

## **Supporting Statement for the CCWIS Notice of Proposed Rulemaking (NPRM) Data Collection: Automated Functions List, Data Quality Plan, & Notice of Intent**

### **A. Justification**

#### 1. Circumstances Making the Collection of Information Necessary

The statute at 42 U.S.C. 674(a)(3)(C) and (D) provides the authority for title IV-E funding for the planning, design, development, installation, operation, and maintenance of an optional child welfare data collection and information retrieval system and the requirements a title IV-E agency must meet to receive a more favorable cost allocation for federal financial participation (FFP). 42 U.S.C. 674(c) further specifies the expenditures eligible for FFP. In response to the statute, ACF published regulations at 45 CFR 1355.50 – 57 in 1993 providing states with enhanced funding to build a single comprehensive system supporting all child welfare case management activities for public and private child welfare workers in the state. In response to 42 U.S.C. 679c(b) ACF amended these regulations in 2012 to apply to an Indian tribe, tribal organization, or tribal consortium (tribe) that elects to operate a program under a plan approved by the Secretary under section 671.

Since the regulations were published in 1993, child welfare practice changed considerably. It became challenging for title IV-E agencies (as defined at 45 CFR 1355.20) to support practices that may vary within a jurisdiction with a single comprehensive information system. Additionally, information technology (IT) has advanced. The advancements in IT provide title IV-E agencies with tools to rapidly share data among systems supporting multiple health and human service programs with increased efficiency. To address these practice challenges and IT changes, this NPRM removes the requirement for a single comprehensive system. With this flexibility, title IV-E agencies can build less expensive, modular based, comprehensive child welfare information systems (CCWIS) that more closely mirror their practice models while supporting quality data. Each agency may determine the size, scope, and functionality of their CCWIS. For example, a tribe may use this flexibility to build a smaller system at a reasonable cost.

To help title IV-E agencies implement these more flexible requirements while ensuring appropriate Federal oversight, this NPRM proposes three new reporting requirements:

- i) Automated functions list (§1355.52(i)(1)(ii) and (iii); §1355.52(i)(2));
- ii) Data quality plan (§1355.52(d)(5)); and
- iii) Notice of Intent (§1355.52(i)(1)).

#### 2. Purpose and Use of the Information Collection

- i) Automated functions list

Under the NPRM, title IV-E agencies may request the favorable CCWIS cost allocation (§1355.57(e)) for only those automated functions of a CCWIS meeting the following requirements:

- The automated function must not be duplicated within either the CCWIS or systems supporting child welfare contributing agencies and must be consistently used by all child welfare users responsible for the area supported by the automated function;
- The automated function must support programs authorized under titles IV-B or IV-E and support at least one requirement of § 1355.52 or, if applicable, § 1355.54; and
- The automated function must meet CCWIS design requirements at § 1355.53(a), unless exempted by § 1355.53(b).

The automated function list submitted by each title IV-E agency must indicate which (if any) of the above requirements each automated function complies with. The list is submitted as part of an Advance Planning Document (APD) or a Notice of Intent, as applicable. ACF will review the list to determine the automated functions qualifying for the favorable cost allocation available to CCWIS.

Title IV-E agencies must re-submit their automated function list annually to ACF as part of an Annual or Operational APD. The resubmission will report any changes with compliance to the above three requirements. The title IV-E agency may also add or delete automated functions from the list. ACF will use the resubmission to determine the automated functions that continue to qualify for the favorable cost allocation.

ii) Data quality plan

The NPRM provides title IV-E agencies with the flexibility to obtain required data from multiple systems (instead of the single large system required by current regulations). Since each system may collect data differently, maintaining consistent quality data needed to effectively serve child welfare clients is more challenging. Therefore the proposed regulations require title IV-E agencies to submit a plan to ensure data quality.

The CCWIS data quality plan describes the title IV-E agency's comprehensive strategy to meet the data quality requirements defined at § 1355.52(d)(1) – (3) and the current quality of CCWIS required data. Agencies submit the plan, including any updates, annually to ACF as part of their Annual or Operational APD. ACF uses the plan to monitor compliance with CCWIS data quality requirements.

iii) Notice of Intent

The NPRM allows title IV-E agencies to build significantly smaller IT systems than permitted under current rules. We anticipate that some of these smaller systems may not reach the dollar thresholds that require title IV-E agencies to submit APDs requesting FFP (45 CFR 95.611). The Notice of Intent submitted by CCWIS projects under the APD thresholds of 45 CFR 65.611 alerts ACF to the CCWIS development activities of these smaller projects. As a result, ACF can:

- assess agency needs and provide appropriate technical assistance; and
- plan for the expected CCWIS expenditures that agencies will report on the CB-496.

