

# **Plan for Foster Care, Prevention and Permanency—Title IV–E**

OMB Information Collection Request  
0970-0433

Supporting Statement Part A – Justification  
October 2019

Submitted by  
Children's Bureau  
Administration for Children and Families  
U.S. Department of Health and Human Services

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

Section 471 under title IV-E of the Social Security Act (the Act) authorizes collection of information through the title IV-E plan (OMB control number 0970-0433). Title IV-E of the Act was amended by Public Law 115-123, to include the Family First Prevention Services Act (FFPSA).

The FFPSA authorized new optional title IV-E funding for time-limited (one year) prevention services for mental health/substance abuse and in-home parent skill-based programs for: (1) A child who is a candidate for foster care (as defined in section 475(13) of the Act), (2) pregnant/parenting foster youth, and (3) the parents/kin caregivers of those children and youth (sections 471(e), 474(a)(6), and 475(13) of the Act). Title IV-E prevention services must be rated as promising, supported, or well supported in accordance with HHS criteria and be approved by HHS (section 471(e)(4)(C) of the Act) as part of the title IV-E Prevention Services Clearinghouse (section 476(d)(2) of the Act). A state or tribal title IV-E agency electing to participate in the program must submit a five-year title IV-E prevention program plan that meets the statutory requirements. (See Program Instructions ACYF-CB-PI-18-09 and ACYF-CB-PI-18-10 for more information.)

The FFPSA also amended Section 474(a)(7) of the Act to reimburse state and tribal IV-E agencies for a portion of the costs of operating kinship navigator programs that meet certain criteria. To qualify for funding under the title IV-E Kinship Navigator program, the program must meet the requirements of a kinship navigator program described in section 427(a)(1) of the Act. The kinship navigator program must also meet practice criteria of promising, supported, or well-supported in accordance with HHS criteria and be approved by HHS (section 471(e)(4)(C) of the Act). To begin participation in the title IV-E Kinship Navigator Program, a title IV-E agency must submit an attachment to its title IV-E plan that specifies the Kinship Navigator model it has chosen to implement, the date on which the provision of program services began or will begin, and that provides an assurance that the model meets the requirements of section 427(a)(1) of the Act as well as a brief narrative describing how the program will be operated. (Please see Program Instruction ACYF-CB-PI-18-11 for additional information.)

In addition, as stated in the Transitional Payments for the Title IV-E Prevention and Family Services and Programs program instructions (ACYF-CB-PI-19-06) a state must complete and submit the checklist in Attachment B of the PI, with all required documentation, to request transitional payments for a title IV-E prevention program or service which has not yet been rated by the Clearinghouse.

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

Each public child welfare agency (title IV-E agency) requesting federal funding under the Act for the foster care, adoption assistance and (optional) guardianship assistance program is

required to submit a IV-E plan. Title IV-E agencies include state and territorial public child welfare agencies and those tribes, tribal organizations and tribal consortia (hereafter referred to as tribes) who elect to operate a IV-E program. The plan is used by a Title IV-E agency to describe the nature and scope of the agency's programs; document program compliance; and provide assurances the programs will be administered in conformity with specific requirements stipulated in title IV-E. The plan must include all applicable statutory/U.S. Code, regulatory, or policy references and citation for each federal requirement as well as supporting documentation. The Children's Bureau (CB) uses the plan to evaluate and monitor program implementation; identify practice and systemic issues; target areas for potential or enhanced technical assistance; and support monitoring reviews.

Title IV-E agencies electing to participate in the optional title IV-E Kinship Navigator Program, must submit an attachment to its title IV-E plan that specifies the Kinship Navigator model it has chosen to implement, the date on which the provision of program services began or will begin, and that provides an assurance that the model meets the requirements of section 427(a)(1) of the Act as well as a brief narrative describing how the program will be operated. This submission will remain in effect unless the title IV-E agency chooses to change its Kinship Navigator model or service area, in which case the title IV-E agency must submit an updated attachment no later than the end of the calendar quarter in which the stated program changes are to be in effect.

A state or tribal title IV-E agency electing to participate in the optional title IV-E Prevention Services program must submit a five-year title IV-E prevention program plan that meets the statutory requirements.

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

Title IV-E agencies complete an electronic version of the title IV-E plan pre-print that can be accessed through CB's website which may be submitted electronically to CB. A title IV-E agency may use the pre-print plan format issued by CB or a different format, on the condition that the format used includes all of the title IV-E plan requirements.

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

This information collection does not duplicate information collected for other purposes or from other data sources. Through extensive contacts with organizations and individuals in the public and private sectors, program staff is certain there is no similar information available.

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

This information collection does not impact small businesses or other small entities. Only title IV-E agencies are required to collect and report this information.

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

A title IV-E agency cannot receive federal reimbursement for allowable program activities if the information collection is not conducted or is conducted in a manner contrary to federal provisions. The title IV-E plan is required by federal statute. Legislative change is the only means to reduce or eliminate this burden.

