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Subject: Comments on SACWIS *Federal Register* Notice Request for Public Comment Concerning the Redesign of Statewide Automated Child Welfare Information System (SACWIS) Requirements - FR/ Vol. 75, No. 141, July 23, 2010

Dear Mr. Watt:

On behalf of the American Public Human Services Association (APHSA) and its affiliate the National Association of Public Child Welfare Administrators (NAPCWA), we respectfully submit the following for your consideration. This letter is in response to the July 23, 2010 *Federal Register* Request for Public Comment concerning the Redesign of Statewide Automated Child Welfare Information System (SACWIS) Requirements.

BACKGROUND:

Technological advances provide new opportunities for and generate the expectation that states will develop new user-friendly systems that can be applied to improving child welfare services. Evaluating the quality, impact and cost-effectiveness of new service models—particularly ones that include privatization or outsourced care—requires that states adopt and apply sophisticated modern technology. But to monitor and maximize the quality of care that children, youth and families receive, technology must be flexible and easy to use—easy for caseworkers to enter data and for administrators to extract and analyze the data. It must also promote consistent outcomes and advance accountability for federal, state and tribal governments. The current open comment period makes it possible for the ACF, states and tribes to work together to meet these challenges and we look forward to the opportunity of collaborating with you further prior to any new NPRM being issued.

GUIDING PRINCIPLES:

- Systems must be capable of informing decisions that must be made about how to deliver high-quality casework—casework that improves outcomes for children, youth, and families.
- Systems, tools and equipment must be effective and efficient, and reduce duplication.
- Systems must be cost-effective, particularly efficient when it comes to information management.
- Systems must promote timely and accurate submission of required documentation.
- Changes in rules and new requirements should not negatively affect the status of a state's SACWIS compliance.
- Rules and regulations must be structured to allow for system changes to use emerging technologies and meet the changing needs of professionals providing services to children, youth and families that come to the attention of the public child welfare system.

Question 1: What requirements in current SACWIS regulations inhibit or support the development of efficient, effective and economical case management?

- Since the context of child welfare practice varies among states and shifts over time, a state should be able to select and adapt its own technology systems to meet its needs to improve case practice and management. Some states have opted to forfeit the federal IV-E funds, finding it more effective and cost-efficient to build independent systems. We suggest that the federal government look at these systems for examples of non-SACWIS models that may help new regulations.
- When new requirements for data additions are proposed, states must be given a reasonable time frame for transitioning their current information systems to any system that the federal government mandates. Even more fundamental, federal regulations should allow a state to make a case for retaining its current systems if that system can generate data that meets the federal government's new requirement(s). Changing information systems unnecessarily places large financial burdens on states that many cannot afford. New modifications that the federal government insists must be made to SACWIS systems are often implemented while state compliance is pending, resulting in delayed approval. For example, SACWIS systems must now meet the requirements of Fostering Connections for the state to achieve or retain compliance. While states are committed to ensuring that SACWIS responds to changing laws and service needs, linking ongoing SACWIS compliance to implementation of new

laws/policies without enhanced or flexible funding creates unrealistic expectations and implementation barriers.

- States need flexibility to *not* implement optional requirements that were selected if their original planning for SACWIS development had been approved by the federal government at the time of the optional requirement selection. In fact, we suggest that all optional requirements be removed from the SACWIS compliance review process. We take this position because of the fact that these requirements can be very expensive to implement and our experience that the best practices that continuously emerge from states' experience often make the optional requirements unnecessary. States could then focus on ensuring that the SACWIS system functions in ways consistent with what end users say they need.

Question 2: How can states and tribes maintain the consistency of data that are defined, collected and maintained in multiple systems to ensure a common understanding of the families' history and circumstances across the different systems, including the system(s) used to submit federal reports?

- A system could be developed that would allow viewing and editing of the data elements at the receiving and transmission points of data exchanges. This would ensure data are valid and reliable.
- A data dictionary with a defined rule sets for all data elements could be used to ensure that all those inputting data are defining it the same way.
- Using defined fields would avoid errors when data are uploaded between partners. Uploading data would reduce duplicate data entry, ensure data consistency and be timelier in states with a large network of private providers. States are aware that if we are going to produce reliable statewide data, the systems that private providers and contract service providers use need to align with the state's system. States have a vested interest in accurate, valid, reliable data and can establish their rules and policies to govern this exchange.
- Confidentiality and data-entry accuracy and change could be improved in bidirectional information flow by limiting users' access to only information needed to provide the services for which they are responsible.

Question 3: What data do states and tribes consider critical to their business practice model? Are there data needs for managing the title IV-E program that are not easily met by SACWIS systems and how are those data needs currently being addressed?

- States should be given the flexibility to determine access to information critical to the child welfare business model (e.g., fiscal management) and how these auxiliary systems can provide aggregate data. States also need flexibility in developing a data model that takes into account the context and setting in which services are delivered. This includes, for example, the administrative structure of

a state or county agency; the scope of services that is under a department's umbrella; and the size of the state.

For state-supervised, county-administered child welfare systems, the current federal interpretation of SACWIS requirements for a single "statewide" system does not support the business practice model. Redundant data entry between SACWIS and any ancillary system operated by individual counties or private agencies significantly expands the scope and cost of SACWIS projects. At the same time, it also diminishes the effectiveness and interoperability of SACWIS with necessary ancillary systems. More flexibility should be allowed with interfaces for partner systems.

