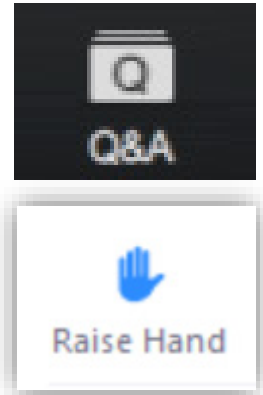


AFCARS TB#20 - Questions and Answers

Webinar 4 in the AFCARS 2020 Final Rule Training Series

Participating in Today's Webinar

- Ask questions during the presentation
 - By typing them into the *Question and Answer* feature at the bottom or top of your screen
 - By asking over the phone using the *Raise Hand* feature and the presenter will unmute your phone line
 - If you aren't on the webinar and have called in using your phone, you can dial *9 and the presenter will unmute your line
- After the webinar, email questions to AFCARS@acf.hhs.gov



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Presentation Overview

Introduction of Technical Bulletin #20

Cumulative File Submission Option

Health Elements

Sex Trafficking

Kin and Relative

Parents and Guardians

Living Arrangements

Questions



Overview of TB#20

AFCARS Technical Bulletin #20

- Published Oct 29, 2020
- Posted online at www.acf.hhs.gov/cb/laws-policies/technical-bulletins/afcars



AFCARS 2020

Technical Bulletin 20:
Data Elements for Out-of-Home Care &
Adoption and Guardianship Assistance
Data Files
October 29, 2020
Version 1.0

Structure of Technical Bulletin

- Covers both data files
 - Out-of-Home Care
 - Adoption and Guardianship Assistance
- Designed to follow the regulation
- Use the navigation pane to the left to easily move around the document

- Introduction
- Out-of-Home Care Data File Elements
 - Reporting Population and Requirements
 - General Information - Section 1355.44(a)
 - Child Information - Section 1355.44(b)
 - Parent or Legal Guardian - Section 1355.44(c)
 - Removal Information - Section 1355.44(d)
 - Living Arrangement and Provider Information - Section 1355.44(e)
 - Permanency Planning - Section 1355.44(f)
 - General Exit Information - Section 1355.44(g)
 - Exit to Adoption and Guardianship Information - Section 1355.44(h)
- Adoption and Guardianship Assistance Data File Elements
 - Reporting Population – Section 1355.42(b)
 - General Information – Section 1355.45(a)
 - Child Demographics – Section 1355.45(b)
 - Adoption and Guardianship Assistance Agreement Information – Section 1355.45(c)-(f)
- Appendix A – AFCARS Out-of-Home Care Data Elements Side-by-Side Comparison
- Appendix B – List of Federally Recognized Tribes with EPA identifier code
- Appendix C – List of ISO Country Codes

Structure of Technical Bulletin

- Operationalizes the regulation
- Each element follows this general format
 - Definition from the regulation
 - Explanatory text
 - Specific examples
 - Data format and constraints

Element 22: Health Assessment

Out-of-Home Care Element 22: Health Assessment (b)(9)

Indicate whether the child had a health assessment during the current out-of-home care episode. This assessment could include an initial health screening or any follow-up health screening per section 422(b)(15)(A) of the Act. Indicate “yes” or “no”.

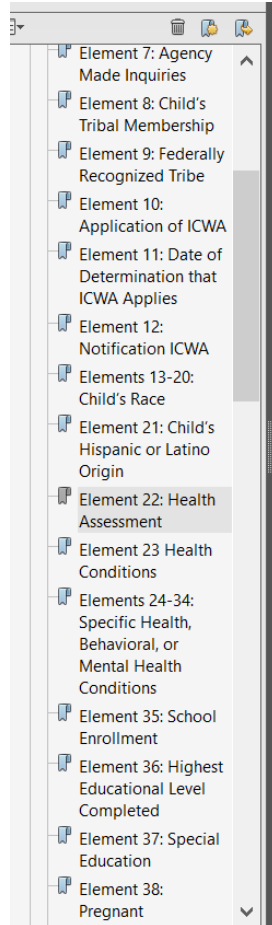
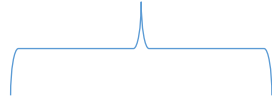
For element 22, indicate if the child had an initial health screening or health assessment. An agency should indicate “1”, yes, if a child had a health assessment at any time during the current out-of-home care episode. If a child has multiple out-of-home care episodes, the agency should indicate if a child had a health assessment for the current out-of-home care episode.

