
POLICY TRANSMITTAL NO. 04-30	DATE: APRIL 22, 2004
CHILDREN & FAMILY SERVICES DIVISION	DEPARTMENT OF HUMAN SERVICES OFFICE OF PLANNING, POLICY & RESEARCH

TO: ALL OFFICES

SUBJECT: MANUAL MATERIAL

OAC 340:75-1-86, and 75-6-85.1.

EXPLANATION:

Revisions to Instructions to Staff (ITS) in Subchapters 1 and 6 of Chapter 75 reflect: (1) current Interstate Compact on the Placement of Children (ICPC) procedures and practices; (2) instructions for documenting abuse or neglect in active Permanency Planning cases; and (3) elimination of unnecessary language and conformance to KIDS.

340:75-1-86 ITS are revised to reflect ICPC procedures in accordance with practice requirements for placement requests and related processes. New and updated forms affiliated with ICPC are referenced throughout.

340:75-6-85.1 ITS are revised to include procedures for documenting abuse or neglect in active Permanency Planning cases.

Original signed on 4-21-04

Linda Smith, Director
Children & Family Services Division

Marilynn Knott, Administrator
Office of Planning, Policy & Research

WF # 04-K (NAP)

INSTRUCTIONS FOR FILING MANUAL MATERIAL

OAC is the acronym for Oklahoma Administrative Code. If OAC appears before a number on an Appendix or before a Section in text, it means the Appendix or text contains rules or administrative law. Lengthy internal policies and procedures have the same Chapter number as the OAC Chapter to which they pertain following a "DHS" number, such as personnel policy at DHS:2-1 and personnel rules at OAC 340:2-1. The "340" is the Title number that designates DHS as the rulemaking agency; the "2" specifies the Chapter number; and the "1" specifies the Subchapter number.

The chronological order for filing manual material is: (1) OAC 340 by designated Chapter and Subchapter number; (2) if applicable, DHS numbered text for the designated Chapter and Subchapter; and (3) all OAC Appendices with the designated Chapter number. For example, the order for filing personnel policy is OAC 340:2-1, DHS:2-1, and OAC 340:2 Appendices behind all Chapter 2 manual material. Any questions or assistance with filing manual material will be addressed by contacting Policy Management Unit staff at (405) 521-3611.

REMOVE

340:75-1-86

340:75-6-85.1

INSERT

340:75-1-86, pages 1-20, revised 4-22-04

340:75-6-85.1, pages 1-4, revised 4-22-04

PART 7. INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN**340:75-1-86. Scope and applicability**

The Interstate Compact on the Placement of Children (ICPC) is an agreement that has been adopted by all state legislatures and is consistent with constitutional law. The legal basis for the compact is found in Article I, Section 10, Clause 3 of the United States Constitution and Section 571 of Title 10 of the Oklahoma Statutes. Oklahoma is one of 50 states, the District of Columbia, and U.S. Virgin Islands that has adopted the ICPC and has agreed to follow the Articles and Regulations of the ICPC when placing children out-of-state and when children are placed in Oklahoma from another state. ■1 through 10

INSTRUCTIONS TO STAFF**1. General information on the Interstate Compact on the Placement of Children (ICPC).**

(1) Intent of ICPC. The intent of ICPC is to ensure that a child placed out-of-state has the same protections and services provided in the home state. ICPC also ensures the return of a child to the original county of jurisdiction when the placement is determined contrary to the interests of the child or the need for out-of-state services ceases.

(2) Types of placements. ICPC applies to placement of a child:

(A) preliminary to adoption;

(B) into foster care, including foster homes, group homes, residential treatment facilities, and child caring institutions for treatment of chronic or long-term conditions;

(C) with the parent(s), stepparent, grandparent, adult brother or sister, or adult aunt or uncle when any such relative is not making the placement; and

(D) adjudicated delinquent in institutions in other states.

(3) Exceptions to ICPC. ICPC does not apply to:

(A) placement of a child in a hospital, medical facility, or mental health facility for the primary purpose of treating an acute or short-term medical or emotional problem;

(B) placement of a child in any institution primarily educational in character;

(C) placement of a child by the parent(s), stepparent, grandparent, adult brother or sister, adult uncle or aunt, or child's non-state agency guardian with any such relative or non-state agency guardian in the receiving state;

(D) visits in another state, per OAC 340:75-1-86 Instructions to Staff (ITS) 8;

(E) placement of a child with a non-offending, noncustodial biological parent when the court does not:

(i) have evidence that such parent is unfit;

(ii) seek such evidence; and

(iii) retain jurisdiction over the child after the court transfers custody;

(F) placement of a child in or from another country; and

(G) interstate supervision of a parent's treatment and service plan.

