



Oklahoma Department of Human Services
Child Welfare Services

PO Box 25352
Oklahoma City, OK 73125-0352



Commentary to ANPRM

45 CFR Part 1355

83 FR 11449

Oklahoma is submitting the following estimates related to (1) Design/Update to the Child Welfare Information System; (2) Training; (3) Case Documentation; (4) Recurring Administrative Costs. In addition, the state has identified specific elements from AFCARS Final Rule that are burdensome and/or overly difficult to validate the accuracy.

(1) Cost Estimate - Design/Update CW Information System					
Federal Fiscal Year	Design/Business Requirements	Programming	Testing	Administrative Meetings w/Program Staff	Totals - FFY
FFY 2019	2 Program Field Representatives @ \$165,000	\$0	\$0	Meetings with program staff, including Administrators and Directors @ \$51,000	\$ 216,000.00
FFY 2020	2 Program Field Representatives @ \$165,000	2 Programmers @ \$360,000	2 Program Field Representatives @ \$165,000	Meetings with program staff, including Administrators and Directors @ \$51,000	\$ 741,000.00
FFY 2021	\$0	2 Programmers @ \$360,000	3 Program Field Representatives @ \$247,000	Meetings with program staff, including Administrators and Directors @ \$51,000	\$ 658,000.00
FFY 2022	\$0	\$0	3 Program Field Representatives @ \$247,000	\$0	\$ 247,000.00
TOTAL	\$ 330,000.00	\$ 720,000.00	\$ 659,000.00	\$ 153,000.00	\$ 1,862,000.00

(2) Cost Estimate - Training					
Federal Fiscal Year	In-Service Training Hours for Existing Field Staff	Pre-Service Training Hours for New Field Staff	Number of Staff	Hours x Staff	Estimated Costs [Hours x \$54] - {2 Trainers}
FFY 2021	12	0	3,200	38,400	\$ 2,073,600.00
FFY 2022	0	4	600	2,400	\$ 129,600.00
FFY 2023	0	4	600	2,400	\$ 129,600.00
FFY 2024	0	4	600	2,400	\$ 129,600.00
Total					\$2,462,400.00

(3) Cost Estimate - Case Documentation						
Federal Fiscal Year	Average number of children in Out of Home Care - to be updated	Average number of children entering Out of Home Care - data to be collected and documented	Average number of Foster/ Adoptive Parents - will need to be updated	Average number of new Foster/Adoptive Parents - data to be collected and documented	Number of Hours [Clients x 3 hours]	Estimated Costs [hours x \$23.00]
FFY 2021	8600	4800	11,260	9,140	101,400	\$ 2,332,200.00
FFY 2022	0	4800	0	9,140	41,820	\$ 961,860.00
FFY 2023	0	4800	0	9,140	41,820	\$ 961,860.00
FFY 2024	0	4800	0	9,140	41,820	\$ 961,860.00
Total						\$ 5,217,780.00

Case Documentation Option B:

Oklahoma values the quality practice of child, parent, and foster parent visitation and engagement. The addition of these AFCARS elements, especially those which are overly burdensome (listed below), without the addition of adequate supports for those staff, will result in a diminished capacity for engagement, a principle that is recognized by the Children's Bureau as critical for a high quality Child Welfare System. To create the work hours needed for all the additional case documentation and maintain the high expectation of our front line staff to focus on family engagement, additional support staff will be needed. Positions for support staff or "Child Welfare Assistants" would be created to assist with other case duties so Child Welfare Specialists can maintain their focus on family engagement as well as collecting and documenting the new elements. The estimate for the Child Welfare Assistants added into the case documentation already presented would be considerable, \$41,469,020.

