

CLASP

CENTER FOR LAW AND SOCIAL POLICY

June 27, 2003

Dr. Penelope Maza
Children's Bureau
330 C Street, SW
Washington, DC 20447
Via e-mail and U.S. Postal Service

RE: Request for Public Comment on the Adoption and Foster Care Analysis and Reporting System (AFCARS) 68 Fed. Reg. 22386 (April 28, 2003)

Dear Dr. Maza:

Thank you for soliciting comments on how to improve the Adoption and Foster Care Analysis and Reporting System (AFCARS). The data collected through AFCARS provide critical information to federal, state and local governments, as well as to advocates and researchers. The information can be used to improve program management and to enhance policy development and implementation. In this letter we offer suggestions about improving AFCARS so that this data collection system can be a more effective tool in improving the welfare of children in foster care and those who have been adopted through the child welfare system. Our comments fall into four general categories: (1) developing the capacity to track children over time; (2) improving the comparability of data across states; (3) collecting critical additional data and (4) enhancing access to data on a timely basis.

The current AFCARS system provides a snapshot of children at specific points in time. This look at the system is important and provides key management information. However, the current system cannot provide a dynamic look at the system and cannot follow children over time to see how they are faring. CLASP believes that the ability to track children over time is critical to guiding both program management and the development of sound policy. We encourage the Department to develop the capacity to collect and utilize longitudinal data so that cohorts of new entrants to the system can be followed as they move through the system.

The importance of having longitudinal data is evident in the measure of length of time in foster care. Under the current AFCARS structure, this measure is determined by identifying children in care on a particular date and calculating the average length of time these children have been in care. The likelihood of a child being in care on the day data is collected is much less for a child who is in care for 60 days than for a child who is in care for two years. Thus, the population of children in care on a particular day

necessarily includes a disproportionate number of children who have been in care for longer periods of time. This means a point-in-time look will skew the average length of stay in the direction of longer stays. On the other hand, the use of entry cohort analysis would provide a clearer picture of how long the typical child remains in care.

CLASP recommends the use of longitudinal data *in addition to*, rather than instead of, the current data collected. Although there are opportunities to improve AFCARS, it is important to remember that the system provides data that were previously unavailable. Furthermore, the cross-sectional data currently collected provide useful information, particularly for program management (e.g., the number of children in foster care or the number of children receiving adoption subsidies).

In addition to collecting and analyzing longitudinal data, AFCARS could be improved by providing uniform definitions for certain data elements. For example, a survey conducted by the National Working Group to Improve Child Welfare Data found that there was wide variation in how states counted medical and psychiatric hospital stays. Some states counted these hospitalizations as distinct placements, while others did so only if the stay was of a particular duration.¹ Similarly, states vary in whether they include some or all of their juvenile justice populations in the AFCARS data. The guidance from the Department on counting children in the juvenile justice system indicates that states should include such children when the state's IV-B/IV-E agency is responsible for the placement, care or supervision of the child,² but the National Working Group's survey suggests that states are not interpreting this guidance consistently. CLASP recommends that the Department, in consultation with states, researchers and advocates, develop consistent definitions for these data elements and others where there is evidence that states vary in their interpretation of the data element.

AFCARS could also be improved by including additional data elements that provide critical information about the well-being of children. For example, AFCARS does not collect data that indicate whether foster children are placed with their siblings. There are also no data about the services children (or their families) receive after entering foster care or being adopted. There are no data on outcomes for children who are adopted—for example whether these adoptions subsequently disrupt or dissolve. Collection of such data could easily be incorporated into a longitudinal database that follows children over time. CLASP recommends that the Department, in consultation with states, researchers and advocates, add such data elements to AFCARS.

Finally, access to the data must be more timely. The Inspector General recently noted that the time lag for reporting data is two years and that such outdated information does

¹ National Working Group to Improve Child Welfare Data, facilitated by the Child Welfare League of America, *Placement Stability Measures and Diverse Out-of-Home Care Populations*, April 2002.

² Children's Bureau, U.S. Department of Health and Human Services, *Child Welfare Policy Manual*, § 1.3 (4) available online at <http://www.acf.dhhs.gov/programs/cb/laws/cwpm/index.jsp>.

not capture the current circumstances in the child welfare system.³ To guide policy-making and program management, up-to-date information is essential. CLASP recommends that the Department consider ways to collect, analyze and report the data more quickly. One way to work towards this goal is to provide greater technical assistance to states. This was a recommendation of the Inspector General. Once additional technical assistance is available, the Department should consider imposing penalties on states who fail to submit complete, accurate data in a timely fashion, as provided in 45 CFR § 1355.40(e). Similarly, the Department should comply with Congressionally mandated time-frames for analyzing and reporting the data.⁴

AFCARS is a valuable tool for the child welfare system that provides crucial information to guide program management and policy-making. However, since the system began operating in 1994, many in the field have identified needed improvements to the system. CLASP believes that we should retain and improve upon the current system, not attempt to develop a new system from scratch. We also believe that significant improvements should be made. AFCARS must include longitudinal data to adequately inform decision-making. The data must be more consistent and comparable across states. Additional data elements which provide critical insight into the well-being of children who are in foster care or who have been adopted from the child welfare system must be added to the system. Finally, the data must be available in a more timely fashion. Over the last decade, the child welfare field had made great strides towards collecting, analyzing and reporting data, but additional steps are needed to make AFCARS a more effective tool for promoting the well-being of children in foster care and children adopted from the child welfare system.

Thank you again for seeking comments on how to improve AFCARS.

Sincerely,
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³ Office of Inspector General, U.S. Department of Health and Human Services, *Adoption and Foster Care Analysis and Reporting System (AFCARS): Challenges and Limitations*, March 2003, OEI-07-01-00660.

⁴ 42 U.S.C. § 679b