**Section 401.430 Interstate Placement of Children**

a) An agency placing children outside the State of Illinois or receiving children from outside the State shall adhere to all rules and regulations of legal authorities pertaining to such placements and to the requirements of the Interstate Compact on the Placement of Children Act [45 ILCS 15], where applicable, and Department rules, 89 Ill. Adm. Code 328 (Interstate Placement of Children). When the Department of Children and Family Services is legally responsible for the children to be placed outside of the State of Illinois, consents from the guardian or his or her authorized agent must be obtained before this placement may occur.

b) *Out-of-state private placing agencies that seek to place children into Illinois for the purpose of foster care or adoption shall provide all of the following to the Department*, and the Department shall maintain the information in an Interstate Compact on the Placement of Children Out-of-State Adoption Agency File, also know as ICPC Out-of-State Adoption Agency File. Information and documentation maintained in the File will be considered current for a period of 2 years. The ICPC Out-of-State Adoption Agency File shall include:

1) *A copy of the agency's current license or other form of authorization from the approving authority in the agency's state. If no license or authorization is issued, the agency must provide a reference statement from the approving authority stating the agency is authorized to place children in foster care or adoption or both in the jurisdiction.*

2) *A description of the* agency's adoption *programs, including home studies, placements, and supervisions that the child placing agency conducts within its geographical area, and, if applicable, adoptive placements and the finalization of adoptions. The child placing agency must accept continued responsibility for placement planning and replacement if the placement fails.*

3) *Notification to the Department of any significant child placing agency changes after* ICPC *approval.*

4) *Any other information the Department may require.*

c) *If the adoption is finalized prior to bringing or sending the child to Illinois, Department approval of the out-of-state child placing agency involved is not required under this Section, nor is compliance with the Interstate Compact on the Placement of Children.* [750 ILCS 50/4.1(a-5)]

(Source: Amended at 30 Ill. Reg. 2699, effective February 27, 2006)