

FRN 1: OCC Monitoring System Compliance Demonstration Packet

Response to Comments from TN Department of Human Services

Re: TDHS Comments on the Child Care and Development Fund (CCDF) State Monitoring Compliance Demonstration Packet

TDHS, Division of Child Care and Community Services, respectfully submits the following comments in response to the ACF-OCC notice in the *Federal Register* from October 29, 2018 seeking public comment on the *CCDF State Monitoring Compliance Demonstration Packet*. TDHS is supportive of a compliance structure that recognizes individualized systems between states and allows states the flexibility to propose state-specific compliance plans. As indicated in greater detail below, there is a need for more guidance from ACF-OCC concerning the process ACF-OCC will use to gather this information.

Comment #1: Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility

TDHS is in agreement with the 11 priority categories that ACF-OCC proposes to use to collect compliance data from states, and thinks that these categories have practical utility in assessing state performance.

Comment #2 The accuracy of the agency's estimate of the burden of the proposed collection of information

It is unclear from the annual burden estimates provided by ACF-CCO in the notice how much time ACF-CCO is considering giving states to complete the Compliance Demonstration Chart. It is also unclear whether ACF-CCO is proposing that all components of the process must be submitted simultaneously.

Does the “Average burden hours per response” in the notice apply to each of the 11 priority categories requested? In other words, is ACF-CCO proposing to allow states at least 176 hours (16 hours each for 11 topics, totaling 176 hours) for completion of the Compliance Demonstration Chart? TDHS supports the burden hours provided in the notice if the 16 hours contemplates time for each of the 11 metrics requested, and not as a total timeframe of 16 hours for completing the entire Compliance Demonstration Chart. Additionally, it is unclear what the submission cadence of the Compliance Demonstration Chart and Document Submission Chart will be. Will ACF-CCO require that states submit the two charts simultaneously? TDHS suggests that ACF-CCO require states to submit the Compliance Demonstration Chart initially for ACF-CCO review prior to the submission of the Document Submission Chart in the event additional or different documents are required upon ACF-CCO review, so that states can account for those changes before spending time compiling the documents for the Document Submission Chart.

Finally, TDHS suggests that ACF-CCO consider a phased approach, where groups of the 11 metrics are submitted together, rather than submitting all Compliance Demonstration Chart metrics simultaneously. As this would be the initial implementation of this new system, a phased approach of the initial Compliance Demonstration Chart would allow ACF-CCO to identify and correct any process flaws in the submission process after implementation and provide feedback to states to inform completion of the remaining Compliance Demonstration Chart in the event problems arise with the submission process or individual state submissions.

Response:

There are 2 burden estimates for the Compliance Demonstration Packet. The first estimate of 16 hours refers to the State's burden to complete the compliance demonstration chart. This should include the state's proposed methods of demonstrating compliance for each of the 11 priority areas, but does not include the actual supporting documentation at this stage. For the compliance demonstration chart, OCC is not looking for details on the specific documents and titles or links to these, but rather, a broad description of how the state proposes to demonstrate compliance. The 16 hours is the total estimated burden for all 11 topic areas. Note that the state will have more than 2 weeks to complete the compliance demonstration chart before submitting it to OCC prior to their first scheduled monitoring call. The compliance demonstration chart is submitted first, then after review and confirmation from OCC in collaboration with the state, the state will be asked to complete and submit the Document Submission Chart along with the associated information.

For the Document Submission Chart, the state will have at least 4-6 weeks from the time that the Compliance Demonstration Chart is finalized to compile and submit the documentation with the Document Submission Chart to OCC. The estimated level of effort on the state's part is 80 hours based on data collected through a number of pilot visits that were conducted during the development of the monitoring process. OCC will accept submission of documentation in a phased approach based on individual discussions and agreements with the state staff and OCC monitoring team. This is a collaborative effort and OCC will work individually with each State to ensure a process of collecting data from the state that is efficient and effective.

Comment #3: The quality, utility, and clarity of the information to be collected

TDHS thinks that the information requested in the *CCDF State Monitoring Compliance Demonstration Packet* is useful and clear and aligns with CCDF priorities. It will be important for states to be able to demonstrate compliance with these requirements through documents and tools that are unique to the operations and system design in that state.

Comment #4: Ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology

TDHS suggests that states submit documents through a secure database instead of email due to the volume of documents requested. TDHS additionally suggests that ACF-OCC accept a website link in lieu of document submission whenever documents are available online (e.g., state licensing rules). Finally, TDHS suggests that ACF-CCO provide feedback on these documents through a secure database with an accompanying email alert notifying states that revised documents are available for review.

Response:

OCC is working to release an IT system that the states will have access to in order to upload their resources and submission chart through a secure system. Additionally, OCC will accept (and encourages) states to provide links to information wherever documentation or relevant evidence of compliance is available online. OCC will work collaboratively with states to provide feedback on the relevance of the documentation and will use the onsite portion of the monitoring visit to clarify any needed information if the submitted documentation is not clear. This collaboration occurs during State Monitoring Calls where OCC will provide feedback to the state on their documentation and any additional follow up that will be needed onsite. When the OCCMS IT System is live, states will have the ability to upload their documents into a secure system which will notify them through email when documents are uploaded

successfully/unsuccessfully. OCC will not request documentation or information from the state that is already available through other data collection forms or available online.