

State Plan for Support Collection and Establishment of Paternity Under Title IV-D of the Social Security Act

**OMB Information Collection Request
0970 - 0017**

Supporting Statement Part A - Justification

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Submitted By:
Office of Child Support Enforcement
Administration for Children and Families
U.S. Department of Health and Human Services

SUPPORTING STATEMENT A – JUSTIFICATION

1. Circumstances Making the Collection of Information Necessary

The requirement for submission of a state plan and plan amendments for the Child Support Enforcement program is found in legislation at sections 452, 454 and 466 of the Social Security Act (the Act). These sections are implemented by regulations at 45 CFR 301, 302, 303, 305, 307 and 308. States and territories are provided with instructions for completing the automated state plan and plan amendments in [OCSE-AT-15-02](#).

The Office of Child Support Enforcement (OCSE) has approved a IV-D state plan for each state and territory. Federal regulations require states and territories to amend their state plans only when necessary to reflect new or revised federal statutes or regulations or material change in any state law, organization, policy, or IV-D agency operations. According to 45 CFR 301.13, “After approval of the original plan by the Office, all relevant changes, required by new statutes, rules, regulations, interpretations, and court decisions, are required to be submitted currently so that the Office may determine whether the plan continues to meet federal requirements and policies.”

The Office of Management and Budget (OMB) previously approved the IV-D state plan forms OCSE-100 and OCSE-21-U4. All states have had IV-D plans in place for years. Plan amendments that states submit now are normally specific preprint plan pages that are required by changes in state laws or processes, or required by federal law, regulations, or policies. States and territories submit, on average, 12 preprint state plan pages (OCSE-100) and 12 transmittals (OCSE-21-U4) annually to notify OCSE of relevant changes required by new state statutes, rules, interpretations and court decisions.

We request approval of an extension of this currently approved collection with minor revisions to one of the forms. OCSE proposes very minor edits to the OCSE-21-U4 to remove outdated language, clarify instructions, and add an option for states to electronically request or renew an exemption from the mandatory laws and procedures in Section 466 of the Social Security Act via the online state plan system. Attachments include the OCSE-100 and the OCSE-21-U4.

2. Purpose and Use of the Information Collection

The information collected on the state plan pages is necessary to enable OCSE to determine whether each state and territory has a IV-D state plan that meets the requirements in Title IV-D of the Act and implementing regulations. The state plan preprint pages gives each state a convenient method for developing statements to be submitted to OCSE for approval describing the nature and scope of its program and giving assurances that the program is administered in accordance with the requirements in Title IV-D of the Act and the implementing regulations at 45 CFR Chapter III. The state plan is analogous to a state having a contract with OCSE in that it outlines the activities the state will perform as

required by law in consideration for receiving federal funds to meet the costs of these activities. The state plan is the basis for making federal funding available to the states for the costs of operating the Child Support Enforcement program.

3. Use of Improved Information Technology and Burden Reduction

In 2015, OCSE developed an online system to process state plan amendments. Revised procedures for the submission, review, and approval of state plan pages and attachments, as well as the user manual are available online in OCSE AT-15-02.

4. Efforts to Identify Duplication and Use of Similar Information

The collection of information requirements contained in these forms does not duplicate any other reporting or recordkeeping requirements.

5. Impact on Small Businesses or Other Small Entities

The collection of information requirements does not involve small businesses or entities.

6. Consequences of Collecting the Information Less Frequently

As noted under item 2, the state plan is the basis for making federal funding available to the states for the costs of operating the Child Support Enforcement program. Generally, states and territories submit preprint state plan pages to OCSE on a one-time only basis to reflect new federal requirements. In addition, states and territories will periodically amend their state plans to reflect any material change in state laws, organization, policy, or IV-D agency operation.

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

The collection of information does not involve any special circumstances.

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 December 6, 2019, Volume 84, Number 235, page 66914, and provided a sixty-day period for public comment. During the notice and comment period, one supportive comment was received, which is attached.

9. Explanation of Any Payment or Gift to Respondents

No payment or gift is provided to respondents.

10. Assurance of Confidentiality Provided to Respondents

The required information collection does not require assurances of confidentiality.

11. Justification for Sensitive Questions

The required information collection does not involve asking questions of a sensitive nature.

12. Estimates of Annualized Burden Hours and Costs

Information Collection Title	Total Number of Respondents	Annual Number of Responses Per Respondent	Average Burden Hours Per Response	Annual Burden Hours	Average Hourly Wage	Total Annual Cost
State Plan (OCSE-100)	54	12	.5	324	\$62	\$20,088
State Plan Transmittal (OCSE-21-U4)	54	12	.25	162	\$62	\$10,044
			Estimated Annual Burden Total:	486	Estimated Annual Cost Total:	\$30,132

To calculate the cost to respondents we used the wage data from the Bureau of Labor Statistics (BLS) job code for State Government Management Analyst [13-1111] from May 2018. (<http://www.bls.gov/oes/current/oes131111.htm>.) The median wage rate is \$31.02, rounded down to \$31 per hour. To account for fringe benefits and overhead the rate was multiplied by two which is \$62. The estimate of annualized cost to respondents for hour burden is \$62 times 486 hours or \$30,132.

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

The annualized costs to the federal government for the hour burdens are based on an average wage rate of \$53 per hour for federal employees who review submitted state plan pages from respondents. Estimates regarding the hours federal staff spend processing each state plan submission (0.5 hours for state plan pages and 0.25 hours for state plan transmittal) were determined by past employees' experiences in reviewing state plan pages in OCSE.

Instrument	Total number of responses (54 states x 12 responses each)	Average federal burden hours per response	Average hourly federal wage	Total Annual Cost
State Plan (OCSE-100)	648	.5	\$53	\$17,172
State Plan Transmittal (OCSE-21-U4)	648	.25	\$53	\$8,586
Sum				\$25,758

In addition, there is a cost to the federal government for maintenance of the online state plan system of \$44,660. Therefore, the total annual cost to the Federal Government is the sum of \$25,758 and \$44,660, which equals \$70,418.

15. Explanation for Program Changes or Adjustments

This is an adjustment based on the number of preprint state plan pages submitted over the past three years. There was also an increase in the average hourly wage of state employees who submit the forms and federal employees who review state plans. There is a slight adjustment to the cost to the Federal Government based on very minor changes to one of the forms, OCSE-21-U4. (See item 1, above.)

16. Plans for Tabulation and Publication and Project Time Schedule

There is no planned analysis or publication of the data collected by state agencies.

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

Not applicable.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

No exceptions are necessary for this information collection.