(4) Types of placements Children and Family Services Division ICPC Section (CFSD ICPC) does not process or approve. CFSD ICPC does not:

(A) process an ICPC placement request for a person older than 18 years of age from out-of-state; and

(B) approve out-of-state placements into a residential treatment center (RTC), child caring institution, or group home facility for a child who has committed homicide or rape, requires a secured facility, or has an absent without leave (AWOL) history. Exceptions are considered by CFSD ICPC on a case-by-case basis. When requesting an exception, the sending state must provide CFSD ICPC:

(i) the age of child when the homicide, rape, or AWOL activity occurred;

(ii) a court order from the sending state finding the child's condition does not pose a danger to others in the facility or to the community if the child becomes AWOL from the facility;

(iii) the complete juvenile delinquent record;

(iv) a psychological evaluation of the child within the last 90 days;

(v) all discharge summaries from other treatment facilities and detention centers;

(vi) the full disclosure of details regarding the homicide or rape incident;

(vii) the complete history and circumstances of AWOL activity;

(viii) a summary of the child's history of violence, abuse, or physical aggression; and

(ix) any information determined necessary by CFSD ICPC.

(5) Sending agency. The sending agency is:

(A) a party state, officer, or employee thereof;

(B) a subdivision of a party state, or officer or employee thereof;

(C) a court of a party state;

(D) a person, corporation, association, or charitable agency; or

(E) an entity that sends, brings, or causes to be sent or brought any child to another party state.

(6) Receiving state. The receiving state is the state to which a child is sent or brought or caused to be sent or brought, whether:

(A) by public authorities or private persons or agencies; and

(B) for placement with state or local public authorities, private agencies, or persons.

2. Oklahoma as the sending agency or state. For an out-of-state placement request, the child must be under Oklahoma court jurisdiction. The child is not required to be in Oklahoma Department of Human Services (OKDHS) custody.

(1) Initiating a placement request. The Child Welfare (CW) worker utilizes Form ICPC-107, Out-of-State Placement Request Checklist, when submitting an ICPC request. The CW worker completes Form ICPC-100-A, Interstate Compact on the Placement of Children Request, and submits along with required documents to CFSD ICPC for processing. When submitting a foster home study request, the CW worker sends Form DCFS-102, Notice to Foster Parent Applicant(s), to the potential placement provider for signature and retains a signed copy for the case record.

(2) ICPC approval process and use of placement. The local office of the receiving state completes the home study and sends a recommendation to ICPC in the receiving state. The receiving state ICPC determines whether placement is approved and sends the completed home study with signed Form ICPC-100-A to CFSD ICPC. These documents are routed to the CW worker who initiated the request. The final decision regarding the use of an ICPC placement is determined by the CW worker, CW supervisor, and court. Permission to place by the receiving state is valid for six months. If the placement is not utilized within the six-month period, the CW worker submits a new ICPC request, per OAC 340:75-1-86 ITS 2.

(3) ICPC status changes. When placement is made in the receiving state in an approved ICPC resource, the CW worker prepares Form ICPC-100-B, Report on Child's Placement Status, indicating the date of placement. Form ICPC-100-B is submitted to CFSD ICPC within 15 working days of placement or status change. Supervision of the child's placement begins after the receiving state receives Form ICPC-100-B indicating the date of placement. Form ICPC-100-B is prepared for other status changes in the case, such as:

(A) proposed placement request is withdrawn;

(B) child's treatment is completed in the facility;

(C) custody of the child is transferred to a relative or parent;

- (D) child reaches the age of majority or is legally emancipated;
 - (E) sending state terminates jurisdiction with concurrence of the receiving state or unilaterally;
 - (F) child returns to sending state;
 - (G) child moves to another state; or
 - (H) the approved resource is not used for placement.
- (4) ICPC resources and supportive services for a child in OKDHS custody placed out-of-state.
- (A) KIDS resources are not created for parent placements.
 - (B) OKDHS does not pay out-of-state placement providers training stipends or for child care services.
 - (C) Upon receipt of the approved home study, Form ICPC-100-A recommending placement, and a copy of the foster care license or certification, if applicable, the CW worker creates a resource for an ICPC:
 - (i) relative placement by selecting Category - Other Services and Type - Kinship/Non-Relative Non-Paid or Kinship/Relative Non-Paid in the KIDS Resource Directory screen; or
 - (ii) foster care placement by selecting Category - Foster Family and Type - CW Foster Fam. Care/Kinship/Non-Relative or CW Foster Family Care/Kinship/Relative in the KIDS Resource Directory screen.
 - (D) Foster care payment is only made to resources that meet the receiving state's requirements as a foster home. OKDHS pays the foster parent the receiving state's foster care rate. The CW worker:
 - (i) sends the foster parent an applicable OKDHS contract for signature. The foster parent returns the signed contract to the CW worker;
 - (ii) sends the contract to CFSD for processing;

