

REGULATORY IMPACT STATEMENT

1. Statutory Authority:

Section 20(3)(d) of the Social Services Law (SSL) authorizes the Office of Children and Family Services (OCFS) to promulgate regulations to carry out its powers and duties.

Section 34 (3)(f) of the SSL requires the Commissioner of OCFS to establish regulations for the administration of public assistance and care within the State.

Section 446 of the SSL requires OCFS to promulgate regulations in accordance with federal requirements for the establishment and administration of a statewide child welfare information system (SACWIS), known as CONNECTIONS. The regulations must set forth standards for timely submission of data elements relating to child welfare services, including foster care, adoption assistance, preventive services, child protective services and other family preservation and support services.

2. Legislative Objectives:

Section 446 of the SSL was enacted to implement the State's SACWIS system in a manner that allows child welfare workers time to effectively communicate with one another, enter information directly, eliminate duplicate entry of information and allow for direct determination of claims and sanctions. The legislative objectives underlying section 446 of the SSL include designing a SACWIS system that improves the convenience to consumers of service, reduces the administrative burden of child welfare workers in social services districts and the agencies with which they contract to provide direct services, protects the confidentiality of individuals about whom information is recorded, meets federal requirements and protects federal financial participation. The

proposed regulations also would implement specific rules and procedures for the establishment and administrations of CONNECTIONS and, in so doing, meet federal statutory and regulatory SACWIS requirements. Section 479 of the federal Social Security Act (SSA) and 45 CFR Parts 1355 and 1356 mandate the collection of specified adoption and foster care information. The regulations implement the statutory provisions in section 446 of the SSL that require regulations mandating the timely submission in CONNECTIONS of data elements relating to child welfare services.

3. Needs and Benefits:

The federal Omnibus Budget Reconciliation Act of 1993 provided enhanced federal funding (FFP) at the 75 per cent reimbursement rate to states to develop SACWIS systems to carry out the states' child welfare, foster care and adoption programs under Titles IV-B and IV-E of the SSA. This initiative also was intended to assist states to fulfill the federal reporting requirements of the Adoption and Foster Care Analysis and Reporting System (AFCARS) as specified by 45 CFR Part 1355. Failure to meet the AFCARS requirements may result in federal financial penalties. Section 446 of the SSL requires the State to implement the federal SACWIS requirements.

CONNECTIONS is being designed to develop a comprehensive response to children and families in need of child welfare services. Technological advances have prepared the path for the implementation of more efficient systems support to increase staff productivity and improve the quality of service delivery. Modern system solutions will assist in addressing child welfare information needs and at the same time protect the privacy concerns and interests of persons about whom information is entered into CONNECTIONS.

Under the CONNECTIONS approach, OCFS staff, child welfare workers at social services districts and public and private child welfare agencies will be linked through a computer network. This linkage will provide opportunities for communication and secure electronic exchange of information. Through the on-line access to case records and other case data, information can be shared in ways that will provide for increased timeliness of information, thereby allowing for approvals, monitoring and evaluation of services in a more rigorous manner and providing access to a wide variety of resources. The system will allow for better overall tracking of cases and an opportunity to integrate information previously available in several separate and discreet paper records and individual computer systems.

Over 18,000 child welfare workers will be affected by this change. They will be given the automated tools to reduce the paperwork associated with the delivery of child welfare services and these tasks and processes will be significantly streamlined. Child welfare workers at all levels have been involved in the development and testing of the CONNECTIONS system from its inception. Their involvement continues to provide valuable input necessary to develop the system in a manner that will meet their needs.

4. Costs:

Section 446 of the SSL requires both the implementation of CONNECTIONS and the promulgation of regulations for the timely recording of child welfare services information in the system. The fiscal impact of the development and operation of CONNECTIONS is the result of these statutory requirements. The costs of the development and operations of CONNECTIONS will be through a combination of federal and state dollars.

As caseworkers are currently required to provide, in paper format, the information required by these regulations to be inputted in CONNECTIONS, there is no fiscal impact anticipated for OCFS, social services districts or other public and private agencies providing child welfare services as a result of the reporting requirements included in the proposed regulations. All other requirements are administrative in nature and, as a result, are not anticipated to have a fiscal impact.

5. Local Government Mandates:

Social services districts and other public and private agencies providing child welfare services are already required to report specific child welfare case information in completely and timely in the manner and format required by OCFS. The regulations will require social services districts and applicable public and private child welfare services agencies to record such information in the CONNECTIONS system, rather than in another manner, upon the issuance of an administrative directive from OCFS. OCFS is phasing the development and implementation of the various case record provisions into CONNECTIONS to incorporate revisions to some of the case record documents that will improve case practice. Case workers will be trained in using these practices before full implementation is required. Once fully implemented, CONNECTIONS will result in more timely and appropriate placements, provide compliance with the Adoption and Safe Families Act (ASFA) and address Title IV-E eligibility review parameters. As a result, children will be better served and there will be a reduction in the risk of a loss in federal financial participation in their placement costs.

6. Paperwork:

Much of the paper work associated with the delivery of child welfare services will be eliminated as a result of the implementation of CONNECTIONS. Automated tools will allow for the entry of information once and then allow that information to be displayed and transmitted to other required case documents conveniently and efficiently, as needed. Currently, there is significant duplication of data recording due to the existing child welfare computer information systems, including the Welfare Management System (WMS), Child Care Review System (CCRS) and the CONNECTIONS system components already in production. Caseworkers also are required to record duplicate information into the Uniform Case Record or other paper records. These various recording systems have led to workers being increasingly burdened by time consuming, duplicative paper work tasks. The duplicate tasks do not add to the provision of services and actually takes away from the direct service time that workers need to spend with clients. When CONNECTIONS is fully implemented, the need to record data in duplicative systems and forms will be eliminated, and CCRS will be discontinued from service.

7. Duplication:

The proposed regulatory amendments do not duplicate any existing State or federal requirements.

8. Alternatives:

There are no alternatives to these proposed regulations. Failure to implement them will expose OCFS and social services districts to potential federal financial - penalties, as well as jeopardize the State's ability to enhance the capabilities of child welfare workers to improve conditions for the clients they serve.

9. Federal Standards:

The proposed regulations comply with the child welfare reporting and information standards set by the federal government in accordance with section 479(b)(2) of the SSA and 45 CFR Parts 1355 and 1356. States are mandated to report electronically specified data regarding foster and adoptive children in compliance with the federal AFCARS requirements. In addition, having a fully compliant SACWIS system is one of the federal outcomes that states are measured against as part of the federal Child and Family Services Review required by 45 CFR Part 1355. The proposed regulatory requirements are consistent with the federal requirements.

10. Compliance Schedule:

Social services districts and the applicable public and private child welfare services agencies already have been provided the computers and associated technologies that are needed to record the required information in CONNECTIONS. OCFS will only issue administrative directives requiring social services districts and the applicable public and private agencies to record information in CONNECTIONS to the extent that those districts and agencies have the administrative and systems capability to implement the particular reporting requirements. Therefore, the social services districts and applicable public and private agencies will be able to comply with the regulatory requirements as they are implemented.