



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of Workforce Services

JON S. PIERPONT
Executive Director

CASEY R. CAMERON
Deputy Director

GREG PARAS
Deputy Director

May 30, 2018

Administration for Children and Families
Office of Planning, Research and Evaluation
330 C Street, SW
Washington, DC 20201
Attn: ACF Reports Clearance Officer

Re: *Child Care and Development Fund, Quarterly Case Record Report*
OMB No.: 0970-0167

The Utah Department of Workforce Services, Office of Child Care (OCC), submits the following public comments regarding proposed reporting requirements on the Child Care and Development Fund, Quarterly Case Record Report, ACF-801.

As established in the public notice, OPRE is proposing to add two new data elements to the existing reporting requirements. The data elements include regular reporting on any amounts child care providers are charging parents that exceeds the subsidy and copayment amounts. OCC provides feedback on the four issues requested regarding the proposed additions to the ACF-801, as follows:

- a) OCC believes that the proposed collection of information is not necessary for the proper performance of the functions of the Lead Agency. The data requested is not something that the Lead Agency would review on a monthly basis or impact the Lead Agency's decisions. However, the Lead Agency is collecting similar information every three years on its Market Rate Study. As a result, the Lead Agency knows that a small percentage of providers are charging rates that exceed the subsidy payment.
- b) In order for the Lead Agency to collect the data to determine whether a provider charges in excess of the subsidy and copayment, it would need to make extensive programming changes in at least two different data collection systems. Providers do not currently report this information nor do they or the Lead Agency have a mechanism to do so. To report the most accurate data, child care providers would be required to report the amount they charge in excess for each family, each month. It would create an undue burden on the child care providers to submit this information on a regular basis. In addition, regularly collecting and tracking the requested data element will impose a significant administrative burden on the Lead Agency when providers either refuse to provide the information or fail to update the information.
- c) The Lead Agency believes that the request for this information lacks utility and clarity and questions the quality of the data providers would submit. In addition, the Lead Agency is



140 East 300 South Salt Lake City, Utah 84107 • Telephone (866) 435-7414
Relay Utah 711 • Spanish Relay Utah 1-888-346-3162
Fax (801) 526-4432 • jobs.utah.gov • Equal Opportunity Employer/Programs

A proud partner of the  **americanjobcenter** network

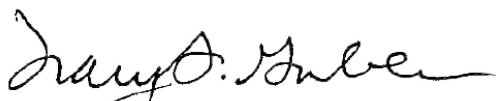
unclear on the approach it should take where a provider either refuses to submit the data or fails to update the data. In addition, given that few providers in Utah are collecting payments above the subsidy payment, the Lead Agency believes there is minimal utility to Utah's child care program in collecting the data balanced against the administrative burden imposed by the proposed requirement.

- d) The Lead Agency suggests that the information requested be collected on an annual basis when providers are required to update their payment rates. This process is automated through the Lead Agency's Care About Childcare system. Through a system interface, the Lead Agency would then identify the providers who answered in the affirmative with regard to paying rates in excess of subsidy. From that information, the Lead Agency would determine the amount of the additional provider charge per case by subtracting the subsidy and copayment from the provider's standard rate. Even in this process, the Lead Agency would be making several assumptions to gather the information, potentially resulting in reduced quality and clarity of the data. In addition, the utility of the data nationwide would be reduced if each state is defining the data to be collected differently, limiting the ability of ACF to draw any conclusions or establish new policies that may result from the data.

Additionally, the Lead Agency suggests that ACF simply add only element 41 to the report. This information is easier to collect on an annual basis and would provide information on the number of providers charging rates and fees in excess of the subsidy and copayment amounts. This will provide ACF with some indication of whether providers are engaged in widespread practice of charge rates in excess of subsidy and copayments.

Thank you for affording the Utah Office of Child Care the opportunity to provide feedback on the proposed changes to the ACF-801. Please do not hesitate to contact me if you have any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Tracy S. Gruber".

Tracy S. Gruber, JD

Director

Utah Office of Child Care