

RIN Number: N/A

SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION

HHSICS Tracking and OMB Number: (0985-0048)

Revised 11/15/2017

RIN Number: N/A (if applicable)

A. Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a hard copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information, or you may provide a valid URL link or paste the applicable section. Please limit pasted text to no longer than 3 pages. Specify the review type of the collection (new, revision, extension, reinstatement with change, reinstatement without change). If revised, briefly specify the changes. If a rulemaking is involved, make note of the sections or changed sections, if applicable.**

The Administration for Community Living (ACL) of the U.S. Department of Health and Human Services (HHS) requests clearance for the revision and renewal of a data collection instrument, Office of Management and Budget (OMB) Control Number 0985-0048, to be completed by grantees under the Assistive Technology Act of 1998, as amended (Public Law 108-364).

Section 4 of the Assistive Technology Act of 1998, as amended (AT Act) provides grants to states to operate comprehensive statewide assistive technology programs (Statewide AT Programs) that increase access to and acquisition of AT devices and services for individuals with disabilities and older Americans.

States are required to submit an application to ACL in order to receive funds under this grant program. Section 4(d) of the AT Act requires that this application contain:

- (1) Information identifying and describing the lead agency and implementing entity (if applicable) responsible for carrying out the Statewide AT Program and a description of how the implementing entity (if applicable) coordinates and collaborates with the state;
- (2) A description of how public and private entities were involved in the development of the application and will be involved in implementation of the grant, including the resources to be committed by these entities;
- (3) A description of how the Statewide AT Program will implement the activities required under the grant, which include state financing, device reutilization, device loans, device demonstrations, training, technical assistance, and public awareness. Statewide AT Programs must conduct these activities in coordination and collaboration with other appropriate entities;
- (4) An explanation of how the grant funds will be allocated, used, and tracked;

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(5) A set of assurances; and

(6) A description of the activities that will be supported with State funds.

The full list of application requirements and assurances follows this supporting statement as an appendix. That appendix also indicates where and how the State Plan addresses these requirements.

The information collected through this State Plan for AT instrument is necessary for ACL and states to comply with Sections 4 and 7 of the AT Act. ACL is requesting a revision and renewal of the State Plan for AT information collection instrument (OMB No. 0985-0048). Approval of 0985-0048 expired December 31, 2017.

Section 4 Requirements Necessitating Submission of the State Plan for AT and Annual Data Collection

Section 4 of the AT Act authorizes grants to public agencies in the 50 states and the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Marianas (states and outlying areas). With these funds, the 56 states and outlying areas operate “Statewide AT Programs” that conduct activities to increase access to and acquisition of assistive technology (AT) for individuals with disabilities and older Americans. These comprehensive activities are divided into two categories: “State-level Activities” and “State Leadership Activities.”

According to Section 4 of the AT Act, as a condition of receiving a grant to support their Statewide AT Programs, the 56 states and outlying areas must provide to ACL: (1) applications and (2) annual progress reports on their activities.

Applications: The application required of states and outlying areas is a three-year State Plan for Assistive Technology (State Plan for AT or State Plan) (OMB No. 0985-0048). The content of the State Plan for AT is based on the requirements in Section 4(d) of the AT Act. As a part of this State Plan, Section 4(d)(3) of the AT Act requires that states and outlying areas set measurable goals for addressing the assistive technology needs of individuals with disabilities in education, employment, community living and information technology/telecommunications.

Every state and outlying area is required to include a minimum of seven prescribed measurable goals in its State Plan. These seven goals apply to all states and outlying areas in order to aggregate information on performance of the program at the national level. National aggregation of data related to these goals is necessary for the Government Performance and Results Act (GPRA), as well as an Annual Report to Congress (see “Section 7 Requirements Necessitating Collection” below). Therefore, this State Plan for AT instrument provides a way for all 56 grantees—50 U.S. states, D.C., Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands to collect and report data on their performance in a consistent manner, including a uniform survey to be given to consumers. This uniform survey is included as part of the data collection package in the annual data collection instrument (OMB No. 0985-0042).

