

Questions and Answers from 2009 NYTD Technical Assistance Meeting and select NYTD-related webinars and conference calls

Note: On July 25-26, 2009, the Children's Bureau (CB) hosted the 2009 National Youth in Transition Database Technical Assistance Meeting in which State participants submitted questions to CB. This document addresses these questions, along with questions from other related meetings hosted in 2009 including SACWIS Managers' calls, NYTD conference calls hosted by CB Regional Offices, as well as individual State questions posed to the Children's Bureau or its technical assistance partners, the National Child Welfare Resource Center for Youth Development and the National Resource Center for Child Welfare Data and Technology. All additional NYTD questions should be directed to the State's CB Regional Office Specialist.

Reporting Requirements and Reporting Populations

- **Question:** If a youth receives independent living services paid for by TANF while that youth is a TANF recipient and the Chafee agency is also the TANF agency, is this recipient part of the served population?

Answer: Yes. A youth that receives an independent living service due to the CFCIP agency's commitment of funds or resources to provide that service would be a member of the served population. Also, if a service is provided to a youth pursuant to a contract for such services between the CFCIP agency and a provider, public or private agency or any other entity, regardless of whether the contract includes funding for the particular service, then such a youth is also a member of the served population. (See 73 FR 10340)

- **Question:** If a youth receives a Medicaid funded service that falls under the independent living services category in NYTD and is paid for using State general funds, is this recipient part of the served population?

Answer: It depends. A State must collect and report information on youth who receive an independent living service due to the State CFCIP agency's commitment of funds or resources to provide the service. It is not clear from the question whether the State CFCIP agency is committing funds or resources to provide the service. For NYTD reporting, independent living services provided to youth by the State agency pursuant to a contract for such services between the State agency and a provider, public or private agency or any other entity, regardless of whether the contract includes funding for the particular service are included. Services that are paid for directly or indirectly by the State CFCIP agency are included as well. (See 73 FR 10340)

- **Question:** If a youth is erroneously included in a State's baseline population (e.g., because of an incorrect date of birth included in the youth's record) and outcomes data is collected and reported to ACF, then is that youth a part of the State's follow-up population and should the State collect follow-up outcomes data from such a youth?

Answer: No, because the purpose of collecting outcomes data from youth in the follow-up population is to gather information that represents the collective outcomes experienced by youth at ages 19 and 21 that were formerly in foster care at age 17. In the event that a State submits erroneous information such as an incorrect birthday in a NYTD

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data file, a State should provide corrected information to ACF by making a subsequent data file submission. (See 45 CFR 1356.81(c))

- **Question:** I understand that a State must collect outcomes information from a youth in foster care within 45 days following the youth's 17th birthday during a year in which such data is due. Previously, ACF provided guidance that a baseline youth's outcomes data should be reported in the report period which corresponds with the date of outcomes data collection (data element 35). In the event that a youth's outcomes data are collected in the reporting period after the report period in which the youth turned 17, should the State also withhold other information on that youth (i.e., basic demographic information, data element 1 – 13) until outcomes data is collected?

Answer: No. A State should report information on all data elements that apply to a youth in the baseline population during the reporting period in which the youth turns age 17 even if a State collects outcomes data in a subsequent report period because the youth's 17th birthday fell within 45 days of the end of a report period. If the youth in the above scenario was also in the served population, the State would already have reported information on the youth's demographics, characteristics and independent living services received as well.

Data Elements

- **Question:** Do States need to ask youth to report their race (data elements 6-12) or ethnicity (data element 13) if those data have already been self-reported in their SACWIS?

Answer: No. If a youth's race and ethnicity information is already available in a State's child welfare information system (i.e., collected for foster care purposes), the State does not need to collect these data again. However, the State may want to confirm with the youth that this information is accurate.

- **Question:** How should a State report race data on a youth that does not know their race?

Answer: If a youth does not know one or more of his or her races, then the State may consult a parent if available to collect this information. If race data still cannot be obtained, the State reports "yes" for data element 11 (race – unknown).

- **Question:** What happens when there is a disparity between information existing in AFCARS and the information provided to NYTD? For example, what happens when a youth's race is entered as "White" in AFCARS, however it is reported in NYTD as "Asian"?

