



Office of Children and Family Services

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Sheila J. Poole
Acting Commissioner

Administrative Directive

Transmittal:	18-OCFS-ADM-17
To:	Commissioners of Social Services Executive Directors of Voluntary Authorized Agencies
Issuing Division/Office:	Division of Child Welfare and Community Services
Date:	August 3, 2018
Subject:	Requirements for Use of the National Electronic Interstate Compact Enterprise (NEICE)
Suggested Distribution:	Directors of Social Services Child Protective Services Supervisors Child Welfare Supervisors Foster Care Supervisors Adoption Supervisors
Contact Person(s):	Please see Section VI.
Attachments:	Non-Disclosure Agreement Form

Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
			SSL §374-a; Family First Prevention Services Act (P.L. 115-123)		

I. Purpose

The purpose of this Administrative Directive (ADM) is to set forth expectations and procedures for local departments of social services (LDSSs) and voluntary authorized agencies (VAs) in compliance with the New York State Office of Children and Family Services (OCFS) requirement for electronic submission of all requests for placements through the Interstate Compact on the Placement of Children (ICPC), using the National Electronic Interstate Compact Enterprise (NEICE).

II. Background

The ICPC is a compact between all 50 states, the District of Columbia and the U.S. Virgin Islands. It is a uniform law that establishes procedures for the placement of children across state lines when children are in the custody of a state or county, being placed for private/independent adoption, or under certain circumstances, being placed by a parent or guardian in a residential treatment facility. New York was the first state to enact the ICPC in 1960.

The overarching purpose of the ICPC is for each child requiring out-of-state placement to receive the maximum opportunity to be in a suitable environment with persons/facility staff having appropriate qualifications and abilities to provide a desirable degree of care. States cooperate with each other to promote appropriate jurisdictional arrangements for the care of children. All parties are bound by the articles and regulations of the ICPC, which define placement types and procedures to be followed.

Article VII of the ICPC authorizes the appointment of a compact administrator in each ICPC member state. In New York, the OCFS ICPC Unit which, acting jointly with compact administrators of the other member states, is authorized to promulgate rules and regulations to carry out effectively the terms and provisions of the ICPC.

Articles II and III of the ICPC spell out who must use the ICPC process when sending or bringing a child into a compact state. When an interstate placement is being considered, the New York sending agency, generally the LDSS or VA, must submit an ICPC packet to the OCFS ICPC Unit. The OCFS ICPC Unit reviews the packet and, if complete and appropriate, forwards it to the receiving state ICPC office. The receiving state ICPC office will review the packet, and if determined appropriate will then forward it on to the receiving state local agency to complete the requested home study and make a recommendation for or against placement. If the recommendation for placement is approved by the receiving state based on a best interest standard, the sending agency may then place the child with the approved resource. In some cases, the ICPC request is for the relocation of an approved placement resource moving as an intact family unit to a new state of residence. The complete text of the Compact can be found on the Association of Administrators of the ICPC website at: <https://aphsa.org/AAICPC/AAICPC/Resources.aspx>

Since its inception and ratification, the ICPC process has been a paper-based process in which states and local agencies, including LDSSs and VAs, share and exchange information related to placement requests, supervision, and permanency outcomes. The processing and mailing of hard copy documentation has been identified as one barrier to timely and efficient placement of children under the ICPC.

In 2013, The Association of Administrators of the Interstate Compact on the Placement of Children (AAICPC) announced the development of the National Electronic Interstate Compact Enterprise (NEICE), a real-time, online data system for states to share records and exchange information. This centralized database was designed to improve the efficiency of the ICPC process. NEICE was launched with a pilot comprised of six states

and the District of Columbia. The goals of the pilot were to demonstrate increased administrative efficiency of the ICPC process, improve service delivery for children, and reduce barriers for children to access interstate placement. The final evaluation showed that participation in NEICE yielded positive results, including the following:

- A reduction in the need for copying and mailing substantial amounts of documents, resulting in expedited processing and reduced costs
- Fewer work hours spent by staff when both states were using NEICE
- Less time between the decision to place a child and the actual placement of the child
- Improvement in communication and case management between sending and receiving states

A majority of states are currently participating or planning to participate in NEICE. Authorization for competitive grants to assist states to implement the NEICE system was included in the federal Family First Prevention Services Act (P.L. 115-123) signed by the President on February 9, 2018, reflecting a national push towards electronic processing of ICPC cases. Recognizing the importance of an expedited and more efficient ICPC process, New York State is now joining the many other states utilizing NEICE to ease workloads and create better outcomes for children.