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Annual Reports: In addition to submitting a State Plan for AT every three years, states and outlying areas are required to submit annual progress reports on their activities. The data required in that progress report is specified in Section 4(f) of the AT Act.

Section 7 Requirements Necessitating Collection

Section 7(d) of the AT Act requires that ACL submit to Congress an annual report on the activities identified in the State Plan for AT and an analysis of the progress of the states and outlying areas in meeting their measurable goals. The State Plan for AT must include a compilation and summary of the activities conducted under Section 4(f). In order to make this possible, states and outlying areas must provide their data uniformly. This State Plan for AT instrument was developed to ensure that all 56 states and outlying areas report data in a consistent manner in alignment with the requirements of Section 4(f).

- 2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

The purpose of the State Plan for AT is determining the eligibility of a state to receive a grant under section 4 of the AT Act. The information contained in the State Plan is used for monitoring purposes and enables ACL to determine whether the Statewide AT Program proposed by the state is consistent with the requirements of the AT Act. In addition, the State Plan for AT requests information necessary for basic program management, such as contact information for program personnel.

In addition to being a source of information for the annual report to Congress, past experience has shown that the information in State Plans is needed to respond to requests for data. ACL frequently receives questions from, or presents information to, other Federal agencies, Congress, and the public on the AT Act. The information culled from State Plans enables ACL to answer common queries, such as how many programs undertake certain activities, how many programs are based in particular agencies, or how many programs collaborate with specified entities.

As explained in the following entry on “Use of Information Technology,” the proposed State Plan for AT will be completed electronically and function as a searchable database. This enables ACL to easily gather information to complete the report to Congress and respond to requests for information.

Information collected from the grantees will provide a national description of activities funded under the AT Act to increase the access to and acquisition of AT devices and services through Statewide AT Programs for individuals with disabilities for use by Congress, the Department, and the public. In addition, ACL will use the State Plan for AT to inform its program management, monitoring, and technical assistance efforts. States will be able to use the information for internal management and program improvement.

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- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision of adopting this means of collection. Also describe any consideration given to using technology to reduce burden.**

The proposed State Plan for AT is submitted electronically as an online survey. States complete their plans via the Internet by entering data into fields, choosing from drop-down menus, selecting “check boxes,” and providing narrative. Paper versions of the plan will neither be required nor accepted unless there is a technological barrier to use of the online system. ACL Reporting will serve not only as the venue for submitting the plans electronically, but also functions as a database to allow both ACL and the public to access information.

ACL Reporting is compliant both with section 508 of the Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act, and the Federal Information Security Management Act (FISMA). An instruction manual accompanies the State Plan for AT. This will be distributed to states via e-mail and made available on ACL’s website.

The paper version of the instrument translates directly into a web-based format. Throughout the document, there are numerous references to how certain sections and items are used in the electronic system. Upon OMB approval of the paper version, the web-based application for use by the states will be implemented by HHS at ACL. Once updated, the system will meet or exceed the requirements for accessibility of Section 508 of the Rehabilitation Act of 1973, as amended and other applicable statutes and regulations, and industry standards. This web-based system allows all 56 grantees—50 U.S. states, D.C., Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands and territories to enter and submit their data electronically at their convenience on an ongoing basis.

ACL will have immediate access to the information submitted, allowing ACL to identify which grantees have submitted their data. This access will allow ACL to generate reports, even on partial data, as requested by Congress or others. States will have similar access to their data for management purposes.

- 4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

The information collected by the State Plan for AT is not duplicative of information collected through other data collections or by other methods, with the exception of basic contact information for program personnel.

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While it is not a duplication of information, some information collected via 0985-0042 is related to information in the State Plan for AT. As explained above, the State Plan for AT must contain measurable goals. The data on a state's performance is collected and calculated via 0985-0042 while the performance measure targets themselves are set by ACL.

- 5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden. A small entity may be (1) a small business which is deemed to be one that is independently owned and operated and that is not dominant in its field of operation; (2) a small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field; or (3) a small government jurisdiction, which is a government of a city, county, town, township, school district, or special district with a population of less than 50,000.**

This information collection does not involve small businesses and will not have a significant impact on substantial numbers of small entities.

