

Required Changes to the Collection of Demographic Data

Presented at the PRA Bi-Monthly Meeting

June 11, 2024

Overview

- Race and/or Ethnicity Data
- Sexual Orientation and Gender Identity (SOGI) Data

Federal Requirement for Race and/or Ethnicity Data

- Mandated by [OMB's Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity](#) which was updated March 28, 2024
- To ensure the comparability of race and ethnicity across federal datasets and to maximize the quality of these data by ensuring the format, language, and procedures for collecting the data are consistent.

For more Information and updates go to: <https://spd15revision.gov/>

Changes from the 1997 Directive

1. Collect race and ethnicity information using one combined race/ethnicity question
2. Add “Middle Eastern or North African” (MENA) as a new minimum category
3. Require the collection of more detail beyond the minimum race and ethnicity categories by default
4. Whenever possible, the “Another group” detail category checkboxes should be replaced with write-in fields that allows respondents to self-identify

What is your race and/or ethnicity?

Select all that apply and enter additional details in the spaces below.

American Indian or Alaska Native – Enter, for example, Navajo Nation, Blackfeet Tribe of the Blackfeet Indian Reservation of Montana, Native Village of Barrow Inupiat Traditional Government, Nome Eskimo Community, Aztec, Maya, etc.

Asian – Provide details below.

Chinese Asian Indian Filipino
 Vietnamese Korean Japanese

Enter, for example, Pakistani, Hmong, Afghan, etc.

Black or African American – Provide details below.

African American Jamaican Haitian
 Nigerian Ethiopian Somali

Enter, for example, Trinidadian and Tobagonian, Ghanaian, Congolese, etc.

Hispanic or Latino – Provide details below.

Mexican Puerto Rican Salvadoran
 Cuban Dominican Guatemalan

Enter, for example, Colombian, Honduran, Spaniard, etc.

Middle Eastern or North African – Provide details below.

Lebanese Iranian Egyptian
 Syrian Iraqi Israeli

Enter, for example, Moroccan, Yemeni, Kurdish, etc.

Native Hawaiian or Pacific Islander – Provide details below.

Native Hawaiian Samoan Chamorro
 Tongan Fijian Marshallese

Enter, for example, Chuukese, Palauan, Tahitian, etc.

White – Provide details below.

English German Irish
 Italian Polish Scottish

Enter, for example, French, Swedish, Norwegian, etc.

Required Race/Ethnicity Categories: Minimum

What is your race and/or ethnicity?

Select all that apply.

American Indian or Alaska Native

For example, Navajo Nation, Blackfeet Tribe of the Blackfeet Indian Reservation of Montana, Native Village of Barrow Inupiat Traditional Government, Nome Eskimo Community, Aztec, Maya, etc.

Asian

For example, Chinese, Asian Indian, Filipino, Vietnamese, Korean, Japanese, etc.

Black or African American

For example, African American, Jamaican, Haitian, Nigerian, Ethiopian, Somali, etc.

Hispanic or Latino

For example, Mexican, Puerto Rican, Salvadoran, Cuban, Dominican, Guatemalan, etc.

Middle Eastern or North African

For example, Lebanese, Iranian, Egyptian, Syrian, Iraqi, Israeli, etc.

Native Hawaiian or Pacific Islander

For example, Native Hawaiian, Samoan, Chamorro, Tongan, Fijian, Marshallese, etc.

White

For example, English, German, Irish, Italian, Polish, Scottish, etc.

What is your race and/or ethnicity?

Select all that apply.

American Indian or Alaska Native

Asian

Black or African American

Hispanic or Latino

Middle Eastern or North African

Native Hawaiian or Pacific Islander

White

Points for Paperwork Reduction Act

- **Overall:** All existing record keeping or reporting requirements should be made consistent with these standards through a **non-substantive change** request to the Office of Information and Regulatory Affairs (OIRA), or at any time a collection of information is submitted to OIRA for approval of either a revision or extension under the Paperwork Reduction Act of 1995 (PRA), as soon as possible, but not later than March 28, 2029.
- **Detailed Categories:** Any other variation to the detailed categories must be specifically authorized by the Office of Management and Budget (OMB) through the Paperwork Reduction Act (PRA) information collection approval process. In those cases where the data collection is not subject to the information collection approval process, a direct request for a variance shall be made to OMB through the Office of Information and Regulatory Affairs (OIRA)

Points for Paperwork Reduction Act (cont.)

