Department of Health and Human Services
Plain Writing Act Compliance Report
April 2013

INTRODUCTION

Over the past year, the Department of Health and Human Services has continued its extensive efforts to implement the Plain Writing Act. The Department's implementation plan recognizes that plain language can help improve health outcomes and human services delivery and can ultimately lead to a greater quality of life for all Americans. HHS remains committed to this goal.

The Department continues to educate employees about the importance of plain writing, engage with the public about plain writing to discover how we can improve our efforts, and prioritize plain writing training. These efforts contributed to the Department's issuance of more documents using plain writing principles than ever before, as illustrated by examples throughout this report.

This report is not a comprehensive picture of all of the Department's plain writing activities but instead provides highlights of HHS's implementation. These highlights demonstrate the Department's commitment to plain writing and its significant success in implementing the Act thus far. The following HHS agencies contributed to this report:

Operating Divisions (OpDivs):

- Administration for Children and Families (ACF)
- Administration for Community Living (ACL)
- Agency for Healthcare Research and Quality (AHRQ)
- Centers for Disease Control and Prevention (CDC)
- 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 (StaffDivs):

- 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)

COMPLIANCE

The Department's Plain Writing Implementation Plan outlines objectives to integrate plain writing into HHS activities. These include:

1. Demonstrating the commitment of HHS leadership to plain writing;
2. Increasing plain writing throughout the Department;
3. Rewarding the use of plain writing; and
4. Reviewing and updating the Department's Plain Writing Implementation Plan as necessary and demonstrating Department compliance with the Plain Writing Act.

The Department has continued to implement these requirements over the past year, as described in detail below. Our compliance with specific requirements of the Act includes:

- The Department is using plain language in all new and substantially revised covered documents.
- HHS OpDivs and StaffDivs measure the effectiveness of their plain writing programs.
- The Department has implemented effective plain writing training programs for employees.
- The Senior Agency Official for Plain Writing is Oliver Potts, Deputy Executive Secretary. The public may contact HHS concerning plain writing at HHSPlainWriting@hhs.gov.
- The Department's main plain writing webpage (http://www.hhs.gov/open/recordsandreports/plainwritingact/index.html) includes contact information for Plain Language coordinators at agencies within HHS.

- HHS 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 webpage. Staff divisions that routinely interact with the public also provide a link to the Department's plain writing webpage. Examples of other HHS plain writing webpages include:
  - FDA: http://www.fda.gov/AboutFDA/PlainLanguage/default.htm
  - NIH: http://www.nih.gov/clearcommunication/plainlanguage.htm
  - CMS: http://www.medicare.gov/plainlanguage.aspx and http://www.cms.gov/AboutWebsite/plainlanguage.asp
  - HRSA: http://www.hrsa.gov/plainlanguage/
  - CDC: http://www.cdc.gov/Other/PlainWriting.html
  - IHS: http://www.ihs.gov/healthcommunications/index.cfm?module=dsp_hc_plain

In addition, the Department has a plain writing steering committee including agency representatives who proactively develop new ideas to increase the Department's use of plain writing. The committee shares best practices, helps design and improve training programs, and develops tools to increase plain writing in the Department's work product.

1. Communication to Employees

To ensure the establishment and maintenance of a plain writing culture at HHS, Department officials continually emphasize the importance of plain writing through the document review process. Generally, the Department uses a peer-review process for documents issued to the public, and an editor and senior official review them to validate their use of plain writing standards. HHS leadership also emphasizes the importance of plain writing during staff meetings and by organization-wide announcements. For example, on October 13, 2012, FDA Commissioner, Margaret Hamburg, M.D., sent an FDA-wide email about the Plain Writing Act and encouraged all FDA employees to adopt plain writing.

The Department has further reinforced the importance of using plain writing in all communications by adding plain language criteria to relevant performance evaluations, position descriptions (in job postings), and strategic initiatives. HHS agencies also include plain writing materials and training in the new employee orientation materials and presentations.

