

Appendix G6. Public Comment #4

PUBLIC SUBMISSION

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Docket: FNS-2019-0056

Agency Information Collection Activities; Proposals, Submissions, and Approvals: Child and Adult Care Food Program

Comment On: FNS-2019-0056-0001

Agency Information Collection Activities; Proposals, Submissions, and Approvals: Child and Adult Care Food Program

Document: FNS-2019-0056-0050

emailcomment8

Submitter Information

Name: Kim Frinzell

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Representative:

Organization Information

Name:

Government Agency:

Government Agency Type:

Category:

General Comment

See Attached

From: Kim Frinzell
Sent: Friday, February 21, 2020 4:10 PM
To: Farmer, Andrea - FNS
Cc: Joseph Cormack Lisa Melhouse
Sean Hardin
Subject: Public comments on CACFP proposed information collection

Dear Ms. Farmer,

The California Department of Education Nutrition Services Division (NSD) has reviewed the proposed information collection revisions provided by the U.S. Department of Agriculture Food and Nutrition Service (USDA FNS) for the Child and Adult Care Food Program (CACFP) and agree with the revision of the hours for the recordkeeping and reporting burden, as well as the addition of the public disclosure burden. We also support the inclusion of reporting burden hours for the review of USDA FNS policy, instructions, guidance, and handbooks associated with operating the CACFP. The review of these resources is an essential part of the operation of the CACFP, for both State Agencies and CACFP operators, and is necessary to maintain compliance. Adding the burden hours to the collection should create a much more accurate picture of the substantial amount of time that must be invested in these critical activities by the NSD and our CACFP operators.

Thank you for the opportunity to provide input.

Kim Frinzell, RD, Director
Nutrition Services Division
California Department of Education

Appendix H: Estimates of the Hour Burden of the Collection of Information
REPORTING - #0584-0055

