

## NATIONAL CHILD ABUSE AND NEGLECT DATA SYSTEM (NCANDS)

### SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSIONS

#### A. Justification

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

The Children's Bureau of the Administration on Children, Youth and Families in the Administration for Children and Families of the U.S. Department of Health and Human Services collects national child abuse and neglect statistics through the National Child Abuse and Neglect Data System (NCANDS). NCANDS was established in response to the 1988 amendment (P.L. 100–294) to the Child Abuse Prevention and Treatment Act (CAPTA) (42 U.S.C. 5101 et seq.), which called for the creation of a coordinated national data collection and analysis program, both universal and case specific in scope, to examine standardized data on false, unfounded, or unsubstantiated reports.

The 1996 CAPTA amendment (42 U.S.C. 5106a(d)) required all states that receive Basic state Grant funds to provide specific data elements, to the extent practicable, to the federal government. These data items were incorporated into NCANDS. Since that time, other CAPTA revisions that pertain to child welfare have been included in NCANDS. The most recent amendments to CAPTA during 2015 and 2016 (P.L. 114-22 and P.L. 114-198) retained and expanded upon those provisions (see Attachment A, CAPTA Excerpt, or the Children's Bureau website at [http://www.acf.hhs.gov/programs/cb/laws\\_policies/](http://www.acf.hhs.gov/programs/cb/laws_policies/)).

This Supporting statement proposes to continue to collect NCANDS data using two files of the Detailed Case Data Component (DCDC): (1) Child File, the case-level component of NCANDS and (2) Agency File, the aggregate data component. The current approval of the DCDC expires on November 30, 2018. The Children's Bureau is seeking re-approval of these instruments with modifications. Modifications are being proposed to meet the requirements of CAPTA amendments to Annual State Data Reports—Section 106(d).

#### Sex Trafficking

The Justice for Victims of Trafficking Act of 2015 includes an amendment to CAPTA under title VIII—Better Response for Victims of Child Sex Trafficking by adding this requirement:

*(17) The number of children determined to be victims described in subsection (b)(2)(B) (xxiv).*

Subsection (b)(2)(B)(xxiv) states:

*(xxiv) provisions and procedures requiring identification and assessment of all reports involving children known or suspected to be victims of sex trafficking (as defined in*

*section 103(10) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102 (10)); and S. 178—38.*

**Modification to comply with the new law:** To comply with the new reporting requirements, the Children’s Bureau proposes to modify the Child File by adding a new maltreatment type code, 7=sex trafficked, to the existing Fields 26, 28, 30, 32 (Maltreatment-1 Type, Maltreatment-2 Type, Maltreatment-3 Type, Maltreatment-4 Type).

### **Substance-Exposed Infants**

The Comprehensive Addiction and Recovery Act (CARA) of 2016 amended CAPTA in sections 106(b)(2)(B)(ii) and (iii) by adding this requirement:

- (18) The number of infants—*
- (A) identified under subsection (b)(2)(B)(ii);*
  - (B) for whom a plan of safe care was developed under subsection (b)(2)(B)(iii);*
- and*
- (C) for whom a referral was made for appropriate services, including services for the affected family or caregiver, under subsection (b)(2)(B)(iii).*

Subsections (b)(2)(B)(ii) and (b)(2)(B)(iii) state:

*ii. policies and procedures (including appropriate referrals to child protection service systems and for other appropriate services) to address the needs of infants born with and identified as being affected by substance abuse or withdrawal symptoms resulting from prenatal drug exposure, or a Fetal Alcohol Spectrum Disorder, including a requirement that health care providers involved in the delivery or care of such infants notify the child protective services system of the occurrence of such condition of such infants, except that such notification shall not be construed to—*

- I. establish a definition under Federal law of what constitutes child abuse or neglect; or*
- II. require prosecution for any illegal action.*

*iii. the development of a plan of safe care for the infant born and identified as being affected by substance abuse or withdrawal symptoms or Fetal Alcohol Spectrum Disorder.*

**Modification to comply with the new law:** To comply with the new reporting requirements the Children’s Bureau proposes to:

use existing fields and modify the Child File by adding two new fields.

- Field 151, Has A Safe Care Plan: The Safe Care Plan field will establish an indicator

- (flag) as to whether a child has a safe care plan.
- Field 152, Referral to CARA-Related Services: The Referral to CARA-related Services field will establish an indicator (flag) as to whether a referral was made for appropriate services, including services for the affected family or caregiver.

modify the Agency File by adding 1 new field, under Section 2, Referrals and Reports.

- 2.5. Number of screened-out referrals from healthcare providers involved in the delivery or care of infants and who referred such infants born with and identified as being affected by substance abuse or withdrawal symptoms resulting from prenatal drug exposure, or a Fetal Alcohol Spectrum Disorder.

