



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE
OFFICE OF CHILDREN, YOUTH AND FAMILIES
P.O. BOX 2675
HARRISBURG, PA 17105

Nancy L. Hardy
Deputy Secretary for
Children, Youth and Families

OCT 03 2006

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Dear County Children and Youth Administrators:

The President signed the Safe and Timely Interstate Placement of Foster Children Act of 2006, P.L. 109-239, into law on July 3, 2006. The law amends Titles IV-B and IV-E of the Social Security Act to encourage states to improve protections for children and hold them accountable for the safe and timely placement of children across state lines. The effective date of this legislation is October 1, 2006. States are encouraged to quickly ratify the revised Interstate Compact for the Placement of Children (ICPC).

The key provisions of the Act include:

- Interstate home studies must be completed within 60 days. There is a provision allowing an additional 15 days to complete the home study if the state can document that circumstances beyond state control were involved, however these additional days apply to home studies begun on or before September 30, 2008.
- States which request a home study will be obligated to accept the study as complete under the law of the state that conducted the study unless the requesting state finds the study unreliable within 14 days of receipt.
- \$10,000,000 has been appropriated for each fiscal year 2007-2010 in order to pay states a \$1,500 incentive payment or a prorated amount for each home study completed within 30 days.
- The Department must submit data to the Department of Health and Human Services (HHS) related to the provisions of the Act.
- Children must be visited every six months instead of every 12 months in interstate cases and these visits may be completed by the public agency or a contracted private agency staff.
- Consideration of interstate placements must be conducted at all appropriate points (i.e. permanency hearing, concurrent planning, etc.)
- Foster children aging out of the system must be provided with a free copy of their health and education records.
- Courts are required to notify foster parents, pre-adoptive parents and relative caregivers of any proceeding held in reference to the child. Language is also amended to give foster parents, pre-adoptive parents and relative caregivers a right (rather than an opportunity) to be heard at proceedings held in reference to the child.
- Courts in different states are required to cooperate in information sharing and permit parties to testify without requiring travel.

The Office of Children, Youth and Families will be developing a bulletin to provide guidance on implementation of the specific provisions within the Act. The bulletin will also address the distribution of the incentive payments. Any questions regarding this Act should be directed to the appropriate Regional Office.

The Act can be viewed at http://thomas.loc.gov/home/gpoxmlc109/h5403_enr.xml. An Information Memorandum, ACYF-CB-IM-06-03, developed by the Administration for Children and Families (ACF) can be viewed at http://www.acf.hhs.gov/programs/cb/laws_policies/policy/im/im0603.pdf.

Sincerely,

A handwritten signature in black ink that reads "Nancy L. Hardy". The signature is written in a cursive style with a large, looped initial "N".

Nancy L. Hardy

cc: Mr. Charles Songer
Ms. Bernadette Bianchi
Ms. Barbara Robbins
Mr. Connell O'Brien
Mr. James Anderson