For example, if a nurse administered a health screening after the child entered care, the agency should indicate “1”, yes.

For example, if a child had a health assessment during a previous out-of-home care episode, but not during the current out-of-home care episode, the agency should indicate “0”, no.

Element 22, health assessment, is **new to AFCARS 2020**.

Data format	Numeric
Data constraint	0 = No 1 = Yes



Structure of Technical Bulletin

Element 22: Health Assessment

Out-of-Home Care Element 22: Health Assessment (b)(9)

Indicate whether the child had a health assessment during the current out-of-home care episode. This assessment could include an initial health screening or any follow-up health screening per section 422(b)(15)(A) of the Act. Indicate “yes” or “no”.

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For example, if a nurse administered a health screening after the child entered care, the agency should indicate “1”, yes.

For example, if a child had a health assessment during a previous out-of-home care episode, but not during the current out-of-home care episode, the agency should indicate “0”, no.

Element 22, health assessment, is ***new to AFCARS 2020.***

Data format	Numeric
Data constraint	0 = No 1 = Yes

Regulation

Explanatory Text

Examples

Change Status

Data Constraints

Cumulative File Submission Option

Question:

Is it possible for an agency to submit a cumulative file for the out-of-home care file, where the agency submits a record for all data elements for all youth who have been in care, no matter their discharge status? This is similar to how we submit to Chapin Hall for some of our data needs.

Cumulative File Submission Option

- The requirements for reporting “historical” data were not a part of AFCARS 1993. Thus agency systems may not be set up to write code that would extract the proper data fields for a child record who has been served in more than one reporting period.
- CB recognizes the virtue of cumulative file submission which allows agencies to submit all of the child records, regardless of the discharge status and allows agencies to write a simpler extract code and be assured that the file contains all of the data specified in the regulation.
- In order to be responsive to the needs expressed by the agencies, we are exploring the possibility of allowing a cumulative file submission, in addition to an option where the agency would only submit records for children in the current reporting population.
- Both the methods would assure that only the records necessary for computation of an agency's compliance determination would be used in the compliance determination process.

Health Elements

Questions:

Who is qualified to perform the initial health screening or health assessment in element 22?

Who would be considered a qualified professional to perform the exam or assessment and/or make the diagnoses for element 23?

Answer: Who is qualified to perform assessments

Element 22: Health Assessment

Out-of-Home Care Element 22: Health Assessment (b)(9)

Indicate whether the child had a health assessment during the current out-of-home care episode. This assessment could include an initial health screening or any follow-up health screening per section 422(b)(15)(A) of the Act. Indicate “yes” or “no”.

- Element 22 asks if the child had an initial health screening or health assessment during the current out-of-home care are episode.
- The regulation does not specify a person’s qualification for performing the assessment for this element.
- The purpose is for “agencies to identify a child's critical health needs through routine health assessments and to assure that these needs are appropriately addressed and reviewed by a medical professional (2015 NPRM Preamble).

Answer: Who is qualified to perform assessments

- For element 23, indicate if the child has a condition that was diagnosed by a qualified medical professional.
- The diagnosis could have been made before a child's removal or during the time the child was in out-of-home care.

Element 23 Health Conditions

Out-of-Home Care Element 23: Health, Behavioral, or Mental Health Conditions (b)(10)

Indicate whether the child was diagnosed by a qualified professional, as defined by the state or tribe, as having a health, behavioral or mental health condition listed below, prior to or during the child's current out-of-home care episode as of the last day of the report period.

- Indicate “**child has a diagnosed condition**” if a qualified professional has made such a diagnosis and for each data element described in paragraphs (b)(10)(i) through (b)(10)(xi) of this section indicate “existing condition”, “previous condition” or “does not apply”, as applicable.
- Indicate “**no exam or assessment conducted**” if a qualified professional has not conducted a medical exam or assessment of the child and leave paragraphs (b)(10)(i) through (b)(10)(xi) blank.
- Indicate “**exam or assessment conducted and none of the conditions apply**” if a qualified professional has conducted a medical exam or assessment and has concluded that the child does not have one of the conditions listed below and leave paragraphs (b)(10)(i) through (b)(10)(xi) blank.
- Indicate “**exam or assessment conducted but results not received**” if a qualified professional has conducted a medical exam or assessment but the title IV-E agency has not yet received the results of such an exam or assessment and leave paragraphs (b)(10)(i) through (b)(10)(xi) blank.

