

JUSTIFICATION TEMPLATE

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EMERGENCY REQUEST TO CONDUCT CAREGIVERS FOCUS GROUPS OMB FORM 2900-XXXX

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary. Identify legal or administrative requirements that necessitate the collection of information.

Public Law 111-163, Caregivers and Veterans Omnibus Health Services Act of 2010 was enacted on May 5, 2010. This request pertains to Title 1, Caregiver Support, Section 101, Assistance and support services for caregivers. The law requires the Department of Veterans Affairs (VA) to consult with Veterans, family caregivers, Veteran Service Organizations and Non-Governmental Organizations that specialize in the provision of assistance to individuals with disabilities and their family caregivers while developing the implementation plan and report. In the report, the law also specifies that VA shall include a description of the stakeholders consulted, a description of the consultations, the recommendations of the stakeholders, including those that were not adopted and incorporated in the plan and the reasons the Secretary did not adopt such recommendations.

VA has been able to use existing contracts with the Gallup Organizations in VA's Veteran Integrated Service Networks 5 and 22 to begin the development of the focus group process. The Gallup Organization was chosen because it is a well respected organization that has a good track record of completing focus groups and research based on best practices and current industry standards. The Gallup Organization has worked with VA to develop the three moderator guides (Veteran/Caregiver, Veteran Service Organization, and Non-governmental Organization) to be used in conducting the focus groups. These moderator guides were thoughtfully developed to elicit specific input and information about stakeholder knowledge of the law and ideas regarding implementation of the law. The Veteran/Caregiver Moderator Guide will be used with both the Veteran and the family caregiver stakeholder groups, but the focus groups will be conducted independently of each other. Focus groups are ready to begin, once VA has appropriate approval to move forward.

Below is the specific portion of the law pertaining to the requirement for consultation with stakeholders for the implementation plan and report:

IMPLEMENTATION PLAN AND REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

- (A)** develop a plan for the implementation of the program of comprehensive assistance for family caregivers required by section 1720G(a)(1) of title 38, United States Code, as added by subsection (a)(1) of this section; and
- (B)** submit to the Committee on Veterans' Affairs of

the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on such plan.

(2) CONSULTATION.—In developing the plan required by paragraph (1)(A), the Secretary shall consult with the following:

(A) Individuals described in section 1720G(a)(2) of title 38, United States Code, as added by subsection (a)(1) of this section.

(B) Family members of such individuals who provide personal care services to such individuals.

(C) The Secretary of Defense with respect to matters concerning personal care services for members of the Armed Forces undergoing medical discharge from the Armed Forces who are eligible to benefit from personal care services furnished under the program of comprehensive assistance required by section 1720G(a)(1) of such title, as so added.

(D) Veterans service organizations, as recognized by the Secretary for the representation of veterans under section 5902 of such title.

(E) National organizations that specialize in the provision of assistance to individuals with the types of disabilities that family caregivers will encounter while providing personal care services under the program of comprehensive assistance required by section 1720G(a)(1) of such title, as so added.

(F) National organizations that specialize in provision of assistance to family members of veterans who provide personal care services to such veterans.

(G) Such other organizations with an interest in the provision of care to veterans and assistance to family caregivers as the Secretary considers appropriate.

(3) REPORT CONTENTS.—The report required by paragraph (1)(B) shall contain the following:

(A) The plan required by paragraph (1)(A).

(B) A description of the individuals, caregivers, and organizations consulted by the Secretary of Veterans Affairs under paragraph (2).

(C) A description of such consultations.

(D) The recommendations of such individuals, caregivers, and organizations, if any, that were not adopted and incorporated into the plan required by paragraph (1)(A), and the reasons the Secretary did not adopt such recommendations.

2. Indicate how, by whom, and for what purposes the information is to be used; indicate actual use the agency has made of the information received from current collection.

The information collected through the stakeholder focus groups will be used by VA, as required by P.L. 111-163, Title 1, specifically for the development of the implementation plan and implementation plan report due to Congress within 180 days of the enactment of the law, which was May 5, 2010. No information has been received as of this time.

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

The Veteran and family caregiver focus groups will be conducted via telephone in an effort to reduce burden. The Veteran Service Organization and Non-Governmental Organization focus groups will be conducted in person. The focus groups will be recorded and transcribed by the Gallup Organization for use in the development of the Executive Report for VA.

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 being collected through the focus groups is currently not available in any form. This collection of information is being completed for the first time.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The law provides new and expanded benefits for caregivers of Veterans, no small businesses or other small entities are impacted by the information collection.