NPA Notes	Section of Regulation / Form	Title	Estimated # Respondents	Responses Per Respondent	Total Annual Responses (Col. CxD)	Estimated Avg. # of Hours Per Response	Estimated Total Hours (Col. ExF)	Previously Approved	Due to an Adjustment (G H)	Due to Program Change	Total Difference	Additional Notes by State Agency
	(A)	(B)	(C)	(D)	(E)	(F)	(G)					
	STATE AGENCY LEVEL											
	226.3(c)	Federal/State agreement	0	0	0.000	0	0.000	0.000	0.000		0.000	No update. Submitted once.
Ok	226.6(b)	(3) Notify institution of approval or disapproval of application within 30 days of receipt of a complete application	56	15	840.000	0.25	210.000	210.000	0.000		0.000	Does not include the time the time it takes to review.
Ok	226.6(c)	Notice of serious deficiency (decision to disapprove new application or renew existing agreement) to institution	56	5	280.000	0.25	70.000	70.000	0.000		0.000	Does not include the time to prepare and conduct
Ok	*	Notice of serious deficiency to participating institutions	56	10	560.000	0.25	140.000	140.000	0.000		0.000	
Ok	*	Submit copies of serious deficiency notices to FNSRO	56	10	560.000	0.25	140.000	140.000	0.000		0.000	
Ok	*	Submit copy disqualification notice and supportive documentation to FNSRO	56	5	280.000	0.25	70.000	70.000	0.000		0.000	
Ok	226.6(c)(8) (C)(ii)	Provide FNSRO the required information of each day care home provider terminated for cause	56	12	672.000	0.25	168.000	168.000	0.000		0.000	
Ok	226.6(d)(1) & 226.6(e)	Establish licensing/compliance review procedures for child care centers, day care homes, outside-school hours care centers and adult day centers	10	1	10.000	1	10.000	10.000	0.000		0.000	
Ok	226.6(d)(3)	Establish alternate procedures for review of institutions for which licensing or approval is not available -	10	1	10.000	3	30.000	30.000	0.000		0.000	
Ok	226.6(f) (1) (viii) (D)	Provide day care home sponsors a listing of State-funded programs, participation in which by a parent or child will qualify a meal served to a child in a tier II home for the tier I rate of reimbursement.	56	15	840.000	0.25	210.000	224.000	-14.000		-14.000	
Ok	226.6(f)(1)(ii)	Provide all institutions a copy of the income standards to be used by institutions for determining the eligibility of participants for free and reduced-price meals under the Program	56	1	56.000	0.5	28.000	28.000	0.000		0.000	
Ok	226.6(f)(1)(viii) (A)	Provide day home sponsoring organizations a list of elementary schools in which at least one-half of the children enrolled receive t/rp meals	56	15	840.000	0.25	210.000	224.000	-14.000		-14.000	
Ok	226.6(f)(1) (viii)(E)	Submit to SNAP SA list of providers receiving Tier I benefits based on SNAP participation	56	1	56.000	0.25	14.000	14.000	0.000		0.000	
Ok	226.6(f)(1) (ix)(A)	Provide at-risk-afterschool care centers and sponsoring organizations the list of schools in which one-half of children enrolled are eligible for t/rp meals	56	1	56.000	0.25	14.000	14.000	0.000		0.000	
Ok	226.6(f)(3)(iii)	Provide census data to day care home sponsoring organizations	56	15	840.000	0.25	210.000	210.000	0.000		0.000	
Ok	226.6 (h)	Submit to State commodity distribution agency list of institutions receiving commodities by June 1	15	1	15.000	0.25	3.750	3.750	0.000		0.000	
Ok	226.6 (i)	Develop standard contract for use between institutions and food service management companies	56	1	56.000	0.25	14.000	14.000	0.000		0.000	
Ok	226.6(k)(4)(i)	Annually submit admin review (appeal) procedures to all institutions	56	376	21056.000	0.0167	351.635	332.931	18.704		18.704	
Ok	226.6(k)(4)(ii)	Submit admin review procedures when applicable action taken	56	5	280.000	0.25	70.000	70.000	0.000		0.000	
Ok	226.6 (l)	Establish/revise admin review (appeal) procedures for day care home providers- SA must notify the appropriate FNSRO of any change or option to offer an administrative review	18	1	18.000	0.25	4.500	4.500	0.000		0.000	
Ok	226.6(m)(5)	Revise/edit household contact procedures - submit changes to FNSRO.	15	1	15.000	0.25	3.750	3.750	0.000		0.000	
6	226.6 (p)	Develop/revise and provide sponsoring organization agreement between sponsor and facilities	56	1	56.000	6	336.000	3.750	332.250		332.250	This should be quite a bit higher as the number of SO/Unaffiliated has increased greatly in the last 3 years. See notes in email.
Ok	226.7 (c)	Submit to FNSRO a written plan for correcting serious deficiencies noted in Management Evaluation/Audit	28	1	28.000	5	140.000	140.000	0.000		0.000	
Ok	226.7(d) (Form FNS-44)	Submit CACFP Report to FNS 30 and 90 days following the month being reported	56	0	0.000	2	-	1,344.000	-1,344.000		-1,344.000	
Ok	226.7 (h), (i) & (j)	Establish procedures for start ups, advances, and recovery of over-payments	10	1	10.000	2	20.000	20.000	0.000		0.000	
Ok	226.7 (k)	Claims processing	56	12	672.000	1	672.000	672.000	0.000		0.000	
Ok	226.9 (a)	Assign rates of reimbursement for all institutions not less than annually	56	1	56.000	0.25	14.000	14.000	0.000		0.000	
Ok	226.10(e)	Final Claim for Reimbursement postmarked and/or submitted to the State agency not later than 60 days following the last day of the full month covered by the claim.	56	12	672.000	2	1344.000	1,344.000	0.000		0.000	Does not reflect time it takes to do all of the recordkeeping it takes that goes into the claim.
Ok	226.14 (a)	Notify institution of disallowed claim and demand repayment	56	38	2128.000	0.0167	35.538	32.732	2.806		2.806	Does not include the collection period.
	226.23(f)	Obtain written consent from the child's parents or guardians prior to use or disclose if using or disclosing information in ways not permitted by statute	0	0	0	0	0.000	0.000	0.000		0.000	
	226.23(m) (1)	Enter into a written agreement with the party requesting children's free and reduced price eligibility information.	0	0	0	0	0.000	0.000	0.000		0.000	
	226.24	Property management	0	0	0	0	0	0	0.000		0.000	
	cells that were deleted - previous burden							2198	-2,198.000		-2,198.000	
	TOTAL STATE AGENCY BURDEN		56	552.893	30,962.000	0.146	4,533.173	7,749.413	-3,216.240		-3,216.240	

Appendix H: Estimates of the Hour Burden of the Collection of Information
REPORTING - #0584-0055

