

standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at [www.ffiec.gov/nic/](http://www.ffiec.gov/nic/).

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than February 16, 2007.

**A. Federal Reserve Bank of Kansas City** (Donna J. Ward, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198-0001:

1. *First Wyoming Bancorporation of Laramie, Wyoming*; to become a bank holding company through the acquisition of 100 percent of the voting shares Wyoming State Bank, both in Laramie, Wyoming.

**B. Federal Reserve Bank of Dallas** (W. Arthur Tribble, Vice President) 2200 North Pearl Street, Dallas, Texas 75201-2272:

1. *Family Bancorp, Inc. San Antonio, Texas*; to become a bank holding company by acquiring 100 percent of The First National Bank of Refugio, Refugio, Texas.

Board of Governors of the Federal Reserve System, January 17, 2007.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. E7-847 Filed 1-22-07; 8:45 am]

**BILLING CODE 6210-01-S**

## FEDERAL RESERVE SYSTEM

### Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in

the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at [www.ffiec.gov/nic/](http://www.ffiec.gov/nic/).

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than February 20, 2007.

**A. Federal Reserve Bank of St. Louis** (Glenda Wilson, Community Affairs Officer) 411 Locust Street, St. Louis, Missouri 63166-2034:

1. *Heritage Bancorp, Inc. Mason, Tennessee*; to become a bank holding company by acquiring 50 percent of Fayette Bancorp, Inc., and thereby indirectly acquire Mason Bancorp, Inc., and Bank of Mason, all of Mason, Tennessee.

Board of Governors of the Federal Reserve System, January 18, 2007.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. E7-921 Filed 1-22-07; 8:45 am]

**BILLING CODE 6210-01-S**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Administration for Children and Families

#### The Data Measures, Data Composites, and National Standards To Be Used in the Child and Family Services Reviews; Corrections

**AGENCY:** Children's Bureau, Administration on Children, Youth and Families, Administration for Children and Families, Department of Health and Human Services.

**ACTION:** Notice; corrections.

**SUMMARY:** The Administration for Children and Families (ACF) published a notice in the **Federal Register** of June 7, 2006 (Vol. 71, No. 109), pages 32969-32987, presenting the data measures, data composites, and national standards to be used in the Child and Family Services Review (CFSR). This notice provides corrections to this notice. A consolidated version of the June 7 **Federal Register** Announcement incorporating these corrections is provided on the Children's Bureau's

Web site (address). The following are the key changes in the document and the reasons for the changes:

- *There are new specifications for each of the individual measures included in each composite.* After publication of the June 7, **Federal Register** Announcement, ACF conducted trainings on the CFSR data indicators at each of the 10 ACF Regional Offices. The trainings were provided to key administrators and staff of State child welfare agencies. During these trainings, issues were identified and questions were raised regarding the individual measures included in the composite. After reviewing these issues and questions, ACF determined that more specific information about the measures was needed and that some measures required revision in order to better target the outcome being assessed. The increased specification includes using the precise terminology that is used in the Adoption and Foster Care Analysis and Reporting System (AFCARS) and describing in greater detail the children who are in the denominator and numerator of each measure. The revisions to some of the measures required changes in the syntax used to calculate the measures.

- *There is a new definition of foster parent used by the National Child Abuse and Neglect Data System (NCANDS).* The change was made in this definition because the definition of a foster parent used by NCANDS was recently revised.

- *There is a new version of the table of ranges, percentiles, and national standards for the data indicators and measures to be used in the second round of the Child and Family Services Review.* This table replaces the Table 1 provided in the June 7, 2006 **Federal Register**. It was revised to reflect new data and new national standards for all of the CFSR data indicators. The data in the table and the national standards for all of the data indicators and measures are different than those presented in the June 7 **Federal Register** notice. This difference is due to one or both of the following reasons: (1) A change in the syntax for calculating some of the measures, and (2) a change in the process for calculating the national standards. The reason for the change in the procedures for calculating the national standards is provided in the following bullet.

- *There are revisions and corrections to Attachment B: Methodology for Developing the Composites.* The revisions in Attachment B were made to (1) correct an error in the original attachment B, (2) provide the new coefficients (weights) for the composite

measures that resulted from the changes in the syntax, and (3) explain the new procedure for calculating the national standards. The error in the original attachment B occurred in Step 10 of the process of calculating the composite scores. The new coefficients (weights) for each of the measures included in the composites are presented in Table 1 of the attachment—Coefficients (Weights) for the Measures Included in the Permanency Related Data Composites. The coefficients/weights changed due to changes in the syntax used to calculate some of the individual measures. The new procedure for calculating the national standards involved changes in the statistical requirements for fitting the data to a normal curve and to changes in the parameters used in calculating the sampling error.

#### Correction 1

In the **Federal Register** of June 7, 2006, the text beginning on page 32974, column 1, Section Heading B (CFSR Composites and Measures That will be Used as Part of the Assessment of a State's Substantial Conformity with CFSR Permanency Outcome 1—Children have permanency and stability in their living situations) should be replaced with the specifications presented below for the individual measures included in each composite. The new specifications increase the precision of the measures and address requests for clarification by participants of several training sessions focusing on the data indicators. In some instances, increasing precision involved changes to the syntax used to calculate performance on the measure.