More information on NEICE can be found at <https://aphsa.org/AAICPC/AAICPC/NEICE.aspx>.

III. Program Implications

This ADM sets forth processes necessary for LDSSs and VAs to utilize NEICE. It applies to all cases covered under ICPC Regulations No. 1, No. 2, No. 4, and No. 7, involving children under the jurisdiction of a court for abuse, neglect, or dependency due to an action taken by an LDSS.¹ In these cases, the court has the authority to determine supervision, custody, and placement of the child, or has delegated that authority to the LDSS.²

These are cases where

- 1) the LDSS/VA is seeking to place the child out of state with a parent, relative, foster parent, or pre-adoptive parent and supervision is required, or
- 2) the LDSS/VA is seeking to place the child in an out-of-state residential treatment center, and supervision is required and provided by the facility in which the child is placed.

This ADM does not cover ICPC cases where a child is being placed out of state for a private, independent or non-public agency adoption, for New York State Education Department (SED) placements, or for parents seeking residential placement of their children.

¹ In terms of New York State child welfare cases, all categories of foster care cases under Article 3, 7, 10, 10-A ad 10-C of the Family Court Act and sections 384 and 384-a of the Social Services Law are included.

² ICPC regulations can be found at https://aphsa.org/OE/AAICPC/ICPC_Regulations.aspx

IV. Required Action

All LDSSs and VAs processing ICPC cases must do so using NEICE. Exceptions to this requirement are for private, independent, or non-public agency adoptions, for SED placements, or for parents seeking residential placement of their children. In these situations, ICPC requests will continue to be processed outside of the NEICE system.

For approximately two to three months following release of this policy, the OCFS ICPC Unit will initiate contact with appropriate LDSS and VA staff to begin the process of user access to the NEICE system. New users requiring access to NEICE after that timeframe may contact the OCFS ICPC Unit at (518) 474-9406 for information on how to begin the process.

Prior to gaining access to NEICE, designated users must complete certain requirements necessary to address appropriate system usage, security, and confidentiality. All individuals designated to access NEICE in any capacity must complete these steps before initially accessing NEICE. OCFS will authorize access to a potential user only after verification that all steps have been completed. It is preferable that the steps be completed in the sequence listed below; however, LDSSs and VAs may use their discretion to determine the most expedited process for completion of all three steps. Employees of LDSSs and VAs seeking access to NEICE must do the following:

1. Complete the self-guided NEICE E-Learning training provided by the Tetrus Corporation and the American Public Human Services Association (APHSA). The OCFS ICPC Unit will arrange access for LDSS and VA employees to access E-Learning through APHSA. Upon completion of E-Learning, users will have the opportunity to practice what they've learned in a NEICE test environment. Use of the test environment is highly recommended to become familiar with the system.
2. Complete one webinar (live or recorded) provided by the Tetrus Corporation.
3. Complete the non-disclosure form attached to this policy and submit it to:

**New York State Office of Children and Family Services
Bureau of Permanency Services
52 Washington Street, Rm 332 North
Rensselaer, NY 12144**

It is critical that only individuals designated to work in NEICE have access to the system and only access NEICE upon a need to know basis. Compliance with applicable confidentiality standards is mandatory and must be strictly enforced. Therefore, the OCFS ICPC Unit must be immediately notified if an approved user is no longer working in NEICE due to a change in duties, employment, or for any other reason.

V. Systems Implications

All ICPC cases, except for private, independent or non-public agency adoptions, SED placements, and parents seeking residential placement of their children will now be processed electronically through NEICE. Users will receive training in accordance with the prerequisite steps listed in section IV of this release.

Note: For the purpose of processing ICPC cases addressed by this ADM, it is optional on the part of the LDSS or VA to enter a child's social security number into NEICE.

VI. Contacts

Any questions concerning this release should be directed to the appropriate regional office, Division of Child Welfare and Community Services:

Buffalo Regional Office – Amanda Darling (716) 847-3145

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Rochester Regional Office – Karen Lewter (585) 238-8201

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VII. Effective Date

This policy directive is effective immediately.

/S/ Laura M. Velez

Issued By:

Name: Laura M. Velez

Title: Deputy Commissioner

Division/Office: Child Welfare and Community Services