

From: Sargis, Robert A (ACF) <robert.sargis@acf.hhs.gov>
Sent: Thursday, March 22, 2012 9:48 AM
To: Aguilar, Brenda
Subject: RE: APHSA and NASCCA's Comments Letter on the ACF 801 Form - December 2011 Revisions

Brenda, OCCs response:-

~~Summary of APHSA/NASCCA Comments and Office of Child Care's (OCC) Response-~~

~~Below is a summary of the Office of Child Care's (OCC) response to APHSA/NASCCA's February 21 comments on the proposed revisions to the ACF 801 Child Care and Development Fund (CCDF) monthly case-level administrative data report. APHSA/NASCCA supported a number of the proposed changes, for example, indicating the NASCCA members believe that providing data on child care providers Quality Rating and Improvement System (QRIS) participation is extremely important. In addition, APHSA/NASCCA, as well as other entities, also provided comments during the initial public comment period, and OCC already made a number of revisions in response to those initial comments. The discussion below highlights APHSA/NASCCA's remaining concerns and our response.~~

~~Timeline and Resource Constraints-~~

~~APHSA/NASCCA Comment: States will be challenged in both (1) meeting the proposed timeline requiring full implementation of the new data elements by October 2013 and (2) finding the resources to fund the required system changes, particularly given the tough budget constraints that States continue to operate under. APHSA/NASCCA also recommended creating a demonstration grant project for States to modify their current systems.~~

~~OCC Response: OCC understands that States need time to change to their computer systems in order to implement the new reporting requirements. Therefore, OCC has provided a phased in-~~

implementation period, with optional reporting beginning October 1, 2012 and mandatory reporting beginning October 1, 2013. APHSA/NASCCA suggests that additional time is necessary for some States. Therefore, OCC is willing to consider an approach that would allow a State that is still non-compliant as of October 1, 2013 to file an implementation plan (perhaps as part of its FY2014-2015 State Plan) outlining specific actions and a timeline for coming into compliance with the new reporting requirements no later than October 1, 2014. If OMB supports this approach, ACF could potentially add language to the ACF-801 instructions.

Regarding budgetary constraints, OCC believes that States will need to identify the necessary resources that are available through the flexible \$5.2 billion CCDF block grant. We lack statutory authority to provide demonstration grants, as APHSA/NASCCA requested. However, the Administration has provided new flexibility related to cost allocation requirements in order to help States take advantage of funding available under the Affordable Care Act to build integrated eligibility systems which often form the basis for data submitted on the ACF-801 (<http://www.acf.hhs.gov/interop/SMD.pdf>). Furthermore, it's worth noting that expenditures for the establishment and maintenance of computerized child care information systems do not count against the administrative cost cap under CCDF rules.

FEIN/Unique State Provider ID
APHSA/NASCCA Comment: It is essential for OCC to consider a more streamlined process for collecting these data from States in the future. We look forward to working with ACF on ways to improve this process and are working on specific recommendations for ACF to consider. Financing these changes will become a huge barrier and have a negative fiscal impact for States that do not use the FEIN or unique state identifier. There is a strong possibility that some of these States will not be able to meet the required timeline for the new

~~data sets to be fully implemented.~~

~~OCC Response: OCC has not made changes in response to this comment (other than the potential change related to timeline discussed above). OCC is willing to consider any future recommendations submitted by APHSA/NASCCA regarding FEIN and Unique State Provider ID. OCC believes that it is critical for States to have unique provider IDs for child care providers whether the FEIN, a State specific number, or other identifier. The unique provider identifier will allow both the State and OCC to link any given child receiving CCDF with the new ACF 801 provider record containing information on the quality of care. It also helps provide a mechanism for linking the provider to other State systems (such as licensing, State pre-K, etc) to promote integrated data that provides a comprehensive picture of early care and education services. It can also support State efforts to ensure compliance with health and safety requirements (by linking the provider to licensing), as well as fraud detection and improper payment efforts (for example, by seeing if a provider is submitting payment requests to multiple counties in a county administered State). By including the unique provider identifier as part of the ACF 801 case record, OCC will be able to generate an accurate, unduplicated count of providers participating in the CCDF program for full population States. In addition, this data can be used to support important analyses such as tracking the duration and spells of care by specific providers (since continuity of care is critical to children's development and learning). (Also see discussion above regarding timeline and resource constraints).~~

~~Total Hours of Care~~

~~APHSA/NASCCA Comment: We recommend the OCC implement a method for States to submit these data annually and not monthly.~~

~~OCC Response: OCC has not made changes in response to this comment. Reporting hours of~~