3. Use of Improved Information Technology and Burden Reduction

ACF encourages title IV-E agencies to submit the information collection electronically (e.g., as email attachments) because:

- it is consistent with ACF's guidance to submit other documents, such as APDs, electronically; and
- it is more efficient than mailing multiple hardcopies of documents and thereby reduces the burden on agencies.

To further reduce the reporting burden, ACF encourages agencies to:

- include information automatically generated by the CCWIS in the information collection, if appropriate (such as including CCWIS data quality reports with the data quality plan); and
- update the most recent version of the automated function list and data quality plan with relevant information rather than develop new reports for each submission.

#### 4. Efforts to Identify Duplication and Use of Similar Information

##### i) Automated functions list

The automated function list is a new requirement. Duplicate or similar information has not been previously required and so does not exist.

##### ii) Data quality plan

Submitting a data quality plan to ACF is a new requirement. However, many title IV-E agencies have plans to monitor, control, and improve data quality using processes and tools such as:

- data governance policies that specify data quality requirements;
- data quality teams to monitor data quality; and
- automated reports to survey data quality and identify problems.

ACF encourages title IV-E agencies to incorporate existing plans, processes and tools into the data quality plan. Leveraging existing resources will eliminate duplicate efforts and lessen the reporting burden.

##### iii) Notice of Intent

The Notice of Intent is a new requirement. Duplicate or similar information has not been previously required and so does not exist.

#### 5. Impact on Small Businesses or Other Small Entities

This information collection is only required of title IV-E agencies electing to build an optional CCWIS. It does not have an impact upon small businesses or other small entities.

#### 6. Consequences of Collecting the Information Less Frequently

##### i) Automated functions list

The NPRM requires that the title IV-E agency include the updated automated functions list with the Annual or Operational APD. The required submissions are critical information for ACF in determining appropriate annual funding levels and the CCWIS cost allocation.

ii) Data quality plan

The NPRM requires the annual submission of the updated data quality plan. The data quality plan is necessary for monitoring the quality and timeliness of data being collected by CCWIS. Without this annual submission, the data quality of required federal reports submitted by IV-E agencies may be reduced and ACF would be required to conduct more frequent on-site monitoring reviews.

iii) Notice of Intent

The one-page Notice of Intent is submitted once – at the point a title IV-E agency decides to build a CCWIS under the APD cost thresholds at 45 CFR 95.611. By requiring this submission ACF will have accurate funding projections of IT system expenditures and be in position to provide technical assistance in the early, critical planning stages of the CCWIS project.

7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5

The collection of information does not involve any special circumstances.

8. Comments in Response to the Federal Register Notice and Efforts to Consult Outside the Agency

This NPRM serves as the mechanism by which the Department is soliciting comments on CCWIS and the proposed information collection. To inform our development of this NPRM we requested comments through a Federal Register notice published on July 23, 2010 (75 FR 43188) (the 2010 FR Notice).

We publicized the 2010 FR Notice through electronic mailing lists used routinely by this agency, and other communications channels with the child welfare and IT communities. We conducted a series of conference calls with interested stakeholder groups to discuss the 2010 FR Notice, answer questions, and encourage the submission of comments. We conducted conference calls with state child welfare information system managers and program representatives, tribal child welfare representatives, private child welfare agencies, advocacy groups, and IT vendors. In response to the 2010 FR Notice and our outreach efforts, we received 48 comments from state child welfare agencies, private providers and provider associations, advocacy groups, IT vendors, tribes and tribal associations, a local public agency, a state's welfare directors' association, a state-level office of court administration, and a university research center.