Answer: There are no comparisons made between information on race reported to both AFCARS and NYTD for an individual youth for compliance purposes. However, the consequence of such a discrepancy is that neither the State nor ACF would have reliable information on a youth's race information. We required States to use the same unique personal identification number for a youth reported in both the AFCARS and NYTD data

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sets so that there could be consistent reporting of youth that are involved in States' child welfare systems in regard to demographic information. Consistent reporting of such information enables us to analyze the information related to a youth's foster care experiences reported to AFCARS along with their service and/or outcomes information reported to NYTD. To support this goal, we urge States to establish protocols for identifying and resolving such discrepancies prior to submitting data to ACF. (See 45 CFR 1356.83(g)(3))

- **Question:** My State's Independent Living Program provides a stipend to youth who age out of foster care. Youth can choose to spend the stipend on such expenses as housing, education, food, etc. Under which NYTD independent living service category is this stipend reported?

Answer: If a general stipend or other payment is provided to the youth to assist that youth live independently, a State would report that as "other financial assistance" (data element 33). (See 45 CFR 1356.83(g)(33))

- **Question:** The response option "not in sample" for "outcomes reporting status" (data element 34) is used to indicate that a 19-year-old youth who participated in the baseline outcome survey is not in the follow-up sample. What, if any, information is required to be reported to NYTD for a 21-year-old young adult who participated in the baseline survey but is not in the follow-up sample?

Answer: For all data elements applicable to the NYTD follow-up population, there is nothing that needs to be reported to ACF for the 21-year-old in the example above. If the 21-year-old in this example is receiving independent living services, however, then the State is still responsible for reporting information on the data elements relevant to the served population. (See 45 CFR 1356.83(g)(34)); 45 CFR 1356.82(a)(3); 45 CFR 1356.82(b))

- **Question:** NYTD data elements 34 (outcomes reporting status), 35 (date of outcome data collection) and 36 (foster care status-outcomes) are technically complex. States would benefit greatly from Federal guidance similar to the technical bulletins for AFCARS. Does such guidance currently exist or can States expect any in the near future? Having technical guidance on these three data elements would be extremely useful to the technical team on the development of the extraction protocol for the data from the new SACWIS.

Answer: States may review further guidance on these data elements in questions and answers previously published by the Children's Bureau at http://www.acf.hhs.gov/programs/cb/systems/nytd/federal_guidance.htm. In addition, the Children's Bureau intends to issue further guidance on these and other data elements in a number of ways. First, the *NYTD User's Guide*, released by the National Resource Center for Child Welfare Data and Technology in draft in June 2009, provides an element-by-element listing of the NYTD data set, including all acceptable response options and compliance standards (see http://www.nrccwdt.org/resources/nytd/nytd.html#nytd_links). Second, future NYTD

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technical bulletins related to data file extraction, structure, transmission, and compliance standards will also address some of technical concerns surrounding data elements 34-36. We will keep States apprised of the development and release of these technical bulletins.

- **Question:** Is data element 40 (Social Security) intended to capture information on a youth's receipt of Social Security survivor's benefits?

Answer: Data element 40 (Social Security) collects information on whether a youth is receiving Social Security Income (SSI) or Social Security Disability Insurance (SSDI), either directly or as a beneficiary. States are not required to include information regarding receipt of Social Security survivor's benefits in data collection. (See 73 FR 10351 and 45 CFR 1356.83(g)(40))

- **Question:** For the baseline and follow-up populations, if the date for element 35 (date of outcome data collection) is greater than the date required (i.e. for baseline greater than 45 days after the youth's 17th birthday), do we still include the record in our NYTD file?

Answer: Yes. A State must report all applicable data elements for an individual youth in a single record per report period. If a State is unable to gather outcomes information from a youth in the baseline or follow-up population in accordance with NYTD standards, a State must still include the youth's record because information on all other applicable data elements is still required to be reported. (See 45 CFR 1356.83(f))

- **Question:** Appendix A of the NYTD regulation indicates that data elements 42-44 pertain to the "follow-up population not in foster care." Would you please clarify to which reporting populations NYTD data elements 42 – 44 apply?