Answer: Who is qualified to perform assessments

- Element 23 requires the agency to indicate diagnosed condition “made by a qualified professional as determined by applicable laws and policies of the State or Tribal service area.
- A qualified professional may include a doctor, psychiatrist or, if applicable in the State or Tribal service area, a licensed clinical psychologist or social worker” (2015 NPRM Preamble).

Sex Trafficking

Questions:

When is an agency supposed to record the date that a child's sex trafficking victimization was reported to law enforcement?

What if the victimization happened many years ago?

Answer: Sex Trafficking

- Elements 106-108 are around whether the child was a victim of sex trafficking prior to being in foster care.
- This could mean that the child was removed due to their victimization or that they were a victim at any time in their past.
- If the child was a victim, the agency should always indicate whether or not it made a report to law enforcement in element 107 and what date the report was made in 108.
- A response to element 107 and 108 is still required even if the child was victimized many years ago.

Kin and Relative

Questions:

What is the definition of kin?

When should an agency use kin vs relative?

Kin Definition

- A state or a Tribe should follow its own definition of kin (or fictive kin).
- If a state or Tribe does not have a definition for kin,
 - Kin is when there is a psychological, cultural or emotional relationship between the child or the child's family and the foster/adoptive parent; and
 - **there is not a legal, biological, or marital connection** between the child and foster/adoptive parent.
- Applies to elements 117, 119, 124, 148, 158, and 159.

Kin and Relative: Type of Foster Home

Foster Family Home
Type (choose all that
apply)

- Element 117 – Relative Foster Family Home Type
- Element 119 – Kin Foster Family Home Type

Element 114-119: Foster Family Home Type

If the title IV-E agency indicated that the child is living in a foster family home in paragraph (e)(2) of this section, indicate whether each foster family home type listed in paragraphs (e)(3)(i) through (vi) of this section applies or does not apply; otherwise the title IV-E agency must leave paragraph (e)(3) blank.

Out-of-Home Care Element 114: Licensed Home (e)(3)(i)

The child's living arrangement is licensed or approved by the state or tribal licensing/approval authority.

Out-of-Home Care Element 115: Therapeutic Foster Family (e)(3)(ii)

The home provides specialized care and services.

Out-of-Home Care Element 116: Shelter Care Foster Family Home (e)(3)(iii)

The home is so designated by the state or tribal licensing/approval authority, and is designed to provide short-term or transitional care.

Out-of-Home Care Element 117: Relative Foster Family (e)(3)(iv)

The foster parent(s) is related to the child by biological, legal or marital connection and the relative foster parent(s) lives in the home as his or her primary residence.

Out-of-Home Care Element 118: Pre-Adopt Home (e)(3)(v)

The home is one in which the family and the title IV-E agency have agreed on a plan to adopt the child.

Out-of-Home Care Element 119: Kin Foster Family Home (e)(3)(vi)

The home is one in which there is a kin relationship as defined by the title IV-E agency, such as one where there is a psychological, cultural or emotional relationship between the child or the child's family and the foster parent(s) and there is not a legal, biological, or marital connection between the child and foster parent.

Kin and Relative: Foster Parent

Element 124 – Child’s Relationship to the Foster Parent (choose one)

- Relative
- Non-relative, or
- Kin

Element 124: Child's Relationship to the Foster Parent

Out-of-Home Care Element 124: Child's Relationships to the Foster Parent(s) (e)(8)

Child's relationship to the foster parent(s). Indicate the type of relationship between the child and his or her foster parent(s), for each foster family home living arrangement in which the child is placed, as indicated in paragraph (e)(3) of this section.

- Indicate “**relative(s)**” if the foster parent(s) is the child's relative (by biological, legal or marital connection).
- Indicate “**non-relative(s)**” if the foster parent(s) is not related to the child (by biological, legal or marital connection).
- Indicate “**kin**” if the foster parent(s) has kin relationship to the child as defined by the title IV-E agency, such as one where there is a psychological, cultural or emotional relationship between the child or the child's family and the foster parent(s) and there is not a legal, biological, or marital connection between the child and foster parent.