#### Specifications of Individual Measures Included in Each Composite

The following provides specifications of the individual measures included in each data composite used to evaluate State performance for the second round of the CFSR. More detailed specifications are provided in a “pseudo code” as well as the SPSS syntax, both of which will be made available on the Web site of the National Resource Center for Child Welfare Data Technology (<http://www.nrcwdt.org/>). All measures included in the composites are derived from data reported to AFCARS. The AFCARS data set used to calculate the measures excludes children who are 18 years of age or older on the first day of the CFSR “12-month target period.” The term “12-month target period” refers to the primary timeframe for which a State is assessed under the CFSR. Depending upon the time of its CFSR, a State's 12-month target period may include either

the combination of an AFCARS A file (the first 6 months of a fiscal year) and B file (the second 6 months of a fiscal year), or it may include the combination of an AFCARS B file (the second 6 months of a fiscal year) and A file (the first 6 months of the subsequent fiscal year). The 12-month target period used for establishing the national standards was fiscal year (FY) 2004.

#### Composite 1: Timeliness and Permanency of Reunification

For the CFSR data measures, reunification occurs if the child is reported to AFCARS as discharged from foster care and the reason for discharge is either “reunification with parents or primary caretakers” or “living with other relatives.” Children who are reported to AFCARS as discharged to a legal guardianship are not included in the count of reunifications, even if the legal guardian to whom the child is discharged is a relative. If the relative is a legal guardian, the discharge reason of “guardianship” is to be used in the AFCARS submission.

#### Component A: Timeliness of Reunification

The measures for the Timeliness of reunification component include an adjustment to account for State policies or practices in which children are reunified but the State continues to have care and supervision responsibilities for a period of time before discharging the child from foster care. This is referred to as the “Trial Home Visit adjustment.”

A child is eligible for the trial home visit adjustment if all of the following criteria are met:

- The child has a date of discharge from foster care that occurs during the 12-month target period and the reason for discharge is either “reunification with parents or caretakers” or “living with other relatives;”
- At the time of discharge from foster care, the child is in a “current placement setting” of “Trial Home Visit,” and
- At the time of discharge from foster care, the child had been in the placement setting of trial home visit for longer than 30 days.

If these criteria are met, the child's calculated length of stay in foster care prior to reunification or live with relative is determined in the following way: First, the number of days between the child's latest removal from home and the date of placement in the trial home visit setting is determined. Then, 30 days are added to that number of days to provide the calculated “length of stay in foster care” prior to reunification.

Individual Measure C1.1: Of all children who were discharged from foster care to reunification in the target 12-month period, and who had been in foster care for 8 days or longer, what percent were reunified in less than 12 months from the date of the latest removal from home?

The denominator for this measure includes children who meet all of the following criteria:

- The child is in foster care for 8 days or longer;
- The child's date of discharge from foster care occurs during the 12-month target period; and
- The child has a reason for discharge, and the reason is either “reunification with parents or primary caretakers” or “living with other relatives.”

The numerator for this measure includes children who meet all of the criteria for inclusion in the denominator and also meet one of the following criteria:

- The child's date of discharge from foster care occurs less than 12 months from the date of the latest removal from home; or
- Using the Trial Home Visit adjustment, the child's “length of stay” in foster care is less than 12 months from the date of the child's latest removal from home.

Individual Measure C1.2: Of all children who were discharged from foster care to reunification in the 12-month target period, and who had been in foster care for 8 days or longer, what was the median length of stay in months from the date of the latest removal from home until the date of discharge to reunification?

This measure includes children who meet all of the following criteria:

- The child is in foster care for 8 days or longer;
- The child's date of discharge from foster care occurs during the 12-month target period; and
- The child has a reason for discharge, and the reason is either “reunification with parents or primary caretakers” or “living with other relatives.”

Median length of stay is calculated based on one of the following procedures:

- The difference between the child's date of discharge from foster care and the child's date of latest removal from home; or
- The child's “length of stay” in foster care using the Trial Home Visit adjustment calculation.

Individual Measure C1.3: Of all children who entered foster care for the first time in the 6-month period just

prior to the target 12-month period, and who remained in foster care for 8 days or longer, what percent were discharged from foster care to reunification in less than 12 months from the date of latest removal from home?

*The denominator for this measure includes children who meet all of the following criteria:*

- The child's date of first removal from home occurs during the 6-month period just prior to the 12-month target period, and
- The child is in foster care for 8 days or longer.

*The numerator for this measure includes children who meet all of the criteria for inclusion in the denominator and who also meet at least one of the following criteria:*

- The child has a date of discharge from foster care that is less than 12 months from the date of first removal from home, and the reason for discharge is either "reunification with parents or primary caretakers" or "living with other relatives;" or
- Using the Trial Home Visit adjustment, the child's calculated length of stay in foster care is less than 12 months from the date of the child's first removal from home.

#### Component B: Permanency of Reunification

Individual Measure C1.4: Of all children who were discharged from foster care to reunification in the 12-month period prior to the target 12-month period, what percent re-entered foster care in less than 12 months from the date of discharge?

Individual Measure C1.4: Of all children who were discharged from foster care to reunification in the 12-month period prior to the target 12-month period, what percent re-entered foster care in less than 12 months from the date of discharge?

*The denominator for this measure includes children who meet all of the following criteria:*

- The child's date of discharge from foster care occurs during the 12-month period just prior to the 12-month target year; and
- At the time of the date of discharge, the reason for discharge is either "reunification with parents or primary caretakers" or "living with other relatives."

*The numerator for this measure includes children who meet all of the criteria for inclusion in the denominator and also meet the following criterion:*

- The child's date of latest removal from home is less than 12 months from the date of discharge from foster care that occurred during the 12-month

period just prior to the 12-month target year.

#### Composite 2: Timeliness of Adoptions

##### Component A: Timeliness of Adoptions of Children Exiting Foster Care

Individual Measure C2.1: Of all children who were discharged from foster care to a finalized adoption during the 12-month target period, what percent were discharged in less than 24 months from the date of the latest removal from home?