(iii) after the contract number is entered in KIDS by CFSD, enters the receiving state's foster care daily rate in the KIDS Difficulty of Care screen with rate IX;

(iv) enters the child's placement using the placement provider's resource; and

(v) files a copy of the foster parent's current license or certification, home study, and receiving state's foster care rate, and maintains re-assessments in the resource record. The foster parent must maintain compliance with the receiving state's foster care requirements for payment to continue.

(E) The foster parent is reimbursed for clothing purchases for the child, per OAC 340:75-13-45.

(F) The child receives medical coverage, per OAC 340:75-13-75.

(G) Independent living (IL) services are coordinated for eligible youth between the CW worker and the worker supervising the case in the receiving state, per OAC 340:75-6-115.1.

(5) Communication between states and case updates. The local office in the receiving state and CW worker may communicate about the placement, but all written communication is routed through CFSD ICPC. No later than 30 days after a court hearing, the CW worker submits to CFSD ICPC in triplicate the:

(A) court report;

(B) current treatment and service plan; and

(C) court journal entry. CFSD ICPC mails this information to the receiving state.

(6) Jurisdiction and placement supervision. The CW worker does not make a recommendation to the court for a change of custody, guardianship, or adoption by the placement provider in the receiving state or for case dismissal while the child is in the receiving state without the written concurrence of the receiving state ICPC.

- (A) ICPC requires a minimum of six months of placement supervision by the receiving state before the receiving state may agree to a change in custody or dismissal of the case. After that time, the CW worker may request concurrence by sending a written request to CFSD ICPC.**
- (B) The Oklahoma court retains jurisdiction over the child sufficient to determine all matters in relation to custody, supervision, care, and disposition of the child that it would have had if the child remained in Oklahoma. Jurisdiction is not dismissed until the child is adopted, reaches the age of majority, becomes self-supporting, or is discharged with the concurrence of the receiving state ICPC. If the court dismisses jurisdiction without the concurrence of the receiving state ICPC, the county director contacts CFSD ICPC immediately.**
- 3. Oklahoma as the receiving agency and state for a child who is under the jurisdiction of another state. When a home study request is received from a sending state, CFSD ICPC processes the request, notifies the county by email, and sends a copy of the request with instructions.**
- (1) Parent home study procedures. The CW worker uses Form ICPC-102, Home Study Guide, and Form ICPC-102-A, Home Study, to complete the home evaluation. The parent home study is completed within 30 working days from the date the CW worker receives the request from CFSD ICPC. The CW worker attaches to Form ICPC-102-A:**
- (A) Form ADM-130, Request for Background Check, with results on all household members 18 years of age or older;**
- (B) Form CWS-KIDS-1, Referral Information Report, and Form CWS-KIDS-3, Report to District Attorney, if applicable;**
- (C) Form DCFS-11, House Assessment;**
- (D) at least three references, using Forms:**
- (i) DCFS-39, Resource Family Reference Letter for Adult Children;**
- (ii) DCFS-43, Resource Family Reference Letter for School Personnel;**
- (iii) DCFS-48, Resource Family Reference Letter for an Employer; and**

(iv) DCFS-64, Resource Family Personal Reference Letter; and

(E) Form DCFS-109, Records Check.

(2) Relative home study procedures. The CW worker uses Form DCFS-69-A, Resource Family Assessment, to complete the home evaluation.

(A) Form DCFS-69-A, without the portions that address training, is submitted to CFSD ICPC within 30 working days from receipt of request.

(i) The relative must agree to attend pre-service training before Form DCFS-69-A is submitted to CFSD ICPC.

(ii) Pre-service training is completed within 90 days from the date of the child's placement.

(iii) After training is completed, the CW worker sends pre-service training verification via KIDS Individual Training Record or training certificates to CFSD ICPC.

(B) The placement provider who is approved as a relative placement is not eligible for foster care payment.

(C) If the placement provider's income is not sufficient to meet the needs of the child, the home study is denied.

(D) The CW worker completes a full home study as required for foster care resources, per OAC 340:75-7.