## 2. Purpose and Use of the Information Collection

A major product of NCANDS is the annual Child Maltreatment report (available at <http://www.acf.hhs.gov/programs/cb/research-data-technology/statistics-research/child-maltreatment>). These national reports have been published annually since 1992 and are the primary source of information about maltreated children who were known to child protective services agencies. The NCANDS data also are a critical source of information for many publications, reports, and activities of the federal government, child welfare personnel, members of Congress, and researchers. Examples of how NCANDS data are used are described below:

- Child Welfare Outcomes: Report to Congress—This report presents information on state and national performance in seven outcome categories. Data for the original Child Welfare Outcomes measures and the majority of the context data in this report come from NCANDS and the Adoption and Foster Care Analysis and Reporting System (AFCARS). The reports are available on the Children’s Bureau’s website at <http://www.acf.hhs.gov/programs/cb/research-data-technology/statistics-research/cwo>.
- Child and Family Services Reviews (CFSRs)—The Children’s Bureau conducts periodic reviews of state child welfare systems to ensure conformity with federal requirements, determine what is happening with children and families who are engaged in child welfare services, and assist states with helping children and families achieve positive outcomes. States develop Program Improvement Plans to address areas revealed by the CFSR as in need of improvement. For CFSR Round 3, NCANDS data are the basis for two of the CFSR national data indicators related to the recurrence of maltreatment and abuse of children in foster care. NCANDS data also are used as data quality checks.
- The NCANDS data also are used for several performance measures published annually as part of the ACF Annual Budget Request to Congress, which highlights certain key performance measures in compliance with the Government Performance and Results

Modernization Act (GPRAMA, 2010). This act is based on the Government Performance and Results Act of 1993 and is for agencies to produce strategic plans, performance plans, and conduct annual reviews of the agency's success or failure in meeting targeted performance goals. Specific measures on which ACF reports using NCANDS data include:

- o Decrease the rate of first-time victims per 1,000 children in the population.
- o Decrease the percentage of children with substantiated or indicated reports of maltreatment that have a repeated substantiated or indicated report of maltreatment within six months.
- o Improve states' average response time between maltreatment report and investigation, based on the median of states' reported average response time in hours from screened-in reports to the initiation of the investigation.

According to site administrators, the annual Child Maltreatment reports are some of the most downloaded documents on the Children's Bureau website. NCANDS data also have been cited in articles in such academic journals as Pediatrics, Child Abuse and Neglect, Children and Youth Services Review, and Journal of Adolescent Health and in publications by such organizations and agencies as the Federal Interagency Forum on Child and Family Statistics, Child Trends, and the Centers for Disease Control and Prevention.

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

NCANDS supports the use of electronic submission as a method to reduce the burden on the states. States are provided with access to the NCANDS Website for uploading and validating data files online prior to submission. The NCANDS Website uses multifactor authentication (MFA) for security. Once users access their accounts on the NCANDS Website for the first time, they must provide the phone number to which they would like to receive their multifactor authentication code. This is a federal security requirement for NCANDS. Each time a contact signs in, he or she will receive a code via text message that grants him or her access to the Website. Users may receive a phone call instead of a text message if they prefer.

The Child File records are transmitted electronically in the American Standard Code for Information Interchange (ASCII) format. Each record contains standardized data pertaining to a child who has received a CPS response pertaining to a specific report alleging maltreatment. States submit these data in one file via an internet site (the NCANDS Website) that was established for secure transmission of state data. A state can only navigate through its own state-specific login; and access to other state information is blocked. The uploaded data files are processed after passing through quality control validation, and states are provided real-time validation results comparing the submission to the previous year.

The Agency File data are submitted via the same secure NCANDS Website. Agency data are aggregated data submitted via tabbed data entry screens designed similarly to a

questionnaire. Helpful instructions are provided for each question or data item. Data can be saved in multiple sessions and submitted when all data are collected. For archival purposes, a state may download the data. The NCANDS Website also provides the feature to compare the submission to the previous year and—again for archival purposes—the comparison template may be downloaded.

The state can resubmit the Child File and Agency File in this same manner, if needed. Furthermore, a state may track the status of its data submission from the time data are first saved until the data are accepted.

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

The NCANDS data collection effort is recognized as being the primary source of national child protective services statistics and trends on child maltreatment at the state level. There are no other comparable national efforts in the United States. Other studies, with the approval of the Children’s Bureau and the states, have incorporated already submitted NCANDS data in their research to avoid duplication.

As discussed in the previous section, other federal agencies use NCANDS data thereby eliminating potential duplication of data collection efforts.

