telephone number, 202-833-9250) and he can be reached in Washington, D.C.

I hope this information will be timely for you and of some value. Please let me know if you have further questions.

Very truly yours,

Rita Gordon

Rita Gordon
Consultant

RG:jav
Enclosure

State of Maryland

CARL N. EVERSTINE
DIRECTOR

TELEPHONES:
301/267-5561
301/269-0511

DEPARTMENT OF LEGISLATIVE REFERENCE
16 FRANCIS STREET—P.O. BOX 348
ANNAPOLIS, MARYLAND 21404

February 17, 1976

Ms. Sharon Macklin
Staff Assistant
Alaska State Legislature
Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

In your letter of February 10, you inquired about the administration of the Interstate Compact on the Placement of Children.

In Maryland, the administrative agency for this Compact was designated as the Department of Human Resources. I am forwarding your letter to the Secretary of that department with the request that he ask a member of his staff to answer it.

Sincerely,

Carl N. Everstine

Director

CNE/mh

cc: Mr. Richard Batterton