

# ADMINISTRATION ON COMMUNITY LIVING

## *STATE COUNCILS ON DEVELOPMENTAL DISABILITIES*

### **REQUEST FOR OMB APPROVAL**

#### **SUPPORTING STATEMENT, AS REQUIRED UNDER THE PAPERWORK REDUCTION ACT AND 5 CFR 1320**

#### **A. Justification**

##### **1. Circumstances Making the Collection of Information Necessary**

The State Councils on Developmental Disabilities (Councils) are authorized in Subtitle B, of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (DD Act), as amended, [42 U.S.C. 15001 et seq.] (The DD Act). They are required to submit a five-year State plan. Section 124(a) [42 U.S.C. 15024(a)], states that:

Any State desiring to receive assistance under this subtitle shall submit to the Secretary, and obtain approval of, a 5-year strategic State plan under this section.

The requirement for a State plan is also further emphasized in the regulations in 45 CFR Part 1326.30:

(a) In order to receive Federal financial assistance under this subpart, each State Developmental Disabilities Council must prepare and submit to the Secretary, and have in effect, a State Plan which meets the requirements of sections 122 and 124 of the Act (42 U.S.C. 6022 and 6024) and these regulations.

Additionally, data is collected in the State Plan and submitted to Administration on Intellectual and Developmental Disabilities (AIDD) for compliance with the GPRA Modernization Act of 2010 (GPRAMA). In the State Plans, the Councils provide to AIDD future year targets for outcome performance measures. These targets are reported to Congress under GPRAMA.

##### **2. Purpose and Use of the Information Collection**

As required by the statute, the Council is responsible for the development and submission of the State plan, and is then responsible for implementation of the activities described in the plan. Further, the Council updates the Plan annually during the five years. The State plan provides information on individuals with developmental disabilities in the State, and a description of the services available to them and their families. The plan further sets forth the goals and specific objectives to be achieved by the State in pursuing systems change and capacity building in order to more effectively meet the service needs of this population. It describes State priorities, strategies, and actions, and the allocation of funds to meet these goals and objectives.

The State Plan is used in three ways. First, it is used by the individual Council as a planning document to guide its planning and execution processes. Secondly, it provides a mechanism in the State whereby individual citizens, as well as the State government, are made aware of the goals and objectives of the Council and have an opportunity to provide comments on them during its development. Finally, the State plan provides to the Department a stewardship tool; the staff of the Department provides some technical assistance to Councils and monitor compliance with Subtitle B of the DD Act, as an adjunct to on-site monitoring. The stewardship role of the State plan is useful both for providing technical assistance during the planning process, during the execution process, and also during program site visits.

Additionally, data is collected in the State Plan and submitted to AIDD for compliance with the GPRA Modernization Act of 2010 (GPRAMA). In the State Plans, the Councils provide to AIDD future year targets for outcome performance measures. These targets are reported to Congress under GPRAMA.

### **3. Use of Improved Information Technology and Burden Reduction**

The State Plan is submitted electronically, and has been so submitted for over ten years. Prior to that, Plans were submitted by hard copy only. A major consequence of the move to electronic submission of the State Plan is increased ease and uniformity of reporting, enhanced ability to review the State Plans, and improved ability to manage the data that the States submit.

### **4. Efforts to Identify Duplication and Use of Similar Information**

A careful review of the Council Program Performance Report (PPR) submitted by the State Councils was conducted to avoid any duplication of program elements submitted. The Financial Status Report (SF 425) was also reviewed for duplication.

For each of the above two information collections (PPR and SF 425), there is no overlap, since the State Plan is prospective (what the State plans to do), while the other two (the PPR and SF 425) are retrospective (what the State actually did).

After efforts were made to identify duplication, described above, no similar information was found to exist to provide insight into the programmatic and fiscal planning of the Councils.

### **5. Impact on Small Businesses or Other Small Entities**

The information collected does not involve, nor result in assignment of burden to any small business or other small entity. It is collected from 56 State agencies.