NPA Notes

Section of Regulation / Form (A)	Title (B)	Estimated # Respondents (C)	Responses Per Respondent (D)	Total Annual Responses (Col. CxD) (E)	Estimated Avg. # of Hours Per Response (F)	Estimated Total Hours (Col. ExF) (G)	Previously Approved	Due to an Adjustment (G-H) (H)	Due to Program Change	Total Difference
SPONSOR/INSTITUTION LEVEL										
226.6 (d)-(e) and 226.6(f)(1)(vi)	Submit documentation to demonstrate that child care centers, outside-school-hours care centers, at-risk afterschool care centers, day care homes, and adult day care centers are in compliance with licensing/approval criteria.	21,052	1	21,052.00	0.08	1,757.84	1,703,233	54,609		54,609
226.6(f)(1)(iii)	Submit current eligibility information on enrolled participants to be used to calculate reimbursement rate	21,052	12	252,624.00	0.50	126,312.00	122,388,000	3924,000		3,924,000
226.6(f)(1) (viii)(E)	Sponsoring organizations of day care homes must submit a list of family daycare home providers receiving Tier I benefits based on SNAP participation	819	1	819,000	0.02	13.68	139,579	(125.90)		-125,901
226.10 and 226.15(i) 226.13 (b)	Report to SA number of meals claimed for reimbursement	21,052	12	252,624.00	1.90	479,985.60	465,074,400	14911,200		14,911,200
226.13 (d)(3)(i) thru (iii)	Establish reimbursement rates for Tier 2 providers with income-eligible children	819	5	4,095,000	0.30	1,228,500	1,329,000	-100,500		-100,500
226.15(b)	New institutions submit application for participation	250	1	250.00	8.00	2,000.00	2,000,000	0,000		0,000
	Participating institutions submit documentation required for renewal	21,052	1	21,052.00	0.25	5,263.00	5,099,500	163,500		163,500
226.23	Free and reduced price meal requirements	840	1	840,000	0.02	14,028	14,028	0,000		0,000
226.23(f)	Obtain written consent from the child's parents or guardians prior to use or disclosure if using or disclosing information in ways not permitted by statute	196	1	196	0.08	16,268	16,268	0,000		0,000
226.23(m)	Enter into a written agreement with the party requesting children's free and reduced price eligibility information.	196	1	196	0.08	16,268	16,268	0,000		0,000
7 CFR 226.6(n)	CACFP Tiering Assessment: FNS and OIG may make investigations at the request of the State agency, or whenever FNS or OIG determines that investigations are appropriate.	60	1	60	1.50	90,000	90,000	0,000		0,000
SPONSOR/INSTITUTION BURDEN TOTALS		21,052	26.306669	553,808.000	1.113558	616,697.183	597,870.276	18,826.908	0.000	18,826.908

Additional Notes by State Agency

Appendix H: Estimates of the Hour Burden of the Collection of Information
REPORTING - #0584-0055

NPA Notes

Section of Regulation / Form (A)	Title (B)	Estimated # Respondents (C)	Responses Per Respondent (D)	Total Annual Responses (Col. CxD) (E)	Estimated Avg. # of Hours Per Response (F)	Estimated Total Hours (Col. ExF) (G)	Previously Approved	Due to an Adjustment (G H) (H)	Due to Program Change (I)	Total Difference (J)
FACILITY LEVEL										
226.11(2); 226.17(b)(9) and 226.17a(p)	Submit daily meal count records to sponsoring organizations monthly	66,893	12	802,716	0.25	200,679	115,824	84,855		84,855
226.13 (d)(1) thru (3) & 226.18 (e)	Day care home providers submit daily meal counts to sponsors monthly	113,847	12	1,366,164.000	0.5	683,082.000	767,862.000	-84,780		-84,780
FACILITY BURDEN TOTALS		180,740	12.000	2,168,880.000	0.407	883,761.000	883,686.000	75.000		75.000
HOUSEHOLD LEVEL										
226.15(e)(2) & 226.17(8) & 226.18 (e)	Enrollment documentation shall be updated annually, signed by a parent or legal guardian, and include information on child's normal days & hours of care and the meals normally received while in care	2,626,310	1.59	4,180,025	0.083	346,942.114	180,779.395	166,162.719		166,163.000
226.20 (g) (3)	Written request required for food/milk substitutes	225,726	1	225,726.372	0.083	18,810.531	0.000		18,810.531	18,811.000
HOUSEHOLD BURDEN TOTALS		2,626,310	1.68	4,405,752	0.083	365,752.645	180,779.395	166,162.719	18,810.531	184,974.000
SUMMARY OF REPORTING BURDEN										
		Estimated # Respondents	Responses Per Respondent	Total Annual Responses (Col. DxE)	Estimated Avg. # of Hours Per Response	Estimated Total Hours (Col. FxG)	Previously Approved	Due to an Adjustment	Due to Program Change	Total Difference
State Agency Burden		56.00	552.89	30,962	0.1464	4,533.17	7,749.41	-3,216.24	0.00	-3,216.24
Sponsor/Institution Burden		21,052.00	26.31	553,808	1.1136	616,697.18	597,870.28	18,826.91	0.00	18,826.91
Facility Burden		180,740.00	12.00	2,168,880	0.4075	883,761.00	883,686.00	75.00	0.00	75.00
Household Burden		2,626,310.00	1.68	4,405,752	0.0830	365,752.64	180,779.40	166,162.72	18,810.53	184,974.00
Total Reporting Burden		2,828,158.00	2.53147	7,159,401.84	0.261298925	1,870,744.00	1,670,085.08	181,848.39	18,810.53	200,658.92