*The denominator for this measure includes children who meet all of the following criteria:*

- The child has a date of discharge from foster care during the 12-month target period, and
- The reason for discharge is adoption.

*The numerator for this measure includes children who meet all of the criteria for inclusion in the denominator, and also meet the following criterion:*

- The child's date of discharge is less than 24 months from the date of latest removal from home.

Individual Measure C2.2: Of all children who were discharged from foster care to a finalized adoption during the 12-month target period, what was the median length of stay in foster care in months from the date of latest removal from home to the date of discharge to adoption?

*This measure includes children who meet all of the following criteria:*

- The child's date of discharge from foster care occurs during the 12-month target period; and
- The reason for discharge is adoption.

The "length of stay" in foster care is the time difference between the date of discharge from foster care to adoption and the date of the latest removal from home.

##### Component B: Progress Toward Adoption of Children Who Have Been in Foster Care for 17 Months or Longer

Individual Measure C2.3: Of all children in foster care on the first day of the 12-month target period who were in foster care for 17 continuous months or longer, what percent were discharged from foster care to a finalized adoption by the last day of the 12 month target period? (The denominator for this measure excludes children who, by the last day of the 12-month target period, are discharged from foster care with a discharge reason of reunification with parents or primary caretakers, living with other relatives, or guardianship.)

*The denominator for this measure includes children who meet all of the following criteria:*

- The child was in foster care for 17 or more continuous months or longer as of the first day of the 12-month target period, and

- By the last day of the 12-month target period, the child had not discharged from foster care with a discharge reason of reunification with parents or primary caretakers, living with other relatives, or guardianship.

*The numerator for this measure includes children who meet all of the criteria for inclusion in the denominator and also meet all of the following criteria:*

- The child's date of discharge from foster care occurs during the 12-month target period (including the first day of the target period); and
- The reason for discharge is adoption.

Individual Measure C2.4: Of all children in foster care on the first day of the 12-month target period who were in foster care for 17 continuous months or longer, and who were not legally free for adoption prior to that day, what percent became legally free for adoption during the first 6-months of the 12-month target period?

A child is considered to be legally free for adoption if there is a parental rights termination date reported to AFCARS for both mother and father. In AFCARS, if a parent is deceased, the date of death is to be reported as the parental rights termination date.

*The denominator for this measure includes children who meet ALL of the following criteria:*

- The child was in foster care for 17 continuous months or longer as of the first day of the 12-month target period, and
- The child was not legally free for adoption prior to the first day of the 12-month target period.

The denominator for this measure excludes any child who did not become legally free during the first 6 months of the target year, but who, during that 6-month period, is discharged from foster care with a discharge reason of reunification with parents or primary caretakers, living with other relatives, or guardianship.

*The numerator for this measure includes children who meet all of the criteria for inclusion in the denominator and also meet the following criterion:*

- The child became legally free for adoption during the first 6 months of the 12-month target period (including the first and last day of the 6-month period).

Component C: Timeliness of Adoptions of Children Who Are Legally Free for Adoption

Individual Measure C2.5: Of all children who became legally free for adoption during the 12 months prior to the target 12-month period, what percent were discharged from foster care to a finalized adoption in less than 12 months from the date of becoming legally free?

The denominator for this measure includes children who meet all of the following criteria:

- The child has a parental rights termination date for both mother and father, and
- The latest parental rights termination date occurs in the 12-months just prior to the 12-month target period.

The numerator for this measure includes children who meet all of the criteria for inclusion in the denominator and also meet the following criteria:

- The child has a date of discharge from foster care that occurs in less than 12 months of the latest date of parental rights termination, and
- The reason for discharge is adoption.

*Composite 3: Achieving Permanency for Children in Foster Care for Long Periods of Time*

Component A: Achieving Permanency for Children in Foster Care for Extended Periods of Time

Individual Measure C3.1: Of all children who were in foster care for 24 months or longer on the first day of the 12-month target period, what percent were discharged to a permanent home by the last day of the 12-month period and prior to their 18th birthday?

A child is considered as discharged to a permanent home if the discharge reason reported to AFCARS is reunification with parents or primary caretakers, living with other relatives, guardianship, or adoption.

The denominator for this measure includes children who meet the following criterion:

- The child is in foster care for 24 continuous months or longer on the first day of the 12-month target period.

The numerator for this measure includes children who meet the criterion for the denominator and also meet all of the following criteria:

- The child's date of discharge from foster care occurs during the 12-month target period;
- The child's reason for discharge is reunification with parents or primary caretakers, living with other relatives, guardianship, or adoption; and

- The date of discharge from foster care occurs before the child's 18th birthday.

Individual Measure C3.2: Of all children who were discharged from foster care during the 12-month target period, and who were legally free for adoption (i.e., there is a parental rights termination date for both parents) at the time of discharge, what percent were discharged to a permanent home prior to their 18th birthday?

A child is considered as discharged to a permanent home if the discharge reason reported to AFCARS is reunification with parents or primary caretakers, living with other relatives, guardianship, or adoption.

The denominator for this measure includes children who meet all of the following criteria:

- The child has a parental rights termination date for both mother and father at the time of discharge from foster care, and
- The child has a date of discharge from foster care that occurs during the 12-month target period.

The numerator for this measure includes children who meet all of the criteria for inclusion in the denominator, and also meet all of the following criteria:

- The child has a discharge reason of reunification with parents or primary caretakers, living with other relatives, guardianship, or adoption; and
- The date of discharge is prior to the child's 18th birthday.

Component B: Children Growing Up in Foster Care

Individual Measure C3.3: Of all children who either (1) were, prior to age 18, discharged from foster care during the 12-month target period with a discharge reason of emancipation, or (2) reached their 18th birthday while in foster care but had not yet been discharged from foster care, what percent were in foster care for 3 years or longer?