(E) The CW worker sends to CFSD ICPC for review three copies of Form DCFS-69-A and:

(i) Form ADM-130 with results on all household members 18 years of age or older;

(ii) Form CWS-KIDS-1 and Form CWS-KIDS-3, if applicable;

(iii) Form DCFS-11;

(iv) at least six references, using Forms:

(I) DCFS-39;

(II) DCFS-43;

(III) DCFS-48; and

(IV) DCFS-64;

(v) Form DCFS-109; and

(vi) copy of fingerprint cards for all household members 18 years of age or older. Fingerprint results are required prior to submitting the completed home study to CFSD ICPC when any household member has lived in Oklahoma less than five years. Otherwise, fingerprint results are sent to CFSD ICPC upon receipt.

(3) Foster home study procedures. The CW worker uses Form DCFS-69-A to complete the home evaluation.

(A) The completed home study is submitted within 90 working days from receipt of the request from CFSD ICPC.

(i) Pre-service training must be completed prior to the CW worker submitting the completed home study to CFSD ICPC.

(ii) The CW worker completes a full home study as required for foster care resources, per OAC 340:75-7.

(B) The CW worker sends to CFSD ICPC for review three copies of Form DCFS-69-A and:

(i) Form ADM-130 with results on all household members 18 years of age or older;

(ii) Form CWS-KIDS-1 and Form CWS-KIDS-3, if applicable;

(iii) Form DCFS-11;

(iv) at least six references, using Forms:

(I) DCFS-39;

(II) DCFS-43;

(III) DCFS-48; and

(IV) DCFS-64;

(v) Form DCFS-109;

(vi) verification of pre-service training completion via KIDS Individual Training Record or training certificates;

(vii) copy of fingerprint cards for all household members 18 years of age or older. Fingerprint results are required prior to submitting a completed home study to CFSD ICPC when any household member has lived in Oklahoma less than five years. Otherwise, fingerprint results are sent to CFSD ICPC upon receipt; and

(viii) OKDHS foster care rates and, if applicable, difficulty of care rates, per OAC 340:75-7.

(4) Opening ICPC resources for placement providers for children under another state's jurisdiction and financial responsibility.

(A) KIDS resources are not created for parent placements.

(B) The CW worker creates a resource for an ICPC:

(i) relative placement by selecting Category - Other Services and Type - ICPC/Relative in the KIDS Resource Directory screen. A request for a relative home study is a non-paid placement request and the relative does not receive foster care payment; or

(ii) foster placement by selecting Category - Other Services and Type - ICPC/Foster in the KIDS Resource Directory screen. A request for a foster home study is a paid placement request and the sending state may pay the placement provider a foster care payment upon approval.

(C) The potential placement provider is not entitled to training stipends, foster care child care services, foster care payment, contingency funds,

or clothing vouchers from OKDHS. The sending state agency, guardian, or person is financially responsible for the care of the child.

(5) Placement of an out-of-state child with parent, relative, or foster parent. Upon receipt of Form ICPC-100-B by CFSD ICPC showing placement of a child, the form is forwarded to the county of placement. A CW worker is assigned. The CW worker:

(A) opens an ICPC case in KIDS using the oldest child's last name and provider's address and selects case Type – ICPC;

(B) enters the child's placement using the placement provider's resource. If the child is placed with a parent, completes the KIDS Living Arrangement and Demographics screens;

(C) provides quarterly progress reports to CFSD ICPC using Form ICPC-108, Progress Report for ICPC Cases;

(D) visits monthly and documents the visits in the KIDS Contacts screen;

(E) refers the family for services, as needed;

(F) ensures placement providers approved as ICPC relative or foster care resources maintain compliance with OKDHS resource requirements; and

(G) notifies CFSD ICPC immediately of all placement disruptions, child abuse or neglect referrals, and policy violations involving ICPC placements.

(6) Permanency for the child. After a minimum of six months of placement supervision, the CW worker may recommend the sending state seek permanency for the child. Recommendations may include transfer of custody to the placement provider through guardianship or adoption. After permanent legal custody is established, the CW worker may recommend case dismissal.

(A) All recommendations must be staffed and approved by the CW supervisor. Recommendations are not final until approved by CFSD ICPC.

(B) The ICPC case remains open until Form ICPC-100-B is received from the sending state terminating the case or closure notification is received from CFSD ICPC.