- 6. Describe the consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

States only are required to submit a new plan every three years and three years is the maximum approval period for an information collection.

During the three year effective period of the plan, individual states may update the plan as necessary to ensure its accuracy (i.e., if a state changes how it conducts its activities, the State Plan must be updated to reflect that change).

- 7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

- **requiring respondents to report information to the agency more often than quarterly;**

None.

- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**

None.

- **requiring respondents to submit more than an original and two copies of any document;**

None.

- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**

None.

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- **in connection with a statistical survey, that is not designed to produce valid and reliable results than can be generalized to the universe of study;**

None.

- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**

None.

- **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or that unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**

None.

- **requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

None.

8. **As applicable, state that the Department has published the 60 and 30 Federal Register notices as required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instruction and record keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years – even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years – even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

The revision of the State Plan for AT information collection instrument was published in the Federal Register in Vol. 82, No. 178, pg. 43379, on September 15, 2017 for a 60-day solicitation of comments period. The 30-day notice was published in the Federal Register in Vol. 82, No. 231, pg. 57278, on December 4, 2017. ACL received one comment from

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the Association of Assistive Technology Act Programs (ATAP) in support of the proposed revisions and update to the currently approved State Plan for AT.

The Center for Assistive Technology Act Data Assistance (CATADA), the project responsible for coordinating the development of the Assistive Technology Annual Performance Report (AT APR), conducted a face-to-face meeting in February 2016 in Washington, DC and presented a review of all the State Plan for AT data elements and solicited suggestions for revisions from representatives of the State Grant for AT programs of various types at the conference. CATADA sent an email to all grantees in August 2016 that included an initial draft of proposed data element revisions to the State Plan for AT and requested feedback from the AT grantees. CATADA facilitated a work group meeting hosted by the Illinois AT Program in Springfield, IL in October 2016 that highlighted suggested revisions to the State Plan for AT and again asked for feedback. The State Grant for AT programs provided suggestions for general revisions of the State Plan for AT information collection instrument and CATADA facilitated a webinar in November 2016 on the updates to the proposed State Plan for AT and reminded all grantees to respond and provide additional feedback on the instrument. CATADA facilitated a face-to-face meeting in January 2017 at the Assistive Technology Industry Association (ATIA) Conference to review proposed revisions and additional grantee feedback prior to the March 2017 face-to-face presentation in Arlington, VA on the proposed revisions to the instrument. ACL staff participated in all meetings. The current State Plan for AT instrument addresses the suggestions and feedback of the Statewide AT Programs.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees with meaningful justification.

No payments or gifts are provided to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If personally identifiable information (PII) is being collected, a Privacy Act statement should be included on the instrument. Please provide a citation for the Systems of Record Notice and the date a Privacy Impact Assessment was completed as indicated on the IC Data Form. A confidentiality statement with a legal citation that authorizes the pledge of confidentiality should be provided. Requests for this information are in accordance with the following HHS and OMB policies: Privacy Act of 1974, OMB Circular A-108 – Privacy Act Implementation – Guidelines and Responsibilities, OMB Circular A-130 Appendix I – Federal Agency Responsibilities for Maintaining Records About Individuals, OMB M-03-22 – OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002, OMB M-06-15 – Safeguarding Personally Identifiable Information, OM:6-104 – Privacy Act of 1974 (Collection, Use and Protection of Personally Identifiable Information). If the collection is subject to the Privacy Act, the Privacy Act statement is deemed sufficient with respect to confidentiality. If there is no expectation of confidentiality, simply state that the Department makes no pledge about the confidentiality of the data.

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The State Plan and the data submitted to the Department contain no personally identifiable information, with the exception of contact information for personnel involved in the Statewide AT Program. This information already is publicly available.

The web-based system used for this instrument will not allow public access to the reporting instrument for data entry, and states will have access to their data only. They will not be able to see or manipulate data of other states. Individual state reports will be kept confidential until they have been finalized by the state and accepted by ACL.