The comments we received offered thoughtful insights into the experience of states, tribes, and providers using various Statewide/Tribal Automated Child Welfare Information System (S/TACWIS) applications. The following themes emerged from the comments:

- A S/TACWIS should serve as a central repository for child welfare data, with the content available to all users.
- Instead of describing S/TACWIS in functional terms, several commenters suggested that the federal regulations define expectations for required data elements.
- Commenters strongly supported an emphasis on data quality, consistency, and integrity.
- Commenters recommended a focus on data that addresses mandatory federal requirements, and those data elements used for federal reporting and reviews, as well as data needed for state and tribal operations and program management.
- Commenters suggested that data conforming to S/TACWIS standards and representing common data elements could be uploaded to a data repository from any source, whether a case management system used by a contracted services provider, or from an ancillary state or tribal system, thus eliminating the need to re-enter data into external systems.
- Recognizing that S/TACWIS technology approaches are nearly two decades old, multiple commenters suggested that new regulations allow the adoption of new and emerging technologies, and be written in such a way as to allow for the future adoption of new technologies for data entry, storage, access, and sharing.
- Commenters noted that requiring all users to use a single system did not encourage flexibility and innovation. Contracted private providers with different business processes cannot use proprietary systems designed to support those processes to manage child welfare case management, as the regulations require them to use S/TACWIS.
- Commenters expressed concern that a revised regulation would force them to build a new case management system. A number of states expressed a desire that any new regulations allow them to continue to use their existing system.

The full text of the public comments in response to the 2010 FR Notice is available for review at: <http://www.regulations.gov>.

In the April 5, 2011 Federal Register CB published a related notice entitled: “Federal Monitoring of Child and Family Service Programs: Request for Public Comment and Consultation Meetings” (76 FR 18677) (the 2011 FR Notice). The 2011 FR Notice included the following question relevant to our review of S/TACWIS regulations: “What role should the child welfare case management information system or systems that states/tribes/local agencies use for case management or quality assurance purposes play in a federal monitoring process?”

In response, some commenters noted that child welfare management information systems should play an important role in federal monitoring as they provide valuable quantitative data. However, other commenters cited data quality and integrity issues that could result in inaccurate data for baseline outcomes and measuring improvements. Commenters also observed that there could be a delay between changing child welfare practices and the system enhancements needed to support the changes. The full text of the public comments in response to the 2011 FR Notice is available for review at: <http://www.regulations.gov>.

The 2010 FR Notice and the 2011 FR Notice did not specifically solicit comments on the information collection discussed in this supporting statement. However, we determined that this

information collection is necessary to support ACF oversight of CCWIS applications that provide 1) the flexible system configurations, 2) the option to continue to use existing systems, and 3) the high-quality data that commenters identified as high priorities.

9. Explanation of Any Payment or Gift to Respondents

No payments, other than FFP, will be made to title IV-E agencies for the planning, design, development, installation, operation and maintenance of a CCWIS.

10. Assurance of Confidentiality Provided to Respondents

The information collected is not considered confidential. No Personally Identifiable Information is requested or provided. No assurance of confidentiality is provided to respondents.

11. Justification for Sensitive Questions

There are no questions of a sensitive nature.

12. Estimates of Annualized Burden Hours and Costs

We estimated the reporting burden as follows:

Reporting Requirement	Number of...		Burden		
	Respondents	Responses per Respondent	Average per Response	Total Hours	Total Annualized Cost
i) Automated Function List	55	1	10	550	\$23,793
ii) Data Quality Plan (first submission)	55	1	40	2,200	95,172
iii) Notice of Intent (one-time submission)	12	1	8	96	\$4,153
First-year Total				2,830	\$123,118
Subsequent Annual Total				550	\$23,793

We applied the following assumptions for the total burden hours estimates:

- i) Automated functions list.
  - We assume that all 50 states plus the District of Columbia will build a CCWIS or transition their existing systems to CCWIS in the next three years.
  - We also assume that few tribes will elect to build a CCWIS. As of December 2014, no tribal title IV-E grantee has expressed an interest in building a TACWIS-compliant

system. To ensure that our estimate is not understated, we assume that four tribes will elect to build a CCWIS in the next three years.

We estimate the burden for these activities at 10 hours per respondent per year. We multiplied our estimate of 10 burden hours by 55 respondents (50 states + District of Columbia + 4 tribes) to arrive at an annual burden increase of 550 hours (10 burden hours x 55 respondents) for the proposed automated function list requirement.

ii) Data quality plan.