4. Foster parent movement out-of-state.

(1) When a foster parent requests to move to another state with the child in foster care as an intact family and the move is in accordance with the case plan for the child, the CW worker:

(A) submits 45 days prior to the planned move an ICPC request for placement, per OAC 340:75-1-86 ITS 2;

(B) when the decision to relocate to another state is not made until 45 days or less before the intended move, prepares the ICPC request immediately and sends to CFSD ICPC for prompt handling;

(C) obtains and attaches to the ICPC request a memorandum approved by the county director, per OAC 340:75-7-41 ITS; and

(D) obtains the placement provider's signature on Form DCYFS-8, Consent for Release of Information, that permits the CW worker to attach the home study and re-assessment(s) to the ICPC request.

(2) The foster family must comply with the receiving state's requirements for licensing or certification as a foster care provider.

(A) A determination by the receiving state is made on the ability of this placement to meet the child's needs under the circumstances of the proposed relocation.

(B) Within 30 days of notification by CFSD ICPC that the family and child have relocated, a worker in the receiving state is assigned to assess and assist the family in complying with the applicable requirements of the receiving state.

(3) The foster parent continues to receive foster care payment after the move provided the foster parent is cooperating with the certification or licensing process in the receiving state. If the foster parent fails to cooperate with the certification or licensing process, payment is stopped.

The placement becomes an illegal placement and the child must return to Oklahoma.

5. Supervision of ICPC placements into an Oklahoma RTC, child caring institution, and group home.

(1) An Other Workload Request is assigned to the county by CFSD ICPC.

(2) Assignment of the Other Workload Request is made by the county.

(3) Upon assignment, the CW worker opens a KIDS case and closes the Other Workload Request. The CW worker completes the KIDS:

(A) Summary screen with the case type ICPC;

(B) General Information screen on the child, including the child's living arrangements;

(C) Demographics screen denoting the facility's address; and

(D) Status screen listing the custody of the child, either the state agency or parent.

(4) The child is visited at least quarterly from receipt of Form ICPC-100-B indicating placement has been made in the facility. The purpose of the visit is to determine that the placement is not contrary to the child's interests. The visits are documented in the KIDS Contacts screen. No progress report is required by the CW worker.

(A) The CW worker notifies CFSD ICPC of any concerns identified during a visit.

(B) CFSD ICPC notifies the sending state of the CW worker's concerns.

(5) If there are concerns for the child regarding:

(A) staff wrongdoing in the treatment of the child, the Office of Client Advocacy is notified; or

(B) the facility and the care of the child, the Division of Child Care licensing worker assigned to the facility is notified.

6. Regulation 7 priority placement request. ICPC Regulation 7 requires certain requests be processed and the home study completed in an expedited manner.

(1) Eligibility. A Regulation 7 priority placement request must meet specific criteria for processing as an expedited home study request.

(A) To obtain an expedited home study, the CW worker utilizes Form ICPC-107 and attaches Form ICPC-101, Sending State Priority Home Study Request, and a court order with an express finding that either of the criteria in (i) and (ii) exist in the case and sets forth the facts on which the court bases its finding.

(i) The proposed placement provider is a relative who is a parent, stepparent, grandparent, adult brother or sister, adult uncle or aunt, or the child's non-agency guardian, and the:

(I) child is under two years of age;

(II) child is in an emergency shelter; or

(III) court finds that the child has spent a substantial amount of time in the home of the proposed placement provider; or

(ii) The receiving state ICPC has a properly completed Form ICPC-100-A and supporting documentation for over 30 working days, but the sending agency has not received a notice determining whether the child may be placed.

(B) It is the responsibility of the CW worker to ask the court for a Regulation 7 Priority Placement Order when the facts justify the entry of such an order. A sample order may be provided to the CW worker by the county director or CFSD ICPC.

(C) A Regulation 7 priority placement request does not apply when the request is for foster care placement or adoption or the child is already in the receiving state in violation of ICPC.

(2) Home study procedures - Oklahoma as the sending state.

(A) The specific time frames that must be met with a Regulation 7 priority placement request are described in (i) through (vi).

(i) The court sends the Regulation 7 Priority Placement Order to the CW worker within two working days.

(ii) The CW worker hand-delivers or mails by overnight express a completed, expedited ICPC request to CFSD ICPC within three working days.

(iii) Within two working days after receipt of the ICPC priority placement request, CFSD ICPC mails by overnight express the priority request and the accompanying documentation to the receiving state ICPC with a notice that the request for placement is entitled to priority processing. The receiving state ICPC determines whether the request is complete. If additional information is required, the receiving state notifies CFSD ICPC staff who then informs the CW worker. The information is faxed to the receiving state ICPC within 24 hours.

