

**OHIO/ KENTUCKY ICPC BORDER AGREEMENT**  
**BETWEEN**  
**OHIO JOB AND FAMILY SERVICES (HAMILTON COUNTY)**  
**AND**  
**KENTUCKY DEPARTMENT FOR COMMUNITY BASED SERVICES, DIVISION OF**  
**PROTECTION AND PERMANENCY, NORTHERN BLUEGRASS REGION (BOONE,**  
**CAMPBELL AND KENTON COUNTY)**

**PURPOSE:** The Hamilton County Department of Job and Family Services (HCJFS) and Kentucky Department for Community Based Services (KYDCBS) enter into this Border Agreement (BA) to allow for placement of children across the Ohio-Kentucky state line in emergency circumstances pending final approval of the placement under the Interstate Compact on the Placement of Children (ICPC). The counties covered by the agreement are: Hamilton County, Ohio, Boone, Campbell and Kenton County, Kentucky. The intent of this agreement is to enable children, who otherwise might be placed in foster care, to be placed with relatives living in one of the covered counties. If a change in custody to the relative caregiver is required, the change in custody should be done no later than (30) thirty days after the temporary safety placement. This agreement provides that the child may remain in the out-of-state placement pending final approval of the placement pursuant to (ICPC). The terms of the agreement follow.

**I. Initial Requirements**

**A. Border Agreement Immediate Safety Plan (BA Immediate Safety Plan)**

1. The HCJFS or KY DCBS case manager will document pertinent information regarding the child and actions necessary to secure the safety and well-being of the child. Each agency will follow their respective policies/procedures regarding approval of the child on the BA Safety Plan.
2. The HCJFS or KY DCBS case manager will clarify all terms, conditions and timelines to parent(s)/legal guardian(s) and other pertinent parties identified on the BA Safety Plan.
3. The BA Safety Plan will not modify the parent(s) or legal guardian(s) status as legal custodian of the child. The BA Safety Plan secures their voluntary agreement to the course of action to promote the child's safety during a child protective services investigation or family assessment.
4. In order to minimize the trauma to children and families, HCJFS and KY DCBS case manager will facilitate placing the child with a relative who resides in the other state which is documented on the BA Safety Plan.
5. The sending state will contact the relative and gather needed information, such as current address, working phone number and advise the relative of the need for criminal records check to be completed.

6. For purpose of this agreement, relatives residing out-of-state in Hamilton County, Ohio or Boone, Campbell or Kenton Counties, Kentucky may be considered for temporary safety placement of a child, without change in custody or court approval.

## **B. Border Agreement Safety Home Study Process**

1. The HCJFS or KY DCBS case manager will initiate a request for the receiving state agency to conduct a BA Safety Home Study on identified relatives who reside in Hamilton County OH or Boone, Campbell or Kenton Counties, KY.
2. The sending state agency case manager will call the appropriate child abuse hotline in the receiving state to request a BA Safety Home Study, referencing the OH/KY Border Agreement and provide all necessary contact information.
3. The hotline telephone numbers for the respective states and counties are:
  - a. OH Child Abuse Hotline 1-513-241-KIDS (1-513-241-5437)
  - b. KY Centralized Intake for the Northern Bluegrass Region, 1-859-292-6550, 8:00 am- 4:30 pm for workdays. The Hotline number is 877-597-2331. Specific after-hours/holidays contacts for Boone, Campbell and Kenton Counties on-call numbers are attached.
4. The Hamilton County Child Abuse Hotline Responder or KY Centralized Intake Responder will contact the appropriate local office/ on call case manager or supervisor in the receiving state within 30 minutes and specify the need for a BA Safety Home Study in reference to the OH/KY Border Agreement and provide the telephone number, email address and other contact information for the sending state case manager.

## **II. Response Requirements**

### **A. Responding to BA Safety Home Study Request**

1. Within 30 minutes of notice by the Hamilton County Child Abuse Hotline or KY Centralized Intake Responder of the BA Safety Home Study Request, the receiving state case manager or supervisor will contact the appropriate sending state case manager by telephone and confirm receipt of the request and specify an estimated time for completion of the BA Home Study.
2. The sending state case manager or supervisor will fax or electronically scan to the receiving state case manager pertinent documents which may be available for the BA Safety Home Study Request, including the BA Safety Plan. Unless circumstances require otherwise, the receiving state case manager will issue a verbal report of the completed BA Safety Home Study within three (3) hours of confirmation of the request. The following information will be included:

- a. Information regarding the relatives and their home environment;
  - b. A determination regarding the appropriateness of the placement and impact on the safety, well-being of the child;
  - c. State reasons for approval or denial which includes any terms or conditions for the decision;
3. The receiving state case manager will conduct the BA Safety Home Study on the identified relatives (and all adults in the home) and the home environment using the receiving state's applicable policy and procedures for such a placement.
4. The receiving state case manager will document the BA Safety Home Study on the Activity Log (OH) or DPP-1277 Relative Home Evaluation (KY).
5. The next business day after issuing a verbal decision, the receiving state case manager will fax or electronically scan a copy of the BA Safety Home Study, including attachments and appropriately signed and dated authorizations to the sending state caseworker.

