

**SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION**

OMB Number: 0985-0043

A. Justification

1. Circumstances Making the Collection of Information Necessary

Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a hard copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information, or you may provide a valid URL link or paste the applicable section. Please limit pasted text to no longer than 3 pages. Specify the review type of the collection (new, revision, extension, reinstatement with change, reinstatement without change). If revised, briefly specify the changes. If a rulemaking is involved, make note of the sections or changed sections, if applicable.

The State Councils on Developmental Disabilities (Councils) are authorized by 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). The DD Act requires them to submit an annual Program Performance Report. [Section 125(c) (7)] [42 U.S.C. 15025], states that:

Beginning in fiscal year 2002, the Council shall annually prepare and transmit to the Secretary a report. Each report shall be in a form prescribed by the Secretary by regulation under section 104(b). Each report shall contain information about the progress made by the Council in achieving the goals of the Council as specified in section 124 (c) (4).

Additionally, the data collected in the PPR and submitted to AIDD is used to comply with the GPRA Modernization Act of 2010 (GPRAMA). Performance measure results are reported to Congress under GPRAMA.

This is an ongoing data collection. The template has been revised to reflect updated, more streamlined performance measures and previously approved revisions in the State Plan template.

2. Purpose and Use of the Information Collection

Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

As required by the DD Act, the Council is responsible for the development and submission of the Program Performance Report, and for reporting on performance measure data related to its progress in carrying out the goals and objectives of the State Plan. The ICR for the State Plan (0985-0029) was approved on January 10, 2017. This information collection gathers data according to the approved State Plan that describes Council efforts and achievements in capacity building and systems change to effectively meet the needs of people with developmental disabilities and their families.

The PPR is used in several ways. First, it is used by the individual Council to understand progress related to the State plan and for adjusting efforts as necessary to maximize results. Secondly, it provides a mechanism in the State whereby individual citizens, as well as the State government, are made aware of how the goals and objectives of the Council have made an impact. Finally, the State plan provides to the Department a stewardship tool; the staff of the Department provides technical assistance to Councils and monitors compliance through desk audits and document review with Subtitle B of the DD Act in addition 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 in compliance with the GPRAMA Modernization Act of 2010 (GPRAMA). In the State Plans, the Councils provide to AIDD future year targets for outcomes related to the performance measures. These targets are reported to Congress under GPRAMA.

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision of adopting this means of collection. Also describe any consideration given to using technology to reduce burden.**

100% of the Program Performance Reports are submitted electronically, and has been submitted in this manner for over ten years. This PPR will be submitted using the ACL Reporting web-based platform. Prior to that, reports were submitted by hard copy only. A major consequence of the move to electronic submission of the PPR is increased ease and uniformity of reporting, enhanced ability to review the PPR, and improved ability to manage and analyze the data that the States submit. For grantees, they have continued access to their past submitted reports, which is often of value to them in their management of information. The Council State Plan is submitted through the ACL Reporting system and the PPR will be as well.

- 4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

No data is available through other data collections that could be used for this purpose. A careful review of the Council PPR, State Plan, and the Financial Status Report (SF 425) was conducted to avoid any duplication of program elements submitted.

For these information collections (State Plan and Program Performance Report), there is no overlap, since the State Plan is prospective (what the State plans to do), while the Program Performance Report is 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 (PPR) and fiscal reporting (SF 425) of the Councils.

5. **If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden. A small entity may be (1) a small business which is deemed to be one that is independently owned and operated and that is not dominant in its field of operation; (2) a small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field; or (3) a small government jurisdiction, which is a government of a city, county, town, township, school district, or special district with a population of less than 50,000.**

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. **Describe the consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

Subtitle B, Section 125(c)(7) of the DD Act requires annual program performance reports. Less frequent collection of data than that prescribed by the requirements of the DD Act, Section 125(c)(7), would violate the statute.

7. **Explain any special circumstances that would cause an information collection to be conducted in a manner:**

- **Requiring respondents to report information to the agency more often than quarterly;**

Reports are only required on an annual basis.

- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**

Not applicable.

- **Requiring respondents to submit more than an original and two copies of any document;**

Not applicable.

- **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**

Not applicable.

- **In connection with a statistical survey, that is not designed to produce valid and reliable results than can be generalized to the universe of study;**

Not applicable.

- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**

Not applicable.

- **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or that unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**

Not applicable.

- **Requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

Not applicable.

8. **As applicable, state that the Department has published the 60 and 30-day Federal Register notices, as required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to the 60-Day notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

A 60-day comment period was provided beginning 10/04/2017. The solicitation of comments for the proposed information collection was published in the Federal Register, volume 82, page 46246. ACL received two comments regarding the Federal Register notice. However, these comments were not germane to the purpose of the announcement. The two commenters shared their support of institutional living options. No comment resulted in the need for changes to the Program Performance Report requirements. A 30-day Federal Register notice published on Friday, June 15, 2018. Volume 83, page 27995.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instruction and record keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years – even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

The PPR changes and specific aspects of the report were done through consultation and input from both small group and large group discussions with the DD Councils. Issues of the scope, content, and availability of data, format, and clarity of instructions for the PPR format were discussed with all of the Councils during the course of this revision process. Conference calls, workgroup meetings, and piloting of this template were all conducted with the Councils.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees with meaningful justification.

Not Applicable.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If personally identifiable information (PII) is being collected, a Privacy Act statement should be included on the instrument.