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.

If the collection of the information is not conducted, then VA would not be following the law and the deadlines outline in the law. Additionally, stakeholders would not have a chance to provide input in the implementation plan that may directly impact their well-being.

7. Explain any special circumstances that would cause an information collection to be conducted more often than quarterly or require respondents to prepare written responses to a collection of information in fewer than 30 days after receipt of it; submit more than an original and two copies of any document; retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years; in connection with a statistical survey that is not designed to produce valid and reliable results that can be generalized to the universe of study and require the use of a statistical data classification that has not been reviewed and approved by OMB.

There are no such special circumstances for these focus groups.

8. a. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the sponsor's notice, 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 sponsor in responses to these comments. Specifically address comments received on cost and hour burden.

This is to request an emergency clearance to conduct stakeholder focus groups to receive their knowledge and input regarding the implementation of P.L. 111-163, Title 1. The Federal Register comment period will not be applicable.

b. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, clarity of instructions and recordkeeping, disclosure or reporting format, and on the data elements to be recorded, disclosed or reported. Explain any circumstances which preclude consultation every three years with representatives of those from whom information is to be obtained.

Since this is a new law, the information that is being sought is not available elsewhere. The focus groups will be the first time VA has access to stakeholder knowledge and input regarding P.L. 111-163 Title One.

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

Veterans and their family caregivers will receive \$75 for participation in the focus groups. No incentives are being offered to the Veteran Service Organizations or the Non-Governmental Organizations.

10. Describe any assurance of privacy to the extent permitted by law provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

The stakeholder responses will be kept confidential by the Gallup Organization. No names or other personal information will be used in the Executive Report that the Gallup Organization will provide to VA. No information obtained will be used in the medical records or CHAMP VA records. The Gallup Organization complies with all laws relating to privacy and protection of personal information for participants.

11. Provide additional justification for any questions of a sensitive nature (Information that, with a reasonable degree of medical certainty, is likely to have a serious adverse effect on an individual's mental or physical health if revealed to him or her), such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private; include 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.

There are no questions of a sensitive nature that will be asked during the focus groups.

12. Estimate of the hour burden of the collection of information:

a. The number of respondents, frequency of responses, annual hour burden, and explanation for each form is reported as follows:

Data Collection Activity	Number of Respondents	Response Frequency	Estimated Response Time in Minutes	Estimated Annual Burden Hours
Veteran Focus Groups (4)	32	1	X 10 minutes ÷ 60 =	5
Caregiver Focus Groups (6)	48	1	X 10 minutes ÷ 60 =	8
VSO Focus Group (2)	12	1	X 10 minutes ÷ 60 =	2
NGO Focus Group (1)	12	1	X 10 minutes ÷ 60 =	2
TOTAL				17 hours

b. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB 83-I.

This request covers three forms, which include the focus group moderator guides for the Veterans and Caregivers, Veteran Service Organizations, and the Non-Governmental Organizations. The hours of burden are covered in the chart listed in 12a. Please note the Veteran and caregiver focus groups will use the same moderator guide, but the groups will be conducted independently of each other.

c. Provide estimates of annual cost to respondents for the hour burdens for collections of information. 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.

VA does not require any additional record keeping. The total cost to the respondents for completing these focus groups is \$255.00 (\$15 per hour x no. of burden hours).

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

- a. There is no capital, start-up, operation or maintenance costs.
- b. Cost estimates are not expected to vary widely. The only cost is that for the time of the respondent.
- c. There is no anticipated recordkeeping burden.

14. Provide estimates of annual cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operation 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.

VA will incur minimal internal administrative cost in conducting the focus groups. VA will incur a onetime cost with the Gallup Organization for the contract to complete the focus groups. This contract has an estimated cost of \$180,164.

15. Explain the reason for any burden since the last submission.

This is a new collection of data and all burden hours are considered a program increase.

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.

VA does not intend to publish the data collected. The information in the Executive Report from the Gallup Organization is to be used by VA and included in the Implementation Plan Report for Congress.

The project began in late June and the Implementation Plan Report is due to Congress within 180 days of the enactment of the law, which was May 5, 2010.

17. If seeking approval to omit the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

VA seeks to minimize the cost to itself of collecting, processing and using the information by not displaying the expiration date. VA seeks an exemption that waives the displaying of the expiration date on this VA Form.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB 83-I.

There are no exceptions.