Answer: Data elements 42 (public financial assistance), 43 (public food assistance) and 44 (public housing assistance) capture information about a youth's use of public assistance. States must report information on these data elements for all youth in both the baseline and follow-up populations. "Not applicable" is the appropriate value to report for those youth that are still in foster care. (See 45 CFR 1356.83(d) and 45 CFR 1356.83(e))

- **Question:** If the appropriate response to data elements 42-44 for youth still in foster care is "not applicable," does the State still have to ask the survey questions related to these data elements?

Answer: No.

- **Question:** For element 55 (other health insurance coverage), what is the meaning of the response option "not applicable"? What specifically is the distinction between the meanings of response options "no" and "not applicable" for data element 55 for a youth that reports that he/she is receiving Medicaid (data element 54)?

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Answer: We erred in listing “not applicable” as a valid response option for data element 55. In the regulation, we explained that a response option of “not applicable” for data element 55 (health insurance type – medical) meant a youth was participating in Medicaid and no other third party pay coverage for health insurance. We believe that if a youth reports “yes” for the survey question related to data element 54 (Medicaid) and “no” for data element 55 (health insurance type – medical), then this is sufficient information to identify youth who solely participate in Medicaid for health insurance coverage. The valid response options for data element 55 are “yes”, “no”, “don’t know”, or “declined.” (See 45 CFR 1356.83(g)(55))

- **Question:** In Appendix B of the NYTD regulation, “no” is not listed as a valid response under data element 56 (health insurance type – medical). Is this a typographical error?

Answer: Yes. The valid response options for data element 56 (health insurance type – medical) should be identical to those listed in the regulation text, which includes the response option of “no.” (See 45 CFR 1356.83(g)(56))

- **Question:** For elements 56 through 58, what does the response option “not applicable” mean?

Answer: Like all the youth outcome survey questions, the State will report the youth’s response to the question relevant to data elements 56 (health insurance type - medical), 57 (health insurance type - mental health) and 58 (health insurance type - prescription drugs). For these elements, “not applicable” means the youth did not indicate having health insurance coverage in data element 55 (other health insurance coverage). (See 73 FR 10370)

Youth Outcome Survey

- **Question:** Is NYTD outcomes data collection exempt from the human subjects protection requirements specified in 45 CFR 46?

Answer: The data collection required by the National Youth in Transition Database is not a research activity that is subject to the Federal regulations for the protection of human subjects. (See 45 CFR 46).

- **Question:** Does the Children’s Bureau have any regulations regarding consent to participate in the NYTD outcomes survey, particularly for 17-year-olds? Is parental consent required because they are minors?

Answer: Because NYTD data collection is not subject to the Federal regulations for the protection of human subjects, there is no specific Federal requirement or procedure to seek informed consent of a youth, or parental consent on a youth’s behalf, to participate in the NYTD Youth Outcome Survey. However, States are encouraged to develop their own procedures to ensure that youth understand the purpose and use of the survey,

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including the voluntariness of the survey. States may wish to review the guidance from the Federal Office of Human Research Protections (OHRP) regarding the protections of human subjects including proper procedures for obtaining informed consent from Youth Outcome Survey participants (www.hhs.gov/ohrp/). The basic elements of informed consent can be found in the HHS regulations at 45 CFR 46.116(a). OHRP also has a tips sheet for informed consent available at <http://www.hhs.gov/ohrp/humansubjects/guidance/ictips.htm>. We anticipate providing further technical assistance to States on informed consent practices. (See 45 CFR 46).

- **Question:** If upon leaving foster care, a youth that had been in the baseline population asks the State not to contact them in the future should the State persist in attempting to engage that youth in the outcome survey at ages 19 and 21?

Answer: This is at a State's discretion. Though the NYTD regulation outlines the standards States must meet for collecting and reporting outcomes data, including required participation rates, States are reminded that a youth's participation in the Youth Outcome Survey is voluntary and refusal to participate should involve no penalty to the youth. States are strongly encouraged to develop procedures to seek and obtain informed consent from a youth, including an easily understood explanation of the purposes of the survey, the expected duration of the youth's participation, a description of the procedures to be followed, and the voluntariness of participation. (See 73 FR 10344)

- **Question:** Does a youth's non-response to any particular outcome survey question mean that a State should report "declined" for that item?

