



Office of Children and Family Services

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Governor

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December 8, 2020

Office of Planning, Research, and Evaluation
Administration for Children's Services (ACF)
U.S. Department of Health and Human Services (HHS)
Submitted via e-mail: OPREinfocollection@acf.hhs.gov

Re: 85 FR 47970

Proposed Information Collection Activity; Contact After Adoption or Guardianship: Child Welfare Agency and Family Interactions (New Collection)

To Whom it May Concern:

The New York State Office of Children and Family Services (OCFS) is pleased to submit the following comments in response to the above-referenced proposed information collection activity that was published in the Federal Register, 85 47940, on August 7, 2020.

This proposed information collection activity would involve ACF conducting web surveys with state child welfare agency adoption program managers. It would also include telephone interviews with stakeholders to collect information regarding routine contacts after adoption and procedures to track child instability following adoption or guardianship. As a way of background, child welfare programs in New York State (NYS) are state-supervised and county administered. OCFS provides oversight and monitoring of the NYS adoption subsidy and kinship guardianship assistance programs.

NYS OCFS believes that the collection of this data would have practical utility if the intent is to disseminate the information to states regarding state-by-state practices and outcomes. This would allow states to learn from each other regarding the best practices and successful strategies toward the important goal of preventing adoption disruption. Additionally, identifying the various state processes for required annual certification by adoptive parents and legal guardians in receipt of adoption subsidy or kinship guardianship payments will have value in assisting states seeking a more efficient process for this annual certification.


Additionally, NYS OCFS finds the collection method of using web-based surveys and stakeholder interviews to be a beneficial and efficient process for collection of the information in order to minimize the burden on states. In relation to NYS, specifically, stakeholder interviews would need to be conducted at both the state and county level as the system is state-supervised and county-administered. As such, it would be very beneficial to NYS for the information to be collected through a web-based mechanism.

NYS OCFS wishes to share a concern in relation to the quality, utility, and clarity of the information to be collected. In NYS, data collection regarding adoptive families who have adopted from foster care where the child was not eligible for adoption subsidy would not be practical, as there is no requirement for these families to report. Moreover, if ACF intends to conduct stakeholder interviews of adoptive and KinGAP guardians there may be some hesitancy by the family to participate due to feeling the survey is intrusive, their adoption is private, or the child does not know they were adopted. The major concern is that responses to the survey may be one-sided coming only from those with open adoptions or positive experiences. Many other states, like NYS, could have trouble in obtaining the requested information, which could impact the quality, utility and clarity of the information collected.

Further, in NYS there is no state-wide mechanism to record and report on individual responses to annual certifications as the certifications are collected at the county level. Aggregate reports from the annual certification responses would not be available at the state level and, therefore, collection of specified responses or tying a response to family stability seems unlikely. Accordingly, the agency burden estimate of 70.6 hours likely under-represents the burden for NYS to compile the needed information. NYS OCFS would also note that, even at the proposed estimate of 70.6 hours, the agency burden is a not an insignificant burden for states. Therefore, we respectfully suggest that the estimated burden hours be reconsidered.

In closing, NYS OCFS supports the collection of this information to better inform states of successful strategies, but is concerned about the reporting burdens for NYS and potential skewed data due to likely lack of participation by some families. We appreciate the opportunity to provide these comments and hope they will be thoughtfully considered and used to support federal efforts to compile information and provide guidance and assistance to states. Should you have any questions or need further clarification, we would be pleased to provide additional information.

Sincerely,

A handwritten signature in cursive script that reads "Carol McCarthy". The ink is dark and the signature is fluid, with a long, sweeping underline.

Carol McCarthy
Director, Bureau of Permanency Services
Division of Child Welfare and Community Services
New York State Office of Children and Family
Services