Once a report has been finalized by the state and accepted by ACL, access to the aggregated state-specific and national data will be available to the public via the Internet. However, while the public will be able to view the data, they will not be able to alter the data. States will be advised that their data will be available to the public in this manner.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. The justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

This information collection contains no questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents by affected public type (federal government, individuals or households, private sector – businesses or other for-profit, private sector – not-for-profit institutions, farms, state, local or tribal governments), frequency of response, annual hour burden, and an explanation of how the burden was estimated, including identification of burden type: recordkeeping, reporting or third party disclosure. All narrative should be included in item 12. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in the ROCIS IC Burden Analysis Table. (The table should at minimum include Respondent types, IC activity, Respondent and Responses, Hours/Response, and Total Hours)**

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- **Provide estimates of annualized cost to respondents of the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

Fifty-six grantees report to ACL using the web-based data collection system. A workgroup of grantees estimated that the average amount of time required to complete all responses to the data collection instrument is 73 hours annually. The burden estimates affect the reporting responsibilities of the Statewide AT Programs and the directors were chosen to represent the diversity of the 56 programs based on regions of the country, sizes of the programs, types of agencies operating the programs, and whether or not the director is an individual with a disability. The estimated response burden includes time to review the instructions, gather existing information, and complete and review the data entries. In addition, we project that clean-up and clarification of data elements will require no change in data burden estimates. The range of “hourly rate of salary” was based on estimates from the previous version of the State Plan adjusted for inflation.

Assuming an average hourly cost of \$35 per hour for staff members who complete the instrument, plus 100% for benefits and overhead, resulting in a total estimated hourly cost of \$70. The total cost burden for individual grantees is estimated to be \$5,110 annually, and the total cost of data collection for the 56 grantees is estimated to be \$286,160 annually. The average hourly cost of \$35 represents the average of several different classes of labor ranging from clerical to managerial labor and accounts for the amount of time different types of grantee personnel (i.e., clerical, technical, professional and managerial) are expected to expend on the project.

a.	Number of respondents	-- 56
b.	Frequency of response	-- 1
c.	Total annual responses (a x b)	-- 56
d.	Hours per response	-- 73
e.	Total burden hours (c x d)	-- 4,088
f.	State hourly rate of salary	-- \$70.00
g.	Total cost (e x f)	-- \$286,160

- 13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14.)**

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- **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and acquiring and maintaining record storage facilities.**
- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government or (4) as part of customary and usual business or private practices. Also, these estimates should not include the hourly costs (i.e., the monetization of the hours) captured above in Item 12**

Total Annualized Capital/Startup Cost: \$0.00

Total Annual Costs (O&M): \$0.00

Total Annualized Costs Requested : \$0.00

No costs are incurred by respondents other than those specified in item 12. There are no capital costs or equipment purchases necessary. Respondents only need to have a computer and internet access to complete the State Plan for AT information collection.

- 14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.**

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Section 6(b)(5) of the AT Act requires that ACL award a grant, contract, or cooperative agreement to an entity to assist states with data collection and reporting. The Center for Assistive Technology Data Assistance, CATADA, is responsible for developing the annual progress report data collection instrument, providing training and technical assistance to states on use of the instrument, and assisting with writing the annual report to Congress based on aggregate data submitted. Subject to appropriations, ACL anticipates providing approximately \$315,000 each year for five years to the recipient to perform data collection and reporting activities for the State Grant for AT programs, as well as data collection and reporting system training, technical assistance, and analysis for the submission of the State Plan for AT. The estimated annualized cost to the Federal government for the State Plan for AT information collection portion of the cooperative agreement is \$25,000. The State Plan for AT instrument will be housed at ACL.

In addition to contract costs, ACL employs one management and program analyst at the GS-14 level with the responsibility for the administration of grants funded under the AT Act, including this data collection. This employee is housed in the Center for Integrated Programs, Office of Consumer Access and Self-Determination, which is overseen by a Director. ACL staff dedicates a percentage of their time to this data collection, creating an additional cost. The development and limited maintenance and hosting of this instrument at ACL is an additional cost associated with the State Plan for AT information collection. The above staff dedicates a percentage of time to this information collection, therefore the estimated annualized cost of salaries to the Federal government for ACL staff time is \$30,000. The total amount is \$60,000, which includes \$30,000 for benefits and overhead.

