

June 13, 2018

Kathleen McHugh, Director
Policy Division
Administration for Children and Families
United States Department of Health and Human Services
330 C Street SW
Washington, DC 20024

Re: 45 CFR Part 1355; RIN 0970-AC42; Fed Reg No: 2018-05042 (Submitted Electronically)

Dear Ms. McHugh:

We appreciate this second opportunity to provide input on ACF's proposed changes to AFCARS. We agree that child welfare foster care services must be accountable, however, based on our experience over the last decade, implementing the current AFCARS, Caseworker Visitation, and NYTD continues to make us very concerned about the added burden that these new AFCARS rules will bring. Maryland has also launched its new continuous quality improvement system that was developed and implemented with federal approval in support Maryland's CFSR Round 3. Our greatest concern is that the burden of additional data requirements falls squarely on our caseworkers and supervisors. The growing burden of attaining accountability, in the form of doubling the AFCARS required data elements, seriously threatens to degrade the quality of services provided by our workforce.

Maryland does agree with the intent of the proposed rule, in that the new data requirements pertaining to ICWA are important to understanding how ICWA is being implemented and to identify more effective ways for tribes, states and the federal government to work together to advance the well-being of Indian children and families. While Maryland has no federally recognized tribes, and has very limited interaction with children and families associated with federally recognized tribes, we agree with the need to assure that information is gathered to assure that ICWA is properly implemented.

Accountability can be monitored in a number of ways, and the federal government will certainly gain considerable, and we believe sufficient, information about state and local accountability for child welfare efforts through CFSR Round 3, including efforts focused on serving Native Americans. We would like to recommend that, as final decisions are made, AFCARS contain only a minimal but most meaningful set of new data elements, in order to shed light both on the implementation of ICWA, and the outcomes of children and families served. We also recommend that a well-rounded implementation or process study for ICWA should also include surveys, focus groups, interviews with stakeholders, in addition to any statistical analysis that the new AFCARS data makes available.

In addition to these concerns, we also would like to take an opportunity to note concerning the newly passed federal legislation—is it possible the current and proposed AFCARS data elements will not capture the expanded expectation of prevention and placement quality and success? Should there be a review and update of AFCARS in relation to the new legislation to be implemented in phases starting later this year?

Maryland is dedicated to being accountable for all children and families we serve in child welfare. This AFCARS proposed rule we believe risks overburdening staff, state and local administrators. Thank you for considering our urgent recommendation to minimize the ICWA related data, to provide a prudent plan for assessing ICWA implementation that balances the additional burden of data collection locally.

Sincerely,



Rebecca Jones Gaston
Executive Director
Social Services Administration