The denominator for this measure includes children who meet one of the following criteria:

- The child has a date of discharge from foster care during the 12-month target period that occurs prior to the child's 18th birthday and the reason for discharge is "emancipation;" or
- The child reaches his or her 18th birthday during the 12-month target period and is in foster care at the time of the birthday.

The numerator for this measure includes children who meet one of the criteria for inclusion in the denominator and also meet one of the following criteria:

- The time from the date of the latest removal from home and the date of discharge is equal to, or greater than, 3 years; or

- The time from the date of the latest removal from home and the date of the child's 18th birthday is equal to, or greater than, 3 years.

In AFCARS, emancipation is defined as "the child reached majority according to State law by virtue of age, marriage, etc."

*Composite 4: Placement Stability*

Individual Measure C4.1: Of all children who were served in foster care during the 12-month target period, and who were in foster care for at least 8 days but less than 12 months, what percent had two or fewer placement settings?

The denominator for this measure includes children who meet all of the following criteria:

- The child is in foster care at some time during the 12-month target period, and
- The child's length of stay in foster care during the most recent foster care episode is at least 8 days but less than 12 months.

The numerator for this measure includes children who meet all of the criteria for inclusion in the denominator and also meet the following criterion:

- The child's number of placement settings during this removal episode does not exceed two (2).

Individual Measure C4.2: Of all children who were served in foster care during the 12-month target period, and who were in foster care for at least 12 months but less than 24 months, what percent had two or fewer placement settings?

The denominator for this measure includes children who meet all of the following criteria:

- The child is in foster care at some time during the 12-month target period, and
- The child's length of stay in foster care during the most recent foster care episode is at least 12 months but less than 24 months.

The numerator for this measure includes children who meet all of the criteria for inclusion in the denominator and also meet the following criterion:

- The child's number of placement settings during this removal episode does not exceed two (2).

Individual Measure C4.3: Of all children who were served in foster care during the 12-month target period, and who were in foster care for at least 24 months, what percent had two or fewer placement settings?

*The denominator for this measure includes children who meet all of the following criteria:*

- The child is in foster care at some time during the 12-month target period, and

- The child's length of stay in foster care during the most recent foster care episode is at least 24 months.

*The numerator for this measure includes children who meet all of the criteria for inclusion in the denominator and also meet the following criterion:*

- The child's number of placement settings during this removal episode does not exceed two (2).

#### Correction 2

In the **Federal Register** of June 7, 2006, Table 1 on page 32980 showing the range, percentiles, and national standards for the data indicators to be used in the second round of the CFSR is to be replaced by Table 1 in this current notice. The ranges, percentiles, and national standards for all six data indicators (the two safety-related indicators and the four permanency-related indicators) are different than those reported in the June 7 **Federal Register**. For the safety-related indicators, the differences are due to a change in the procedure for calculating the sampling error used for establishing the national standards. For the permanency-related composite indicators, the differences are a result of an increased precision of the measures and/or a change in the procedure for calculating the sampling error used for establishing the national standards (See correction 7 for information on the change in calculation of the sampling error.)

#### Correction 3

In the **Federal Register** of June 7, 2006, on page 32973, in the second column, the definition of the term "foster parent," as it is used by the NCANDS has been changed. The new definition is the following: An individual who provides a home for orphaned, abused, neglected, delinquent, or disabled children under the placement, care or supervision of the State. The individual may be a relative or non-relative and need not be licensed by the State agency to be considered a foster parent.

#### Correction 4

In the **Federal Register** of June 7, 2006, page 32981, column A, under the heading *Attachment A: List of Data to be Included in the State Data Profile*, the descriptive information currently included in the State Data Profile from NCANDS (section A) did not include all

of the information included in the profile. This section should be replaced with the following text:

#### *Descriptive Information Currently Included in the State Data Profile*

A. Descriptive Information From the National Child Abuse and Neglect Data System (NCANDS)

1. The number of reports alleging maltreatment of children that reached a disposition within the reporting year, the total number of reports, the number of unique children associated with reports alleging maltreatment, and the number of "duplicate children."

2. The numbers and percentages of reports that were given a disposition of Substantiated and Indicated, Unsubstantiated, or Other, and the numbers and percentages of duplicate and unique children.

3. The numbers and percentages of unique and duplicate child victim cases opened for services, based on the number of victims during the reporting period under review.

4. The numbers and percentages of duplicate and unique victims entering foster care in response to a child abuse/neglect report.

5. The number of child fatalities.

#### Correction 5

In the **Federal Register** of June 7, 2006, page 32985, second column, the text for section 10 did not accurately describe the final step in calculating the composite score. This section should be replaced by the following:

10. *Generate the composite scores for each State.* After the composite score for each county is calculated, that score is multiplied by the number of children served in foster care in that county during the 12-month target period. The result is a "weighted" county composite score. This "weighting" allows counties with larger foster care populations to make a greater contribution to the overall State score. The weighted county scores are then summed and divided by the total number of children served in foster care in all of the counties included in the calculation. The result is the State composite score.

#### Correction 6

In the **Federal Register** of June 7, 2006, page 32986, in column 1, information in the first bullet point was not included in the publication. The first bullet point should read as follows:

Set Bullets

- *PCA does not compensate for measures that are currently misunderstood or inadequately defined; it compounds the existing weakness in*

*each measure.* It is incorrect to say that PCA compounds weaknesses in each measure. PCA provides a well understood empirical strategy for combining variables or measures. The main body of the **Federal Register** Announcement provides a response to concerns about the adequacy of the measures.