- 15. Explain the reasons for any program changes or adjustments. Generally, adjustments in burden result from re-estimating burden and/or from economic phenomenon outside of an agency's control (e.g., correcting a burden estimate or an organic increase in the size of the reporting universe). Program changes result from a deliberate action that materially changes a collection of information and generally are result of new statute or an agency action (e.g., changing a form, revising regulations, redefining the respondent universe, etc.). Burden changes should be disaggregated by type of change (i.e., adjustment, program change due to new statute, and/or program change due to agency discretion), type of collection (new, revision, extension, reinstatement with change, reinstatement without change) and include totals for changes in burden hours, responses and costs (if applicable).**

This is a program change and consistent with the IC Data Part I Form. The proposed State Plan for AT IC package will result in a reduction in burden, but not a reduction in the number of respondents.

List of Revisions

The following identifies revisions to the State Plan for AT Information Collection for the State Grants for Assistive Technology Program. This review was comprehensive and

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included extensive stakeholder input and feedback at all stages. The overall goal of the review and revision was to:

- Eliminate data elements that have never been used;
- Reduce taxonomy lists based on past data reporting and usefulness;
- Simplify coordination and collaboration items and streamline drop-down choice lists;
- Ensure all data elements collected have back-end and useful data analysis purpose;
- Focus on activities conducted via “formal written agreement” to ensure consistency and usefulness of data reported;
- Add actual expenditure data element for state-level and state leadership tracking and eliminate budget only projections to provide more accurate fiscal data to ACL and to ensure conformance with AT Act legal requirements for expenditures;
- Eliminate performance measure tables and reference APR performance measure data; and
- Align demographic data elements with the AT APR so that the data will be:
 - Entered once then only updated from that point on;
 - Used for both the APR and State Plan;
 - Updated regularly (quarterly with update reminder message out); and
 - Used to populate the online State AT Program listing to ensure currency and accuracy.

The above proposed revisions streamline the State Plan for AT information collection instrument and will reduce duplicative data entry across activities and data burden on grantees without sacrificing the comprehensiveness or usefulness of the data.

An initial overview of the proposed State Plan for AT revisions was presented in October 2016 during a webinar for all Section 4 State AT Program grantees. More detailed information and feedback was shared via periodic emails with all grantees along with updated versions of the State Plan information collection instrument. Feedback was solicited from all grantees prior to a training session held during the Assistive Technology Industry Association (ATIA) Conference on January 19, 2017. Over half of the Section 4 State AT Programs were represented at that training session. Feedback was again solicited and a final version of the State Plan for AT for 2018-2020 was completed.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

Upon Office of Management and Budget approval, ACL plans to formally transmit the approved State Plan to the State Grant for AT programs by February 2018. ACL staff

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will review and approve all corresponding State Plans for AT by April 30, 2018. The State Plan for AT will be tabulated, verified for accuracy and published in ACL Reporting by May 31, 2018.

The aggregate, national data derived from this collection will be used to create an annual report to Congress. The format of this report responds to the requirements of Section 7(d) of the AT Act.

Because states receive grants every year, there is no end date for the reporting requirements. States will remain on a set reporting cycle, with the period beginning October 1 and ending September 30 each year. The due date for the completed State Plan for AT is March 31 and the deadline for ACL approval of the collection is May 31 of each year. Approved State Plans will be posted on ACL's website. No complex analytical techniques will be used.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

ACL will display the expiration date for OMB approval of the information collection. See the Paperwork Burden Statement document.

18. Explain each exception to the certification statement identified in the Certification of Paperwork Reduction Act.

There are no exceptions to the certification statement.