**B. BA Safety Home Study Placement Decision (Approval)**

1. The decision to approve or deny placement under the BA Safety Home Study is the responsibility of the receiving state agency and must meet the receiving state agency's current policies and procedures.
2. If the BA Safety Home Study Placement Decision is a denial, proceed to Section C.
3. Upon completion and approval of the BA Safety Home Study, the receiving state case manager will communicate the decision to approve the BA Safety Placement and reasons for that decision verbally to the sending state case manager by telephone *within 30 minutes* of the decision.
4. Upon notice of approval of the BA Safety Home Study and prior to placement, the sending state caseworker is responsible to secure agreement and signature of the parent(s) or legal guardian(s) on the BA Non-custodial consent for Transportation . In consultation with the relatives, the sending state case manager will arrange for transportation of the child to placement in the approved home.
5. Prior to or no later than the end of the next business day after placement is made, the following must be completed:

- a. The receiving state case manager will fax or electronically scan a copy of the BA Safety Home Study, including attachments and appropriate signed and dated authorizations, to the sending state case worker;
  - b. The sending state case manager will initiate a call to the receiving state case manager to discuss the need for any immediate services and schedule a Family Team Meeting. The receiving state will assign a case manager to visit the child within 72 hours of placement. If there is a delay in the court process, the states agree to abide by their policy of monthly visits regarding visitation until the Interstate Compact report on child's placement status (100B) is received with the ICPC request.
  - c. The sending state case manager will make arrangements for the scheduling, identification of, and notice to pertinent parties and document the Family Team meeting in cooperation with the receiving state case manager prior to the expiration of the BA Safety Plan.
6. A Family Team Meeting will be scheduled and held within 7 business days of the placement. Parents/legal guardians and relatives with temporary placement, HCJFS and KY DCBS case managers and workers are expected to attend. However, the CPS worker in the receiving state may attend via telephone. The purpose of the team meeting is to discuss if placement is to continue. If placement is to continue, court action is to be taken within two (2) business days and submission of a complete ICPC packet within three (3) business days of the judge signing the REG 7 (expedited order).
7. The Family Team Meeting will determine and document action needed to promote the child's safety and well-being in the placement. The actions will be mutually agreed upon by both the sending state and receiving state agency and other parties involved in the Family Team Meeting.
8. HCJFS policy requires LEADS Checks, and Kentucky DCBS policy provides only for a Kentucky state criminal record check before facilitating the voluntary placement of a subject child with relatives, HCJFS agrees to provide LEADS criminal background checks on relatives with whom children are to be placed under this agreement. No information will be provided under this agreement which would violate federal or state law or policy. All adult relatives must agree to submit fingerprint checks under each agencies policy. In accordance with HCJFS policy, all proposed caregivers shall submit to the LEADS name based criminal background check on the same day as the request is received. A summary of the fingerprint results will be forwarded to HCJFS and KY DCBS within 2 days of receipt.

### **C. BA Safety Study Placement Decision (Denial)**

1. The decision to approve or deny the BA Safety Home Study is the responsibility of the receiving state agency and must meet the receiving state agency's current policies and procedures.
2. Upon completion and determination to deny the placement under the BA Safety Home Study, the receiving state case manager will communicate the decision to deny the safety placement and reasons for that decision verbally to the sending state case manager by telephone *within 30 minutes* of the determination. The denial shall include the name and phone number of an accessible supervisor, should the sending state wish to discuss the reason for denial and any alternative measures that would allow for approval of the placement.
3. The receiving state case manager will fax or electronically scan a copy of the BA Safety Home Study, including attachments and appropriately dated signature authorizations to the sending state case manager on the next business day.

### **III. Termination of Border Agreement Safety Placement**

1. The sending state case manager may request in writing the child be returned to the sending state at any time during the BA Safety Placement based upon their assessment of the parent(s)/legal guardian(s) or relative's ability to resume care of the child or in the event new circumstances have occurred. The receiving state case manager may assist in returning the child to the sending state if needed, within applicable policy and procedures concerning a subject child. The BA Safety Placement will be closed as "child returned to sending state".
2. The sending state case manager and/or the receiving state case manager may remove a child from a BA Safety Placement with a relative placement in the receiving state if either state has reason to believe that the child is in imminent danger or at risk of imminent harm or pursuant to court order. The BA Safety Placement will be closed as "child returned to sending state."
3. The sending state agency petitions the court for custody of the child based upon allegations of abuse, neglect or dependency. Under this scenario and for purposes of this agreement, the child may remain in the approved BA Safety Placement with the designated relatives, if the sending state concurrently files a request for an ICPC Expedited Home Study. Once the court grants an initial determination of custody the standard ICPC process begins and the standard ICPC procedures should be followed by each jurisdiction.

**VIII. Effective Date**

Agreement is effective \_\_\_\_\_

(Implementation will begin within 45 business days of effective date.)

**IV. Signatures**

A handwritten signature in blue ink, appearing to read "Adria Johnson", with a long horizontal flourish extending to the right.

**Adria Johnson**

**Commissioner, Kentucky Cabinet for Health and Family Services.**

***Moira Weir***

***Director, Hamilton County Department of Job and Family Services***