## **6. Consequences of Collecting the Information Less Frequently**

Subtitle B, Section 124 of the Developmental Disability Act (DD Act) requires a full revision of the State plan at least once every five years and annual reviews of the plans thereafter. Less frequent collection of data than that prescribed by the requirements of the DD Act, Section 124, would violate the statutory requirements.

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

There are no special circumstances governing the collection of data that are inconsistent with the established guidelines pursuant to 5 CFR 1320.5.

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

A 60-day comment period was provided beginning 03/29/2016. The solicitation of comments for the proposed information collection was published in the Federal Register, volume 81, page 17461. ACL received three comments regarding the Federal Register notice. However, none of the comments were germane to the purpose of the announcement. Two commenters complained about the operations of specific Councils and one comment or simply shared a copy of the goals and objectives of their Council. None of the comments resulted in the need for changes to the State plan requirements. A 30 day Federal Register notice was published on 8/1/2016. Volume 81, page 50521.

The content of the State Plan format was last revised in 2011. This version of the state plan changes specific aspects of the plans, with input gathered through small group and large group discussions with the Councils. Issues of the scope, content, and availability of data, format, and clarity of instructions for the State plan format were discussed with all of the Councils during the course of this revision process.

## **9. Explanation of Any Payment or Gift to Respondents**

No payments or gifts to respondents are planned.

## **10. Assurance of Confidentiality Provided to Respondents**

Standard Guidance, language and procedures will be provided to Councils for maintaining the confidentiality of Council members.

## 11. Justification for Sensitive Questions

The DD Act requires information on the Disability and Race/ethnicity status of Council members and staff. The race/ethnicity categories used in this notice complies with the OMB standards on race and ethnicity that were published in the Federal Register in 1997.

## 12. Estimates of Annualized Burden Hours and Costs

The following table summarizes the burden hour estimate for this information collection:

No. of States	No. of Responses Per State	Average Burden Hours Per State	Total Hours
56	1	367	20,522

The “56 States” funded under this program include the 50 states, Washington, D.C., Puerto Rico, American Samoa, Guam, Northern Mariana Islands, and the Virgin Islands. The State’s estimates of their annual burden hours for this information collection varies very greatly from State to State, influenced by factors such size of the State and program complexity. Councils provided public comment during a previous cycle and calculated a nation-wide estimate for burden hours. The current approximation of annual burden hours for this information collection was derived from the Council input. According to this feedback an average of burden hours per state per year is 367 hours , which works out to 20,552 hours nationwide (i.e., 56 x367). These figures are consistent with the burden estimates in prior data collection packages administered by the Administration on Children and Families. The template is a continuation of the template that was approved previously by OMB with minor revisions. The revisions consist of minor restructuring of the previous template, a reduction in/consolidation of the number of performance targets, and the addition of several measures to replace the ones being eliminated.

The main change in the State plan data collection is that new performance measures are being incorporated into the 2017-2021 state plan cycle. During the 2006-2011 state plan cycle, Councils had to project performance measures for each year of their state plan implementation. However, for the 2012-2016 state plan cycle, the performance measures projections were suspended due to piloting of new performance measures. The piloting process has been finalized and the new performance measures have been incorporated into the 2017-2021 state plan cycle and this PRA review. The new measures are described in the response to question 15.

For the past two state plan cycles, the performance measures have decreased from 89 in 2006-2011 to 45 in 2012. For the 2017-2021 cycle, ACL has further reduced the number

of performance measures to 24. However, the burden hours were not updated for the 2012-2016 state plan. For the 2017-2021 state plan cycle, we do not yet have an updated estimate. As such, we did not change the overall burden estimate. ACL plans to conduct an update to the estimate later this fiscal year which will include a review of the methodology and definitions used to estimate burden hours. We also will monitor the implementation of the revised performance measures and will survey the Councils regarding their experience with the new form as part of our update to the burden estimates.

The annualized cost of the hour burden, expressed in dollars is:

Average Cost/Hour	Average Burden Hours/State	Average Annual Cost/State	Total Annual Cost
61.08 <sup>1</sup>	367	\$22,416	X 56
			\$1,255,296

<sup>1</sup> <https://www.bls.gov/ooh/management/social-and-community-service-managers.htm>

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

There is no annual cost burden or startup cost to respondents resulting from collection of information for the State Plan.