(iv) The receiving state completes the home study within 20 working days after receiving the complete packet of information and makes the determination whether the placement is approved.

(v) The receiving state faxes the signed Form ICPC-100-A and completed home study to CFSD ICPC and mails the paper copies via overnight express.

(vi) CFSD ICPC faxes the completed home study and Form ICPC-100-A to the local CW worker or court and mails the paper copies via overnight express.

(B) The receiving state DCA is notified by the local worker in the receiving state when the mandated time frames cannot be met. In those situations, the receiving state DCA notifies CFSD ICPC which in turn notifies the CW worker. The CW worker notifies the court of jurisdiction of the reasons for delay. Time periods in this regulation may be modified with a written agreement between the court of jurisdiction, sending agency, and receiving state ICPC. Any such modification applies only to the case addressed.

- (C)** The court of jurisdiction may request assistance from the court in the receiving state when the designated time frames are not followed.
- (3)** Home study procedures - Oklahoma as the receiving state for a child who is under the jurisdiction of another state. Procedures and time frames for priority placements are followed as described in (A) through (F).

(A) When CFSD ICPC receives the Regulation 7 priority placement request from the sending state ICPC, the determination is made by the next working day whether the request meets the criteria for a Regulation 7 priority home study and whether all required information is included in the placement request.

(i) If the request includes sufficient information for processing, CFSD ICPC emails the Regulation 7 priority home study request notice to the local CW office. The original packet is mailed by overnight express to the local CW office.

(ii) If the request does not include sufficient information for processing, CFSD ICPC notifies the sending state ICPC by fax, and requests the specific information that is required for processing. When there are extraordinary circumstances that make it impossible to comply with the time frames, CFSD ICPC notifies the sending ICPC by fax of the inability to complete the home study timely, estimated date of completion, and explanation for the delay.

(B) After receipt of the faxed copy of Form ICPC-101 in the local CW office, the assigned CW worker phones, if possible, the prospective placement provider and sets appointments for face-to-face contacts including at least one home visit.

(C) Within five working days after receipt of Form ICPC-101, the CW worker makes a home visit with the prospective placement provider. During the home visit, each member of the household is seen and, if age appropriate, interviewed. The CW worker uses Form ICPC-102-A to complete the requested study. The completed home study must include a recommendation for approval or denial of the placement. The relative placement provider approved for Regulation 7 priority placement must complete pre-service training within 90 days of the child's placement.

- (D)** The home study must be mailed via overnight express within 18 working days of receipt of the Regulation 7 priority home study request. After CFSD ICPC receives the completed home study, a determination to approve or deny placement is made and submitted to the sending state within two working days.
- (E)** CFSD ICPC faxes completed Form ICPC-100-A and the home study to the sending state ICPC and mails two copies via overnight express. Form ICPC-100-B is requested from the sending state to confirm the date of placement.
- (F)** CFSD ICPC is notified by the CW worker when the mandated time frames cannot be met. If the time frame cannot be met, CFSD ICPC notifies the sending state ICPC. Time periods in this regulation may be modified with a written agreement between the court of jurisdiction, sending agency, and CFSD ICPC. If such a modification is made, it applies only to the case addressed.
- 7.** Runaways. Children who run away from Oklahoma, regardless of adjudication, to another state are subject to the Interstate Compact on Juveniles (ICJ) that is administered by the Office of Juvenile Affairs (OJA). Children in OKDHS custody who are placed out-of-state through ICPC and run away from that placement are returned to Oklahoma through ICJ. All efforts for the child's return are coordinated between the CW worker, OJA, and holding state. The CW worker:
- (1)** completes and faxes Form ICPC-109, Runaway Custody Child Worksheet, to the OJA DCA within 24 hours of notification from the holding state that the child was located;
 - (2)** when the child is willing to return to Oklahoma voluntarily, works with the holding state to bring the child before a judge in the holding state to sign ICJ Form III, Consent for Voluntary Return by Runaway, Escapee or Absconder or Juvenile Charged as Delinquent. The judge informs the child of his or her rights and signs ICJ Juvenile Rights form. Both signed forms are immediately faxed to the OJA DCA. The child's return must occur within five days of the child signing ICJ Form III;
 - (3)** when the child does not voluntarily consent to return, requests the assistant district attorney complete ICJ Form A, Petition for Requisition to

Return a Runaway Juvenile, submits to the court of jurisdiction, and faxes to the OJA DCA;

(4) completes ICJ Form I, Requisition for Runaway Juvenile, and submits to the judge for signature and mails the original and two certified court copies to Office of Juvenile Affairs Deputy Compact Administrator, P.O. Box 268812, Oklahoma City, Oklahoma 73126-8812;

(5) sends to the OJA DCA three certified court copies of the pick-up order and court journal entry showing OKDHS has custody of the child; and

(6) coordinates travel arrangements with the OJA DCA for the child's return to Oklahoma.