- We are working with OMB to determine what types of variations they will accept. To date it appears that there are two types of explanations for delaying the use of the revised race and/or ethnicity categories:
 - **Statistical reasons**-such as the data that these data will be linked to have not yet made the change and/or we do not yet have sufficient tools to support bridging, or combining data collected under different versions of SPD 15
 - **Logistical reasons**-The HHS systems have not been updated to accept the revised categories and/or data providers are not yet able to submit the revised data

In either case you should provide an estimate of when you will be able to report using the new categories

Points for Paperwork Reduction Act (cont.)

- Below are acceptable reasons for not reporting the detailed categories:
 - **Visual Observation** –When the collection of race and ethnicity is done through visual observation, the minimum categories are required but the collection of detailed race and ethnicity is not required
 - **Risk to Respondents**-If small sample sizes create a privacy risk
 - **Data Quality**-If the size of the resulting samples decreases precision, makes it harder to identify differences between groups, to the degree that it calls into question the quality of the data

In any case you should provide an explanation to support your choice

Where to Describe Variations: Race and/or Ethnicity

UPDATED INFORMATION FROM OMB

- **PART A. JUSTIFICATION**

- If you are not able to fully comply with the revised SPD 15 standards, please provide your detailed explanation in response to question 7:

- Explain any special circumstances that would cause an information collection to be conducted in a manner:
 - requiring respondents to report information to the agency more often than quarterly; requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
 - requiring respondents to submit more than an original and two copies of any document; requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
 - in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
 - requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
 - that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
 - requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

HHS Requirement for SOGI Data

- In 2023 the [HHS' Sexual Orientation and Gender Identity \(SOGI\) Data Action Plan](#) was published and called on the whole of the Department of Health and Human Services (HHS) to fulfill its mission to “enhance the health and well-being of all Americans by providing effective health and human services and by fostering sound, sustained advances in the sciences underlying medicine, public health, and social services”
- To improve data collection to better represent this population more accurately each HHS OpDiv and StaffDiv should review their data collections for usages of binary gender and sex data in HHS developed or funded data instruments.
- To the extent possible, variables and response categories that are not inclusive of the range of SOGI should be updated

HHS Requirement for SOGI Data

If a data collection is capturing demographic data that is not solely related to program eligibility or compliance AND does not currently have SOGI questions, SOGI data elements should be included as soon as is feasible.