Answer: Yes. (See 45 CFR 1356.83(g))

- **Question:** If a youth responds "yes" to the youth outcome survey question regarding full-time employment, does the State have to ask if the youth is employed part-time?

Answer: Yes. While the regulation specifies the definition of "full-time" and "part-time" employment in terms of number of total hours worked, these two data elements are not mutually-exclusive. A youth may report having both full-time employment (working in one job for 35 hours a week, for example) and part-time job concurrently (working a different job for 10 hours a week, for example). (See 45 CFR 1356.83(g)(37) and (38))

- **Question:** How can States verify the identity of youth taking the outcome survey if a State is not administering the survey in person (using a web-based application or a survey mailed out to the youth)?

Answer: Developing a protocol to verify the identify of a youth responding to the NYTD Youth Outcome Survey questions via the web or by mail is up to the State to determine and should be based on the method of survey administration selected by the State. (See 73 FR 10343)

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- **Question:** Will there be a national website for youth to visit in order to take the NYTD youth outcome survey? Is it possible for multiple States to develop regional web portals/sites for collecting survey data from youth?

Answer: Regarding the first question, ACF will not be creating a website for the purpose of collecting survey information. The statute that mandated NYTD requires that we develop data collection requirements and impose penalties on States that do not comply with those requirements. As such, the statute creates an obligation for States to meet the data collection requirements for NYTD. Regarding the second question, it may be possible for a State or group of States to develop web-based applications for the purposes of collecting survey data from youth, but States with a SACWIS should submit their plans and business case to the Children's Bureau/Division of State Systems (CB/DSS) in an As Needed Advance Planning Document (APD). State project teams may also discuss alternatives with the CB/DSS analyst responsible for their State. (See Sections 477(e)(2) and (f) of title IV-E of the Social Security Act)

- **Question:** In the event that a youth in the baseline population exits foster care before the State attempts to collect outcomes information via the Youth Outcome Survey within 45 days of the youth's 17th birthday, should the State still attempt to collect these data and report them in the State's NYTD data file?

Answer: No. The State must attempt to collect the required data described in 45 CFR 1356.83(d) during the time the youth is in foster care. The State does not report outcomes data on a youth in the baseline population that exits foster care before the State attempts to administer the Youth Outcome Survey. However, in the event that a youth in the baseline population exits foster care before the State is able to collect outcomes data, the State would still report information on data element 34 (outcomes reporting status). "Unable to locate/invite" would be the appropriate response option for data element 34 in this case. (See 45 CFR 1356.82(a)(2))

- **Question:** If the State attempts to collect outcomes data for NYTD for a youth in the baseline population within 45 days of the youth's 17th birthday but is not able to do so before the youth exits foster care, then should the State exclude the youth's record from the data file completely? If not, what if any other information should be provided on that youth for NYTD data reporting purposes?

Answer: Regarding the first question, no, the State must not exclude the record of the youth described in the scenario above. Regarding the second question, the State must still report information on data element 34 (outcomes reporting status), and on all other data elements relevant to the youth as described in the regulation, including information on basic demographics of the youth (data elements 1-13) and, if applicable, any information on independent living services the State paid for or provided to the youth. (See 45 CFR 1356.82(a)(2) and 45 CFR 1356.83(b) and (d))

- **Question:** Would it be allowable for a State to use an online chat session to administer the NYTD youth outcome survey?

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Answer: Yes. A State has the discretion to choose the method(s) it will use to administer the outcomes survey to youth (e.g., in person, via the internet or over the phone) provided that the survey is administered to youth directly. Each State will determine the most appropriate approach to meet its needs and the particular characteristics of the State's population of youth and young adults. We anticipate providing technical assistance to States in devising effective methods of administering the youth outcomes survey. (See 73 FR 10343)

SACWIS

- Question: Could you provide clarification regarding which costs related to developing functionality to collect and report NYTD information can be charged to SACWIS?

Answer: Please refer to the summary guidance below regarding systems development costs for NYTD.