Once the initial title IV-E plan for the foster care, adoption and, if applicable, optional guardianship program has been submitted by the title IV-E agency and approved by the Department, the plan remains in effect until an amendment is required due to a significant and pertinent change in the title IV-E plan information. The same is true for the attachment that must be submitted to participate in the optional title IV-E Kinship Navigator program. The title IV-E Prevention Services plan must be submitted once every five years by participating title IV-E agencies and may be amended more frequently, if the title IV-E agency wants to make programmatic changes.

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

There are no special circumstances that require the collection of the requested information in a manner other than that required by OMB.

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

In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13) and Office of Management and Budget (OMB) regulations at 5 CFR Part 1320 (60 FR 44978, August 29, 1995), ACF published a notice in the Federal Register announcing the agency's intention to request an OMB review of this information collection activity. This notice was published on July 23, 2019, Volume 84, Number 141, page 35391, and provided a sixty-day period for public comment. We did not receive comments.

Annually, CB meets with Title IV-E agency representatives responsible for foster care, adoption and guardianship services. These meetings discuss innovations in the field and allow CB to provide a forum for discussing critical child welfare issues. These experts expressed no concerns regarding the collection of information in the title IV-E plan.

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

No gift or payment will be provided to any respondents other than reimbursement for legitimate financial claims under this program.

## 10. Assurance of Confidentiality Provided to Respondents

Title IV-E plans are public documents. The plans do not contain identifying, personal information on individuals and must be made available for public review. The plans must include assurances of compliance with section 471(a)(8) of the Act, which provides for safeguarding the use and disclosure of information on applicants and recipients of services.

## 11. Justification for Sensitive Questions

There are no questions or other information of a sensitive nature in this information collection.

## 12. Estimates of Annualized Burden Hours and Costs.

### ANNUAL BURDEN ESTIMATES

Title	Total Number of Respondents	Total Number of Responses per Respondent	Average Burden Hours per Response	Total Burden Hours	Average Hourly Wage	Total Annual Cost
Title IV-E Plan	17	1	16	272	\$17.22	\$4,684
Title IV-E prevention services plan	30	1	5	150	\$17.22	\$2,583
Title IV-E kinship navigator program	45	1	1	45	\$17.22	\$775
Estimated Annual Burden Total:				467	Estimated Annual Cost Total:	\$8,042

The job code is 21-1093 Social and Human Services Assistants and wage data from May 2018 is \$17.22 per hour mean hourly wage. Therefore to account for fringe benefits and overhead the rate is multiplied by two which is \$34.44 times 467 or \$16,084.

<https://www.bls.gov/oes/current/oes211093.htm>.

### *Title IV-E Plan*

Title IV-E agencies submit an initial IV-E plan for approval to participate in the title IV-E program. Thereafter, they submit Plan amendments whenever necessary to reflect changes in federal statute or regulation, or, material changes in state, territorial or tribal law/code, policy or program operation. CB's experience is that a title IV-E agency will amend a plan once every four years and that about one-fourth of agencies will amend their plans annually. We estimate, based on prior experience and informal reports from title IV-E agencies that it will take approximately 16 hours to abstract, assemble and transmit necessary information. We

have had no comments on the burden estimate over several iterations.

*Title IV-E Prevention Services Plan*

A title IV-E agency electing to participate in the prevention services program must submit a five year title IV-E prevention services plan that meets statutory requirements. A title IV-E agency must complete and submit the checklist in Attachment B, with all required documentation, to request transitional payments for a title IV-E prevention program or service which has not yet been rated by the Clearinghouse. We estimate 30 title IV-E agencies will submit plans over the next three years at an average burden of 5 hours each. We did not receive any comments on this burden estimate in response to the first Federal Register notice.

*Title IV-E Kinship Navigator Program*

A title IV-E agency wishing to participate in the Kinship Navigator program must submit an attachment to its title IV-E that specifies the Kinship Navigator model it has chosen to implement, the date on which the provision of program services began or will begin, and that provides an assurance that the model meets the requirement of section 427(a)(1) of the Act as well as a brief narrative describing how the program will be operated. We estimate 45 states will submit plans over the next three years at an average burden of 1 hour each. We did not receive any comments on this burden estimate in response to the first Federal Register notice.

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

There are no other costs to respondents and record keepers.

**14. Annualized Cost to the Federal Government**

We estimate Federal staff spend 2 hours analyzing submissions and so estimate the annual cost to the federal government at \$32,690.

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

This information collection was last re-authorized 04/02/2019. Since then, changes to title IV-E necessitated by passage of Public Law 115-123, which included the Family First Prevention Services Act (FFPSA) which requires the addition of the title IV-E prevention services plan and the title IV-E plan attachment for the title IV-E kinship navigator program to the title IV-E plan information collection.

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

CB does not plan to publish the information collected.

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

The OMB control number and expiration date are displayed on the front page of the pre-print format issued by CB.

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

There are no exceptions to the certification statement.