

Identify the data elements, non-ICWA-related, that are overly burdensome for state and tribal title IV-E agencies and explain why. Please be specific in identifying the data elements and provide a rationale for why collecting and reporting this information is overly burdensome. If possible, provide specific cost and burden estimates related to the following areas:

Of the new non-ICWA related data points, Missouri would need to add the following data points to our information system:

- **Child Information:** 7. (b.2.ii) Child's sexual orientation; 38. (b.11.i) Health assessment; 39. (b.11.ii) Date of health assessment; 40. (b.12) Timely Health Assessment; 41. (b.13) Health, behavioral or mental health conditions; 42. (b.13.i) Intellectual disability; 43. (b.13.ii) Autism spectrum disorder; 47. (b.13.vi) Mental/emotional disorders; 48. (b.13.vii) Attention deficit hyperactivity disorder; 49. (b.13.viii) serious mental disorders; 50. (b.13.ix) Developmental delay; 51. (b.13.x) Developmental disability; 55. (b.16) Educational stability; 56. (b.16.i) Proximity; 57. (b.16.ii) District/zoning rules; 58. (b.16.iii) Residential facility; 59. (b.16.iv) Services/programs; 60. (b.16.v) Child request; 61. (b.16.vi) Parent/Legal Guardian request; 62. (b.16.vii) other; 63. (b.17.i) Pregnant as of the end of the report period; 64. (b.17.ii) Ever fathered or bore children; 68. (b.19.i) Prior adoption date; 69. (b.19.ii) Prior adoption type – intercountry; 70. Prior Guardianship (b.20i); 71. (b.20.ii) Prior guardianship date; 75. (b.21.iii) Title XXI SCHIP; 82. (b.21.x) Title IV-B; 83. (b.21.xi) SSBG; 85. (b.21.xiii) other; 87. (b.23) Total Number of siblings.
- **Removal Information:** 106. (d.4) Environment at removal; 108. (d.6.i) Runaway; 109. (d.6.ii) Whereabouts unknown; 112. (d.6.v) Psychological or emotional abuse; 114. (d.6.vii) Medical neglect; 115. (d.6.viii) Domestic violence; 117. (d.6.x) Failure to return; 125. (d.6.xviii) inadequate access to mental health services; 126. (d.6.xix) inadequate access to medical services; 134. (d.6.xxvii) Child requested placement; 135. (d.6.xxviii) Sex trafficking; 136. (d.6.xxix) Parental immigration detainment or deportation; 137. (d.6.xxx) Family conflict related to child's sexual orientation, gender identity, or gender expression; 138. (d.6.xxxi) Educational Neglect; 139. (d.6.xxxii) Public agency title IV-E agreement; 142. (d.7) Victim of sex trafficking prior to entering foster care; 143. (d.7.i) Report to Law Enforcement; 144. (d.7.ii) Dates of each report; 145. (d.8) Victim of sex trafficking while in foster care; 146. (d.7.i) Report to Law Enforcement; 147. (d.7.ii) Dates of each report;
- **Living arrangement and Provider information:** 173. (e.13) Child's relationships to the foster parent(s); 184. (e.18) Gender of first foster parent; 185. (e.19) First foster parent sexual orientation; 196. (e.18) Gender of second foster parent; 197. (e.19) second foster parent sexual orientation.
- **Permanency planning** 202 (f.5) Juvenile justice; 205 Transition plan; 206 Date of transition plan; 207 - 219 (f.10) Active Efforts;
- **General exit information:** 223. (g.4) Transfer to another agency.
- **Exit to adoption and guardianship information:** 258. (h.16) Interjurisdictional adoption or guardianship jurisdiction; 261. (h.19) Siblings in adoptive or guardianship home.

In Missouri, the total annual average of new entries into foster care for FFY2015, FFY2016, and FFY2017 was 7,102. On May 31, 2018, there were 13,794 total children in foster care in Missouri.

The addition of the 74 above-mentioned non-ICWA related data points to Missouri's information system would create a total cost burden of approximately **\$499,166.93**.

This includes

- **\$106,528.63** for data gathering and entry;
- **\$67,494.75** for training staff on the new data points;
- **\$17,058.55** to develop training materials;
- **\$294,975.00** to develop data points and modify our information system; and
- **\$13,110.00** for extracting data and submitting to ACF.