If a State does have a SACWIS:

- NYTD system development costs for enhancements to support youth in foster care up to the maximum age for title IV-E foster care payments¹ (regardless of whether children/youth are title IV-E eligible) are charged to title IV-E SACWIS.
- NYTD system operational costs to support youth in foster care up to the maximum age for title IV-E foster care payments¹ (regardless of whether children/youth are title IV-E eligible) are charged to title IV-E SACWIS.
- NYTD system development and operational costs to support youth not in foster care or in foster care but older than the maximum age for title IV-E foster care payments are charged to Chafee funds and/or State-only funds or any other applicable non-Federal funding source.

If a State does not have a SACWIS (i.e., is a non-SACWIS State):

- All NYTD system development costs are charged to Chafee funds and/or State-only funds or any other applicable non-Federal funding source
- All NYTD system operational costs are charged to Chafee funds and/or State-only funds or any other applicable non-Federal funding source.

For more guidance on development and operational costs for SACWIS, please review Program Instruction ACYF-CB-PI-01-05 in Section IV: Definitions, which is available

¹ If the State elects to extend its title IV-E foster care program to ages 19, 20, or 21 per Public Law 110-351, the SACWIS would be required to support the reporting requirements for this population and the activity would be eligible for title IV-E SACWIS funding as approved in the State's Advance Planning Document (APD). If the system does not support a required population, the system would be reclassified as a non-SACWIS.

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on our web page at:

http://www.acf.hhs.gov/programs/cb/laws_policies/policy/pi/2001/pi0105.htm.

- **Question:** Can you provide any further clarification regarding which NYTD information must be captured in a State's SACWIS system?

Answer: A SACWIS must collect and manage information on case management activities, including the provision of independent living services, related to youth in foster care. ACF is developing further guidance for SACWIS States on collecting NYTD Outcome Survey data on youth in foster care. While it is allowable for a State to use its SACWIS to collect NYTD data for youth not in foster care, the data may also be collected outside of SACWIS.

- **Question:** Can you provide any further clarification regarding which NYTD information must be reported from a State's SACWIS system? My understanding is that all of the NYTD information must be reported in a single file. What about States that have data for youth still in foster care in their SACWIS but data for youth who have exited in an external system?

Answer: The NYTD report *may but is not required* to be generated by SACWIS. A forthcoming technical bulletin will provide guidance that a State must report all NYTD information in a single file regardless of the number of systems used to collect the data. The State may merge the data produced by the SACWIS with information captured in other systems; however the cost to do this is not a title IV-E expenditure.

- **Question:** Can States use a web-based survey application that would interface with their SACWIS so that the NYTD data could be uploaded directly into the system? Would this be SACWIS compliant? Would States be able to use IV-E funding to develop this capacity?

Answer: Yes. For example, a State may use Service Oriented Architecture approaches (e.g., web services) to meet the SACWIS requirement to collect and manage survey information for foster care youth (see ACYF-CB-IM-07-03). To ensure specific designs are SACWIS compliant, States with an open Advance Planning Document (APD) should submit their plans and business case to the Children's Bureau/Division of State Systems (CB/DSS) in an As Needed APD. States with a closed APD contemplating NYTD enhancements whose cost will not exceed APD thresholds² are *encouraged* to provide a written description of plans to CB/DSS so they can be reviewed for SACWIS compliance. State project teams may also discuss alternatives with the CB/DSS analyst responsible for their State.

Please refer to the summary cost guidance above on the availability of title IV-E SACWIS funds for enhancements to support NYTD requirements.

- **Question:** Given that a number of youth in the follow-up population will transition from care and elect not to continue receiving services from the State, their individual cases within

² 45 CFR 95.611(a)

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the SACWIS system will be closed. Has there been any discussion about the maintenance and or method for managing a caseload of youths (NYTD youths with no ongoing relationship to the Child Welfare Agency) within the SACWIS?

Answer: As previously stated, a State may elect to support youth in the follow-up population that are not in foster care within the SACWIS or outside the SACWIS. If an individual has left foster care but is seeking services or included in a follow-up survey, the State may elect, but is not required, to support this population through its SACWIS. However, all unique development and operational costs would, as noted above, be funded through non-title IV-E sources.