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APPENDIX

REQUIREMENTS RELATED TO THE STATE PLAN FOR AT

Requirement	Where and How the State Plan Addresses this Requirement
<p>From section 4(d):</p> <p>(1) IN GENERAL.—Any State that desires to receive a grant under this section shall submit an application to the Secretary, at such time, in such manner, and containing such information as the Secretary may require.</p>	<p>N/A</p>
<p>(2) LEAD AGENCY AND IMPLEMENTING ENTITY.—The application shall contain information identifying and describing the lead agency referred to in subsection (c)(1)(A). The application shall contain information identifying and describing the implementing entity referred to in subsection (c)(1)(B), if the Governor of the State designates such an entity.</p> <p>[Section 4(c) has related a related requirement:</p> <p>“On obtaining the approval of the Secretary, the Governor may re-designate the lead agency, or the implementing entity, if the Governor shows to the Secretary good cause why the entity designated as the lead agency, or the implementing entity, respectively, should not serve as that agency or entity, respectively. The Governor shall make the showing in the application described in subsection (d).”]</p>	<p>Section A includes items identifying and describing the lead agency and implementing entity (if applicable), as well as requiring information about any changes to these respective entities.</p>

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<p>(3) MEASURABLE GOALS.—The application shall include—</p> <p>(A) measurable goals, and a timeline for meeting the goals, that the State has set for addressing the assistive technology needs of individuals with disabilities in the State related to—</p> <p>(i) education, including goals involving the provision of assistive technology to individuals with disabilities who receive services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);</p> <p>(ii) employment, including goals involving the State vocational rehabilitation program carried out under title I of the Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act (29 U.S.C. 720 et seq.);</p> <p>(iii) telecommunication and information technology; and</p> <p>(iv) community living; and</p> <p>(B) information describing how the State will quantifiably measure the goals to determine whether the goals have been achieved.</p>	<p>The methods for measuring the goals are described and conducted under the annual AT APR data collection instrument, 0985-0042.</p>
<p>(4) INVOLVEMENT OF PUBLIC AND PRIVATE ENTITIES.—The application shall describe how various public and private entities were involved in the development of the application and will be involved in the implementation of the activities to be carried out through the grant, including—</p> <p>(A) in cases determined to be appropriate by the State, a description of the nature and extent of resources that will be committed by public and private collaborators to assist in accomplishing identified goals; and</p> <p>(B) a description of the mechanisms established to ensure coordination of activities and collaboration between the</p>	<p>Sections C-G all contain items where states identify the activities in which public and private entities are involved, what entities are involved, and how they are involved.</p> <p>Section A includes an item to describe the mechanisms for coordination and collaboration between the implementing entity and state, if applicable.</p>

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<p>implementing entity, if any, and the State.</p>	
<p>(5) IMPLEMENTATION.—The application shall include a description of— (A) how the State will implement each of the required activities described in subsection (e), except as provided in subsection (e)(6)(A); and (B) how the State will allocate and utilize grant funds to implement the activities, including describing proposed budget allocations and planned procedures for tracking expenditures for activities described in paragraphs (2) and (3) of subsection (e).</p>	<p>Section B is where states identify the activities they will undertake, how they will allocate funds to those activities, and how they will track their expenditures.</p> <p>Sections C-G ask a series of questions about each activity the state conducts, such as the kinds of locations from which the activity is performed, how the activity is made available to consumers, policies related to the activity, and other questions that indicate how the activity is implemented.</p>
<p>(6) ASSURANCES.—The application shall include assurances that— (A) the State will annually collect data related to the required activities implemented by the State under this section in order to prepare the progress reports required under subsection (f); (B) funds received through the grant— (i) will be expended in accordance with this section; and (ii) will be used to supplement, and not supplant, funds available from other sources for technology-related assistance, including the provision of assistive technology devices and assistive technology services; (C) the lead agency will control and administer the funds received through the grant; (D) the State will adopt such fiscal control and accounting procedures as may be necessary to ensure proper disbursement of and accounting for the funds received through the grant; (E) the physical facility of the lead agency and implementing entity, if any, meets the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding accessibility for</p>	<p>Assurances are found in Section H.</p>

