

Supporting Statement A

**GenIC: Frame Development for the Residential Care Component of the
National Post-Acute and Long-Term Care Study**

**Generic IC:
Developmental Studies to Improve the National Health Care Surveys
OMB No. 0920-1030
Exp. Date 04/30/2020**

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Attachment A: Semi-Structured Telephone Protocol

Attachment B.1: Advance Package-Contact Information Verification

Attachment B.2: Advance Package-NCHS' Cover Letter with FAQ

Attachment B.3: Advance Package- Letter of Support

Attachment B.4: Advance Package-NCHS' Strictly Confidential Brochure

Attachment C: Electronic File Development

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A. Justification

1. Circumstances Making the Collection of Information Necessary

The National Center for Health Statistics (NCHS) has OMB approval for Developmental Studies to Improve the National Health Care Surveys Generic Clearance (OMB No. 0920-1030, Exp. Date 04/30/2020) to conduct developmental studies on survey design and data collection activities that are part of the National Health Care Surveys (NHCS).

Under this approval, OMB has agreed to expedite GenIC review of proposals for data collections and OMB will generally review such requests within ten business days.

The specific GenIC project for this clearance is to develop an up-to-date, state-based sampling frame of residential care facilities for the 2020 survey, like has been done for the previous four waves of the National Post-Acute and Long-Term Care Study (NPALS) (formerly known as the National Study of Long-Term Care Providers or NSLTCP)

The specific data collection activities will be to contact state agencies to:

- Confirm current state-specific licensing categories of residential care.
- Obtain state lists of communities for these licensing categories of residential care.

2. Purpose and Use of the Information Collection

The collected data on residential care communities will enable NCHS to do the following for the 2020 NPALS residential care community survey: 1) determine which providers should be in the sampling frame; 2) inform the sampling design; 3) select a nationally representative sample of residential care communities; and 4) conduct nonresponse bias analysis.

The information will be collected from state government representatives in 50 states and the District of Columbia. In obtaining state licensure lists, we will search all state licensing agency websites and talk by telephone with representatives in all states and the District of Columbia (Attachment A). State government representatives will be asked to provide an electronic file listing state-regulated residential care communities. In some cases the state government representatives may need to work with others in their departments to provide supplemental information not normally captured in their online listings. We estimate verification of contact information (Attachment B.1), response to a semi-structured telephone protocol (Attachment A), and development of a residential care community listing in an electronic format (Attachment C) will take approximately 1.5 hours per state and the District of Columbia.

NCHS will use collected data on residential care communities to determine which providers should be used in the sampling frame for the residential care community survey component of the 2020 NPALS; to inform the 2020 sampling design; to select a nationally representative sample of residential care communities for the 2020 survey; and to conduct nonresponse bias analyses for the 2020 survey.

No Information in Identifiable Form (IIF) is being collected.

3. Use of Improved Information Technology and Burden Reduction

An encrypted SAS dataset of the states' residential care communities will be sent to NCHS via mail or electronically through a secure password-protected website to ensure the confidentiality of the data.

NCHS has designed the semi-structured telephone protocol to be brief. During that telephone call NCHS will just be confirming that the appropriate licensure categories of residential care communities within each state have been identified and requesting an electronic file (preferably in Excel format) of the licensed residential care communities for which the agency is responsible. Formats other than Excel can be negotiated on a case-by-cases basis, if an individual state cannot provide its file in Excel or doing so would be too burdensome on the state. NCHS will provide states with the specifications on what variables are needed in the files. To further reduce burden, where possible the data will be accessed from already existing state websites and electronic files.

4. Efforts to Identify Duplication and Use of Similar Information

The frame that will be developed will be used to draw a sample of residential care communities for the NPALS residential care community survey that is scheduled to be fielded in 2020. No up-to-date uniform list of residential care communities currently exists at the national level. The most recent frame of residential care communities was developed for NPALS in 2017 and used for the 2018 survey (OMB No. 0920-0943. Exp. Date 04/30/2020); given turnover of establishments in this sector, NCHS concludes that the 2018 frame is too old for use in a 2020 survey. To create the up-to-date frame of state-regulated residential care communities, NCHS shall employ the approach and methodology used for the 2018 collection.