#### Correction 7

In the **Federal Register** of June 7, 2006, page 32986, column 3, the paragraph under the heading *Establishing the National Standards* should be replaced because of changes that ACF has made in the procedures for calculating the national standard. The text should read as follows:

#### *Establishing the National Standard*

The process for establishing the national standards on the composite scores differs from that used for the first round of the CFSR. In the first round of the CFSR, the procedure for establishing the national standard for each measure involved fitting the data to a normal curve based on a level of significance of .05, and adjusting for the 75th percentile by calculating the sampling error using the lower limit of a 95 percent confidence interval for estimating the population mean. ACF determined that this procedure was not appropriate for the second round of the CFSR. One concern was that using a level of significance of .05 would result in eliminating States at either end of the range of each of the State permanency composite data indicators and safety-related data indicators in order to fit the distribution to a normal curve. Consequently, not all States would be included in the calculation of the national standards. Although this was appropriate for the first round of the CFSR because of data quality problems at the time that the standards were established, these data quality problems are no longer as significant an issue. Another concern was that using the 95 percent confidence interval would result in a considerable reduction in the actual percentile represented by each of the permanency and safety standards.

To address the concern relevant to eliminating States from the calculation of the national standard, ACF changed the level of significance for fitting the data to a normal curve from .05 to .01. At this higher significance level, all States could be included in the fitted normal probability distribution for both the composite data indicators and the safety-related data indicators. Consequently, performance of all States was used to determine the national standards for all data indicators. To

address the concern relevant to the considerable reduction in the actual percentile represented by the national standard for each of the indicators, the basis for calculating the sampling error was changed from the lower limit of 95 percent confidence interval to the lower limit of an 80 percent confidence interval. As a result of this change, the adjusted 75th percentile is close to the

69th percentile, with the percentile based on the distribution to the normal curve.

**Correction 8**

In the **Federal Register** of June 7, 2006, page 32986, Attachment B, table 1 showing the coefficients (weights) for the individual measures included in the permanency composites is to be

replaced by Table 2 in this document. There are differences in the coefficients for the individual measures. The differences are due to changes in the syntax resulting from increasing the precision of the measures.

Dated: January 16, 2007.

**Joan E. Ohl,**  
*Commissioner, Administration on Children, Youth and Families.*

**TABLE A.—DATA INDICATORS FOR THE CHILD AND FAMILY SERVICES REVIEW**  
[Ranges, medians, and national standards for the Child and Family Services Review (CFSR) data indicators\*]

Data indicators	Range	Median**	National standard**
<b>Data Indicators Associated With CFSR Safety Outcome 1—Children Are, First and Foremost, Protected From Abuse and Neglect</b>			
Of all children who were victims of a substantiated or indicated maltreatment allegation during the first 6 months of FY 2004, what percent were not victims of another substantiated or indicated maltreatment allegation within the 6-months following that maltreatment incident? (45 States).	86.0–98.0	93.3	94.6 or higher.
Of all children served in foster care in FY 2004, what percent were not victims of a substantiated or indicated maltreatment by a foster parent or facility staff member during the fiscal year? (37 States).	98.59–100	99.52	99.68 or higher.
<b>Data Indicators Associated With CFSR Permanency Outcome 1—Children Have Permanency and Stability in Their Living Situations</b>			
Permanency Composite 1: Timeliness and Permanency of Reunification (47 States)*** .....	50–150	113.7	122.6 or higher.
Component A: Timeliness of reunification****:			
Measure C1.1: Of all children discharged from foster care to reunification in FY 2004 who had been in foster care for 8 days or longer, what percent were reunified in less than 12 months from the date of the latest removal from home? (This includes the “trial home visit adjustment.”) (51 States).	44.3–92.5	69.9	No Standard.
Measure C1.2: Of all children who were discharged from foster care to reunification in FY 2004, and who had been in foster care for 8 days or longer, what was the median length of stay in months from the date of the latest removal from home until the date of discharge to reunification? (This includes the “trial home visit adjustment.”) (51 States).	1.1–13.7	6.5	No Standard.
Measure C1.3: Of all children who entered foster care for the first time in the 6-month period just prior to FY 2004, and who remained in foster care for 8 days or longer, what percent were discharged from foster care to reunification in less than 12 months from the date of latest removal from home? (This includes the “trial home visit adjustment.”) (47 States).	17.7–68.9	39.4	No Standard.
Component B: Permanency of reunification****:			
Measure C14: Of all children who were discharged from foster care to reunification in the 12-month period prior to FY 2004 (i.e., FY 2003), what percent re-entered foster care in less than 12 months from the date of discharge? (47 States).	1.6–29.8	15.0	No Standard.
* The data shown are for the national standard target year of FY 2004. Each State will be evaluated against the standard on data relevant to its specific CFSR 12-month target period. The national standards will remain the same throughout the second round of the CFSR.			
** The medians and the national standards for the safety and composite data indicators are based on an adjustment to the distribution using the sampling error for each data indicator. The medians and national standards for the composite data indicators are from a dataset that excluded counties in a State that did not have data for all measures within a particular composite. The range and medians for each individual measure reflect the distribution of all counties that had data for that particular measure, even if that county was not included in the overall composite calculation.			
*** A State was excluded from the calculation of the composite national standard if (1) it did not submit FIPS codes in its AFCARS submissions (1 State), or (2) with regard to composite 1 and 2, it did not provide unique identifiers that would permit tracking children across fiscal years (4 States).			
**** Children are included in the count of reunifications if the reason for discharge reported to AFCARS was either “reunification” or “live with relative.” They are not included in the count of “reunifications” if the reason for discharge reported to AFCARS was “guardianship,” even if the guardian is a relative.			
<b>Data Indicators Associated With CFSR Permanency Outcome 1—Children Have Permanency and Stability in Their Living Situations*</b>			
Permanency Composite 2: Timeliness of Adoptions (47 States) .....	50–150	95.3	106.4 or higher.
Component A: Timeliness of adoptions of children discharged from foster care:			
Measure C2.1: Of all children who were discharged from foster care to a finalized adoption during FY 2004, what percent were discharged in less than 24 months from the date of the latest removal from home? (51 States).	6.4–74.9	26.8	No Standard.