Kin and Relative: Adoptive Parent or Guardian

Child's Relationship to the Adoptive Parent or Guardian (choose all that apply)

- Element 158 – Relative
- Element 159 – Kin

Element 158-161: Child's Relationship to the Adoptive Parent or Guardian

Indicate the type of relationship between the child and his or her adoptive parent(s) or legal guardian(s). Indicate whether each relationship listed in paragraphs (h)(2)(i) through (iv) of this section “applies” or “does not apply”.

Out-of-Home Care Element 158: Relative (h)(2)(i)

The adoptive parent(s) or legal guardian(s) is the child's relative (by biological, legal or marital connection).

Out-of-Home Care Element 159: Kin (h)(2)(ii)

The adoptive parent(s) or legal guardian(s) has a kin relationship with the child, as defined by the title IV-E agency, such as one where there is a psychological, cultural or emotional relationship between the child or the child's family and the adoptive parent(s) or legal guardian(s) and there is not a legal, biological, or marital connection between the child and foster parent.

Out-of-Home Care Element 160: Non-Relative (h)(2)(iii)

The adoptive parent(s) or legal guardian(s) is not related to the child by biological, legal or marital connection.

Out-of-Home Care Element 161: Foster Parent (h)(2)(iv)

The adoptive parent(s) or legal guardian(s) was the child's foster parent(s).

Kin and Relative: Permanency Planning

Element 148 – Permanency Plan (choose one)

- A separate response for Kin is not included
- Choose Live With Other Relatives if the plan is for the child to live with kin

Element 148: Permanency Plan

Out-of-Home Care Element 148: Permanency Plan (f)(1)

Indicate each permanency plan established for the child.

- Indicate “**reunify with parent(s) or legal guardian(s)**” if the plan is to keep the child in out-of-home care for a limited time and the title IV-E agency is to work with the child's parent(s) or legal guardian(s) to establish a stable family environment.
- Indicate “**live with other relatives**” if the plan is for the child to live permanently with a relative(s) (by biological, legal or marital connection) who is not the child's parent(s) or legal guardian(s).
- Indicate “**adoption**” if the plan is to facilitate the child's adoption by relatives, foster parents, kin or other unrelated individuals.
- Indicate “**guardianship**” if the plan is to establish a new legal guardianship.
- Indicate “**planned permanent living arrangement**” if the plan is for the child to remain in foster care until the title IV-E agency's placement and care responsibility ends. The title IV-E agency must only select “planned permanent living arrangement” consistent with the requirements in section 475(5)(C)(i) of the Act.
- Indicate “**permanency plan not established**” if a permanency plan has not yet been established.

Parents and Guardians

TPR and Putative Fathers

Question:

How does an agency report putative fathers for the termination of parental rights?

Answer: TPR and Putative Fathers

- If there are multiple putative fathers for the child, the agency should report multiple entries of the second parent for each putative father for elements 64, 66, and 68.

Element Number	Instruction	Element Variable
63	Indicate the process of the TPR for the mother	Voluntary or Involuntary
65	Indicate the date of the petition for the TPR for the mother	Date of Petition
67	Indicate the date of the actual TPR for the mother	Date of TPR
64	Indicate the process of the TPR for the first putative father	Voluntary or Involuntary
66	Indicate the date of the petition for the TPR for the first putative father	Date of Petition
64	Indicate the process of the TPR for the second putative father	Voluntary or Involuntary
66	Indicate the date of the petition for the TPR for the second putative father	Date of Petition
68	Indicate the date of the actual TPR for the second putative father	Date of TPR

Parent or Guardian Year of Birth

Question:

Who does an agency report for the year of birth for the parent or guardian in elements 59 and 60?

Answer: Year of Birth of Parents

Second Parent or Legal Guardian

Out-of-Home Care Element 59: Year of Birth of First Parent or Legal Guardian (c)(1)

If applicable, indicate the year of birth of the first parent (biological, legal or adoptive) or legal guardian of the child. To the extent that a child has both a parent and a legal guardian, or two different sets of legal parents, the title IV-E agency must report on those who had legal responsibility for the child. We are not seeking information on putative parent(s) in this paragraph (c)(1). If there is only one parent or legal guardian of the child, that person's year of birth must be reported here. If the child was abandoned indicate “**abandoned**”. “Abandoned” means that the child was left alone or with others and the identity of the child's parent(s) or legal guardian(s) is unknown and cannot be ascertained. This includes a child left at a “safe haven”.