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<p>individuals with disabilities; (F) a public agency or an individual with a disability holds title to any property purchased with funds received under the grant and administers that property; (G) activities carried out in the State that are authorized under this Act, and supported by Federal funds received under this Act, will comply with the standards established by the Architectural and Transportation Barriers Compliance Board under section 508 of the Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act (20 U.S.C. 794d); and (H) the State will— (i) prepare reports to the Secretary in such form and containing such information as the Secretary may require to carry out the Secretary’s functions under this Act; and (ii) keep such records and allow access to such records as the Secretary may require to ensure the correctness and verification of information provided to the Secretary under this subparagraph.</p>	
<p>(7) STATE SUPPORT.—The application shall include a description of the activities described in paragraphs (2) and (3) of subsection (e) that the State will support with State funds.</p>	<p>Sections C-G require the state to report those activities supported by the state and the kind of support provided.</p>
<p>From section 4(c): (2) ADVISORY COUNCIL.— (A) IN GENERAL.—There shall be established an advisory council to provide consumer-responsive, consumer-driven advice to the State for, planning of, implementation of, and evaluation of the activities carried out through the grant, including setting the measurable goals described in subsection (d)(3). (B) COMPOSITION AND</p>	<p>Section B is where states identify the membership of their council and provide an assurance that the composition of the council is representative of the state.</p>

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REPRESENTATION.—

(i) **COMPOSITION.—**The advisory council shall be composed of—

(I) individuals with disabilities that use assistive technology or the family members or guardians of the individuals;

(II) a representative of the designated State agency, as defined in section 7 of the Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act (29 U.S.C. 705) and the State agency for individuals who are blind (within the meaning of section 101 of that Act (29 U.S.C. 721)), if such agency is separate;

(III) a representative of a State center for independent living described in part C of title VII of the Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act (29 U.S.C. 796f et seq.);

(IV) a representative of the State workforce development board established under section 101 of the Workforce Innovation and Opportunity Act;

(V) a representative of the State educational agency, as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801); and

(VI) representatives of other State agencies, public agencies, or private organizations, as determined by the State.

(ii) **MAJORITY.—**

(I) **IN GENERAL.—**A majority, not less than 51 percent, of the members of the advisory council, shall be members appointed under clause (i)(I).

(II) **REPRESENTATIVES OF AGENCIES.—**Members appointed under subclauses (II) through (VI) of clause (i) shall not count toward the majority membership requirement established in subclause (I).

(iii) **REPRESENTATION.—**The advisory council shall be geographically representative of the State and reflect the

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<p>diversity of the State with respect to race, ethnicity, types of disabilities across the age span, and users of types of services that an individual with a disability may receive.</p> <p>(C) EXPENSES.—The members of the advisory council shall receive no compensation for their service on the advisory council, but shall be reimbursed for reasonable and necessary expenses actually incurred in the performance of official duties for the advisory council.</p> <p>(D) PERIOD.—The members of the State advisory council shall be appointed not later than 120 days after the date of enactment of the Assistive Technology Act of 2004.</p> <p>(E) IMPACT ON EXISTING STATUTES, RULES, OR POLICIES.— Nothing in this paragraph shall be construed to affect State statutes, rules, or official policies relating to advisory bodies for State assistive technology programs or require changes to governing bodies of incorporated agencies who carry out State assistive technology programs.</p>	
<p>A State shall include certain certifications in its State plan.</p> <p>(a) A State shall include the following certifications in each State plan:</p> <ol style="list-style-type: none"> (1) That the plan is submitted by the State agency that is eligible to submit the plan. (2) That the State agency has authority under State law to perform the functions of the State under the program. (3) That the State legally may carry out each provision of the plan. (4) That all provisions of the plan are consistent with State law. (5) That a State officer, specified by title in the certification, has authority under State law to receive, hold, and disburse 	<p>Certifications are found in Section H.</p>

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<p>Federal funds made available under the plan.</p> <p>(6) That the State officer who submits the plan, specified by title in the certification, has authority to submit the plan.</p> <p>(7) That the agency that submits the plan has adopted or otherwise formally approved the plan.</p> <p>(8) That the plan is the basis for State operation and administration of the program.</p>	
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