TABLE A.—DATA INDICATORS FOR THE CHILD AND FAMILY SERVICES REVIEW—Continued  
 [Ranges, medians, and national standards for the Child and Family Services Review (CFSR) data indicators\*]

Data indicators	Range	Median**	National standard**
Measure C2.2: Of all children who were discharged from foster care to a finalized adoption during FY 2004, what was the median length of stay in foster care in months from the date of latest removal from home to the date of discharge to adoption? (51 States).	16.2–55.7	32.4	No Standard.
Component B: Progress toward adoption for children in foster care for 17 months or longer:			
Measure C2.3: Of all children who were in foster care on the first day of FY 2004, and who were in foster care for 17 continuous months or longer, what percent were discharged from foster care to a finalized adoption by the last day of FY 2004? The denominator for this measure excludes children who, by the end of FY 2004, were discharged from foster care with a discharge reason of live with relative, reunification, or guardianship. (51 States).	2.4–26.2	20.2	No Standard.
Measure C2.4: Of all children who were in foster care on the first day of FY 2004 for 17 continuous months or longer, and who were not legally free for adoption prior to that day, what percent became legally free for adoption during the first 6 months of FY 2004? (Legally free means that there was a parental rights termination date reported to AFCARS for both mother and father.) The denominator for this measure excludes children who, by the last day of the first 6 months of FY 2004, were not legally free, but had been discharged from foster care with a discharge reason of live with relative, reunification, or guardianship. (51 States).	0.1–17.8	8.8	No Standard.
Component C: Progress toward adoption of children who are legally free for adoption:			
Measure C2.5: Of all children who became legally free for adoption during FY 2003 (i.e., there was a parental rights termination date reported to AFCARS for both mother and father), what percent were discharged from foster care to a finalized adoption in less than 12 months of becoming legally free? (47 States).	20.0–100	45.8	No Standard.

\* The data shown are for the national standard target year of FY 2004. Each State will be evaluated against the standard on data relevant to its specific CFSR 12-month target period. The national standards will remain the same throughout the second round of the CFSR.

\*\* The medians and the national standards for the safety and composite data indicators are based on an adjustment to the distribution using the sampling error for each data indicator. The medians and national standards for the composite data indicators are from a dataset that excluded counties in a State that did not have data for all measures within a particular composite. The range and medians for each individual measure reflect the distribution of all counties that had data for that particular measure, even if that county was not included in the overall composite calculation.

\*\*\* A State was excluded from the calculation of this composite either because (1) it did not submit FIPS codes in its AFCARS submissions (1 State), or (2) with regard to composite 1 and 2, it did not provide unique identifiers that would permit tracking children across fiscal years (4 States).

**Data Indicators Associated With CFSR Permanency Outcome 1—Children Have Permanency and Stability in Their Living Situations\***

Permanency Composite 3: Achieving Permanency for Children in Foster Care for Long Periods of Time (51 States)***.	50–150	112.7	121.7 or higher.
Component A: Permanency for children in foster care for long periods of time:			
Measure C3.1: Of all children who were in foster care for 24 months or longer on the first day of FY 2004, what percent were discharged to a permanent home prior to their 18th birthday and by the end of the fiscal year? A child is considered discharged to a permanent home if the discharge reason is adoption, guardianship, reunification, or live with relative. (51 States).	8.1–35.3	25.0	No Standard.
Measure C3.2: Of all children who were discharged from foster care in FY 2004 who were legally free for adoption at the time of discharge (i.e., there was a parental rights termination date reported to AFCARS for both mother and father), what percent were discharged to a permanent home prior to their 18th birthday? A child is considered discharged to a permanent home if the discharge reason is adoption, guardianship, reunification, or live with relative. (51 States).	84.9–100	96.8	No Standard.
Component B: Children growing up in foster care:			
Measure C3.3: Of all children who either (1) were discharged from foster care in FY 2004 with a discharge reason of emancipation, or (2) reached their 18th birthday in FY 2004 while in foster care, what percent were in foster care for 3 years or longer? (51 States).	15.8–76.9	47.8	No Standard.
Permanency Composite 4: Placement Stability (51 States) .....	50–150	93.3	101.5 or higher.
Measure C4.1: Of all children who were served in foster care during FY 2004, and who were in foster care for at least 8 days but less than 12 months, what percent had two or fewer placement settings? (51 States).	55.0–99.6	83.3	No Standard.
Measure C4.2: Of all children who were served in foster care during FY 2004, and who were in foster care for at least 12 months but less than 24 months, what percent had two or fewer placement settings? (51 States).	27.0–99.8	59.9	No Standard.

TABLE A.—DATA INDICATORS FOR THE CHILD AND FAMILY SERVICES REVIEW—Continued  
[Ranges, medians, and national standards for the Child and Family Services Review (CFSR) data indicators\*]

Data indicators	Range	Median**	National standard**
Measure C4.3: Of all children who were served in foster care during FY 2004, and who were in foster care for at least 24 months, what percent had two or fewer placement settings? (51 States).	13.7–98.9	33.9	No Standard.

