

SUPPORTING STATEMENT

Exceptional Family Member Program

A. JUSTIFICATION

1. Need for Information Collection The Individuals with Disabilities Education Act, (Sections 1400 et seq. of title 20, United States Code) (Atch 1) and the Defense Dependents Education Act, (Sections 921 et seq. of title 20, United States Code) (Atch 1) require the Department of Defense (DoD) to provide early intervention services to developmentally delayed infants and toddlers (birth through 2) and special education and medically related services to children with disabilities from three through 21 years of age who are eligible to attend a DoD school. In order to ensure the availability of necessary medical and educational services for family members, the Department must identify those who have special health or educational needs. The needs are considered when approving family travel to an overseas location where DoD must provide the services. The Health Insurance Portability and Accountability Act (HIPAA) of 1996 (Public Law 94-191) (Atch 2) requires specific language to advise individuals that personally identifiable health information shall not be used or disclosed except for specifically permitted purposes, unless informed consent is provided by the individual. The Department is standardizing the information collection to ensure that appropriate information is collected and that it meets the data collection HIPAA requirements.

2. Use of Information

The purpose of this information collection is to identify medical and educational requirements of family members when family travel to an overseas assignment is being considered. Respondents are Military members and DoD civilian employees, private physicians and school personnel. This information collection is primarily used by the Uniformed Services to identify those individuals requiring special consideration when authorizing family travel to an overseas location. The DD Form 2792, "Exceptional Family Member Medical Summary," (Atch 3) and DD Form 2792-1, "Exceptional Family Member Education Summary" (Atch 3), which are the forms associated with this information collection, provide appropriate information. The information is provided to both medical and educational screening committees in overseas locations for their determination of the availability of medical and educational resources necessary to meet the family member's needs. The medical and/or educational recommendation is supplied to the appropriate Military Department's personnel department in determining a future assignment for the service member. This information collection may also be used to identify available medical and educational resources to DoD civilian employees who are considering a job overseas to assist them in deciding whether to relocate overseas with a family member who has special medical or educational needs. The information is not supplied to agencies outside of the Department of Defense. Respondents update the forms every three years.

3. The DD Form 2792 and DD Form 2792-1 are available to the public electronically on-line from the Department of Defense forms website (<http://www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm>). For respondents who have access to computerized information technology, the forms can be completed on-line before printing for signature. There are no current plans to submit the completed forms electronically

due to the number of individuals who must sign the form (sponsor or family member, civilian physician and/or public school officials). Although the Department has electronically generated the form, the form includes confidential medical information that must be entered by a physician. It is not practical to require that this information be entered electronically.

4. Efforts to Identify Duplication Investigation resulted in no findings of duplicate records. The information collection is not available in any centralized location and requires the assistance of military personnel and DoD civilian employees in providing information. Each form contains unique and original information that pertains only to the medical or educational needs of one family member.

5. Methods Used to Minimize Burden on Small Entities The use of this form will not impact small businesses or other small entities.

6. Consequences of Not Collecting the Information If this information is not collected, it will be impossible for the Military Departments to consider the special medical and/or educational needs of family members when approving overseas travel, nor would it be possible to inform civilian employees of the availability of services overseas. If the information is collected less often, it may be inaccurate. This could result in an incorrect decision about assignment and thus a lack of adequate resources to meet the family member's medical and/or educational needs.

7. Special Circumstances There are no special circumstances. This collection will be conducted in a manner consistent with the guidelines contained in 5 CFR 1320.5(d)(2).

8. Agency 60-Day Federal Register Notice and Consultations Outside the Agency

An agency 60-Day Federal Notice was published in Vol. 71, No. 91, Thursday, May 11, 2006 Federal Register, page 27469-27470, as required by 5 CFR 1320.8(d) (Atch 4). No public comments were received in response to the notice.

In preparation for the current submission, the program analyst responsible for EFMP policy from the Office of the Secretary of Defense convened a working group of the EFM Program Managers from each Service and the special education coordinator from the DoD Education Activity to review both the DD 2792 and the DD 2792-1. That group agreed to one substantive change to the forms – the removal of a question asking the respondent whether he/she was on a compassionate or humanitarian assignment. This item had not yielded important information and was not needed. The group also added the words "adult" or "pediatric" to a number of the medical specialists, re-ordered some of the other items, and added a place for the name of the patient at the top of each page. The group clarified some of the directions that had previously indicated "self-explanatory."

This information collection has been reviewed by the following individuals:

<u>Name</u>	<u>Organization</u>	<u>Phone Number</u>
Delores Johnson	US Army	(703) 681-5379
CDR Anthony Doran	US Navy	(910) 874-4391
Major Carol Copeland	US Air Force	(703) 681-6320
LtCol Jacqueline Melton	US Marine Corps	(703) 784-0295
Paul Bley	TRICARE Management Activity	(703) 681-6012
Sam Jenkins	TRICARE Management Activity	(703) 681-3636
Lorie Sebestyen	DoD Education Activity	(703) 588-3148

9. Payments to Respondents No payment or gift will be made to respondents.

10. Assurance of Confidentiality

All data are protected by the Privacy Act of 1974 and are protected according to the regulations therein, and by related DoD directives and instructions.