### 14. Annualized Cost to the Federal Government

This computation is based on an estimated \$37.13 per hour for the efforts of a Program Specialist (GS12, step 1), doubled to account for fringe benefits and overhead.

Program specialists will devote an estimated 400 hours every year to organize and review the Program Performance Reports and to generate analyses of the information therein for monitoring and reporting purposes.

Total Estimated Federal Costs:..... \$29,704

## 15. Explanation for Program Changes or Adjustments

The following new performance measures, goals, and specific objectives are critical to meeting the requirements of the DD Act and GPRAMA.

### Summary of changes to DD Council State Plan Template

Section	Information	New Sections	Explanation/Comments
<b>Section I: Council Identification</b>	<ul style="list-style-type: none"> <li>✓ Updates to membership category codes</li> <li>✓ Updates to Council and staff demographic information</li> </ul>	<b>Yes</b>	<p>Councils will need to provide additional demographic information on Council membership and staff, such as Race/Ethnicity and Geographical area</p> <p>The additional requirements are to assist federal staff with monitoring and quality assurance purposes.</p> <p>The DD Act requires “the membership of the Council shall be geographically representative of the State and reflect the diversity of the State with respect to race and ethnicity.” (125b1C). Having the Council provide such demographic information will assist the federal staff with monitoring and quality assurance purposes.</p>
	<p><b>Part E: 5-Year Goals-</b></p> <ul style="list-style-type: none"> <li>✓ Specify Expected Outcome(s) for each objective</li> <li>✓ Specify Targeted disparity (if addressed) as a goal and/or objective</li> <li>✓ DD Network Collaboration (if addressed) as a goal and/or objective</li> <li>✓ 5-year Logic Model</li> </ul>	<b>Yes</b>	<p>Councils are being asked to specifically have: (a) expected outcomes for each goal; (b) a goal or objective on Targeted Disparity; and (c) a logic model</p> <p>The additional requirements are to assist federal staff with monitoring and quality assurance purposes</p>
<b>Annual Work Plans</b>	<ul style="list-style-type: none"> <li>✓ Specify Demonstration Project is addressed</li> <li>✓ Specify the areas the Goal Addresses</li> <li>✓ Specify the Expected Outputs for each objective</li> <li>✓ Specify the Projected performance measures for each objective</li> </ul>	<b>Yes</b>	<p>The additional requirements are to assist federal staff with monitoring and quality assurance purposes</p>

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## **16. Plans for Tabulation and Publication and Project Time Schedule**

The State plans are prepared by the Councils, made available to the States for public comment, and submitted to AIDD for review and approval. Program personnel in AIDD also aggregate the data, do national analyses (sum, average, etc.), and use the data to support monitoring and development of program priorities. Once the State Plan is approved, it is posted on the ACL website. In addition, the information collected within the State plan is mandated by legislation and, once acquired, becomes public information following approval by AIDD.

Additionally, data is collected in the State Plan and submitted to AIDD for compliance with the GPRA Modernization Act of 2010 (GPRAMA). In the State Plans, the Councils provide to AIDD future year targets for outcome performance measures. These targets are used to monitor accountability of the State Councils for their plans, and to maintain quality control for data in development of reports to Congress under GPRA. The GPRA data are posted on the ACL website as part of budget justifications at [http://www.acl.gov/About\\_ACL/Budget/docs/FY\\_2017\\_ACL\\_CJ.pdf](http://www.acl.gov/About_ACL/Budget/docs/FY_2017_ACL_CJ.pdf) . e.g. page 166 for DDC's outputs and outcomes.

The data is also summed to show national totals for inclusion in reports. Analysis and reporting of the data may include pie charts, bar charts, and other tabular presentations of the information.

The States submit the State plan once every five years, with annual review and amendments.

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

Not applicable.

## **18. Exceptions to Certification for Paperwork Reduction Act Submissions**

Not applicable.

## **B. Statistical Methods (used for collection of information employing statistical methods)**

This information collection does not employ statistical methods.