- Elements 59 & 60 ask the agency to report the year of birth for the parent or legal guardian.
- This differs from AFCARS 1993 which requests the year of birth of the child's *caretakers from whom the child was removed*.
- “The information collected under the existing regulation does not clearly indicate whether the child's caretaker(s) was the parent(s), legal guardian(s), or some other person who was temporarily taking care of the child at the time that the child was removed from home” (2015 NPRM Preamble).
- The AFCARS 2020 data element is more consistent with the statutory mandate to collect demographic information on the biological parent(s) of children in foster care.

Living Arrangements



Placements

Question:

How does an agency count placement moves and runaways?

Answer: Placement Moves and Runaways

- The living arrangement section includes information on the child's living arrangement, also referred to as a placement. Agencies should report information on every living arrangement, including each time the child runs away. This means that the agency should submit multiple responses for elements 112-146, where applicable.
- Agencies will be guided by their own policies and data system constraints on the number of events, such as runaways, part-time placements, and short term medical stays, that would be counted as living arrangements for the child's record.

112	Date of Living Arrangement
113-119	Foster Family Home Type
120	Other Living Arrangement Type
121	Location of Living Arrangement
122	Jurisdiction or Country Where Child is Living
123	Marital Status of the Foster Parent
124	Child's Relationship to the Foster Parent
125&136	Year of Birth for Foster Parent
126&137	Tribal Membership of Foster Parent
127-133&138-144	Race of Foster Parent
134&145	Hispanic or Latino Ethnicity of Foster Parent
135&146	Sex of Foster Parent

Answer: Placement Moves and Runaways

For example, a child was removed from his parents on October 10. He was placed in a foster home with his aunt, from which he ran away two weeks later, and then was placed in a group home. The agency should report all of the living arrangements elements.

- The agency should indicate responses for elements 112-146 for the placement in the foster home.
- The agency should indicate responses for elements 112-122 for the time when the child ran away.
- The agency should indicate responses for elements 112-122 for the placement in the group home.

Trial Home Visits

Question:

How are trial home visits reported in AFCARS 2020? Does an agency have a six month time limit for a child to be placed in a trial home visit?

Answer: Trial Home Visits/ Placed at Home

Element 120: Other Living Arrangement Type

Out-of-Home Care Element 120: Other Living Arrangement Type (e)(4)

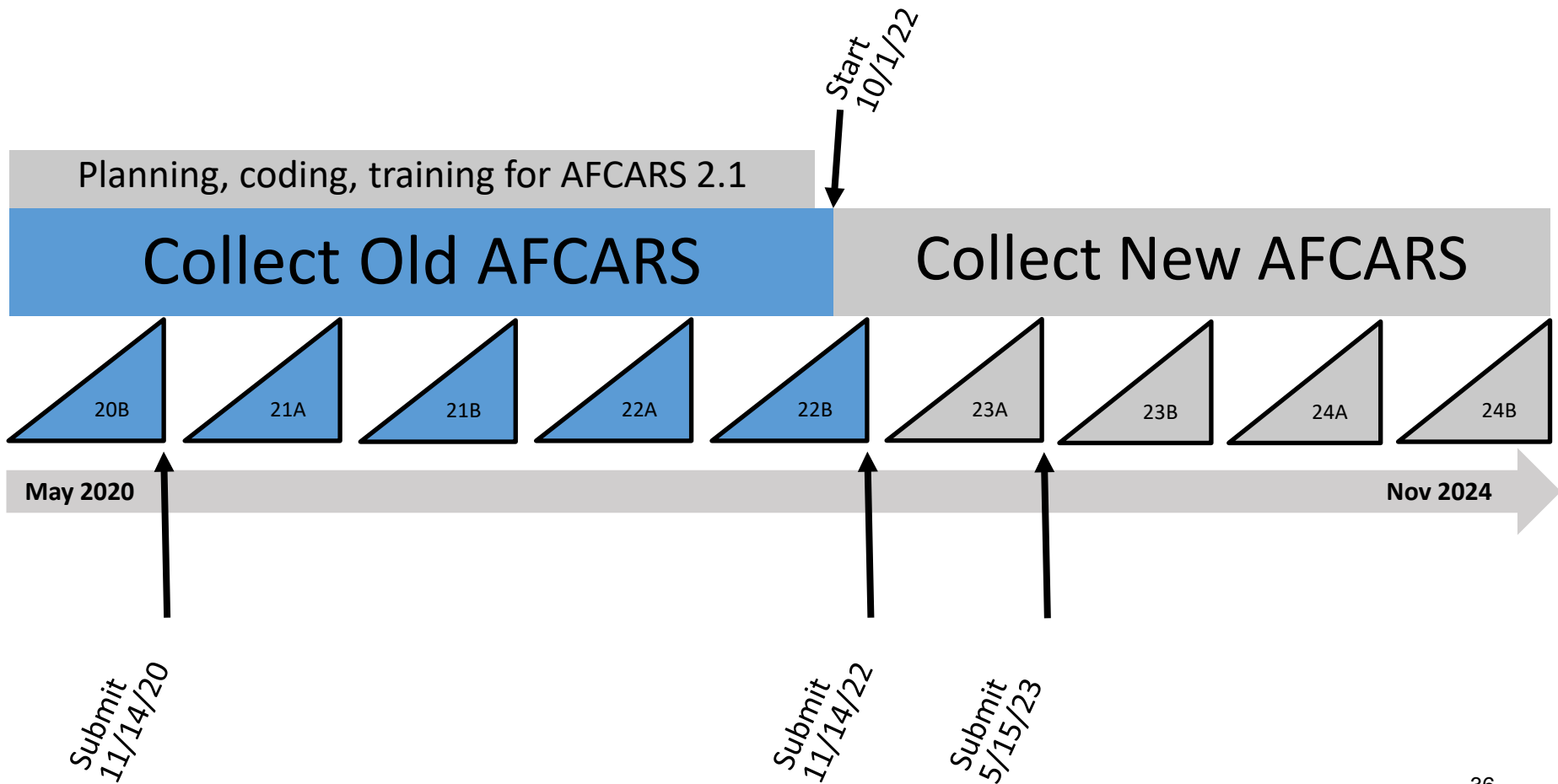
If the title IV-E agency indicated that the child's living arrangement is other than a foster family home in paragraph (e)(2) of this section, indicate the type of setting; otherwise the title IV-E agency must leave this paragraph blank.