Compliance Standards and Penalties for Noncompliance

- **Question:** What is the participation rate standard a State must meet for youth in the baseline population taking the Youth Outcome Survey?

Answer: The outcomes participation rate standard (45 CFR 1356.85(b)(3)) and associated penalty for noncompliance (45 CFR 1356.86(b)(2)) applies only to the follow-up population. There is no outcomes participation rate standard or penalty for noncompliance with such a standard for the baseline population. However, the data collection requirements found at 45 CFR 1356.82(a)(2)(i) and (ii) specify that States must collect outcomes information on each youth in foster care who turns age 17 in FFY 2011 and in every third fiscal year thereafter (e.g., FFY 2014, FFY 2017, etc.). Further, these data must be collected within 45 days of the youth's 17th birthday, but not before that birthday.

- **Question:** The NYTD file requires that States gather outcome survey information on the baseline population within 45 days following the youth's 17th birthday. What is the penalty for data gathered on these youth after 45 days? Should States still submit outcomes data gathered from youth in the baseline population after 45 days from their 17th birthdays?

Answer: States are required to collect outcomes data from youth in the baseline population within 45 days of the youth's 17th birthday. A State that fails to collect outcomes data from a baseline youth within this timeframe would not meet the data collection requirements specified in the NYTD regulation at 45 CFR 1356.82(a)(2)(i). Regarding the first question, the NYTD regulation specifies a data compliance standard at 45 CFR 1356.85(b)(1), which requires certain data elements, including data element 35, to be 90% error-free. A State that is unable to collect outcomes data on a youth in the baseline population within 45 days of the youth's 17th birthday would constitute an error for data element 35. A State that submits a data file containing information on data element 35 that is not 90% error-free may incur a penalty as described at 45 CFR 1356.86(b)(2). (See 45 CFR 1356.82(a)(2)(i) and 45 CFR 1356.85(b)(1))

Regarding the second question, States are encouraged to submit outcomes data collected from youth in the baseline population after the 45-day timeframe following the youth's

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17th birthday provided that 1) the youth is still in foster care, 2) the youth is still age 17, and 3) the data is collected in time to be transmitted to ACF with a State's data file submission that corresponds with the report period that immediately follows the end of a Fiscal Year in which baseline data is scheduled to be collected. In the event that a State is unable to collect outcomes data from a baseline youth, a State is still to report the reason it was unable to collect this information in data element 34 (outcomes reporting status).

Implementation Costs and Funding

None

Miscellaneous

- **Question:** If a youth that receives services paid for or provided by the State CFCIP agency during a reporting period is included in the served population regardless of foster care status, then how can eligibility for Chafee services be a determinant of inclusion/exclusion?

Answer: The State does not determine the served population based on a youth's eligibility for Chafee services. Rather, the served population includes any youth who receives at least one independent living service during a reporting period regardless of any other characteristic. We acknowledge that States may restrict eligibility for independent living services to particular age groups. For the purposes of collecting data on the served population, however, we do not make a distinction between a youth that is eligible or ineligible for a State's Chafee services. (See 45 CFR 1356.81(a))

- **Question:** How are States supposed to collect data on youth in the served population that do not have a record in SACWIS because they are not in foster care?

Answer: States must report information on all applicable NYTD data elements for an individual youth in a single record. Consequently, if a youth has no record in a SACWIS, a State must create one and report on all applicable data elements to the NYTD. It is at the State's discretion to select a method for establishing a record and unique identification number for every youth reported to NYTD. (See 45 CFR 1356.83(f))

- **Question:** How will States link youth in the NYTD reporting populations across the country that have moved between States?

Answer: For youth in the served population, each State that paid for or provided independent living services to a youth is responsible for reporting on that youth. If two States served a particular youth during the same reporting period or in different reporting periods, they both would report on all the relevant data elements for the particular youth including basic demographics, characteristics, and independent living services received as appropriate. A youth that is included in a State's baseline population remains in that

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State's baseline population for the purposes of follow-up outcomes data collection. States are responsible for administering the youth outcomes survey to youth in the follow-up population regardless of where the youth resides. We anticipate offering technical assistance on strategies States may employ to assist in locating youth after they leave foster care.