- The federal definition of "all case management data" does not translate to a common denominator across states, counties and private providers. A private provider may need a detailed inventory of a child's possessions at the time of intake. Does that become case management data? Similarly, day-to-day summaries of behavior and incidents in facilities may reside in a private provider's systems. Is it case management data for the statewide system? Each county and provider across a system has unique "pieces" that each considers essential. SACWIS systems would need infinite capacity to accommodate and support all these data, and still may not improve data quality enough that essential functions of case management are carried out.

The preferred child welfare business practice model would allow the bi-directional exchange of data through state, county, and private external systems. Counties and private agencies operate their independent systems as they deem necessary to support their unique business processes. Current technology provides the capacity to extract and transfer data from their systems into the SACWIS, with the state controlling the data definition. This way, data are collected closest to the source and uploaded successfully to the SACWIS. In turn, this provides more efficiency in operations and improves service delivery to children and families. The statewide SACWIS system could be the official repository or "system of record" for child welfare case management information.

- Priority setting for acquisition of data needs to strike a balance between what should be collected for case management purposes and what must be collected in SACWIS, for AFCARS and other data needed for administrative reporting. It is critical that front line workers have the information necessary to make accurate judgments about the service needs of children, youth and families.
- The ultimate requirements for data collection and manipulation should be determined by the needs of the front line direct service providers. Some information captured and stored in different systems is inappropriate in a child welfare data system (e.g., Medicaid). Data can be stored outside of SACWIS, but when this external information is needed, states should be able to access it quickly and aggregate the data to a separate centralized system. Flexibility in the use of new technologies such as business intelligence, enterprise services and service oriented architecture is needed.

- States should have flexibility to develop rules and standards for modifying SACWIS data and flexibility in designing solutions. This will ensure that local staff can easily modify data to ensure their accuracy, when new, additional or correct information surfaces.

Question 4: How can the systems used by states and tribes be designed to support the seamless management of data across multiple systems over time (e.g., when systems are replaced; when provider contracts expired or are terminated; or when families move from one provider to a different provider using a different system)? Provide mechanisms and examples.

- Standardized data are needed for federal reporting but flexibility in providing that data, through a system best suited to the state's structure, operations and resources, should be allowed.
- New technology for data-sharing among ancillary systems can enable states to have more control over the integrity of data and will reduce duplicative manual data entry. Technology can also be employed to maintain a single system within which staff may make changes across functional areas. (For example, case practice staff being able to make changes in the data rather than just viewing accounting functions to ascertain what services been used and paid for.)
- Policies and regulations that provide oversight and support data management, entry and exchange would be established by states to ensure data integrity.
- It will be valuable to create partnerships with local staff to review data regularly and implement quality-control strategies, as well as for reviewing and utilizing information effectively.

Question 5: How can the SACWIS regulations be modified to encourage flexibility and support different practice models while ensuring standardized data are available as needed?

- Clarity of language and consistent interpretation of the current and/or any new language is critical.
- SACWIS regulations should be modified to account for the variability of state systems and allow each state to establish a system based on its unique needs and resources. In particular, the differences between state-supervised, county-administered systems and state-administered, state-supervised systems must be recognized. SACWIS presents a different set of challenges to state-supervised, county-administered states in which counties are accountable to the state. The state provides a statewide solution to collect information and monitor statewide performance, but counties may have varying and unique needs for utilizing ancillary systems for capturing county-specific information based on the service-delivery structure of the particular county. In addition, some local systems have

automated components, such as filing court petitions, that the state would like to import and then export statewide.

Regulation language should allow bidirectional interfacing to minimize dual entry. At the same time, it should also allow the state to use ancillary systems when setting up interfaces is too costly and will not contribute to providing information for multiple functions effectively or efficiently. In many states, it may be more effective and efficient as well as economical if workers from the various units (IV-A, IV-D, IV-E and XIX) each had an ancillary system established to meet the needs of their functions but had access to the other functions' systems to get the information they need. An interface that pulls everything into one system is more complex and costly, and makes accountability for accuracy more difficult. States need to be able to develop a separate eligibility function within SACWIS.

- If penalties are contemplated or assessed, those penalty amounts should be reinvested into the state's SACWIS system to support SACWIS initiatives that are most in need of functional improvements to achieve or maintain compliance. Penalties have a dual negative impact on states. First, when penalties are assessed, that money is taken from the overall SACWIS budget (thus decreasing available funds to make system improvements). Second, these "opportunity costs" are realized beyond one budget cycle. Additionally and even more important, re-investment back into the federal treasury vs. back to the principal child welfare budget hurts future programming and services for children, youth and families. Every dollar taken away is a dollar that should be spent on children in care or under supervision.

Additional Comment

Clarity of language and consistent interpretation is needed for the current and any new rules and regulations. Requirements and interpretations of rules appear to vary between regions, among states in the same region and with different federal representatives for the same state and same system. This makes it very difficult to achieve SACWIS compliance.

The IV-E program would benefit significantly with the addition of resources that parallel Health and Human Services' investment in Health Information Technology. The Centers for Medicare and Medicaid Services (CMS) lives under many of the same rules, yet has managed to demonstrate nimbleness, creativity and flexibility in addressing states' data needs. A thoughtful national initiative analogous to Medicaid Information Technology Architecture (MITA) supporting the need for an electronic health record would be of significant value to all states without regard to political constructs.

The current reality is that states are contending with reduced financial resources when it comes to maintaining existing SACWIS systems.

Any new SACWIS NPRM needs to be drawn up in tandem with AFCARS. The ACF rule-making must align across units and departments to avoid conflicts and set priorities for implementation.

In closing, we believe that this request for comments on the part of the ACF is a positive step and that federal, state, local and tribal government can work together to determine what the most effective changes would be, what they would cost and what feasible timeframes are for compliance. We request further dialogue with the ACF prior to the issuing of new NPRM.

Respectfully,



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