SOGI Data Checklist For HHS Operating and Staff Divisions

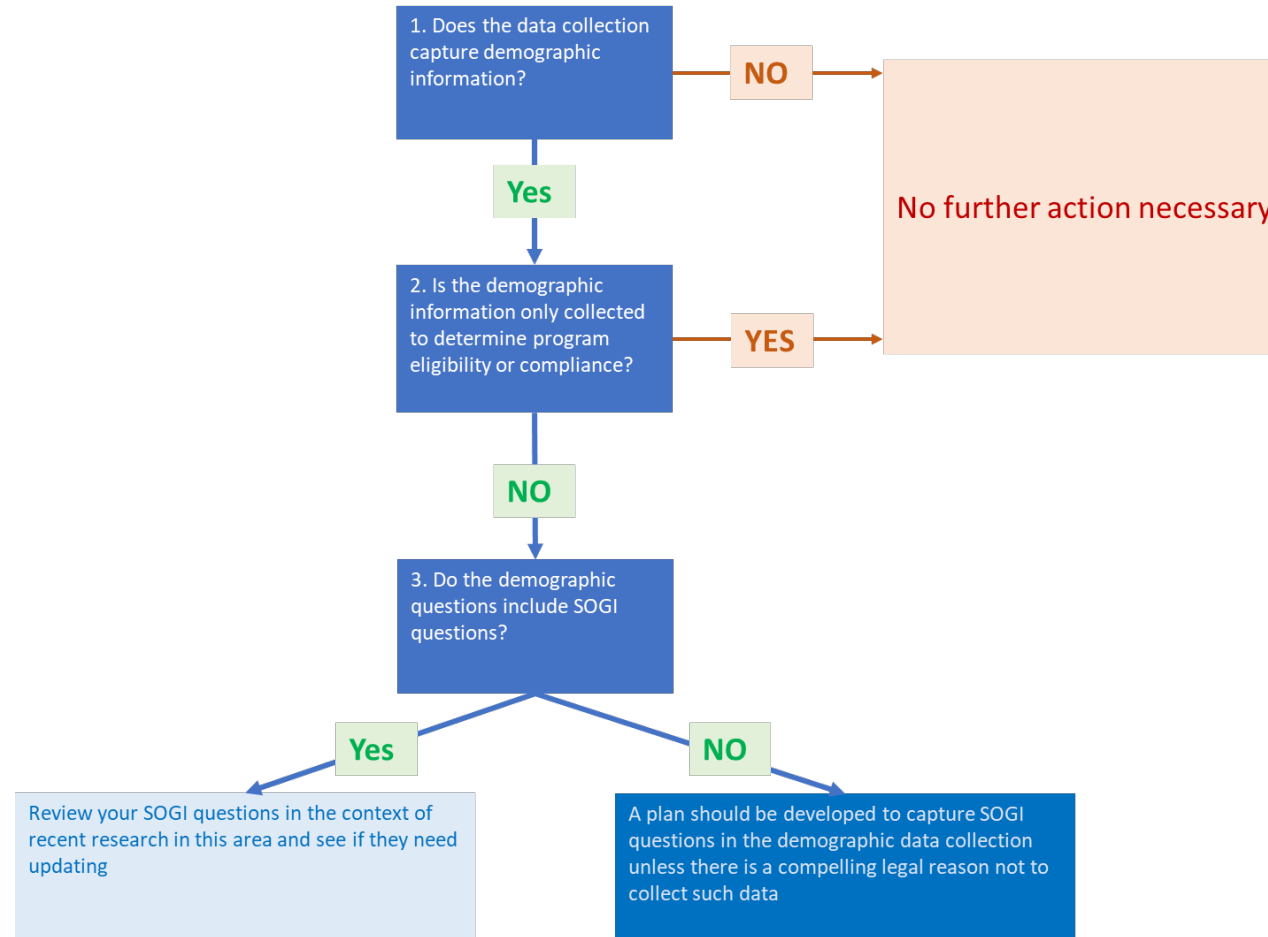
1. Does the data collection capture demographic information? **Y/N**
 - a. If no, then no further action is necessary.
 - b. If yes, then go to #2.

2. Is the demographic information only collected to determine program eligibility or compliance? **Y/N**
 - a. If yes, then no further action is necessary.
 - b. If no, then go to #3.

3. Do the demographic questions include SOGI questions? **Y/N**
 - a. If yes, then review them in the context of recent research in this area to see if they need updating.
 - b. If no, then a plan should be developed to capture SOGI questions in the demographic data collection unless there is a compelling legal reason not to collect such data.

SOGI Data Checklist For HHS Operating and Staff Divisions

Determining If Your Data Collection Is In Compliance



Where to Describe Variations: SOGI

- **PART A. JUSTIFICATION**

- 2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.
- 11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to people from whom the information is requested, and any steps to be taken to obtain their consent. Finally, OMB has standards for asking questions about race or ethnicity. If you ask such questions, you must comply with those standards.

Question for Attendees

- How can we best track transition to the revised race and/or ethnicity standard and the inclusion of SOGI data?
- If you have questions or need support, please e-mail us as SPD15@HHS.Gov