These are the cost estimates based on the average number of foster care entries per federal fiscal year. The amount for gathering and entering data for all children in foster care would be nearly twice the average cost of foster care entries alone.

Previously, we received comments regarding burden and the system changes needed to report the ICWA-related data elements of the 2016 SNPRM. We would like to receive more detailed comments on the specific limitations we should be aware of that states will encounter in reporting the ICWA-related data elements in the final rule. Please be specific in identifying the data elements and provide a rationale for why this information is overly burdensome. If possible, provide specific cost and burden estimates related to the following areas:

a. The number of children in foster care who are considered Indian children as defined in ICWA.

b. Recordkeeping hours spent annually:

i. Searching data sources, gathering information, and entering the information into the electronic case management system,

ii. Developing or modifying procedures and systems to collect, validate, and verify the information and adjusting existing ways to comply with AFCARS requirements, and

iii. Training and administrative tasks associated with training personnel on the AFCARS requirements (*e.g.*, reviewing instructions, developing the training and manuals).

c. Reporting hours spent annually extracting the information for AFCARS reporting and transmitting the information to ACF.

Of the new ICWA related data points, Missouri needs to add the following data points to our information system:

- **Child Information:** 8– 14. (b.3) Reason to know a child is an “Indian Child” as defined in the Indian Child Welfare Act; 18 – 20. (b.5) Court determination that ICWA applies; 24. (b.7) Request to transfer to tribal court – ICWA; 25 - 28. (b.8) Denial of transfer – ICWA; 76. (b.21.iv) State/Tribal adoption assistance; 77. (b.21.v) State/Tribal foster care.
- **Parent or legal guardian information:** 92. (c.3) Tribal membership mother; 93. (c.4) Tribal membership father; 97 - 99 involuntary termination/modification of parental rights under ICWA; 100. Voluntary termination/modification of parental rights under ICWA;
- **Removal Information:** 103 -105 Removals under ICWA.
- **Child and family circumstances at removal:** 140. (d.6.xxxiii) Tribal title IV-E agreement.

- **Living arrangement and Provider information:** 158. (e.6) Location of living arrangement; 42. Is Current Placement Setting Outside of State or Tribal Service Area; 160 -164 (e.8) Available ICWA foster care and pre-adoptive placement preferences: a member of the Indian child's extended family; 165. (e.9) Foster care and pre-adoptive placement preferences under ICWA; 166. (e.10) Good cause under ICWA; 167 - 171. (e.11) Basis for good cause; 175. (e.15) First foster parent tribal membership; 187. (e.21) Second, foster parent tribal membership.
- **Exit to adoption and guardianship information:** 234. (h.4) First adoptive parent or guardian tribal membership; 246. (h.10) Second adoptive parent, guardian, or other member of the couple tribal membership; 262 – 265. (h.20) Available ICWA Adoptive placements; 266. (h.21) Adoption placement preferences under ICWA; 267. (h.22) Good cause under ICWA; 268 – 272. (h.23) Basis for good cause.

In Missouri, the total annual average of American Indian children entering foster care for FFY2015, FFY2016, and FFY2017 was 98. Seven American Indian children have returned to their tribes during these reporting periods.

On May 31, 2018, there were 58 American Indian children in foster care in Missouri. The addition of the 55 above-mentioned ICWA related data points to Missouri's information system would create an estimated cost burden of approximately **\$298,044.58**. This includes:

- **\$1,843.76** for data gathering and entry;
- **\$50,917.09** for training staff on the new data points;
- **\$12,868.73** to develop training materials;
- **\$222,525.00** to develop data points and modify our information system; and
- **\$9,890.00** for extracting data and submitting to ACF.

These are the cost estimates based on the average number of American Indian foster care entries per federal fiscal year. The amount for gathering and entering data for all American Indian children in foster care would be nearly half the average cost of foster care entries alone.

There are no federally recognized American Indian tribes in Missouri. On May 31, 2018, American Indian children in foster care represented .04% of the population for all children in foster care in Missouri. The average entry rate of American Indian children for FFY 2015, FFY2016 and FFY2107 was 1% of all foster care entries in Missouri. This cost burden does not include costs related to the requirements of interstate compacts in order to return American Indian children to the state where their tribes are located.