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March 11, 2022

Alison Barkoff, Principal Deputy Administrator
Administration for Community Living
330 C Street SW
Washington, DC 20201

Submitted electronically to: nowrongdoor@acl.hhs.gov

Dear Principal Deputy Barkoff:

On behalf of Advancing States, I am writing to you to submit comments on the No Wrong Door (NWD) System Management Tool proposed collection of information (OMB Control 0985–0062). Advancing States is a nonpartisan association of state government agencies that represents the nation’s 56 state and territorial agencies on aging and disabilities. We work to support visionary state leadership, the advancement of state systems innovation, and the development of national policies that support home and community-based services (HCBS) for older adults and persons with disabilities. Our members administer a wide range of services and supports for older adults and people with disabilities, including overseeing the Older Americans Act (OAA) and related programs. Together with our members, we work to design, improve, and sustain state systems delivering long-term services and supports for people who are older or have a disability and for their caregivers.

We would like to first acknowledge that there is value in gathering information regarding the functionality of HCBS entry points, including the development of NWD systems across the country. However, we are concerned that this proposed data collection is an overly broad, burdensome, and serves as unfunded mandate on the state agencies and their local partners. While we recognize that recent COVID-19 legislation has provided some funding to state systems, the funding is specifically for disaster relief activities and is not a sustainable resource that can be used for ongoing operations. Aside from this one-time COVID relief funding, NWD systems have not been provided with the comprehensive operational resources needed to collect this information nationally on a ongoing basis.

We also want to stress that, although ACL has done some work to develop and provide guidance regarding state NWD systems, NWD remains an amorphous term that is implemented in many different forms across the country. The OAA defines Aging and Disability Resource Centers (ADRCs) in the statute; however, the ACL vision of a state NWD system is an evolution of the ADRCs that expands beyond the statutory definition and associated operation requirements. This information collection (IC) notice is designed based on ACL’s NWD vision and does not reflect the reality of these models across the country. Simply put, this IC assumes that there is a single lead state NWD agency in each state and further assumes that this agency has the statutory or regulatory authority, infrastructure, and funding to gather data from a wide mix of local partners. This is not the



case in many states. Additionally, the local agencies included in the IC similarly lack funding to perform this type of data collection and reporting.

Many state systems are not currently designed to collect, aggregate, and report the data in the manner envisioned by this IC request. We are concerned that this data reporting requirement will require costly system changes at both the state and local levels. As mentioned previously, ADRC and NWD systems do not receive ongoing operational funds so this IC is effectively implementing an unfunded requirement for NWD systems at the state and local levels.

We also want to stress that the new approach is not built into existing NWD technology systems and requires a totally separate pathway for data collection, aggregation, and reporting than is currently used for other OAA programs. Our members are concerned that this new type of data reporting would require double data entry since it is not integrated into existing technology system for both state level (aggregate) data and local OAA and ADRC data. Collecting and submitting reports via this tool will also require ongoing training and monitoring of local entities to ensure all the data was collected and accounted for accurately.

We also recognize that the Veterans Directed Care (VDC) Program reporting tool is specifically targeted to the entities defined as Hubs, Sole Proprietors, and providers in the VDC system. However, we do want to stress that many state NWD systems do not perform, monitor and/or track any information for VDC programs and therefore cannot provide the oversight, training, and coordination that will likely be required to implement this data collection requirement. We also note that the VDC system entities included in these requirements have substantial overlap with those local entities that will be required to submit data under the NWD data reporting system. We are concerned that the VDC reporting requirement is duplicative and will place further administrative burden on these entities specifically.

Lastly, while we recognize that there are separate statutory requirements for the various programs administered within ADRC/NWD systems, we have concerns about layering a separate NWD reporting system on top of the existing data systems and reporting requirements for a wide range of programs that these entities manage. Some examples include the OAA, State Health Insurance Assistance Program (SHIP), Medicare Improvements for Patients and Providers Act (MIPPA), and Senior Medicare Patrol (SMP). We encourage ACL to work with states to determine a streamlined reporting system across the variety of these programs that limits duplicate collection and data entry and focuses on the data elements that provide the most value to program administrators and policymakers.

We appreciate the opportunity to provide feedback on this IC and look forward to constructive conversations with you and your staff regarding effective and meaningful data collection requirements that limits the burden on states and local entities. If you have any questions about this letter, please contact Damon Terzaghi of my staff at dterzaghi@advancingstates.org.

Sincerely,

A handwritten signature in blue ink that reads "Martha Roherty".

Martha Roherty
Executive Director
ADvancing States