5. Impact on Small Businesses or Other Small Entities

No small businesses are affected.

6. Consequences of Collecting the Information Less Frequently

There is a high level of turnover of establishments in this sector; thus a biennial collection is needed to provide the best frame.

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

This request fully complies with the regulation 5 CFR 1320.5.

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

A. Federal Register Notice

- In compliance with 5 CFR 1320.8(d), a 60-day Federal Register notice was published in the Federal Register on March 8, 2017, Volume 82, Number 44

pages 12965-12966. There were no public comments received as a result of this notice.

B. Efforts we have made to consult outside the agency include:

- consulted with the contractor that developed the frame for the 2018 NSLTCP
- read the report by the contractor that described the frame development for the 2018 NSLTCP

9. Explanation of Any Payments or Gifts to Respondents

There will be no payments, gifts, or incentives.

10. Protection of the Privacy and Confidentiality of Information Provided by Respondents

This submission has been reviewed by the NCHS Privacy Act Liaison. It has been determined that the Privacy Act does not apply. No IIF is being collected.

Confidentiality protection will be applied to the frame information (i.e., residential care community and director information) that respondents provide as assured by Section 308(d) of the Public Health Service Act (42 USC 242m) as follows:

"No information, if an establishment or person supplying the information or described in it is identifiable, obtained in the course of activities undertaken or supported under section... 306 may be used for any purpose other than the purpose for which it was supplied unless such establishment or person has consented (as determined under regulations of the Secretary) to its use for such other purpose and (1) in the case of information obtained in the course of health statistical or epidemiological activities under section... 306 such information may not be published or released in other form if the particular establishment or person supplying the information or described in it is identifiable unless such establishment or person has consented (as determined under regulations of the Secretary) to its publication or release in other form."

In addition, legislation covering confidentiality is provided according to section 513 of the Confidential Information Protection and Statistical Efficiency Act (PL-107-347) which states:

"Whoever, being an officer, employee, or agent of an agency acquiring information for exclusively statistical purposes, having taken and subscribed the oath of office, or having sworn to observe the limitations imposed by section 512, comes into possession of such information by reason of his or her being an officer, employee, or agent and, knowing that the disclosure of the specific information is prohibited under the provisions of this title, willfully discloses the information in any manner to a person or agency not entitled to receive it, shall be guilty of a class E felony and imprisoned for not more than 5 years, or fined not more than \$250,000, or both."

The frame information (i.e. information about specific residential care communities and the names of the directors) that state government representatives provide will be used exclusively for statistical purposes and will be treated in a confidential manner due to the fact that NCHS sampling frames are covered by Section 308(d) of the Public Health Service Act. The process of

informing respondents of the procedures used to keep information confidential begins with materials e-mailed in advance to state government representatives (Attachments B.2 and B.4). The NCHS cover letter and NCHS' Confidentiality Brochure will include specific references to protections of the frame information. These materials will include all elements of informed consent. These materials will also emphasize and detail procedures intended to keep information confidential by the data collectors and will include the following confidentiality pledge:

“We take your privacy very seriously. All information that relates to or describes identifiable characteristics of individuals, a practice, or an establishment will be used only for statistical purposes. NCHS staff, contractors, and agents will not disclose or release responses in identifiable form without the consent of the individual or establishment in accordance with section 308(d) of the Public Health Service Act (42 U.S.C. 242m(d)) and the Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA, Title 5 of Public Law 107-347). In accordance with CIPSEA, every NCHS employee, contractor, and agent has taken an oath and is subject to a jail term of up to five years, a fine of up to \$250,000, or both if he or she willfully discloses ANY identifiable information about you. In addition, NCHS complies with the Federal Cybersecurity Enhancement Act of 2015 (6 U.S.C. §§ 151 and 151 note). This law requires the federal government to protect federal computer networks by using computer security programs to identify cybersecurity risks like hacking, internet attacks, and other security weaknesses. If information sent through government networks triggers a cyber threat indicator, the information may be intercepted and reviewed for cyber threats by computer network experts working for, or on behalf, of the government.”

