



the campaign to prevent unplanned pregnancy

June 13, 2018

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

Subject: Advance Notice of Proposed Rulemaking (RIN 0970-AC72)  
Submitted via email to [CBComments@acf.hhs.gov](mailto:CBComments@acf.hhs.gov)

Dear Ms. McHugh:

Power to Decide appreciates the opportunity to provide comments on the Advance Notice of Proposed Rulemaking (ANPRM) (RIN 0970-AC72) published on March 15, 2018 seeking input for streamlining the Adoption and Foster Care Analysis and Reporting System (AFCARS) 2016 final rule.

Power to Decide, the campaign to prevent unplanned pregnancy is a private, non-partisan, non-profit organization that works to ensure all people—no matter who they are, where they live, or what their economic status might be—have the power to decide if, when, and under what circumstances to get pregnant. We believe that all young people should have the opportunity to pursue the future they want, realize their full possibility, and follow their intentions. Power to Decide provides objective, evidence-based information about sexual health and contraceptive options, and we work to guarantee equitable access to and information about the full range of contraceptive methods.

Given our mission, Power to Decide strongly supports maintaining the data collection elements regarding pregnant and parenting youth as included in the Final Rule.

As an organization dedicated to improving the well-being of children and families and reducing disparities, we have been at the forefront of efforts to address the unique needs of youth in and transitioning out of foster care for over a decade. We have worked in partnership with state and local child welfare agencies, judges, national organizations, researchers, and foundations. Our activities have included: gathering research; developing new materials for foster youth, foster parents, and child welfare staff; convening child welfare and teen pregnancy prevention organizations; helping to build the capacity of juvenile and family courts to address these issues; and adapting an evidence-based teen pregnancy prevention program for youth in foster care and working with APHSA to integrate that into child welfare programs.

In response to the questions in the ANPRM, the data elements regarding pregnant and parenting youth in the 2016 Final Rule are basic, critically important, and not overly burdensome. The release of the Final Rule in December 2016 was the culmination of many years, and no fewer than three public comment periods, including opportunities for agencies and the public to comment on the burdens and benefits of updating the AFCARS regulation. In fact, as noted in the Final Rule, 1) HHS streamlined the elements regarding pregnant and parenting youth from the NPRM and 2) state-by-state data on this topic are required by statute to be included in the annual report to Congress.

Much of the growing attention to addressing teen pregnancy among youth in foster care has been motivated by valuable research about the prevalence of teen pregnancy and childbearing from a handful of states and cities. However, to date, there has not been systematic state-level data or case level information about the prevalence of teen pregnancy and childbearing among youth in foster care. As an evidence-based organization, we have long recognized the need for such data and were therefore excited to see data collection on pregnant and parenting teens included in the bipartisan Preventing Sex Trafficking and Strengthening Families Act and implemented through the final AFCARS rule.

When the elements in the Final Rule are fully implemented, all states will know for the first time the number of youth who are pregnant or parenting, as well as the number of young parents in care whose children are placed with them. This information will provide policymakers, child welfare agencies, and others valuable data to help inform policy and practice, and to better meet the needs of young people in care. It will both help to provide appropriate supports to those youth who are already parents so they and their children can thrive, and to strengthen prevention efforts so fewer youth find themselves in this situation in the first place.

We urge the federal government to work with states to fully and expeditiously implement the data collection requirements called for in the AFCARS final rule, including the requirements regarding pregnant and parenting youth. We believe these data are vital to child welfare agencies being able to better understand the experience of young people in each state and to being able to carry out their responsibilities on behalf of the young people in their care.

Thank you for your consideration. If you have any questions or need additional information, please contact me at 202-478-8554 or [akane@powertodecide.org](mailto:akane@powertodecide.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Andrea Kane", with a stylized, flowing script.

Andrea Kane

Vice President for Policy & Strategic  
Partnerships