

**Community Residential Care (CRC) Program
Recordkeeping, Incident Reporting, Applications**

OMB Control Number: 2900-0491

Summary of Changes from Previously Approved Collection:

- CRC incident reporting requirements, VA Form 10-2407 (CRC Application), and VA Form 10-387 (MFH Application) have been added to this collection.
- The number of responses and burden hours have increased as a result of adding these CRC information collections.
- VA did not receive comments on the 60-day FRN.

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary. Identify legal or administrative requirements that necessitate the collection of information.

VA is authorized under 38 U.S.C. 1730 to assist veterans by referring them for placement, and aiding veterans in obtaining placement, in Community Residential Care facilities (CRC). VA has published regulations related to CRC approval at 38 CFR 17.61 – 17.74. Under that authority, VA maintains a list of approved CRCs, and conducts periodic inspection of those facilities to ensure that the facility is maintained per standards published at 38 CFR 17.63. A CRC applies to VA to be included on VA's "approved" list. CRCs that apply for approval must accept the VA conditions of participation. VA inspects CRCs with the permission of the CRC operator and, if deficiencies are found during the inspection, the CRC operator freely decides whether to correct them in order to become or remain on VA's "approved" list. VA maintains an "approved CRC list" and makes it available to veterans. Being included on the approved list does not constitute VA's endorsement of the CRC. Rather, it means that the CRC applied for inclusion on the approved list, agreed to VA's conditions of participation and has passed VA's inspection. The veteran makes the decision (without VA involvement) whether to reside in an approved CRC or one that is not on the approved list.

One of the standards a CRC must meet is the requirement to maintain records on each resident in a secure place. Facility records must include emergency notification procedures and a copy of all signed agreements with the resident. 38 CFR 17.63(i). These records must be maintained by the CRC, and the CRC must make those records available for VA inspection upon request. A Medical Foster Home (MFH) is a subtype of CRC and is required to comply with the record keeping requirements of 38 CFR 17.63(i). See 38 CFR 17.74(q). In addition, the CRC must maintain and make available, upon request of the approving official, records related to CRC staff requirements and provide that the CRC has sufficient, qualified staff on duty and available to care for the resident and ensure the health and safety of each resident. This recordkeeping requirement continues to be part of the CRC standards, and VA continues to include access and review of those records as an integral part of the CRC inspection process.

CRCs must report alleged incidents of alleged mistreatment, neglect, or abuse of a Veteran resident. Under 38 CFR 17.63(j)(3) CRCs are required to immediately, meaning no more than 24 hours after the provider becomes aware of the alleged violation, report the allegation or incident, including injuries of unknown source, and misappropriation of resident property to the approving official. VA requires the CRCs to document and thoroughly investigate evidence of an alleged violation. The results of all investigations must be reported to the approving official within 5 working days of the incident and to other officials in accordance with State law.

CRCs would be required to report information under this rule when the facility: (1) has an alleged violation involving mistreatment, neglect, or abuse, including injuries of unknown source, and misappropriation of resident property; or (2) is reporting the results of an investigation into that alleged violation. The CRCs would also be required to document and investigate evidence of any alleged violation. VA views the reporting, documenting, and investigating of an alleged incident and the subsequent report of the results of the investigation to be one collection of information, as it focuses on one set of alleged facts and the facility's investigation of those facts.

VA Form 10-2407 is an application used by Community Residential Care (CRC) home sponsors seeking VA approval to provide care to veterans. VA Form 10-387 is an application used by Medical Foster Home (MFH) caregivers seeking VA approval to provide care to veterans. The applicants supply references and agree to a VA inspection of the home, a monthly rate, and compliance with other VA standards for residential care. In addition, MFH applicants submit copies of applicable licenses with the application. This information is collected under the authority of Title 38, Part II, Sections 1720 and 1730.

2. Indicate how, by whom, and for what purposes the information is to be used; indicate actual use the agency has made of the information received from current collection.

The information collected will be used by VA as part of the process used to determine whether a CRC meets the standards for approval as a veteran care facility or home. Information also will be used to assure continued compliance with CRC program requirements, such as recordkeeping and incident reporting.

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

The recordkeeping aspect of this collection does not involve the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. The records would be maintained by the individual CRC, and would be available for review by VA.

The 10-2407 and 10-387 forms have a low return on investment as a result of low transaction frequency and would not pay for electronic conversion in five years. Additionally, as homes with a variety of levels of automation will submit the data on the form, it will be difficult to automate this data collection. However, VA will post fillable versions of the forms on the VA websites for fill, save and print submissions.

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.

The information requested by VA Form 10-2407 and VA Form 10-387 is not available from any other source. Similarly, the required records kept by the CRC, including incident investigations, are not available from any other source.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

A CRC is an individual home/business entity that is independent from VA. The sole relationship between a CRC and VA is VA's inclusion of a CRC on a list of approved CRCs (which is made available to the veteran). The burden of the information collection is reduced through narrowly defining the type and class of records that must be maintained by the CRC, and which must be made available to VA as part of VA's inspection. The impact on small businesses has been kept to an absolute minimum. The questions are only those required to verify the home's adequacy to render care to veterans.

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.

VA would not be responsive to the needs of the Veteran resident and to the legal requirements for maintenance and release of information if information were collected less frequently.