Section 103 of CAPTA, as amended, requires, “through a national data collection and analysis program and in consultation with appropriate state and local agencies and experts in the field, collect, compile, and make available state child abuse and neglect reporting information which, to the extent practical, shall be universal and case specific and integrated with other case-based foster care and adoption data collected by the Secretary.” The foster care and adoption data reference are collected through the Adoption and Foster Care Analysis and Reporting System (AFCARS), mandated by 42 U.S.C. § 679.

NCANDS and AFCARS are distinct in terms of the populations that they address, but there is some overlap. In support of the goal of integration, the data collection period for NCANDS was changed in 2003 from calendar year to federal fiscal year, the same as AFCARS. The AFCARS ID field also was added to NCANDS as a means of linking the two data sets in the future, as per the CAPTA requirement mentioned above.

One area of overlap between AFCARS and NCANDS relates to a child’s removal from the home. NCANDS requests information about whether a child was removed as an immediate consequence of a report related to abuse or neglect, and the foster care discharge date. This request is in conformity with the 1996 amendments to CAPTA. The removal data collected through NCANDS are likely to be a subset of the more detailed placement data required by AFCARS. The collection of removal data by NCANDS has been consistently supported by the states as an important outcome of case disposition, and states have requested that the data element be retained in NCANDS. States do not consider these data or the additional field pertaining to the AFCARS ID as burdensome or duplicative.

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

The proposed data collection does not involve small businesses or other small entities. Data will be submitted only by state child welfare agencies. No difference is made according to the population of the state to acquire national data (42 U.S.C. 5106a(d)).

## 6. Consequences of Collecting the Information Less Frequently

Annual data collection is the minimal frequency that permits meaningful program and policy activities to be carried out. Administrative and legislative actions regarding the problem of child abuse and neglect require the annual collection of data. Several annual reports, including *Child Welfare Outcomes: Report to Congress* mandated by section 203 of the Adoption and Safe Families Act, depend upon NCANDS data. Furthermore, CAPTA requires an annual report of the listed data (42 U.S.C. 5106a(d)).

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

Special circumstances are discussed below.

- *Report Information More Often than Quarterly.* There are no circumstances that could result in the data needing to be collected more frequently than quarterly. The proposed schedule of data submission is annually.
- *Requiring Response in Less than 30 Days.* There are no circumstances that could result in a state needing to respond in less than 30 days. An annual date of submission has been established as January 31. States have approximately 120 days from the completion of the federal fiscal year to submit data.
- *Requiring Respondents to Submit More than One Original and Two Copies.* States are expected to submit only one Child File and one Agency File to NCANDS. Data are submitted electronically.
- *Requiring Respondents to Maintain Records for More than 3 Years.* Only data for a given data collection year are required. Because states extract data submissions from their administrative databases, their source data are maintained for state purposes. NCANDS archives each state's submission and can provide the state with a specific prior data submission, if needed. States do not need to retain their submissions.
- *In Connection with a Statistical Survey.* These data are not collected as part of a statistical survey.
- *Use of a Statistical Data Classification that Has Not Been Approved by OMB.* This data collection does not require the use of statistical data collection.
- *Pledge of Confidentiality.* To ensure the confidentiality of the Child File data, each state encrypts its identifiers. No actual case or individual identifiers are submitted. Each state ensures that its data meet a standard of encryption. Before the data are released for public use through the National Data Archive on Child Abuse and Neglect at Cornell University, funded by the Children's Bureau, the Child File identifiers are double-encrypted, adding another layer of confidentiality.
- *Requiring Respondents to Submit Trade Secrets or Other Confidential Information.*

NCANDS does not collect any data related to trade secrets. No identifying data, such as name, address, or Social Security number, are collected. The only personally identifiable information collected are dates of birth, military status indicator, and military family member indicator. NCANDS does not collect information directly from individuals, all information is received from state child welfare agencies. NCANDS underwent the Authorization to Operate (ATO) security review process and received approval for ATO April 18, 2017.

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

A Federal Register announcement soliciting comments on renewing approval for the collection of NCANDS data was published on May 12, 2017, (Volume 82, Number 91, Page 22143-22145). One comment was received from the Florida Department of Children and Families expressing concerns related to the availability of resources and priorities for including the changes in its federal fiscal year 2018 data submission. We informed the commenter that the Children's Bureau anticipates that not every state will be able to implement the proposed modifications during the first year of reporting and that the state could leave the field(s) blank. As NCANDS is a voluntary data collection system, there are no penalties or fines associated with not reporting one or more fields.

9. Explanation of Any Payment or Gift to Respondents

No payment to respondents is required as part of this data collection.

10. Assurance of Confidentiality Provided to Respondents

Confidentiality and integrity of data are maintained and monitored based on ACF's system security authorization standards, procedures, and protocols. Before the data are released for public use through the National Data Archive on Child Abuse and Neglect, the Child File identifiers are double-encrypted, adding another layer of confidentiality.

11. Justification for Sensitive Questions

The data collection instruments do not collect any data of a sensitive nature.