11. Sensitive Questions

All of the information on DD Form 2792 and DD Form 2792-1 is considered sensitive. The forms collect information about family members and their medical or educational disabilities. The purpose of the forms, however, requires that such information be collected so that the medical and educational needs can be met overseas.

12. Estimates of Annual Response Burden and Labor Cost for Hour Burden to the Respondent for Collection of Information.

a. Response Burden:

1. DD Form 2792, "EFM Medical Summary" (Those completed by civilian physicians)

Total annual respondents:	16,851
Frequency of response:	1
Total annual responses:	16,851
Burden per response:	30 minutes
Total burden hours:	8,426 hours

2. DD Form 2792-1, "EFM Educational Summary"

Total annual respondents:	26,481
Frequency of response:	1
Total annual responses:	26,481
Burden per response:	25 minutes
Total burden hours:	11,034 hours

3. Estimated Average Annual Burden

# Respondents:	43,332
# Responses per respondent	1
Total annual responses:	43,332
Average hours per response:	.4491 (Total hours (8,426 + 11,034 = 19,460) divided by total responses (43,332))
Total annual burden :	19,460 (Total responses (43,332) x average hrs per response (.4491))

b. Explanation of How Burden was Estimated.

The DD Form 2792 was pilot tested in 2000. The Military Services reported no change in the amount of time it takes to complete the forms since that time. However, the Services report that the number of forms being completed by civilian physicians has increased greatly in the last three years. This has resulted in an increased overall burden. Additionally, it appears that the number of civilian school personnel completing the forms was under estimated in the 2003 submission.

The estimates below were based on numbers provided by the Service EFMP program managers and the calculations validated with them.

c. Labor Cost to Respondent.

(1) DD Form 2792, "EFM Medical Summary"

Hourly pay for a physician	\$91.35/hr @ \$190,000 per year	
Completing form	16,851 forms @ .25 (15 mins) per form =	
		<u>\$410,960</u>
Hourly pay for a clerk	\$15.18/hr @ \$31,574 year	
Copying, filing	16,851 X .25 (15 mins) per form	= <u>\$ 68,291</u>

(2) DD Form 2792-1, "EFM Educational Summary"

Hourly pay for a special education teacher	\$34.15/hr @ \$56,350	
Completing form	26,481 forms @ .08 (5 mins) per form =	<u>\$ 72,346</u>
Hourly pay for a clerk	\$15.33/hr @ \$25,300 year	
Copying, filing form	26,481 form @ .33 (20 mins) per form =	<u>\$133,965</u>

(3) Total Costs = \$659,464

13. Estimates of Other Cost Burden for the Respondent for Collection of Information.

a. Total Capital and Start-up Cost. There are no start-up costs associated with this information collection. Respondents maintain the information for reasons other than to provide or keep records for the government.

b. Operation and Maintenance Cost.

DD 2792-1, "EFM Educational Summary" - Supporting documentation
5 pages at \$.10 per page = \$.50 X 26,481 \$13,241

Total Annual O&M Cost: \$13,241

14. Estimates of Cost to the Federal Government.

Cost to assemble packages (DD 2792 and DD 2792-1)
GS-5/Step 4, Personnel Admin, hourly rate \$15.66
\$.26 X 30 mins = \$7.80
Cost for 43,332 forms X \$7.80= \$337,990

Cost to forward packages (DD 2792 and DD 2792-1)
GS-5/Step 4, Personnel Admin, hourly rate \$15.66
\$.26 X 10 mins = \$2.60
Cost for 43,332 forms X \$2.60 = \$112,663

Cost to Print DD 2792-1
26,481 forms X \$.13 per page X 1 page = \$ 3,443

Cost to Print DD 2792
17,995 forms X \$.13 per page X 6 pages = \$13,144

Total cost for printing = \$ 16,587

Total Cost to Government = \$467,240

15. Changes in Burden. The burden for the individuals completing the forms has not changed. The numbers of family members identified with special needs is expected to rise minimally over the next three years. However, the number of civilian physicians who complete the forms has risen dramatically. The change in burden also reflects an under-estimate of the number of non-government school personnel required to complete the DD 2792-1. The total dollar amount reflects the increased number of respondents, and the increased use of non-military physicians and non-governmental school personnel to complete the forms.

16. Publication Plans/Time Schedule. The results of collection of this information will not be published for statistical use.

17. Approval Not to Display Expiration Date. Approval not to display the expiration date is not being sought.

18. Exceptions to the Certification Statement. No exceptions to the certification statement are being sought.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods are not employed for collection of this information.