

Department of Health and Human Services
Plain Writing Act Compliance Report
April 2012

INTRODUCTION

On October 13, 2010, President Obama signed the Plain Writing Act (Act) into law. The law requires federal agencies to use "clear Government communication that the public can understand and use." Communications in plain language are especially important in the context of health care and human services. Individuals deserve to receive relevant information about health care and human services in clear language they can understand and comprehend so they can make the best and most informed decisions. Clear communication by this Department, in plain language, will lead to better health outcomes, improved human services delivery, and ultimately a greater quality of life for all Americans.

The Department's Plain Writing Implementation Plan has four objectives to integrate plain writing into HHS activities.¹ Highlights include:

1. Demonstrating the commitment of HHS leadership to plain writing by:
 - Identifying a senior Department official to lead implementation of Plain Writing Act requirements.
 - Providing public access to the Department's plain writing initiatives and commitment to clear writing through a website devoted to plain writing and the Department's implementation of the Plain Writing Act.
 - Working with agencies to establish agency website counterparts or to link from agency websites to the Department's plain writing website.
 - Requiring agencies to identify a senior level official within the agency for implementing the plain writing requirements.

2. Increasing plain writing throughout the Department by:
 - Writing all new or substantially revised covered documents in plain writing.
 - Requiring plain writing training for all HHS staff offices and employees responsible for drafting, editing, or commenting on documents and developing long-term training plans for plain writing.

¹ The HHS Plain Writing Implementation Plan is available at:
www.HHS.gov/open/recordsandreports/plainwritingact/plain_writing_act_report.pdf.

- Establishing plain writing as an essential job skill within HHS for employees who draft, edit, or comment on any document.
 - Including plain writing ability in all new relevant job descriptions and performance plans and evaluations.
 - Establishing a consistent Department plain writing style for both documents and web presentations.
3. Rewarding the use of plain writing by:
- Establishing an HHS awards program where agencies recognize employees who consistently use plain writing.
 - Nominating outstanding plain writing documents for recognition by outside groups.
 - Publishing before and after examples on the HHS website showing how plain writing can make a document clearer.
4. Reviewing and updating the Department's Plain Writing Implementation Plan as necessary and demonstrating Department compliance with the Plain Writing Act.

This report provides information on steps the Department has taken thus far to implement the Act's requirements. The report addresses 2011 implementation activities of the following operating and staff divisions:

Operating Divisions

- Administration for Children and Families (ACF)
- Administration on Aging (AoA)
- Office on Disability (OD)
- Agency for Healthcare Research and Quality (AHRQ)
- Centers for Disease Control and Prevention (CDC) with the Agency for Toxic Substances and Disease Registry (ATSDR)
- Centers for Medicare and Medicaid Services (CMS)
- Food and Drug Administration (FDA)
- Health Resources and Services Administration (HRSA)
- Indian Health Service (IHS)
- National Institutes of Health (NIH)
- Office of the Inspector General (OIG)
- Substance Abuse and Mental Health Services Administration (SAMHSA)

Staff Divisions

- Assistant Secretary for Administration (ASA)
- Assistant Secretary for Financial Resources (ASFR)
- Assistant Secretary for Legislation (ASL)
- Assistant Secretary for Public Affairs (ASPA)
- Assistant Secretary for Planning and Evaluation (ASPE)
- Assistant Secretary for Preparedness and Response (ASPR)
- Center for Faith-Based and Neighborhood Partnerships (CFBNP)
- Departmental Appeals Board (DAB)
- Intergovernmental External Affairs (IEA)
- Office for Civil Rights (OCR)
- Office of the General Counsel (OGC)
- Office of Global Affairs (OGA)
- Office of Medicare Hearings and Appeals (OMHA)
- National Coordinator for Health Information Technology (ONC)
- Assistant Secretary for Health, Office of the Assistant Secretary for Health (OASH)

This report does not comprehensively describe all plain writing activities in the Department. Nevertheless, this information demonstrates the Department's commitment to plain writing and significant success in implementing the Act thus far.