Additional Notes by State Agency

Appendix H: Estimates of the Hour Burden of the Collection of Information
RECORDKEEPING - #0584-0055

Section of Regulation	Title	Estimated # Recordkeepers	Per Recordkeeper	Total Annual Records (Col. CxD)	Estimated Avg. # of Hours Per Record	Estimated Total Hours (Col. ExF)	Previously Approved	Due to Program Adjustment	Due to program change	Total Difference
(A)	(B)	(C)	(D)	(E)	(F)	(G)				
STATE AGENCY LEVEL										
226.6	Collect and maintain on file CACFP agreements, records received from applicant and participating institutions and documentation of administrative review and Program assistance activities, results, and corrective actions.	56	5	280	1.00	280.000	280.000	0.000		0.000
226.6(c)(8)(i)	Maintain a State agency list that includes a synopsis of information concerning seriously deficient institutions and providers terminated for cause in that State	56	1	56	0.50	28.000	28.000	0.000		0.000
226.6 (n)	Maintain record of findings of irregularities investigations	56	21	1,176.000	1.5	1,764.000	1,764.000	0.000	0.000	0.000
	STATE AGENCY BURDEN	56	27	1,512	1.37037	2,072.000	308.000	1,764.000		1,764.000
SPONSOR/INSTITUTION LEVEL										
226.10(d) 226.15(e).	Collect and maintain for a period of 3 years and the current year Program applications, enrollment documents, income eligibility forms, attendance records, menus, meal counts, invoices and receipts, claims for reimbursement, licenses, administrative and operating costs records, training documentation, and any other records required by the SA.	21,052	3	63,156.000	1.000	63,156.000	61,194.000	1,962.000		1,962.000
226.15(e)(3)	Maintain documentation used to classify homes as Tier 1	819	120	98,280.000	0.025	2,457.000	2,628.800	-171.800		-171.800
226.23(h)(6)	Maintain information to verify homes that qualify as Tier 1 based on provider's income.	819	40	32,760.000	0.025	819.000	869.200	-50.200		-50.200
	SPONSOR/INSTITUTION BURDEN	21,052	9.2246	194,196.00	0.34209	66,432.000	64,692.000	1,740.000		1,740.000
FACILITY LEVEL										
226.15(e) 226.17(c) 226.17a(o) 226.18(g) 226.19(c) 226.19a(c)	Collect and maintain for a period of 3 years and the current year Program applications, enrollment documents, income eligibility forms, attendance records, menus, meal counts, invoices and receipts, claims for reimbursement, licenses, administrative and operating costs records, training documentation, and any other records required by the SA.	180,740	3	542,220	1	542,220	499,755	42,465.000		42,465.000
	FACILITY BURDEN	180,740	3.0000	542,220	1.00	542,220	499,755	42,465.000		42,465.000
Summary of Recordkeeping Burden										
		Estimated # Recordkeepers	Per Recordkeeper	Total Annual Records (Col. Dx E)	Estimated Avg. # of Hours Per Record	Estimated Total Hours (Col. FxG)	Previously Approved	Due to Program Adjustment	Due to an change	Total Difference
	State Agency Burden	56.00	27.0000	1512.00	1.3704	2,072.000	308.00	1764.00	0.000	1,764.000
	Sponsor/Institution Burden	21,052	9.2246	194,196	0.3421	66,432.000	64,692.000	1,740.000	0.000	1,740.000
	Facility Burden	180,740	3.0000	542,220	1.0000	542,220.000	499,755.000	42,465.000	0.000	42,465.000
	Total Recordkeeping Burden	201,848	3.656	737,928	0.82762	610,724.000	564,755.000	45,969.000	0.000	45,969.000

Appendix H: Estimates of the Hour Burden of the Collection of Information
SUMMARY OF BURDEN #0584-0055

	Estimated # Respondents	Responses Per Respondent	Total Annual Responses (Col. Dx E)	Estimated Avg. # of Hours Per Response	Estimated Total Hours (Col. Fx G)	Previously Approved	Due to Program Adjustment	Due to an Change	Total Difference
Total Reporting Burden	2,828,158	2.531457167	7,159,360.839	0.261254013	1,870,411.750	1,670,085.084	181,516.140	18,810.531	200,326.670
Total Recordkeeping Burden	201,848	3.655859855	737,928.000	0.827620039	610,724.000	564,755.000	45,969.000	0.000	45,969.000
TOTAL BURDEN FOR #0584-0055	3,030,006	2.606361	7,897,289	0.314176	2,481,136	2,234,840	227,485	18,811	246,296