Please provide a citation for the Systems of Record Notice and the date a Privacy Impact Assessment was completed as indicated on the IC Data Form. A confidentiality statement with a legal citation that authorizes the pledge of confidentiality should be provided. Requests for this information are in accordance with the following HHS and OMB policies: Privacy Act of 1974, OMB Circular A-108 – Privacy Act Implementation – Guidelines and Responsibilities, OMB Circular A-130 Appendix I – Federal Agency Responsibilities for Maintaining Records About Individuals, OMB M-03-22 – OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002, OMB M-06-15 – Safeguarding Personally Identifiable Information, OM:6-104 – Privacy Act of 1974 (Collection, Use and Protection of Personally Identifiable Information). If the collection is subject to the Privacy Act, the Privacy Act statement is deemed sufficient with respect to confidentiality. If there is no expectation of confidentiality, simply state that the Department makes no pledge about the confidentiality of the data.

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

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. The justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The data collection allows Council staff and members to self-report on their race and ethnicity. This is an optional reporting feature to assist in understanding program composition and potential needs.

12. Provide estimates of the hour burden of the collection of information. The statement should:

Indicate the number of respondents by affected public type (federal government, individuals or households, private sector – businesses or other for-profit, private sector – not-for-profit institutions, farms, state, local or tribal governments), frequency of response, annual hour burden, and an explanation of how the burden was estimated, including identification of burden type: recordkeeping, reporting or third party disclosure. All narrative should be included in item 12. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in the ROCIS IC Burden Analysis Table. (The table should at minimum include Respondent types, IC activity, Respondent and Responses, Hours/Response, and Total Hours)

Respondent/Data collection activity	Number of respondents	Responses per respondent	Hours per response	Total Annual burden hours
State Councils on Developmental Disabilities, Annual Program Performance Report (PPR)	56	1	172	9,632
Total	56	1	172	9,632

Provide estimates of annualized cost to respondents of the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.

The burden calculation takes into account that 40% percent of the change Council estimated for data collection burden will be pre-populated for them through their web-based reporting system, ACL Reporting. The increase of 24.6% for burden is consistent with the development of new performance measures and were approved and anticipated by the State Councils.

The median hourly wage based on the National Occupational Employment and Wage Estimates provided by the Bureau of Labor and Statistics for “Social and Community Service Managers” is \$31.10 per hour. This amount multiplied by the total annual burden hours then doubled to account for benefits and overhead leads to the total cost of \$599,110.40.

Respondent/Data collection activity	Total Annual Burden Hours	Average Cost Per Hour	Total Cost
State Councils on Developmental Disabilities Annual Program Performance Report (PPR)	9,632	62.20	599,110.40
Total	9,632	62.20	599,110.40

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14.)

- **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and acquiring and maintaining record storage facilities.**
- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of**

respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

- Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government or (4) as part of customary and usual business or private practices. Also, these estimates should not include the hourly costs (i.e., the monetization of the hours) captured above in Item 12

Total Annualized Capital/Startup Cost:

Total Annual Costs (O&M):

Total Annualized Costs Requested:

No additional capital or other costs are incurred by respondents other than those specified in the previous question.

- 14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.**

There are 56 reports, with an average review and approval time of 6 hours each. The work is typically split between two staff: one at the GS-13, step 4 level (\$49.96) and one at the GS-12, step 4 level (\$42.02). The total amount is doubled to account for benefits and overhead for a grand total of \$30,905.28

GS Level	<u>Number of Hours</u>	<u>Cost Per Hours</u>	<u>Cost Per Staff Member</u>	<u>Benefits and Overhead</u>	<u>Total Cost</u>
GS-13, step 4	168	\$46.96	\$8,393.28	\$8,393.28	\$16,786.56
GS-12, step 4	168	\$42.02	\$7,059.36	\$7,059.36	\$14,118.72
Total:	336	\$88.98	\$15,452.64	\$15,452.64	\$30,905.28

- 15. Explain the reasons for any program changes or adjustments. Generally, adjustments in burden result from re-estimating burden and/or from economic phenomenon outside of an agency’s control (e.g., correcting a burden estimate or an organic increase in the size of the reporting universe). Program changes result from**

a deliberate action that materially changes a collection of information and generally are result of new statute or an agency action (e.g., changing a form, revising regulations, redefining the respondent universe, etc.). Burden changes should be disaggregated by type of change (i.e., adjustment, program change due to new statute, and/or program change due to agency discretion), type of collection (new, revision, extension, reinstatement with change, reinstatement without change) and include totals for changes in burden hours, responses and costs (if applicable).

This revision of a currently approved information collection (ICR-Rev) will increase burden. The burden is primarily due to the incorporation of new performance measures into the FFY2017-2021 state plan cycle. These measures will hone in on individual and family advocacy, as well as systems change advocacy. One example of these measures is a reporting of the number of promising and/or best practices improved as a result of systems change activities. The PPR is an opportunity for Councils to report on the actual data and outcomes that resulted from carrying out the new State plan activities. The proposed revisions to the PPR form were reviewed and pilot tested by a Performance Measures Workgroup consisting of nine (9) State Council representatives. This workgroup deemed the PPR revisions necessary to accurately capture and report on the progress of the State Councils. A separate workgroup consisting of nine (9) different State Council representatives further discussed data collection methodologies as it relates to the proposed PPR template. The new performance measures will offer a comprehensive categorization and approach to collecting data necessary to report to Congress and other interested entities.

- 16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

This collection is used for monitoring purposes on an annual basis. The data collected is utilized in various capacities, including for GPRAMA. Additionally, information is utilized in reports to Congress and the Biennial Report. The Performance Measures data is able to provide longitudinal results of State Council efforts and subsequent results.

- 17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

The OMB expiration date will be displayed.

- 18. Explain each exception to the certification statement identified in the Certification of Paperwork Reduction Act.**

There are no exceptions to the certification statement.