DEPARTMENTAL COMPLIANCE

1. Designating one or more senior officials in the Department to oversee implementation of plain writing requirements

HHS designated the Deputy Executive Secretary of the Department to oversee implementation of the Act. Additionally, all operating divisions and staff divisions have designated senior officials to oversee implementation of the Act's requirements within their respective divisions.

2. Communicating the Act's requirements to employees

On July 13, 2011, all HHS employees received an email informing them of the Act's requirements, the implementation timetable, the obligation to write all new and substantially revised covered documents in plain writing, and a link to the

Department's Plain Writing website. Most operating divisions took additional steps to notify employees. CMS, CDC, and NIH, which were active in promoting plain writing even before the law's passage, reinforced the Act's requirements through several sessions for leadership and managers as well as communications staff. For example, both CMS and NIH promoted plain writing in eNewsletters and other types of internal communications. In addition, FDA tasked individual centers within its organization to ensure proper notification of employees, and HRSA offered sessions on the Act's requirements for interested participants. Most staff divisions relied on the department-wide email and reinforced the requirements at senior staff meetings.

Senior officials responsible for implementing the Act in all HHS components will continue to effectively apprise employees of plain writing obligations.

3. Writing all new or substantially revised covered documents in plain writing beginning October 13, 2011

The Department has eagerly embraced this requirement, and all operating divisions and most staff divisions use the plain writing guidelines to develop web-based and paper communications with the public. For example:

- SAMHSA developed new, concise, plain language product descriptions for all 1,300 publications it offers on various behavioral health issues.
- IHS revised over 200 patient education materials and posted them on its website.
- ACF wrote or revised program descriptions and leadership profiles for more than 65 programs, 19 offices, and 10 regions for use in the new ACF website launched in January 2012.
- ACF also wrote 150 "success stories" about ACF programs in accordance with plain writing principles, posting about 80 on its website.
- CDC estimates that it produced between 250 and 300 plain writing documents since October 13, 2011.
- FDA developed a template for notices on the Paperwork Reduction Act to more efficiently and effectively convey information about the paperwork burden to the public. In 2011, FDA published over 200 such notices in the *Federal Register* and expects the new template to have a significant positive impact.
- AoA has a correspondence section on its internal intranet that links to a website devoted to "Writing User Friendly Documents" that employees can use to improve their written work.

Additionally, the Office of the Executive Secretary and ASA are discussing plain language requirements for all grant applications, responses to requests for proposals, and grant agreements, contracts, and other procurement documents.

4. Staff training

All HHS components incorporate or plan to incorporate some type of plain writing training into the requirements for employees responsible for drafting, editing, and commenting on documents. The format of this training varies, including webinars, online training, and live sessions. Some components, such as OGC, OMHA, and DAB, focus training on legal writing and editing. Others, such as CDC and NIH, focus training on writing for the web and health literacy. Still others offer broad training to their employees. CMS, for example, offered desktop training in plain writing to its employees, 98% of whom completed it. Other divisions, like ARHQ and HRSA, chose to target initial training to those employees responsible for writing and publishing documents. Still others, like ASPE, provide links to outside resources like the Plain Language webinar offered in January 2012 by the National Oceanographic and Atmospheric Administration.

The Office of the Secretary has encouraged employees to take advantage of the free online plain writing course offered on the NIH website. For example, all OS Executive Secretariat Policy Coordinators and Support Staff have taken the NIH course online. HHS University is planning to include a link to this course on its website. ASA's Human Resources Staff is also working to add a plain writing course to the HHS learning portal based on existing agency materials. As well, to stress the importance of plain writing to new employees, the Department is integrating plain writing information into its new employee handbook and orientation. Several operating and staff divisions also integrate plain writing training into their orientation handbooks.

