

Supporting Statement: ACL Administration on Aging Formula Grant Programs

A. Justification

1. Circumstances Making the Collection of Information Necessary

As a center in the Administration for Community Living, the Administration on Aging (AoA) provides expertise on program development, advocacy, initiatives for older Americans, their caregivers, and families. Working with state agencies, local agencies, grantees, and community providers, AoA directs programs authorized by the Older Americans Act (OAA), Elder Justice Act (EJA), and other legislation that supports older adults. Through these programs multi-year state plans, assurances, and other financial forms are needed to provide approval and oversight of grant recipients.

ACL is seeking approval for a new information collection which will collect data related to AoA formula grant programs. This information collection will include data collection activity for state plans on aging and assurances, financial forms, and a corrective action plan (CAP) template each associated with aging formula grant management.

Authorizing Legislation

In 1965, Congress originally passed the [Older Americans Act](#) (OAA) in response to concerns by policymakers about a lack of community social services for older adults. The original legislation established authority for grants to states for community planning and social services, research and development projects, and personnel training in the field of aging. Changes to the OAA were made through the Supporting Older Americans Act of 2020 (P.L. 116-131). The OAA provides the foundation for the National Aging Network, which includes ACL/AoA, state units on aging (SUA), area agencies on aging (AAA), Tribal organizations, service providers, and volunteers. SUAs are an integral part of the network responsible for developing and administering a multi-year state plan that advocates and aids older residents, their families, caregivers, and adults with disabilities.

The Elder Justice Act, passed in 2010 is the first comprehensive legislation to address the abuse, neglect, and exploitation of older adults at the federal level. The law authorized a variety of programs and initiatives to better coordinate federal responses to elder abuse, promote elder justice research and innovation, support APS systems, and provide additional protections for residents of long-term care facilities. The importance of these services at the state-level and local-level is demonstrated by the fact that states significantly leverage OAA funds to obtain other funding for these activities.

The Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and the American Rescue Plan Act for the first time provided two years of federal funding (\$188 million in each year) to support the nationwide APS formula grant program authorized by the Elder Justice Act of 2010. That funding was used by states to expand or develop a variety of capabilities that were necessary to meet increased needs due to the public health pandemic, and ongoing funding is necessary to maintain the improved reach and effectiveness of APS systems beyond the pandemic. The FY 2023 Omnibus Appropriations Bill provided, for the first time, an annual appropriation of \$15 million to continue providing federal formula grants to state APS programs.

Collection Activity

The state plan on aging and financial forms provide statutorily required information regarding each state's contribution to programs to ensure compliance with legislative requirements, pertinent federal regulations, and other applicable instructions and guidelines issued by ACL. This information will be used for federal oversight of the aging programs.

OAA and APS grantees are required to comply with all terms and conditions contained in notices of award (NOA) issued by ACL. When it is determined that a grantee is not in compliance with one or more of these requirements, ACL may require a grantee submit a plan to enter compliance under a CAP. Any such CAP may require ACL's prior written approval, as determined by ACL. The CAP process is intended to be collaborative. Under a CAP, a grantee and ACL will jointly identify progress milestones and a feasible timeline for the grantee to come into compliance with the applicable requirement. Grantees must make a good faith effort at achieving full compliance to continue with permission from ACL to operate under a CAP.

2. Purpose and Use of Information Collection

The purpose of this information collection is for programmatic and financial management of the aging and APS formula grants. The state plan on aging provides the opportunity report achievements and planned activities for the multi-year plan period. A wide range of constituents use or will use the state plans to coordinate, monitor, evaluate, and improve aging network by using the state plans on aging as a blueprint for service planning and delivery. Additionally, ACL leverages state plans on aging to understand the numerous services older adults use, and to utilize the information for advocating the needs of older adults. The financial forms will assist in the facilitation of OAA formula grant management. And the CAP document will assist in compliance of OAA and EJA formula grants.

3. Use of Improved Information Technology and Burden Reduction

ACL does its best to ensure we are requiring the least amount of burden when collecting information from the public. To the extent possible, we strive to collect information electronically and/or use online collaboration tools to reduce burden unless other means provide more accessibility for a person or persons with a disability. ACL can develop or provide translation into languages other than English.

Some of ACL's grantees requiring translation would inform the state agencies, local agencies, and community providers for translation needs.

4. Efforts to Identify Duplication and Use of Similar Information

This collection of information is not collected through other ACL collections of information, there's no duplication of information.

5. Impact on Small Businesses or Other Small Entities

This information collection does not impact small entities.

6. Consequences of Collecting the Information Less Frequent Collection

SUAs are responsible for developing and implementing multi-year state plans. SUAs are also responsible for adhering to program management as required in the OAA. ACL uses these forms to transparently communicate priority goals and objectives related to assisting older residents and their families, and caregivers. The aging network at large uses the plans to coordinate funding activities.

If this information collection is not conducted SUAs will fail to meet statutory and regulatory requirements and the aging network is less equipped to transparently communicate priorities and coordinate efforts to support older residents, their families, and caregivers.