(3b) AFCARS Changes - Case Documentation Option B								
Federal Fiscal Year	Average number of children in Out of Home Care - will need to be updated	Average number of children entering Out of Home Care - data needs to be collected and documented	Average number of Foster/Adoptive Parents - will need to be updated	Average number of new Foster/Adoptive Parent - data needs to be collected and	Number of Hours [Clients x 3 hours]	Estimated Costs [hours x \$23.00] Data Collection	Estimated Cost Data Entry (232 Addt'l Child Welfare Assistants)	Total Cost
FFY 2021	8600	4800	11,260	9,140	52,080	\$ 1,197,840.00	\$ 9,512,000.00	\$ 10,709,840.00
FFY 2022	0	4800	0	9,140	32,220	\$ 741,060.00	\$ 9,512,000.00	\$ 10,253,060.00
FFY 2023	0	4800	0	9,140	32,220	\$ 741,060.00	\$ 9,512,000.00	\$ 10,253,060.00
FFY 2024	0	4800	0	9,140	32,220	\$ 741,060.00	\$ 9,512,000.00	\$ 10,253,060.00
Total						\$ 3,421,020.00	\$ 38,048,000.00	\$ 41,469,020.00

(4) Estimate - Recurring Administrative Costs				
Federal Fiscal Year	Additional Help Desk Staff	Additional Support for missing AFCARS elements and monitoring	Additional Live Training	Totals
FFY 2020	2 Program Field Representatives @ \$165,000	4 Program Field Representatives @ \$330,000	2 Program Field Representatives @ \$165,000	\$ 660,000.00
FFY 2021	2 Program Field Representatives @ \$165,000	4 Program Field Representatives @ \$330,000	2 Program Field Representatives @ \$165,000	\$ 660,000.00
FFY 2022	2 Program Field Representatives @ \$165,000	4 Program Field Representatives @ \$330,000	2 Program Field Representatives @ \$165,000	\$ 660,000.00
FFY 2023	2 Program Field Representatives @ \$165,000	4 Program Field Representatives @ \$330,000	2 Program Field Representatives @ \$165,000	\$ 660,000.00
Total	\$ 660,000.00	\$ 1,320,000.00	\$ 660,000.00	\$ 2,640,000.00

Data File and Extraction – Without element specific clarification and specificity of the file type for extraction, it is difficult to determine a resources' estimate for developing the data file/extraction.

Validation/Compliance/Data Quality – The final rule addressed additional types of errors for which the state will be held accountable; however, utilities for monitoring were not specifically discussed, nor were error thresholds or data quality thresholds. The burden related to developing tools for field staff related to compliance/data quality errors cannot be determined at this time.

Preliminary Estimate – The state estimates a cost of **\$12,182,180**; however, if the state pursues additional child welfare assistant positions to assist with data entry, the overall costs will increase significantly, **\$45,793,420.00**.

Out of Home Care File – Non-ICWA Data Elements:

Sexual Orientation – the state questions how reporting this to the federal government for youth 14 and older, foster parents, and adoptive parents assists with analyzing and evaluating whether the state is meeting the needs of its child population. This may not be a sensitive subject for all, but it will be for some, and while a value of “decline” has been included, the social worker should not be in the position of having a **mandatory** discussion with a youth, foster parent, or adoptive parent in order to record someone’s individual sexual orientation. For the state, it may be of value to know if a prospective foster or adoptive home parent feels that they are able to parent and meet the needs of LBGTQ youth. If these elements are to remain in the final rule, it is curious and an explanation would be appreciated as to why sexual orientation was not included as an element in 1355.44(c) parent/legal guardian information.

Health Assessment – the state would like to confirm that computing the element of timely health assessment is allowable. If computing “yes” or “no” is not allowable, this element will be burdensome. In the side by side comparison of elements, Health Assessment was equated to Child Diagnosed with Disability. The state does not view these elements as equivalent.

Educational Stability – the educational stability element and values will be difficult to obtain and validate. The state is concerned with giving the CW specialist discretion without adequate knowledge of education prompts and limited input from education subject matter experts.

