

OMB #2024-01058
89 FR 3927

February 20, 2024

Mary B. Jones
ACF/OPRE Certifying Officer
U.S. Department of Health and Human Services
Administration for Children and Families
330 C Street, S.W.
Washington, D.C. 20201

RE: Submission for OMB Review; Child Care and Development Fund Plan Preprint for States/Territories for FFY 2025-2027 (ACF-118) and Extension of Child Care and Development Fund Plan Preprint for States/Territories for FFY 2022-2024 (OMB #0970-0114)

Dear Mary B. Jones,

The American Public Human Services Association (APHSA) and its affinity group, the National Association of State Child Care Administrators (NASCCA) appreciate the opportunity to present these comments in response to the notice titled Child Care and Development Fund Plan Preprint for States/Territories for FFY 2025-2027 (ACF-118) and Extension of Child Care and Development Fund Plan Preprint for States/Territories for FFY 2022-2024 (OMB #0970-0114) posted on the Federal Register by the Office of Child Care within the Administration of Children and Families (ACF) on January 22, 2024.

These comments represent the perspective of state administrators responsible for administering the Child Care and Development Fund (CCDF) program under the Child Care and Development Block Grant (CCDBG). They have been compiled based on written and verbal feedback gathered by NASCCA's Executive Committee and APHSA staff.

NASCCA commends the efforts to simplify the administrative process for completing the state plan, acknowledging the reduction in paperwork and narrative requirements. However, NASCCA expresses concerns regarding the current timeline for finalizing the state plan, emphasizing the importance of incorporating diverse stakeholder feedback and state processes. As such, NASCCA requests an extension until August 1, 2024, for the submission of the final state plan. Additionally, there are apprehensions that state plans may require further revisions post-release of the final rule in April, potentially necessitating reworking or amendments before submission.

Simplification

The draft plan preprint demonstrates an effort to streamline filling out the state plan, which could alleviate administrative burdens on lead agencies. NASCCA supports initiatives aimed at improving efficiency in this regard. The inclusion of more checkboxes and reduction of narrative requirements combined with less requirement for information provided outside of the plan offers a simpler framework for completion, enhancing clarity and standardization. This pragmatic approach acknowledges the need for both regulatory compliance and practicality.

We support all efforts aimed at refining the process to better synchronize monitoring and feedback with the three-year cycle. Additionally, we commend OCC for acknowledging the urgency of promptly providing feedback following on-site validation. Timely feedback is necessary for Lead Agencies to enact policy and procedural adjustments to ensure continued compliance with CCDBG law. In the past, NASCCA members have expressed frustration regarding the timeliness of feedback, noting instances where they responded to findings from monitoring visits but experienced significant delays in response from OCC. We appreciate efforts to help Lead Agencies address compliance issues in a timely manner.

State Plan Development Process

CCDF Lead Agency plan development is a thoughtful process that requires careful consideration and collaboration. Starting as early as a year before a plan is due, lead agencies begin the process to analyze their current plan, seek input from partners, community agencies, families, and providers while analyzing their existing data. This approach ensures that the drafted plan complies with CCDBG regulations and reflects insights gained from self-assessment and stakeholder engagement. Once the initial draft is formulated, it undergoes further review and refinement in partnership with the above stakeholders to ensure the plan is representative of community input. Subsequently, Lead Agencies share a “final” draft through mandatory steps that may vary by state but are inclusive of state level approval, public hearings, and open comment periods.

NASCCA members have expressed concerns regarding the timeline between the publication of the final draft of the FY25-27 CCDF plan, expected in March, and the deadline for submission. States must publish the draft State Plan at least 20 days before the required hearing. Additionally, states have internal procedures that State Plans must follow for formal approval. With the final Pre-Print not expected until March 2024, this leaves little time for state agencies to draft the State Plan, receive approval of the draft State Plan, post for public stakeholder feedback, and consider stakeholder feedback. This condensed timeline will significantly limit opportunities for lead agencies to solicit meaningful feedback from stakeholders, make necessary adjustments to their final draft, and ensure alignment with community needs and priorities.

Final Rule Alignment

The administrative burden placed on lead agencies to transition from their process initiated in July of 2023 to develop a final plan reflective of the latest draft is compounded by the uncertainty surrounding the



release of the final rule expected this spring of 2024. NASCCA urges OCC to provide clarity regarding the expectations for alignment between the final draft of the state plan and compliance with the impending regulatory changes. Specifically, we seek assurance that the state plans submitted by lead agencies in the summer of 2024 will not inadvertently fall out of compliance due to the release of a final rule just months prior.

Conclusion

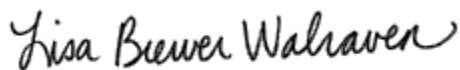
We extend our gratitude to the Office of Child Care for their efforts in streamlining the state plan process and making it more efficient for lead agencies. The initiatives to simplify the process through the addition of checkboxes and reduction of narrative requirements are commendable steps toward alleviating administrative burdens.

The compressed timeline between the publication of the final draft of the state plan and the expected release of the final rule poses significant challenges for lead agencies. Considering the significance of co-creating and gathering feedback from diverse stakeholders to meet the law's intent, **we respectfully request an extension of the due date for state plans to at least August 1, 2024.** A similar grace period was provided following the 2014 reauthorization of CCDBG to ensure that lead agencies could effectively create a state plan reflective of community input and new regulations.

We appreciate the attention given to our concerns and trust that the Office of Child Care will carefully consider our recommendations to ensure a smoother and more effective implementation of the Child Care and Development Fund program. Thank you for your dedication to improving the program for all stakeholders involved, especially children and families.

Thank you for considering our comments. We look forward to working with you and encourage you to contact Emily Adams, Policy Associate, Child Care and Early Childhood Programs, with questions or to request additional information. Emily can be reached at eadams@aphsa.org.

Sincerely,



Lisa Brewer-Walraven
Chair, National Association of State Child Care Administrators



Christine Johnson, Assistant Director of Policy, American Public Human Services Association