8. Visitation. A visit is a stay of 30 days or less with a definite beginning and ending date. Visits may be longer only if the visit begins and ends within the period of a child's vacation from school. Visits and placements are distinguished on the basis of purpose, duration, and the intention of the person or agency with responsibility for planning the child's placement. These visits are arranged by the CW worker and do not go through ICPC. The purpose of a visit is 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 providing child care services.

(1) Prior to sending a child on a visit, the CW worker obtains criminal background and child abuse and neglect results on all household members 18 years of age or older and three positive references on the proposed caregiver. The visiting child does not receive supervision or services. If a stay does not, from the outset, have an expressed termination date, or if the visit's duration is not clear from the circumstances, the visit is considered a placement or proposed placement and not a visit.

(2) When an ICPC home study is in progress, any visit must be approved by the receiving state ICPC. The visit must have a beginning and ending date corresponding to the child's vacation time or holiday from school. Permission or approval for visits is obtained by sending a written request to CFSD ICPC. The CW worker's request must include the:

(A) beginning and ending date of the visit;

(B) name and address of the person the child will visit;

(C) reason the visit is necessary;

(D) criminal background and child abuse and neglect results on all household members 18 years of age or older;

(E) three positive references on the proposed caregiver; and

(F) details of how the child will be transported to the receiving state.

9. Travel arrangements for CW staff and a child in OKDHS custody.

(1) CFSD ICPC makes interstate travel arrangements for CW staff and a child in OKDHS custody:

(A) when the decision is to place in an approved ICPC placement, excluding ICPC adoptive placement;

(B) taken from Oklahoma without permission;

(C) as ordered by an Oklahoma court;

(D) who requests approval to attend the funeral of a close family member;

(E) visiting a relative, per OAC 340:75-1-86 ITS 8;

(F) reunifying with the parent(s) in Oklahoma;

(G) returning to Oklahoma from placement disruption out-of-state; and

(H) when the CW county of jurisdiction worker visits the child in an out-of-state mental health facility every six months, per OAC 340:75-16-36.

(2) The CW worker provides CFSD ICPC the:

(A) child's name, date of birth, Social Security number, and KK number;

(B) name and Social Security number of the person accompanying the child; and

(C) departure city, destination, and requested date of travel.

10. Record keeping. Copies of all ICPC information, including ICPC transmittals, are kept in the child's or resource's permanent case record in the local office whether the child is received into or sent from Oklahoma. The CFSD ICPC case is kept in CFSD as long as the ICPC case remains open. The CFSD ICPC case is destroyed six months after case closure.

340:75-6-85.1. Child Welfare (CW) worker responsibilities to DHS custody children

The CW worker ensures needs in all areas of the child's life are identified, met, and addressed as would be provided by a nurturing, safe, and permanent home. ■ 1 This includes, but is not limited to, the following:

- (1) daily nutritional meals;
- (2) appropriate clothing;
- (3) placement in a living environment, permanent or temporary, which serves the best interests of the child's moral, religious, emotional, mental, social, and physical well-being. Consideration is given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child; [OAC 340:75-6-85 through 340:75-6-85.4] ■ 2
- (4) education appropriate to the child's developmental age, special needs and individual talents and skills; [OAC 340:75-6-50]
- (5) placement of the child with a provider who works as part of a team toward family reunification, independent living, or an alternate permanent plan for the child; [OAC 340:75-6-85 through 340:75-6-85.4]
- (6) contact with the child's biological family, including siblings, as appropriate to the case plan goal; [OAC 340:75-6-30]
- (7) private contact with the CW worker to discuss the child's family's progress on the treatment plan, permanency plans, placement, and other relevant issues; [OAC 340:75-6-48]
- (8) private contact with the child's attorney and court-appointed special advocate (CASA); [OAC 340:75-6-48.1 and 340:75-6-48.2]
- (9) routine, specialized and restorative medical attention as indicated; [OAC 340:75-6-88] ■ 3
- (10) placement in the least restrictive environment which meets the child's needs; [OAC 340:75-6-85(i)]
- (11) an expeditious and effective permanency plan initiated upon a child coming into the CW system, immediate concurrent permanency planning occurs; [OAC 340:75-6-31]