12. Estimates of Annualized Burden Hours and Costs

The annual burden estimate is shown below.

Instrument	Number of Respondents	Number of Responses per Respondent	Average Burden Hours per Response	Total Burden Hours
Detailed Case Data Component: (Child File and Agency File)	52	1	148	7,696

Estimated Total Annual Burden Hours:

**7,696**

These estimates are based on the experience of states that have provided data in the past. It is premised on the expectation that 52 states will submit the Child File and the Agency File. While the estimates for the Agency File are quite consistent across states, the estimates for the Child File vary greatly. This is because states expend varying amounts of time completing their data submissions. The estimates are based upon those states that invest considerable attention to submitting a comprehensive file.

The annual burden is based upon an average hourly salary of \$48.00 for state programmatic staff and \$64.00 for state information technology (IT) staff. Across all respondents, for the Child File, the programmatic staff burden is estimated at 2,570 hours (or 49 hours per respondent) at \$48.00 per hour for a total of \$123,382.00; the IT staff burden is estimated at 4,377 hours (or 84 hours per respondent) at \$64.00 per hour for a total of \$280,111.00. Across all respondents, for the Agency File, the programmatic staff burden is estimated at 331 hours (or 6 hours per respondent) at \$48.00 per hour for a total of \$15,885.00; the IT staff burden is estimated at 439 hours (or 8 hours per respondent) at \$64.00 per hour for a total of \$28,075.00. These totals result in an estimated annual cost of \$447,453.00.

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

Because the NCANDS data collection effort depends upon the state administrative information systems, most states do not incur many special data collection costs. Most of the data collected are standard data used by the agency. Operating costs of the information systems are part of state agency operations, and are not maintained solely for submitting data to NCANDS.

### 14. Annualized Cost to the Federal Government

The annual cost to the Federal Government is shown in the following table.

AGENCY	YEAR 1	YEAR 2	YEAR 3	AVERAGE
Children's Bureau	\$208,554.00	\$208,554.00	\$210,639.54	\$209,249.20
Contractor Staff	\$1,346,210.84	\$1,434,098.34	\$1,437,270.26	\$1,405,859.78



	\$	\$	\$	\$
Total	1,554,764.84	1,642,652.34	1,647,909.80	1,615,108.98

The above costs are based upon the use of contractor staff to collect, validate, process, and analyze the Child File and Agency File data, as well as provide briefings and prepare the annual Child Maltreatment report. Contractor staff also provide technical assistance to states throughout the year with the objective of improving data quality. In addition, contractor staff provide support to such other federal data reporting initiatives as the Child and Family Services Reviews, Healthy People 2020 Initiative, and the Child Welfare Outcomes: Report to Congress. Federal staff direct and monitor all efforts.

#### 15. Explanation for Program Changes or Adjustments

The annual burden estimate for 2013–2015 was 5,841 hours with an annual cost estimate of \$321,655 (included modifications). The annual burden estimate for 2015–2018 was 4,264 hours, with an annual cost estimate of \$237,640 (no modifications). The annual burden estimate for 2017–2020 is 7,696 hours, with an annual cost estimate of \$447,453 (includes modifications). The increase is because modifications are being requested and there were no modifications requested to the Child File and Agency File in the previous OMB ICR.

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

The highlights of the annual data collection schedule are as follows:

- September 30—federal fiscal year closes
- December 1—data request letter sent to all states
- January 31—data submissions due from all states
- March 31—data validation cycle completed, including any data resubmissions
- January 15—annual *Child Maltreatment* report released.

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

The expiration dates will be displayed on the data collection instructions and instruments.

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

No exceptions to the above certification are being sought.

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

#### 1. Respondent Universe and Sampling Methods

No sampling methods will be applied to this data collection program. Variation among states

and the need to provide state-level data make sampling an inappropriate approach.

2. Procedures for the Collection of Information

Information on sampling procedures is not applicable.

3. Methods to Maximize Response Rates and Deal with Nonresponse

Not applicable.

4. Test of Procedures or Methods to be Undertaken

The Children's Bureau discussed the proposed modifications with NCANDS State contact persons, Federal staff, and others during meetings, conferences, webinars, and working groups since CAPTA was amended by the enacted laws. These discussions resulted in the request for the modifications included in this application.

Nine NCANDS State contact persons volunteered on behalf of their State to pilot the proposed modifications to the NCANDS Child File and Agency File. Five of the nine volunteer states then provided burden estimates for implementing the changes. The NCANDS State contact persons from the following States volunteered to pilot and provide burden estimates: Louisiana, Minnesota, Nebraska, New Hampshire, and Texas.

5. Individuals Consulted on Statistical Aspects and Individuals Collecting and/or Analyzing Data

The people in the Children's Bureau responsible for NCANDS are:

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