- We assume that all 50 states plus the District of Columbia and four tribes will build a CCWIS or transition their existing systems to CCWIS in the next three years.
- We assume that states and tribes already have mechanisms in place to monitor and improve the quality of the data to meet program reporting and oversight needs.

We estimate the burden for these activities at 40 hours per respondent for the initial submission. We do not estimate an additional burden in subsequent years because those submissions will require minimal updates of information previously submitted. We multiplied our estimate of 40 burden hours by 55 respondents (50 states + District of Columbia + 4 tribes) to arrive at a one-time burden increase of 2,200 hours (40 burden hours x 55 respondents) for the proposed data quality plan requirement.

iii) Notice of Intent.

- A title IV-E agency with a CCWIS project subject to the APD process will have no new burden as such projects are already required to contain a project plan per 45 CFR 95.610.
- The four tribes will submit a Notice of Intent because their projects are unlikely to exceed the threshold requiring submission of an Implementation APD at 45 CFR 95.611.
- 8 of 14 states with existing operational SACWIS projects will undertake projects that will not exceed the threshold requiring submission of an Implementation APD at 45 CFR 95.611 and therefore will submit a Notice of Intent.

Our burden estimate for completing the Notice of Intent includes additional time for title IV-E agencies to review the submission requirements and for producing the letter and brief project plan for those projects not subject to the APD rules at 45 CFR Part 95. We estimate that burden at 8 hours per respondent. We multiplied our estimate of 8 burden hours by 12 respondents (8 states + 4 tribes) to arrive at a one-time burden increase of 80 hours (8 burden hours \* 12 respondents) for the proposed Notice of Intent requirement.

We used Bureau of Labor Statistics 2013 wage data to derive our estimated total annualized burden costs for the increased reporting burden of the NPRM. We assume that staff with the job role of Management Analyst (13-111) with a mean hourly wage estimate of \$43.26 will be completing the Automated Function List, Data Quality Plan, and Notice of Intent. Our estimated annualized costs for each reporting requirement are calculated as:

(Burden: Total Hours) \* \$43.26 = (Burden: Total Annualized Cost)

### 13. Estimates of Other Total Annual Cost Burden to Respondents and Record Keepers

There are no capital, equipment, technology, or purchase of service costs associated with this information collection. Responding title IV-E agencies use existing technologies (i.e., desktop computers with standard office suite software) for generating, maintaining, or disclosing this information. There are no other direct monetary costs to respondents other than their time as documented under item #12.

### 14. Annualized Cost to the Federal Government

The following are estimates of annualized costs to the Federal Government (expressed as quantifiable hours) that would not have been incurred without the collection of information described under item #12 above. Our estimated annualized costs for each reporting requirement are calculated as:

$$(\text{Annual Responses}) * (\text{Federal Review per Response}) * (\text{Hourly Rate}) = \text{Annualized Cost}$$

Our estimated annualized reporting costs are based on the following:

- We use the hourly rate from the Office of Personnel Management's Salary Table 2014 DCB, which provides an hourly rate of \$48.83 for a full-time Grade 13, Step 5 employee.
- We use the Annual Responses from item #12 above.
- Our estimates for Federal Review per Response include time to review documents and for follow-up consultation with the submitting title IV-E agency. While, as noted in item #12 above, we anticipate minimal title IV-E agency effort is needed to annually update the data quality plan, we estimated that the Federal Review per Response will be 16 hours each year since we will review the entire plan to assess the impact of any updates upon data quality.

<b>Reporting Requirement</b>	<b>Annual Responses</b>	<b>Federal Review per Response</b>	<b>Annualized Cost</b>
i) Automated Function List	55	2 hours	\$5,371
ii) Data Quality Plan	55	12 hours	\$32,228
iii) Notice of Intent (one-time submission)	12	1 hour	\$586
First Year Total			\$38,185
Subsequent Annual Total			\$37,599

### 15. Explanation for Program Changes or Adjustments

The information collection described in this supporting statement is new. Therefore, there are no program changes or adjustments to the information collection.

### 16. Plans for Tabulation and Publication and Project Time Schedule

There are no plans to publish the information collection.

17. Reason(s) Display of OMB Expiration Date is Inappropriate

The Department is requesting that the OMB number and expiration date not be displayed as the NPRM does not require a standardized form or template that title IV-E agencies must use.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

There are no exceptions to the certification statement.