\* The data shown are for the national standard target year of FY 2004. Each State will be evaluated against the standard on data relevant to its specific CFSR 12-month target period. The national standards will remain the same throughout the second round of the CFSR.

\*\* The medians and the national standards for the safety and composite data indicators are based on an adjustment to the distribution using the sampling error. The medians and national standards for the composite data indicators are from a dataset that excluded counties in a State that did not have data for all measures within a particular composite. The range and medians for each individual measure reflect the distribution of all counties that had data for that particular measure, even if that county was not included in the overall composite calculation.

\*\*\* A State was excluded from the calculation of this composite because it did not submit FIPS codes in its AFCARS submissions.

TABLE B.—COEFFICIENTS (WEIGHTS) FOR INDIVIDUAL MEASURES IN THE CFSR DATA COMPOSITES  
[Coefficients (weights) for individual measures]

Composites and Individual Measures*	Components and weights		
	Component A	Component B	Component C
	Timeliness of reunification	Permanency of reunification	Not applicable to this composite
Permanency Composite 1: Timeliness and Permanency of Reunification** (1,975 Counties):			
Measure C1.1: Of all children who were discharged from foster care to reunification in FY 2004, and who had been in foster care for 8 days or longer, what percent were reunified in less than 12 months from the date of the latest removal from home? (This includes the “trial home visit adjustment.”) (51 States).	0.462	0.085	
Measure C1.2: Of all children who were discharged from foster care to reunification in FY 2004, and who had been in foster care for 8 days or longer, what was the median length of stay in months from the date of the latest removal from home until the date of discharge to reunification? (This includes the “trial home visit adjustment.”) (51 States).	0.451	0.070	
Measure C1.3: Of all children who entered foster care for the first time in the 6-month period just prior to FY 2004, and who remained in foster care for 8 days or longer, what percent were discharged from foster care to reunification in less than 12 months from the date of latest removal from home? (This includes the “trial home visit adjustment.”) (47 States).	0.295	–0.005	
Measure C1.4: Of all children who were discharged from foster care to reunification in the 12-month period prior to FY 2004, what percent re-entered foster care in less than 12 months from the date of discharge? (47 States).	0.129	1.025	

\*The coefficients were determined from a national data set incorporating only those counties that had data for all of the individual measures included in a particular composite. This data set includes those “counties” constructed by combining small counties in a State to reach the requirement of at least 50 children served in foster care during FY 2004.

\*\*Children are included in the count of reunifications if the reason for discharge reported to AFCARS is either “reunify” or “live with relative.” They are not included if the reason for discharge is guardianship, even if the guardian is a relative.

Composites and individual measures	Components and weights		
	Length of time in foster care to adoption	Progress toward adoption—children in foster care for 17 months or longer	Timeliness of adoptions for children who are legally free
Permanency Composite 2: Timeliness of Adoptions (1,512 Counties)*:			
Measure C2.1: Of all children who were discharged from foster care to a finalized adoption during FY 2004, what percent were discharged in less than 24 months from the date of the latest removal from home? (51 States) .....	0.533	–0.032	–0.026
Measure C2.2: Of all children who were discharged from foster care to a finalized adoption during FY 2004, what was the median length of stay in foster care in months from the date of latest removal from home to the date of discharge to adoption? (51 States)	0.551	0.106	–0.032
Measure C2.3: Of all children in foster care on the first day of FY 2004 who were in foster care for 17 continuous months or longer, what percent were discharged from foster care to a finalized adoption by the last day of FY 2004? The denominator for this measure excludes children who, by the end of FY 2004 had been discharged from foster care with a discharge reason of reunification, live with relative, or guardianship. (51 States) .....	–0.087	0.526	0.255

Composites and individual measures	Components and weights		
	Length of time in foster care to adoption	Progress toward adoption—children in foster care for 17 months or longer	Timeliness of adoptions for children who are legally free
Measure C2.4: Of all children in foster care on the first day of FY 2004 who were in foster care for 17 continuous months or longer, and who were not legally free for adoption prior to that day, what percent became legally free for adoption during the first 6 months of FY 2004? (Legally free means that there was a parental rights termination date reported to AFCARS for both mother and father.) The denominator for this measure excludes children who, by the last day of the first 6 months of FY 2004, were not legally free but had been discharged from foster care with a discharge reason of reunification, live with relative, or guardianship. (51 States) .....	0.140	0.699	-0.256
Measure C2.5: Of all children who became legally free for adoption during FY 2003 (i.e., there was a parental rights termination date reported to AFCARS for both mother and father), what percent were discharged from foster care to a finalized adoption in less than 12 months of becoming legally free? (47 States) .....	-0.030	-0.059	0.930

\*The coefficients were determined from a national data set that incorporated only those counties that had data for all of the individual measures included in a particular composite. This data set includes those “counties” constructed by combining small counties in a particular State to reach the requirement of at least 50 children served in foster care during FY 2004.