NCHS and subcontractor staff routinely employ technical, physical, and administrative measures to secure information and safeguard privacy and confidentiality. These include:

- when confidential materials are moved between locations, records are maintained to insure that there is no loss in transit,
- hard copies of confidential information are stored in secure areas when not in use,
- access to the data processing and storage areas is controlled, with only authorized personnel allowed in secure locations,
- individual data files are protected by passwords and other techniques, which prohibit access by non-approved project staff,
- building security forces are on duty 24 hours, seven days per week at all sites,
- access to nonpublic data is restricted to those who must have such access.

11. Institutional Review Board (IRB) and Justification for Sensitive Questions

All informed consent procedures and methods for maintaining confidentiality will be reviewed and approved by NCHS' Confidentiality Officer, when necessary. As with the 2018 frame development, these data collection efforts are deemed not human subjects research (Attachment D).

Data collected will not include sensitive questions.

12. Estimates of Annualized Burden Hours and Costs

A. Burden Hours

Table 1 includes the average annual burden for frame development. State government representatives in the fifty states and the District of Columbia will be contacted in 2019. Based on past experience, it is estimated that approximately 70% of the states may require the involvement of 2 different agencies. Consequently, 87 is the number of respondents used to calculate the burden time. Burden is estimated at 5 minutes for contact information verification, 30 minutes for a semi-structured telephone protocol, and about one hour to develop the residential care community listing in an electronic format. The total estimate of annualized burden is 138 hours.

Table 1: Estimated Annualized Burden Hours

Type of Respondent	Form Name	Number of Respondents	Number of Responses/ Respondent	Average Burden/ Response (in hours)	Response Burden in Hours
State Government Representatives	Contact info verification	87	1	5/60	7
State Government Representatives	Telephone protocol	87	1	30/60	44
State Government Representatives	Electronic file development	87	1	1	87
Total		87			138

B. Cost to Respondents

The only cost to respondents is their time. The estimated annualized cost for data collection for the frame development is \$4,756 (See Table 2).

Table 2: Estimated Annualized Costs for Frame Development

Type of respondent	Total Burden Hours	Hourly Wage Rate	Total Respondent Cost
State Government Representatives	138	\$34.46	\$4,756
Total			\$4,756
Information on community and social services state government occupations hourly wage rate gathered from the Bureau of Labor Statistics' website, and can be accessed at the following link: http://www.bls.gov/oes/current/oes119151.htm			

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

There are no additional costs.

14. Annualized Cost to the Federal Government

The estimated total cost to the government is \$252,588 and details are shown in Exhibit 1.

Exhibit 1: Estimated Annualized Costs to the Government

Item/Activity	Details	\$ Amount
NCHS oversight of contractor and project	Cost for staff and supplies	\$52,000
Frame Development (Contractor)	Field staff costs, including data collection costs and other direct costs	\$200,588
Estimated Total Cost		\$252,588

15. Explanation for Program Changes or Adjustments

This is a one-time data collection. There are no program changes or adjustments.

16. Plans for Tabulation and Publications and Project Time Schedule

Data collection for the frame development planned to occur in 2019 will begin once we have OMB approval. NCHS will search state websites first, and then contact state government representatives through letters and telephone calls for additional information. Receipt of an electronic listing of residential care communities in each state will end data collection. Major

milestones and the corresponding due dates are shown in Exhibit 2. The frame constructed of residential care communities will be used for the 2020 NPALS residential care survey. However, the frame development data (i.e., information on individual communities) are confidential and no public use file containing frame data is anticipated.

Exhibit 2: Major NSLTCP Frame Development Activities and Timeframe

Major NSLTCP Frame Development Activities	Timeframe
Search state websites	1-6 months after OMB approval
Contact state government representatives	1-6 months after OMB approval
Confirm mailing address	1-6 months after OMB approval
Email advance package	1-6 months after OMB approval
Semi-structured telephone/email correspondence	1-7 months after OMB approval
Building of electronic listing	1-8 months after OMB approval
Electronic listing complete and delivered to NCHS	5-9 months after OMB approval
Drawing of NSLTCP sample	10-12 months after OMB approval
Release of summary estimates	24 months after OMB approval

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

Not applicable.

18. Exceptions to Certification for Paperwork Reduction Act Submission

There are no exceptions to the certification.