

THE SUPPORTING STATEMENT

Specific Instructions

A. Justification

1. Circumstances Making the Collection of Information Necessary

The Federal Office of Child Support Enforcement (OCSE) oversees administration of the Child Support Enforcement program in the 54 States and jurisdictions that participate in it. The Federal government sets program standards and policy, evaluates States performance in conducting their program, and offers technical assistance and training to the States. It also conducts audits of State program activities.

The Federal government receives data from the States. They then compile and evaluate these data for presentation in the Annual Data Report. The authority to collect and report information requested on this form is found in sections 452 (a) (4), 452 (a) (5), 452 (a) (10), and 469 of the Social Security Act (the Act) [42 u.s.c 652 and 669] (see Attachment A)

State agencies administering or supervising the administration of State plans under title IV-D of the Social Security Act are required by law to maintain a full record of child support collections and expenditures and have an adequate reporting system to provide information as requested by the Department. Under legislation at section 452 (a) (10) of the Act, OCSE is required to maintain records of activities performed and reported by State Child support Enforcement agencies for use in an annual report to Congress.

Attachment B contains the collection instruments and instruction for completing it.

2. Purpose and Use of the Information Collection

The data collected by form OCSE-157 are used to prepare the annual report. In addition, these data are used to determine performance indicators for establishing the effectiveness and efficiency of State child support programs.

The data collected on this form will be used to:

- a. respond to Congressional and public inquiries;
- b. calculate budget estimates and impact statements of proposed legislation;
- c. evaluate areas where technical assistance may be required by a State;
- d. provide Federal auditors with an indication of where their efforts should be concentrated during compliance audits;
- e. compute performance indicators used as part of the assessment of State program performance for audit penalty purposes; and

f. compute individual State incentive payments.

Lines 11 and 15 of this report remain "Reserved," while lines 33 through 37 of the report have been opened to collect Medicaid data.

3. Use of Improved Information Technology and Burden Reduction

The Administration for Child and Families developed the Online Data Collection (OLDC) System to allow States to submit their OCSE-157 reports electronically through the HHS website. States are encouraged to use this online system since it is the quickest way of submitting information to OCSE.

4. Efforts to Identify Duplication and Use of Similar Information

This form will be the only method used by States to report child support information needed to compute States incentives and penalty performance levels and other required program data. No data are reported elsewhere and there is no other form in use by OCSE/ACF which collects similar State information.

5. Impact on Small Businesses or Other Small Entities

This reporting requirement is imposed on State government agencies. There are no small business contacted to complete this form.

6. Consequences of Collecting the Information Less Frequently

The data collected in OCSE-157 are used annually by OCSE to evaluate State programs and to identify areas where program improvement may be required and to set in motion tailored strategies for achieving such improvement. Failure to collect this data would preclude the Department from monitoring and evaluating the success of the program and would prevent the Department from being in compliance with annual reporting for penalty purposes. It would also preclude the computation of performance indicators and incentive payments.

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

This collection is conducted in a manner consistent with guidelines in 5 CFR 1320.5. There are no special circumstances.

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

The 60 day notice was published on 5/13/2011, vol. 76 page no. 28043.

Four comments were received in response to the 60-day federal register notice. Each respondent expressed concern that the changes to instructions were either not optional

or would require systems changes that may take some time to implement. In response to these concerns, additional language was inserted in the instructions to make it clear that reporting changes are at state option and are not required. In addition, 3 respondents commented on the disparity between the proposed information collection and the standard for ordering medical support in the Federal regulations. To address this issue, policy language was inserted in the document referencing official program guidance updating medical support policy and guidelines.

9. Explanation of Any Payment or Gift to Respondents

No payments or other remuneration to respondents are made for the collection of this information.

10. Assurance of Confidentiality Provided to Respondents

The data reported are considered to be public information.

11. Justification for Sensitive Questions

Data are reported only on an aggregate basis. There is no personal information or data of a sensitive nature being collected on this form.

12. Estimates of Annualized Burden Hours and Costs

Based on experience from other data collection efforts, the burden on all State agencies is estimated at 378 hours per year, calculated as follows:

Form	# of Respondents	# of Responses per respondent	Hrs. Per Response	Response Burden
OCSE-157	54	1	7	378

The burden cost is estimated to be \$40.00 per hour for a total of \$280.00 per respondent (\$40.00 X 7). Total Burden cost for all respondents is \$15,120.00 (\$378 X 40), as indicated below:

Form	# of Respondents	# of Responses per respondent	Hrs. Per Response	Response Burden	Hourly Rate	Total Burden Cost
OCSE-157	54	1	7	378	\$40.00	\$15,120.00

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

There are no other total annual cost burdens to respondents and record keepers.

14. Annualized Cost to the Federal Government

Approximate annualized cost to the government includes 1,040 federal staff hours for analysis and publication of results at the hourly rate of approximately \$40.00 per hour. Total estimated cost is \$41,600.00 (1,040 X \$40.00).

15. Explanation for Program Changes or Adjustments

There are no adjustments however there are program changes.

Below are the proposed modifications to the OCSE-157 form instructions. The changes reflect the intent to be consistent with the Children’s Health Insurance Program Reauthorization Act of 2009 (CHIPRA) (P.L. 111-3), the Affordable Care Act (P.L. 111-148 and P.L. 111-152), and Secretary Sebelius’ goal of enrolling all eligible uninsured children in Medicaid and CHIP by 2014. As such, these changes will provide states with the option to define medical support to include private health insurance as well as other publicly-funded health care coverage such as Medicaid, CHIP, and other state coverage plans, and cash medical support. Revisions to the instructions will also reduce the burden of states having to verify and document those cases where health insurance is not available at a reasonable cost.

Changes to OCSE-157 Form Instructions:

Service Definitions

Medical Support--The definition of medical support has been revised to include publicly-funded health care coverage such as Medicaid, Children’s Health Insurance Program (CHIP), and other state coverage plans.

Line 21a—Cases Open at the End of the Fiscal Year in Which Medical Support is Ordered and Provided—The instructions for this line have been revised to include cases with publicly-funded health care coverage such as Medicaid, Children’s Health Insurance Program (CHIP), and other

state coverage plans. The following text will be deleted from the instructions for this line as it no longer applies: “If private health insurance is ordered, states cannot include cash medical support payments, unless it is documented that private health insurance is not available to the non-custodial parent at a reasonable cost. Publicly-funded health insurance is included only if there is documentation that private health insurance coverage is unavailable at a reasonable cost and a parent is ordered by a court or administrative process to provide a cash medical support payment to help pay the cost of Medicaid or State Child Health Insurance Program (SCHIP).”

Line 22—Cases Open at the End of the Fiscal Year Where Health Insurance is Ordered—The following sentence has been deleted from the instructions for this line: “States may exclude cases where the unavailability of health insurance at a reasonable cost is confirmed.”

Other medical support lines including lines 23, 33, 34, and 35 will remain unchanged (except that Line 33 will no longer be optional per phase-in requirements).

16. Plans for Tabulation and Publication and Project Time Schedule

Information on this form will be published in aggregate on a State-by-State basis in combination with other financial and statistical data. The data is published at the end of each fiscal year in an annual report and is included in various agency publications that highlight child support data.

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

The expiration date will be displayed.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

There are no exceptions to the certification statement.