Recognizing ongoing compliance requirements, several agencies have in-depth, long-term plans for training employees in plain writing. These include:

- NIH's National Library of Medicine established a group to collaborate on a series of educational programs for staff and develop new tools for the Library's intranet.
- HRSA's Learning Institute is comparing its course content with HRSA's Writing Complex Documents course to ascertain best practices. HRSA intends to schedule a few course offerings this year.
- CDC has an internal Action Plan to Improve Health Literacy that incorporates strategies for clear communication and staff training, and

CDC University offers courses in health literacy, plain language, and web development to staff on a periodic basis.

- OIG writers and editors must take plain writing courses such as *Write to the Point*, and all staff must view a plain writing video posted on the OIG intranet site.
- OCR is developing an Equal Opportunity Specialist Academy that will include clear communications and plain writing in the curriculum.
- ONC requires its employees who write or edit documents to take one of the following:
 - Plain Writing Act Training offered by ASA
 - GS Graduate School, "Editing for Impact"
 - GS Graduate School, "Effective Government Correspondence"
- ASPR is establishing a plain language website on its internal intranet site called Knowledge Base where employees can find resources devoted to plain writing.
- ASPA continues to lead department-wide efforts to train web designers in plain writing for the web.

ACF raised a concern that, while staff receive training, the training does not always result in better documents. Some of this may result from the nature of the training; it may not be particularly interactive or provided in a smaller-group format fostering discussion and hands-on learning. Smaller group training with interactive opportunities might be more effective, but such training demands more of scarce resources. HHS plans to convene a working group to discuss "best practices" in plain writing training to ensure each component uses the most effective approach to improve document quality.

5. Ongoing Compliance

The Department will manage ongoing compliance with the Act through a variety of activities.

- The Office of the Executive Secretary will convene meetings with the Department's plain writing senior officials designated by the operating and staff divisions to identify compliance best practices. As a first initiative, as discussed above, the group will discuss how to ensure that employee training will improve document quality. The group will also identify ways to measure the effectiveness of plain writing communications in helping users improve their comprehension and increase agency level of service. The Department will integrate these measures into ongoing compliance activities.
- Senior agency officials will continue to reinforce the requirements to write documents in plain language through senior leadership meetings, internal

newsletters and other employee communications, and agency intranets. For example, CDC's slides on Introduction to Plain Language include a quote from the CDC Director about the importance of clear communication.

- Operating and staff divisions will continue to incorporate plain writing ability into relevant job descriptions.
- The Department will continue to encourage operating and staff divisions to incorporate plain writing into employee performance plans where appropriate. Especially where the employee is primarily responsible for drafting or editing documents going to the public, highlighting plain writing in the performance plan can provide a significant incentive to pay attention to the plain writing requirements.
- The Department encourages incentive awards for employees or employee teams who develop outstanding plain writing documents. Various HHS components have created initiatives such as:
 - FDA presents Plain Language Awards each year at the Center level as well as from the Office of the Commissioner.
 - NIH has had a Plain Writing/Clear Communications Award Program in place since 2000. Each year NIH invites a speaker known for his or her use of plain language to keynote the event, which is telecast to the whole NIH community. Information about the program is available at www.NIH.gov/clearcommunication/plainlanguage.htm#celebrating.
 - CDC is proposing a new plain language award for the annual agency awards program.
 - The Director of IHS will consider plain writing accomplishments in the nominations for IHS Director's Awards.
- SAMHSA is improving its current website under a unique project called Project Evolve where it will involve all stakeholders in the process of making decisions about the new website design. Through this participatory process, SAMHSA anticipates that the content and organization of the new website will be accessible to the wide audience SAMHSA serves.
- The OASH Office of Women's Health will continue to use the Frye Readability Formula for its website to ensure that those with limited education or literacy can read and understand the communications on the site.
- OGA plans to develop and promulgate internal procedures and guidance on the Act.

- The CDC/ATSDR Health Literacy Council is developing training programs, recommended standards, and tools that centers, institutes, and offices can use to promote the use of plain language.
- FDA's Strategic Plan for Risk Communication calls for regular sampling and assessment of documents on the FDA website to determine whether they have been written in plain language.