- Indicate “placed at home” if the child is home with the parent(s) or legal guardian(s) in preparation for the title IV-E agency to return the child home permanently.

- AFCARS 2020 replaced the term ‘Trial Home Visit’ with ‘Placed at Home.’
- Guidance for AFCARS 1993 asked that the child be discharged after 6 months.
- AFCARS 2020 is different; an agency must keep the child in the reporting population until the agency’s placement and care ends.

Next Steps

Timeline



AFCARS 2020 Webinar Series

Date	Title	Notes
June 24, 2020	An Overview of the AFCARS 2020 Final Rule	Recording and materials available on CB AFCARS website
August 31, 2020	Early Planning for the Submission of the New AFCARS	Recording and materials not yet available on CB AFCARS website
September 28, 2020	AFCARS Questions and Answers	Not recorded/ no handouts
November 23, 2020	AFCARS Technical Bulletin #20 - Questions and Answers	Will not be recorded/ handouts available
December 14, 2020	CCWIS/AFCARS A State Panel Discussion on Prevention and QRTP (sponsored by Division of State Systems)	Will not be recorded
January 11, 2021	AFCARS Questions and Answers	Will not be recorded

www.acf.hhs.gov/cb/resource/afcars-webinars-training-materials

Next Steps

- CB will continue the webinar series.
- CB is currently in the development stages of a new enterprise-wide engineering and architecture service to support AFCARS submissions. The National Child Welfare Data Management System (NCWDMS) is scheduled to be available for the first AFCARS 2020 submission in May 2023.
- CB is developing additional technical bulletins detailing the specifications of the XML file for the data file submission process, along with a document for agencies on how to log into, upload, and submit to CB from the NCWDMS.

Next Steps

- CB will provide resources for agencies on the process to determine the compliance of the submitted files.
- Additional resources will be provided for state agencies to help with collecting and reporting the elements related to Indian Child Welfare Act (ICWA) (elements 7-12).
- As CB receives questions on the data elements, Technical Bulletin #20 will be updated. Please refer to the version number and the date to be assured that you have the most recent version.

Questions???

Resources

CB AFCARS Website

<https://www.acf.hhs.gov/cb/research-data-technology/reporting-systems/afcars>

AFCARS Webinar & Training Materials

<https://www.acf.hhs.gov/cb/resource/afcars-webinars-training-materials>

Code of Federal Regulations, AFCARS

[Current e-CFR](#)

Information Memorandum

[ACYF-CB-IM-20-07](#)

Questions?

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