Pregnant as of the end of the report period – there were no age parameters attached to this element for reporting pregnancy or parenting or placement with children at the end of the report period. There was no guidance as to how this element should be developed. It is a burden to the worker to answer this series of questions for every child on a workload regardless of the age of the child.

Prior Adoption Date/Prior Guardianship – Prior adoption/guardianship information is difficult to obtain in detail. The state asks that if detailed date information is not available that an estimate of the age of the child at the time of the adoption or guardianship may be reported. The state also asks for clarification as to whether step-parent adoptions are to be included in this reporting.

Total Number of Siblings: This information is not easily validated and while family composition is necessary to fully assess family relationships and dynamics and should be included in narrative content, it does not appear to serve a purpose to report this to the federal government. This will be a summary number with no context. The Bureau will have no way of knowing if the number reported is inclusive of minor siblings or adult siblings, or in some instances, deceased siblings.

Siblings in living arrangement – the state can report this, but does not understand the value of this element.

Child and Family Circumstances at Removal – the significant increase in the number of values does not lend itself to better information being received for analysis or evaluation. Referencing the side-by-side comparison document, the state suggests that 1355.44 (d)(6)(iii) through 1355.44(d)(6)(vii), (d)(6)(ix) and (d)(6)(x) are basic overall reasons to remove a child. The remaining values should be labeled as conditions (or circumstances) that existed at the time of removal rather than being grouped with actual reasons for removal. Family circumstances are part of an

assessment and should not always have a *direct* connotation as a reason for removal which is how this data will be perceived.

Sex Trafficking – the primary challenge with this series of elements is in design – primarily for the victim of sex trafficking while in foster care element as it would seem that the child welfare worker would need to revisit this question each time a youth returns from having been AWOL, as well as any out of home care investigations related to sexual abuse.

Living Arrangement and Provider Information

Sexual Orientation – as previously stated, this does not seem necessary to report.

Permanency Planning

Juvenile Justice - this will be difficult to report and will require a design change. The state has the ability to capture a delinquent adjudication; however, the way this element is written suggests that the social worker must answer this question at the end of each 6 month reporting period.

Caseworker Visit Dates – Mandatory reporting for child welfare visitation already exists. The state questions having to report visits in AFCARS and in the required child welfare visitation report.

Exit to Adoption and Guardianship

Sexual Orientation – as previously stated, this does not seem necessary to report.

Siblings in adoptive or guardianship home – this element needs clarification

Out of Home Care File – ICWA Data Elements

The number of ICWA elements is excessive and will require significant changes to the child welfare information system. Date specific fields will be a challenge, such as providing the date that the state title IV-E agency first discovered information indicating the child is or may be an Indian child as defined in ICWA. Additionally, gathering information for the Notification questions will be difficult and potentially, not possible. Oklahoma Indian Child Welfare Act per Section 40.4 of Title 10 of the Oklahoma Statutes requires the state court to ensure the initiating party, usually district attorney, sends notice by certified mail, return receipt requested, to the Indian child's parents; Indian custodians; child's tribe; and the appropriate Bureau of Indian Affairs office. It places an undue burden on the child welfare worker to gather information that essentially has to do with whether or not the court complied with its responsibility.

Throughout the child information section and Parent/Legal Guardian section, the tribal element questions are gender and two-party specific. This presents a problem for accurately recording information for a child who was adopted by a single parent and has entered out of home care; or who was adopted by a same sex couple and has entered out of home care. This is an issue all the way through TPR if AFCARS utilities are (1) looking for TPR on 2 parents and (2) looking for gender specific parents. These types of inconsistencies need to be resolved.

Thank you for the opportunity to comment on the ANPRM.

Sincerely,

A handwritten signature in black ink that reads "Millie Carpenter". The signature is written in a cursive, slightly slanted style.

Millie Carpenter, Interim Child Welfare Director
Oklahoma Department of Human Services