Composites and individual measures	Component A	Component B	Component C
	Children discharged to permanent homes	Children discharged to emancipation	Not applicable to this composite
Permanency Composite 3: Achieving permanency for children in foster care for long periods of time (1,681 Counties)*:			
Measure C3.1: Of all children who were in foster care for 24 months or longer on the first day of FY 2004, what percent were discharged to a permanent home prior to their 18th birthday and by the end of the fiscal year? A child is considered discharged to a permanent home if the discharge reason is adoption, guardianship, reunification, or live with relative. (51 States).	0.545	0.137	No Standard.
Measure C3.2: Of all children who were discharged from foster care in FY 2004, and who were legally free for adoption at the time of discharge (i.e., there was a parental rights termination date reported to AFCARS for both mother and father), what percent were discharged to a permanent home prior to their 18th birthday? A child is considered discharged to a permanent home if the discharge reason is adoption, guardianship, reunification, or live with relative. (51 States).	0.746	-0.220	No Standard.
Measure C3.3: Of all children who either (1) were, prior to their 18th birthday, discharged from foster care in FY 2004 with a discharge reason of emancipation, or (2) reached their 18th birthday in FY 2004 while in foster care, what percent were in foster care for 3 years or longer? (51 States).	-0.108	0.979	No Standard.
	Placement stability	Not applicable for this composite	Not applicable for this composite
Permanency Composite 4: Placement stability (2,140 Counties)*:			
Measure C4.1: Of all children who were served in foster care during FY 2004, and who were in foster care for at least 8 days but less than 12 months, what percent had two or fewer placement settings? (51 States).	0.398		
Measure C4.2: Of all children who were served in foster care during FY 2004, and who were in foster care for at least 12 months but less than 24 months, what percent had two or fewer placement settings? (51 States).	0.417		
Measure C4.3: Of all children who were served in foster care during FY 2004, and who were in foster care for at least 24 months, what percent had two or fewer placement settings? (51 States).	0.400		

\*The coefficients were determined from a national data set that incorporated only those counties that had data for all of the individual measures included in a particular composite. This data set includes those “counties” constructed by combining small counties in a particular State to reach the requirement of at least 50 children served in foster care during FY 2004.

[FR Doc. E7-808 Filed 1-22-07; 8:45 am]

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

[Docket No. 2006N-0279]

**Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Bar Code Label Requirement for Human Drug and Biological Products**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995.

**DATES:** Fax written comments on the collection of information by February 22, 2007.

**ADDRESSES:** To ensure that comments on the information collection are received, OMB recommends that written comments be faxed to the Office of Information and Regulatory Affairs, OMB, Attn: FDA Desk Officer, FAX: 202-395-6974.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Berbakos, Office of the Chief

Information Officer (HFA-250), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-827-1482.

**SUPPLEMENTARY INFORMATION:** In compliance with 44 U.S.C. 3507, FDA has submitted the following proposed collection of information to OMB for review and clearance.

**Bar Code Label Requirement for Human Drug and Biological Products—(OMB Control Number 0910-0537)—Extension**

In the *Federal Register* of February 26, 2004 (69 FR 9120), FDA issued a new rule that required human drug product and biological product labels to have bar codes. The rule required bar codes on most human prescription drug products and on over-the-counter (OTC) drug products that are dispensed under an order and commonly used in health care facilities. The rule also required machine-readable information on blood and blood components. For human prescription drug products and OTC drug products that are dispensed under an order and commonly used in health care facilities, the bar code must contain the National Drug Code number for the product. For blood and blood components, the rule specifies the minimum contents of the machine-readable information in a format approved by the Center for Biologics Evaluation and Research Director as blood centers have generally agreed upon the information to be encoded on

the label. The rule is intended to help reduce the number of medication errors in hospitals and other health care settings by allowing health care professionals to use bar code scanning equipment to verify that the right drug (in the right dose and right route of administration) is being given to the right patient at the right time.

Most of the information collection burden resulting from the final rule, as calculated in table 1 of the final rule (69 FR 9120 at 9149), was a one-time burden that does not occur after the rule's compliance date of April 26, 2006. In addition, some of the information collection burden estimated in the final rule is now covered in other OMB-approved information collection packages for FDA. However, parties may continue to seek an exemption from the bar code requirement under certain, limited circumstances. Section 201.25(d) (21 CFR 201.25(d)) requires submission of a written request for an exemption and describes the contents of such requests. Based on the number of exemption requests submitted during 2004 and 2005, we estimate that approximately 2 waiver requests may be submitted annually, and that each exemption request will require 24 hours to complete. This would result in an annual reporting burden of 48 hours.

In the *Federal Register* of July 24, 2006 (71 FR 41817), FDA published a 60-day notice requesting public comment on the information collection provisions. No comments were received.

TABLE 1.—ESTIMATED ANNUAL REPORTING BURDEN<sup>1</sup>

21 CFR Section	No. of Respondents	Annual Frequency per Response	Total Annual Responses	Hours per Response	Total Hours
201.25(d)	2	1	2	24	48
Total					48

<sup>1</sup> There are no capital costs or operating and maintenance costs associated with this collection of information.

Dated: January 16, 2007.

**Jeffrey Shuren,**

*Assistant Commissioner for Policy.*

[FR Doc. E7-916 Filed 1-22-07; 8:45 am]

BILLING CODE 4160-01-S

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**Orthopaedic and Rehabilitation Devices Panel of the Medical Devices Advisory Committee; Notice of Meeting**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice.

This notice announces a forthcoming meeting of a public advisory committee of the Food and Drug Administration (FDA). The meeting will be open to the public.

*Name of Committee:* Orthopaedic and Rehabilitation Devices Panel of the Medical Devices Advisory Committee.

*General Function of the Committee:* To provide advice and recommendations to the agency on FDA's regulatory issues.

*Date and Time:* The meeting will be held on February 22, 2007, from 8 a.m. to 5 p.m.

*Location:* Hilton Washington DC North/Gaithersburg, Salons A, B and C, 620 Perry Pkwy., Gaithersburg, MD.

*Contact Person:* Ronald P. Jean, Center for Devices and Radiological Health (HFZ-410), Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850, 240-276-3676, or FDA Advisory Committee Information Line, 1-800-741-8138 (301-443-0572 in the Washington, DC area), code 3014512521. Please call the Information Line for up-to-date information on this meeting.

*Agenda:* On February 22, 2007, the committee will discuss, make recommendations and vote on a