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

There is no individual level collection of race and ethnicity data or other demographic data elements in any of the forms in this collection. In the state plans attachment, there is reference to some demographic data points. These are at the state level, they are state level estimates, and Census data are used to generate these estimates therefore ACL will depend on Census's timeline to implement SPD-15 changes.

8. Comments in Response to the Federal Register Notice/Outside Consultation

In accordance with 5 CFR 1320.8(d), ACL published a 60-day Federal Register Notice (FRN) in *Federal Register* Vol. 88, No. 200 pages 71869-71871 on Wednesday, October 18, 2023. ACL received one public comment during the 60-day public comment period.

Organization	Section	Comment	Response
Commonwealth of Virginia, Department for Aging and Rehabilitative Services	Estimated Annualized Burden Table	Noted that the burden estimates for State Plans on Aging, and State Plans on APS are too low. Recommended identification of ways to reduce reporting requirements, as well as revising burden estimates. Recommended survey of states to inform future burden estimates.	ACL appreciates the comment but declines to make changes at this time.

A 30-day FRN published in the *Federal Register* in *Federal Register* Vol. 89, No. 103 pages 46123-46125 on Tuesday, May 28, 2024. This ICR published an additional 30-day FRN allowing the public additional opportunity to comment on the change in IC type. The first 30-day FRN applied to this ICR as a generic IC type. A 30-day FRN published in the *Federal Register* in *Federal Register* Vol. 89, No. 187 pages 78877-78878 on Thursday, September 26, 2024.

9. Explanation of any Payment/Gift to Respondents

ACL will not provide payment or other forms of remuneration to State Units on Aging or state entities for APS for the establishment of State plans or for adherence to the other forms and instructions that are a part of this request.

10. Assurance of Confidentiality Provided to Respondents

There are no assurances of confidentiality. Data will be kept private to the extent allowed by law. The obligation to respond to this collection is required to retain or maintain benefits under the Older Americans Act (P.L. 116-131). Information collected is planned for use by ACL to conduct federal oversight of Aging Programs. ACL uses information collected to monitor federal funds. Data will be kept private to the extent allowed by law. There are no assurances of confidentiality.

11. Justification for Sensitive Questions

In general, this information collection does not ask sensitive questions.

12. Estimates of Annualized Hour and Cost Burden

Estimated Annualized Burden Table

<u>State Plan on Aging and</u>	Data Collection Activity	Form	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
	State Unit on Aging (SUA)	State Plan on Aging	15	1	80	1,200
	State Unit on Aging (SUA)	Financial Forms	56	5	1	280
	OAA or APS Grantee	Corrective Action Plan	75	1	8	600
	Total Estimated Burden					2,080

Assurances

Fifty-five SUAs will develop a State Plan on Aging. The 55 SUAs include one in each of the 50 states as well as the District of Columbia, Guam, Puerto Rico, American Samoa, and the Northern Mariana Islands. SUAs are required to submit either a 2 (1 state), 3 (8 states), or 4-year (46 states) State Plan on Aging that includes assurances. Therefore, the average number of state plans submitted per year is 15 ((46 states/4-year state plan) +(8 states/3-year state plan) +(1 state /2 year state plan)). The annual burden hours (1,176) are based on the total number of SUAs (55) annualized submissions (14.7) who are required to submit a State Plan on Aging and an estimated average of 80 burden hours per response for development of a State Plan on Aging.

Financial Forms for Aging Programs

Fifty-six states will provide financial forms for aging programs. The 56 states include one in each of the 50 States as well as the District of Columbia, Guam, Puerto Rico, American Samoa, U.S. Virgin Islands, and the Northern Mariana Islands. States are required to submit financial forms annually or semi-annually. ACL is working on an estimated annualized burden estimate accounting

for the varying reporting periods for the financial forms either annually or semi-annually. The annual burden hours 280 is based on the total number of states (56) that are required to submit five (5) financial forms and an estimated average of 1 burden hours per response for submission of financial forms.

Corrective Action Plan

Fifty-six states and 290 Tribal organizations may submit a CAP to comply with provisions of their NOA for OAA or APS grants. Not every grantee will require a CAP. ACL is working on an estimated annualized burden estimate accounting for these considerations. The annual burden hours 600 is based on the total number of OAA and APS grantees who may be required to submit a CAP adjusted with ACL's extensive program experience working with grantees.

12B. Estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.

State Plan on Aging and Assurances

ACL anticipates for each state the equivalent of two (2) hours of executive staff comparable to a general and operations manager (Occupation code 11-1021), at a cost of \$55.41 per hour unadjusted adjusted hourly wage, \$110.82 adjusted for non-wage benefits and indirect costs (2 x \$110.82), and four (4) hours of a first-line supervisor (Occupation code 43- 1011), at a cost of \$30.47 per hour unadjusted hourly wage, \$60.94 adjusting for non-wage benefits and indirect costs (4 x \$60.94). State plans will be updated every three to five years. We monetize the cost of drafting one State plan at \$465.40. With 55 State plans at \$25,597 annually.