- (12) access to a grievance procedure;
- (13) birth verification; [OAC 340:75-13-9]
- (14) application for any and all benefits for which the child is eligible, including a Social Security number; [OAC 340:75-13, Part 3]
- (15) application for tribal enrollment, if applicable;
- (16) preparation of a Life Book; ■ 4
- (17) services to prepare for adult life; [OAC 340:75-6, Part 13]
- (18) maintenance of confidentiality of case information; [OAC 340:75-1-42 through 46]
- (19) disclosure of pertinent case information with the court, the child's attorney, the placement provider, service providers, post adjudication review board (PARB), and court-appointed special advocate (CASA); [OAC 340:75-1-42 through 46] and
- (20) preparation of the child for adoption when this is determined to be the child's case plan goal. [OAC 340:75-6-85.4]

INSTRUCTIONS TO STAFF

- 1. Reports of abuse or neglect in an active Permanency Planning case. If a child who is part of an active Permanency Planning case is reported or observed by the Child Welfare (CW) worker to have an injury, including an alleged accidental injury, or has evidence of any abuse or neglect, the information is documented on Form CWS-KIDS-1, Referral Information Report, per OAC 340:75-3-6.**
- 2. Documenting placement episodes. When a child is placed in out-of-home care, the CW worker documents the placement in the KIDS Placement screens no later than two working days after placement.**
 - (1) A placement cannot be entered until a child's removal from the person responsible for the child (PRFC) is documented.**
 - (2) If the placement is a kinship, paid or non-paid, or foster family home, Form DCFS-19, Placement Agreement for Out-of-Home Care, and Form OCA-GR-2, Notice of Grievance Rights - Minors in OKDHS Custody, are**

completed, provided to the placement provider, and recorded in the KIDS Document Tracking screen.

3. (a) Transporting medications. The CW worker ensures that the child's medication(s) is transported with the child when the child is moved from one placement to another.

(1) The CW worker completes Section I, Receipt of Prescription and Over-the-Counter Medication(s), of Form DCFS-92, Receipt and Release of Prescription and Over-the-Counter Medication(s), with the parent(s) or placement provider prior to the removal of a child from own home or out-of-home placement.

(2) Upon completing Form DCFS-92, the CW worker provides a copy to the parent(s) or placement provider. This form is not required if the child is discharged from a hospital setting.

(3) The CW worker obtains the appropriate medication(s) or prescription(s) for filling and provides a copy of the discharge summary to the parent(s) or placement provider. The copy provided by the hospital is filed in the paper case record.

(b) Medications not transported. If the CW worker is provided medication(s) in any of the ways described in (b)(1) through (5), the CW worker leaves the medication(s) with the parent(s) or placement provider and documents the action in Section II, Medication(s) Not Transported, of Form DCFS-92. A copy of completed Form DCFS-92 is given to the parent(s) or placement provider. If the medication(s) was prescribed, the CW worker contacts the prescribing physician immediately to have the physician call in a new prescription(s) to a local pharmacy. The worker picks up the new medication(s) prior to placing the child in the new location. The CW worker does not transport medication(s) if the medication(s) is supplied to the worker:

(1) in plastic sacks or any other container that is not the original prescription bottle or packaging;

(2) with multiple types or dosage strengths of medication(s) in a single prescription bottle;

(3) with an expired prescription;

(4) with more medication than the amount indicated on the prescription

label or over-the-counter (OTC) package information, such as when two containers of medication are combined; or

(5) with the prescription label or OTC packaging altered.

(c) Releasing medications. Section III, Release of Prescription and Over-the-Counter Medication(s), of Form DCFS-92 is completed with parent(s) or new placement provider when releasing the medication(s).

(d) Psychotropic medications. When the CW worker transports a child, who has been prescribed psychotropic medication(s), from acute or residential inpatient treatment, the CW worker inquires whether the discharging physician will monitor the medication. If the discharging physician will not, the CW worker arranges as soon as possible for the child to be assessed by another physician so that the child's continued need for medication(s) can be determined or monitored.

4. Documenting the child's personal history.

(1) Digital photographs. The CW worker ensures that each child is photographed with a digital camera a minimum of once every 12 months. The digital photograph is saved in the KIDS File Cabinet no later than five working days after the photograph is taken.

(2) Life Book. The CW worker ensures that each child has a Life Book and that the Life Book is maintained by the placement provider. A Life Book is available in Outlook in Public Folders/All Public Folders/STO DCFS/Life Book. The CW worker prints the applicable sections for the child and provides this to the placement provider if a Life Book has not been created for the child.