7. Explain any special circumstances that would cause an information collection to be conducted more often than quarterly or require respondents to prepare written responses to a collection of information in fewer than 30 days after receipt of it; submit more than an original and two copies of any document; retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years; in connection with a statistical survey that is not designed to produce valid and reliable results that can be generalized to the universe of study and require the use of a statistical data classification that has not been reviewed and approved by OMB.

There are no such special circumstances.

8. a. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the sponsor's notice, 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 that notice and describe actions taken by the sponsor in responses to these comments. Specifically address comments received on cost and hour burden.

A 60-Day Federal Register Notice (FRN) for the collection published on Monday, October 7, 2024. The 60-Day FRN citation is 89 FR 81152. No comments were received during the 60-Day Comment Period.

A 30-Day Federal Register Notice for the collection published on Friday, December 13, 2024. The 30-Day FRN citation is 89 FR 101098.

b. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, clarity of instructions and recordkeeping, disclosure or reporting format, and on the data elements to be recorded, disclosed or reported. Explain any circumstances which preclude consultation every three years with representatives of those from whom information is to be obtained.

Outside consultation is conducted with the public through publication of the 60-day and 30-day FRNs.

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

No payment or gift is provided to respondents.

10. Describe any assurance of privacy, to the extent permitted by law, provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

Privacy of CRC records is ensured under VA regulations at 38 CFR 17.63(i)(3). The records may only be disclosed with the resident's permission, or when required by law.

Information provided on VA Forms 10-2407 and 10-387 will become part of a system of records, which complies with the Privacy Act of 1974. This system is identified as "Community Residential Care and Medical Foster Home Programs-VA" (142VA10) as set forth in the Compilation of Privacy Act Issuances via online GPO access at <http://www.gpoaccess.gov/privacyact/index.html>.

11. Provide additional justification for any questions of a sensitive nature (Information that, with a reasonable degree of medical certainty, is likely to have a serious adverse effect on an individual's mental or physical health if revealed to him or her), such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private; include 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.

There are no questions of a sensitive nature.

12. Estimate of the hour burden of the collection of information:

Total Annual Burden: **4,484 hours**
Total Annual Responses: **3,400**

a. The number of respondents, frequency of responses, annual hour burden, and explanation for each form is reported as follows:

Information Collection	No. of respondents	x No. of responses	x No. of minutes		Number of Hours
Recordkeeping Requirements (CRCs & MFHs)	950	1	90 min	÷ 60 =	1,425 hrs
Mistreatment, Neglect, or Abuse Incident Reporting (CRCs & MFHs)	950	1	180 min		2,850 hrs
CRC Application (10-2407)	500	1	5 min		42 hrs
MFH Application (10-387)	1,000	1	10 min		167 hrs
TOTALS	3,400				4,484 hours

b. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13.

See chart in subparagraph 12a above.

c. Provide estimates of annual cost to respondents for the hour burdens for collections of information. 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.

VA cannot make assumptions about the population of respondents because of the variability of factors, such as the educational background and wage potential of respondents. Therefore, VHA used general wage data to estimate the respondents' costs associated with completing the information collection.

The Bureau of Labor Statistics (BLS) gathers information on full-time wage and salary workers. According to the latest available BLS data, the mean hourly wage is \$31.48 based on the BLS wage code – “00-0000 All Occupations.” This information was taken from the following website:
https://www.bls.gov/oes/current/oes_nat.htm.

Legally, respondents may not pay a person or business for assistance in completing the information collection. Therefore, there are no expected overhead costs for completing the information collection. VBA estimates the total cost to all respondents to be \$141,156.32 (4,484 burden hours x \$31.48 per hour).

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

- a. There are no capital, start-up, operation or maintenance costs.
- b. Cost estimates are not expected to vary widely. The only cost is that for the time of the respondent.
- c. There is no anticipated recordkeeping burden.

14. Provide estimates of annual cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operation 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.

1. There are no Federal costs associated with the Recordkeeping requirements.
2. There are no Federal costs associated with the Incident Reporting.
3. Cost to Federal Government for 10-2407 is estimated at **\$2,330.50**.

VA Form 10-2407	500 forms x \$15.28/hour (GS 4/5) x 6 min./60	\$764.00
	500 forms x \$31.33/hour (GS 11/5) x 6 min./60	\$1,566.50
	TOTAL	\$2,330.50

4. Cost to Federal Government for 10-387 is estimated at **\$4,661.00**

VA Form 10-387	1,000 forms x \$15.28/hour (GS 4/5) x 6 min./60	\$1,528.00
	1,000 forms x \$31.33/hour (GS 11/5) x 6 min./60	\$3,133.00
	TOTAL	\$4,661.00

Total cost to Federal government is:	\$6,991.50
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15. Explain the reason for any burden hour changes or adjustments reported in items 13 or 14.

The burden hours have increased as a result of adding incident reporting requirements and CRC/MFH application forms (VA Forms 10-2407 and 10-387) to this collection.

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.

VA does not intend to publish this data.

17. If seeking approval to omit the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

VA will include the expiration date on VA Forms 10-2407 and 10-387.

18. Explain each exception to the certification statement identified in Item 19, “Certification for Paperwork Reduction Act Submissions,” of OMB 83-I.

There are no exceptions.