6. Department websites devoted to plain writing

The Department, with assistance from ASPA, created a plain writing website in July 2011 accessible from the main HHS website that contains the HHS Plain Writing Implementation Plan and Annual Compliance Reports to inform the public of agency compliance with the Act's requirements. The website also provides an email address so that the Department can receive and respond to public input on implementation of the Act and compliance reports.

Currently 100% of operating divisions either have their own separate website devoted to plain writing (NIH, CDC, CMS, HRSA, IHS, and FDA) or provide a link to the Department's plain writing website on their main page. Additionally, staff divisions that routinely interact with the public also provide a link to the Department's plain writing website from the division main page. Some examples include:

NIH www.nih.gov/clearcommunication/plainlanguage.htm
 CMS www.medicare.gov/plainlanguage.aspx
 www.cms.gov/AboutWebsite/plainlanguage.asp
 HRSA www.hrsa.gov/plainlanguage/
 IHS www.ihs.gov/healthcommunications/index.cfm?module=dsp_hc_plain

Additionally, SAMHSA is considering the use of its digital public interface, called *User Voice*, to involve the public in the future development of plain writing documents.

7. Recognition of the Department's Plain Writing Activities

Several divisions within the Department have received recognition for their work on plain language. For example:

- OIG won the 2011 Outstanding Achievement Award for web design and streamlined content, given by Interactive Media.

- In 2011, HHS swept the ClearMark awards in the category Original Document: Public Sector. CDC won the award for *Lead Poisoning: Words to Know from A to Z*. CDC also received recognition in this category for *Vital Signs: Binge Drinking*. Other recognized documents in this category went to the National Institute on Drug Abuse for [Drugs: Shatter the Myth](#) and the Office on Women’s Health for both [The Environment and Your Health](#) and [FAQs on Anxiety Disorders](#).
- In 2011, the National Cancer Institute of NIH won the ClearMark award for website dynamic media design in the public sector for its website aimed at supporting clinical trials found at <https://accrualnet.cancer.gov/>.
- In 2011, NIH and the National Institute on Aging won the ClearMark award for website dynamic medical design in the private sector for its website Go4life (<http://go4life.niapublications.org/>), designed to help older people stay physically fit and active as they age.
- In 2010, the Department also performed well in the ClearMark awards. In the Webpage: Public Sector category, the Office of Disease Prevention and Health Promotion won for its website providing a quick guide to healthy living. The website is at www.HealthFinder.gov/prevention/. ASPA also received recognition in that category for its website at www.FoodSafety.gov/, which provides food safety tips for consumers. In the category Original Document: Public Sector, the Department won numerous awards:
 - SAMHSA for [Medication-Assisted Treatment for Opioid Addiction](#)
 - Office on Women’s Health for [Early-Stage Breast Cancer Treatment: A Patient and Doctor Dialogue](#) and [Depression During and After Pregnancy](#)
 - National Cancer Institute for [NCI’s Cancer Treatment Side Effect Sheets for Patients and Providers](#) and [When your Brother or Sister has Cancer – A Guide for Teens](#)
 - National Institute on Aging for [Caring for a Person with Alzheimer’s Disease](#) and [Older Adults and Alcohol](#)
 - National Institute of Allergy and Infectious Diseases for [NAIAID Career Opportunities](#) and [NAIAID – inserts](#)

CONCLUSION

Although the Act’s implementation is in its infancy, HHS’s activities and recognition of its efforts by outside groups illustrate the Department’s commitment to plain writing in all its interactions with the public. Of recent note, in early February the

Department published the most recent and perhaps far reaching plain language tool – a regulation requiring health insurers to provide consumers with clear, consistent, and comparable summary information about health plan benefits and coverage. As Secretary Kathleen Sebelius observed, “All consumers, for the first time, will really be able to clearly comprehend the sometimes confusing language insurance plans often use in marketing. This will give them a new edge in deciding which plan will best suit their needs and those of their families or employees.” Her comments effectively and succinctly reinforce the broader vision that plain writing is essential for the effective delivery of health care and human services. The Department will continually strive to implement that vision in all its interactions with the public.