Financial Forms

ACL anticipates for each State the equivalent of two (2) hours of accountants and auditors (Occupation code 13-2011), at a cost of \$37.50 per hour unadjusted adjusted hourly wage, \$75.00 adjusted for non-wage benefits and indirect costs (2 x \$75.00), and one (1) hours of a first-line supervisor (Occupation code 43- 1011), at a cost of \$30.47 per hour unadjusted hourly wage, \$60.94 adjusting for non-wage benefits and indirect costs (1 x \$60.94). Financial forms will be submitted annually and semi-annually. We monetize the cost of submission of the 5 forms at \$1,054.70 annually. With 55 State submissions at \$58,008.05 annually.

Corrective Action Plans

ACL anticipates for each grantee the equivalent of four (4) hours of executive staff equivalent to a general and operations manager (Occupation code 11-1021), at a cost of \$55.41 per hour unadjusted adjusted hourly wage, \$110.82 adjusted for non-wage benefits and indirect costs (4 x \$110.82), and four (4) hours of a first-line supervisor (Occupation code 43- 1011), at a cost of \$30.47 per hour unadjusted hourly wage, \$60.94 adjusting for non-wage benefits and indirect costs (4 x \$60.94). We monetize the cost of CAP at \$687.04. We monetize 75 CAPs at \$51,528 annually.

13. Estimates of other Total Annual Cost Burden to Respondents or Recordkeepers/Capital Costs

There are no other total annual cost burden respondents or recordkeepers to include capital costs.

14. Annualized Cost to Federal Government State Plan on Aging and Assurances

We anticipate for ACL to review and provide feedback to SUAs and route for approval the equivalent of (20) hours of staff time for eight (8) federal GS-14 staff at a cost of \$63.64 unadjusted hourly wage, \$127.28 adjusted for non-wage benefits and indirect costs (20 x \$127.28), (20) hours of staff time for (2) Federal GS-15 equivalent at a cost of \$74.60, \$149.20 adjusted for non-wage benefits and indirect costs (20 x 149.20), and (1) hours of staff time for one GS-13 equivalent at a cost of \$53.85 per unadjusted hourly wage, \$107.70 per hour adjusted for non-wage benefits and indirect costs (1 x \$107.70). SUAs are required to submit either a 2 (1 state), 3 (8 states), or 4-year (46 states) state plan on aging that includes assurances. Therefore, the average number of state plans submitted per year is 15 ((46 states/4-year state plan) +(8 states/3-year state plan) +(1 state /2 year state plan)). We monetize the time spent by federal employees to review and approve state plans on aging a total cost per state plan on aging of \$5,637.30 annually. For fifty-five State plans, annualized submissions (15) on aging for a total of \$84,559.50.

Financial Forms

We anticipate for ACL to review and provide feedback to SUAs and route for approval the equivalent of (1) hours of staff time for one Federal GS-13 equivalent at a cost of \$53.67 unadjusted hourly wage, \$107.34 adjusted for non-wage benefits and indirect costs (1 x \$107.34). We monetize the time spent by Federal employees to review and approve financial forms a total cost per financial form of \$107.34. For five (5) forms for fifty-six (56) entities a total of \$30,055.20.

Corrective Action Plan

We anticipate for ACL to review and provide feedback to SUAs and route for approval the equivalent of (10) hours of staff time for ten (10) federal GS-14 equivalent at a cost of \$63.64 unadjusted hourly wage, \$127.28 adjusted for non-wage benefits and indirect costs (10 x \$127.28), (10) hours of staff time for (2) federal GS-15 equivalent at a cost of \$74.60, \$149.20 adjusted for non-wage benefits and indirect costs (10 x 149.20), and (1) hours of staff time for one GS-13 equivalent at a cost of \$53.85 per unadjusted hourly wage, \$107.70 per hour adjusted for non-wage benefits and indirect costs (1 x \$107.70). We monetize the time spent by federal employees to review and approve CAPs at a total cost per CAP of \$2,872.7. For seventy-five CAPs, annualized submissions (75) would equal a total of \$215,452.5.

15. Explanation for Program Changes or Adjustments

This is a new information collection request.

16. Plans for Tabulation and Publication and Project Time Schedule

Information is reviewed and used in monitoring for grant program compliance. ACL is committed to compliance with the Government Data Act (Title II of the Foundations for Evidence-Based Policymaking Act of 2018, P.L. 115-435). This law requires Federal agencies to publish all public government data assets online as open data, using standardized, machine-readable data formats.

Because states receive formula grants every year, there is no end date for the reporting requirements. States will remain on a set reporting cycle, with the period beginning October 1 and ending September 30 each year. Approved state plans will be submitted electronically and posted on SUA websites. No complex analytical techniques will be used.

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

ACL will display the OMB number, expiration date and paperwork reduction act public burden disclosures on each collection activity form and instructions.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

These activities comply with the requirements in 5 CFR 1320.9, and ACL is not seeking an exception.