
HOUSE RESOLUTION

REQUESTING THE CONVENING OF A TASK FORCE TO STUDY THE
RAMIFICATIONS OF ADOPTING THE NEW INTERSTATE COMPACT FOR
THE PLACEMENT OF CHILDREN.

1 WHEREAS, the current Interstate Compact for the Placement
2 of Children (ICPC) was drafted in 1960, and has been enacted by
3 all states, including Hawaii in chapter 350E of the Hawaii
4 Revised Statutes, the District of Columbia, and the U.S. Virgin
5 Islands; and

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7 WHEREAS, the ICPC is the only public law in existence to
8 ensure that children placed across state lines for foster care
9 or adoption are placed with persons who are safe, suitable, and
10 able to provide proper care; and

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12 WHEREAS, the ICPC process is supposed to entail a complete
13 home study conducted by the receiving state in the form of
14 assessments of social and medical histories of the placement
15 family, their backgrounds, parenting and discipline styles,
16 employment and financial histories, a physical evaluation of
17 their home, criminal and child abuse background checks, personal
18 and professional references, foster or adoptive parent training,
19 and case worker recommendations; and

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21 WHEREAS, under the ICPC process, once the child is placed,
22 the receiving state is responsible for ongoing supervision of
23 the placement and for providing support services to the family
24 and regular reports to the sending state agency and court, but
25 financing of services and support must be agreed to by the
26 sending and receiving states; and

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28 WHEREAS, under the current ICPC, existing provisions and
29 rules are to be administered by the Association of
30 Administrators of the Interstate Compact on the Placement of
31 Children (AAICPC), an affiliate of the American Public Human



1 Services Association (APHSA), but the AAICPC is not specifically
2 designated under the compact, nor is it given specific authority
3 to make and enforce rules or the provisions of the compact; and
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5 WHEREAS, a renewed focus on safety and permanency for
6 children in our child welfare system has brought ICPC back into
7 the spotlight, and highlighted many problems with the existing
8 compact as currently written and implemented, including the lack
9 of timeliness in the process that causes unnecessary delays for
10 children being placed across state lines, a lack of
11 accountability and enforcement, insufficient and antiquated
12 language, and rules and procedures that are not uniformly
13 followed or understood; and
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15 WHEREAS, in 2004, the APHSA adopted a policy resolution
16 directing a rewrite of the ICPC, and assembled a drafting team
17 composed of a diverse group of state human service
18 administrators, state and local child welfare directors, compact
19 administrators, and representatives from a broad and diverse
20 group of national organizations, including the U.S. Department
21 of Health and Human Services, Administration for Children and
22 Families and Children's Bureau, the Child Welfare League of
23 America, the National Court Appointed Special Advocates Program;
24 the American Academy of Adoption Attorneys, the American Bar
25 Association, and many others; and
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27 WHEREAS, the final draft of the compact was sent to each
28 state for final approval in November 2005, and in 2006, APHSA
29 received the necessary support to move forward with assisting
30 the states in getting the new compact adopted nationally; and
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32 WHEREAS, some of the improvements of the new Interstate
33 Compact for the Placement of Children include: clear language
34 regarding applicability of the compact; clear rulemaking
35 authority delegated to the Interstate commission and provisions
36 ensuring that the development of rules is in compliance with the
37 due process principles of notice and comments of the Model State
38 Administrative Procedures Act; meaningful enforcement of this
39 compact; the collection of standardized information and the
40 development of a secure and affordable information system that
41 will facilitate timely information sharing, helping ensure



