ACF Administration for Children and Families	U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
	Administration for Children, Youth and Families
	1. Log No: ACYF-CB-PI-97-02 **2. Issuance Date:** May 8, 1997
	3. Originating Office: Children's Bureau
	4. Key Words: Adoption and Foster Care Analysis and Reporting System (AFCARS), Statewide Automated Child Welfare Information System (SACWIS), Data Conversion, Timeliness Standard, Computer Generated Transaction Date

PROGRAM INSTRUCTION

TO: State Agencies Administering or Supervising the Administration of Programs Under Titles IV-E and IV-B of the Social Security Act.

SUBJECT: Implications for the Adoption and Foster Care Analysis and Reporting System (AFCARS) Penalty Processing During Statewide Automated Child Welfare Information System (SACWIS) Conversion.

LEGAL AND RELATED REFERENCES: Sections 474(a)(3)(C) and 479 of the Social Security Act; 45 CFR Parts 1355, 1356, and 1357; ACYF-PI-CB-09 Revised.

PURPOSE: The purpose of this transmittal is to clarify the Administration for Children and Families position on the penalties States may receive for AFCARS files submitted while a State is converting to a SACWIS system.

BACKGROUND: Federal regulations at 45 CFR 1355.40, which implement section 479 of the Social Security Act (the Act), set forth the AFCARS requirements for the collection of uniform, reliable information on children who are under the responsibility of the State title IV-B/IV-E agency for placement and care.

As of October 1, 1994, States were required to collect and submit data on children in foster care and children adopted under the auspices of the State's public child welfare agency. The AFCARS penalty structure for not meeting the regulatory requirements is not applicable until the beginning of the fourth year of AFCARS reporting, starting with data submitted for the seventh report period (October 1, 1997 through March 31, 1998). Penalties will be applied against a State for failure to meet any of the standards described below, as specified in 45 CFR 1355.40:

- Failure to submit an AFCARS foster care and adoption file within 45 days of the end of the report period as specified in paragraphs (b)(1-3) of 45 CFR 1355.40;
- There are one or more elements which exceed the level of tolerance for missing data as specified in paragraphs (c)(1) and (c)(2) of section 45 CFR 1355.40; or
- Fails to meet the timeliness standards as specified in paragraph (d)(1) of 45 CFR 1355.40.

In ACYF-PI-CB-95-09, Revised, it was further clarified that the transaction dates (FC #22 and #57) are stored data fields which are not to be overwritten or changed. Additionally, any record which fails the computer generated transaction date edit check (timeliness standard) can only fail once for that error.

Federal regulations at 45 CFR 1355.50 through 45 CFR 1355.57, which implement section 474(a)(3)(C) of the Act, set forth the requirements States must meet to receive funding for the planning, design, development and installation of a SACWIS. Such systems must be comprehensive in that they must meet the requirements for AFCARS, required by section 479(b)(2) of the Act and implementing regulations.

INFORMATION: States have identified conversion issues as they implement their SACWIS to meet the AFCARS data requirements. States have requested clarification on whether penalties will be applied when systems undergo conversion, specifically the penalties for the timeliness and missing data standards. The issues only affect the foster care data and not the adoption data that are collected and reported under AFCARS.

Conversion, as discussed in ACF-OISM-001 issued February 8, 1995, is the set of activities designed to transfer data from one or more old systems (either automated or manual) to the new system. These activities include writing and running computer programs that extract data from an existing system(s) and loading it into the new system (automated conversion); manual data entry (including new data fields); or a combination of both automated and manual data transfer activities.

45 CFR 1355.40(d)(1) states that: "(1) For each child, a computer generated transaction date must reflect the actual date of data entry and must accompany the date of latest removal from the home (FC #21) and the date of exit from foster care (FC #56). Ninety percent of subject transactions must have been entered into the system within 60 days of the event (removal from home or discharge from foster care). (2) Penalties shall be invoked as provided in paragraph (e) of this section."

States have indicated that the conversion process may change the AFCARS required transaction dates to the date of conversion. This includes: (1) situations where the old information system did not have a transaction date, or (2) the old system had a transaction date that is changed by the conversion process. Consequently, a significant number of a State's foster care records may fail the timeliness standard when data conversion occurs. States have asked if the penalty will be applied for failing the timeliness standard on converted records.

RESPONSE: For Foster Care elements #22 and #57, transaction dates, records that are submitted which contain the date of conversion and not the actual date of the record entry will be

considered to be timely. The assumption will be that the apparent error is not a true timeliness error, but rather an error caused by the conversion process. The Department will allow a non-compliance for the timeliness standard for two report periods while a State undergoes SACWIS conversion. The penalties for non-submission of an AFCARS report or for submitting the report late will still be applied. This will only apply to States undergoing their **initial** SACWIS conversion effort.

The Department **does expect** the submission of all available AFCARS information during all phases of SACWIS development. This includes not only the data related to the current removal episode, but also data that is germane to previous removal episodes.

Some States have developed paper face sheets specifically designed to manually collect AFCARS information not currently collected within an automated information system. The face sheet serves as a means to manually collect all the required AFCARS data elements and can be completed at the time of each child's six month periodic review. Once a State's SACWIS is online, the manually collected information should be entered into the automated system. This may be a method States want to consider until their SACWIS is fully implemented. This mechanism for data collection is being successfully implemented in South Carolina (a sample face sheet is provided as an attachment).

States will be provided technical assistance through telephone contact and through the AFCARS and SACWIS Reviews to ensure a compliant AFCARS file.

EFFECTIVE DATE: October 1, 1997.

ACTION REQUIRED: States are to notify the Children's Bureau by September 30, 1997 of the State's conversion plan. A letter should be submitted stating the begin date for conversion, a description of the implementation phase, including the counties in each phase, and the expected end date of conversion. The Children's Bureau will coordinate with the Office of State Systems regarding the Advanced Planning Document and the State's conversion plan.

INQUIRIES TO:	Daniel Lewis Children's Bureau, ACYF (202) 205-8618

/s/

James A. Harrell
Acting Commissioner
Administration on Children, Youth and Families

Attachment: SAMPLE FILE COVER SHEET

CASE FOLDER COVER SHEET

County: Caseworker:

Client Name:

Old System ID: New SACWIS ID:

DATA WHICH MUST BE CLARIFIED FURTHER: (The current system and SACWIS/AFCARS do not have a one to one match ratio)

Race: Old System Race=Other

New SACWIS Values are: _____ American Indian/Alaskan Native

                                           _____ Asian/Pacific Islander
                                           _____ Unable to Determine

Current Placement Setting: Old System=Group Home/Child Caring Institution

NEW SACWIS Values are: _____ Group Home

                                           _____ Institution

NEW DATA ELEMENTS

Has disability been clinically diagnosed'   _____ Yes
                                                     _____ No
                                                     _____ Not Yet Determined

Has client ever been adopted'   _____ Yes
                                                     _____ No
                                                     _____ Not Yet Determined

Hispanic Origin'   _____ Not Applicable
                                                     _____ Yes
                                                     _____ No