~~care is an existing data reporting requirement. Section 658K(a)(1)(B)(x) of the Child Care and Development Block Grant Act requires States to report the hours of care as part of the monthly ACF-801 report (rather than on an annual basis as APHSA/NASCCA requests). The proposed revisions to the ACF-801 provide States with greater flexibility in meeting this requirement by allowing them to report either authorized or actual hours (as opposed to the existing requirement for actual hours). We will require States to include a footnote providing transparency regarding whether they are reporting actual or authorized hours, but this is a one-time footnote that does not need to be updated (unless the States basis for reporting changes).~~

~~State or Local Pre-K Standards~~

~~APHSA/NASCCA Comment: State child care administrators request clarification or a definition of these standards. Many States have reported that such standards are defined by their States education agency. This could create a challenge for States to report such data without this clarity. In addition, it is important for OCC to keep in mind that these standards might be interpreted differently by every school district within a State or locality. Although States have the option of reporting these data on the ACF-801 form, it is important for the OCC to be clear on the information the agency is interested in collecting. We also recommend that the OCC consider working with the Department of Education on this item.~~

~~OCC Response: OCC has not made changes in response to this comment.~~

~~Like all of the new ACF-801 data elements on the quality of care (e.g., QRIS level, State-Defined Quality Measure) this element is State-defined. Because there are no Federally-mandated program-level quality standards for child care programs, each State will report using its own standards. Similarly, since Pre-K standards vary by State, there is no standard definition; each State will determine how to define and use this data element. The element provides an~~

opportunity to document whether or not a given provider meets Pre-K standards established by the State or locality. We included this element to provide States, particularly States without a QRIS, an alternative approach for reporting program-level quality information. If a State does not find the element useful, and would prefer to report using one of the other quality data elements, the State may report NA for this element. The instructions to the revised ACF-801 indicate, while the new quality data elements offer a wide range of responses (including the ability to answer NA for any question), it is expected that the State will be able to report quality data (at least one of the quality data elements 33-37) for at least a portion of the provider population.

Other Recommendations

APHSA/NASCCA Comment: APHSA/NASCCA also recommended: using the Center on Child Care Data and Technology within the new technical assistance centers to work with States and Regions on implementing these new data elements; developing a program instruction or guidance on implementation of the new data elements; and creating a demonstration grant program to modify their current systems.

OCC Response: OCC strongly supports these recommendations and intends to implement them. The National Center on Child Care Data and Technology, in collaboration with other technical assistance partners and OCC staff, has already begun planning to provide outreach and TA on the new reporting requirements. This will include State-specific conference calls and tailored assistance. We are also willing to issue additional written guidance (e.g., responses to Frequently Asked Questions) in order to support State efforts.

From: Aguilar, Brenda [mailto:Brenda_Aguilar@omb.eop.gov]

Sent: Wednesday, March 14, 2012 3:35 PM

To: Sargis, Robert A (ACF)

Subject: RE: APHSA and NASCCA's Comments Letter on the ACF 801 Form - December 2011 Revisions

Bob

I forwarded to you so that ACF could provide to me a response to the comment to facilitate my review. Can be a simple explanation of whether ACF is making any changes as a result of the comment and if not, why not.

Thanks,
Brenda

From: Sargis, Robert A (ACF) [mailto:robert.sargis@acf.hhs.gov]
Sent: Monday, March 12, 2012 3:48 PM
To: Aguilar, Brenda
Subject: RE: APHSA and NASCCA's Comments Letter on the ACF 801 Form - December 2011 Revisions

Brenda, I checked and this request is at OMB (0970-0167).

From: Aguilar, Brenda [mailto:Brenda_Aguilar@omb.eop.gov]
Sent: Monday, March 12, 2012 2:28 PM
To: Sargis, Robert A (ACF)
Subject: FW: APHSA and NASCCA's Comments Letter on the ACF 801 Form - December 2011 Revisions

Bob apologies, I think I neglected to forward these to ACF for response.

Thanks,
Brenda

From: FN-OMB-OIRA-Submission
Sent: Wednesday, February 22, 2012 9:41 AM
To: Aguilar, Brenda
Subject: FW: APHSA and NASCCA's Comments Letter on the ACF 801 Form - December 2011 Revisions

From: Brown, Rashida [mailto:RBrown@aphsa.org]
Sent: Tuesday, February 21, 2012 4:09 PM
To: FN-OMB-OIRA-Submission
Cc: Shannon.Rudisill@ACF.hhs.gov; Williams, Andrew (ACF); Le, Minh (ACF); linda.smith@acf.hhs.gov;
Cain, Miya (ACF); Wareing, Tracy; Saterfield, Linda; Smith, Ron; Light, Anita
Subject: APHSA and NASCCA's Comments Letter on the ACF 801 Form -

December 2011 Revisions

To Whom It May Concern:

Please see attached a letter from the American Public Human Services Association and its affiliate, the National Association of State Child Care Administrators on the second round of the draft revisions to the Child Care Quarterly Case Record Report (ACF 801). Thank you for the opportunity to submit comments.

Sincerely,

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Rashida Brown

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