Additionally, each OpDiv and StaffDiv has a designated individual who coordinates its plain writing activities. These individuals highlight the importance of plain writing to employees and help train employees in the

principles of plain writing. Because many of these designated individuals also review and edit public documents from their agencies, they are able to ensure the use of plain writing. In addition, these designated individuals conduct training or facilitate training in plain writing principles, and they track implementation of the Act and participate in coordinating implementation across the Department.

In 2012, the Department's Office of the Executive Secretary developed a Department-wide document preparation guide that includes instructions on plain writing and provides useful plain writing references. (See Appendix A.) This guide was featured on the Department's main page of its intranet, and each agency leader was asked to e-mail its employees about the guide. The guide's plain writing tips to improve clarity include:

- Use active voice instead of passive voice.
- Use action verbs to avoid word clutter.
- Write short sentences more frequently than long sentences.
- Write short paragraphs.
- Use pronouns.
- Use parallel construction.
- Avoid unnecessary words.
- Avoid redundant words or phrases.
- Use abbreviations and acronyms sparingly.

The guide also includes plain writing tips to improve readability, such as:

- Use white space and other design features to make a document easier to read.
- Use bullets or a text box to help readers absorb the material.
- Use headings and sub-headings to organize information.
- Isolate an idea for emphasis.
- Avoid writing in all capital letters.

2. Tracking and Measuring Effectiveness

To measure its plain writing progress, the Department uses several strategies to track and measure the effectiveness of plain writing efforts internally and with the public. For example, ASA tracks the conversion of existing documents into plain writing by using a log that records the review of a professional editor and senior approving official. The agency tracks the edited iterations in the log and only closes an item upon final approval that the document satisfies plain writing standards. SAMHSA determines the effectiveness of plain writing documents based on the frequency of telephone or e-mail inquiries from the public and any increases in requests for information products. ONC randomly subjects web-based content and

documents to testing for readability and compliance with plain writing requirements.

In 2013, CDC is implementing a new tool called the Clear Communication Index to help improve plain writing. The Index includes research-based questions that help improve clear communication. Staff members use the Index to score documents on a scale of 0-100. CDC is tracking document scores and using them to identify steps to increase clarity. CDC further measures the effectiveness of its documents through audience testing, such as focus groups, interviews, and usability testing, and online surveys on its web site. CDC is also beginning to use the OMB "Fast Track" mechanism for customer satisfaction, which supports plain writing principles because it will make it easier to gather information about the audience for a document and to conduct usability testing.

FDA also has several initiatives to monitor the effectiveness of its plain writing efforts. For example, in an effort to obtain feedback from the public and FDA employees, FDA has created an FDA Plain Language email inbox (FDAPlainLanguage@fda.hhs.gov), which is available on the external web page and to all FDA employees. FDA is also working with its web designers to add questions related to plain writing to an online survey tool. Additionally, FDA is exploring the possibility with GSA of using low-cost Usability Testing methods. The Usability Testing Program is a demonstration project aimed at teaching agency staff how to find and fix usability problems on government websites and applications. FDA has also developed a Message Testing Network of more than 500 FDA employee volunteers willing to review and provide feedback on documents and web content prior to public release.

3. Written Work Product

The Department continues to publish documents using plain writing. Examples that illustrate the Department's progress include:

- ACL uses plain language on all of its websites, including http://www.Alzheimers.gov and http://www.LongTermCare.gov, and it recently refreshed Longtermcare.gov based on consumer feedback. In addition:
    - ACL posts weekly healthy living tips for consumers using clear, plain language on its website, Facebook, and Twitter. ACL has developed a minimum of 52 new tips since February 2012.

- ACL also uses plain writing principles for all ACL Facebook and Twitter updates and posts, which include items of interest to older Americans as well as people with disabilities of all ages.

- CDC produced several webpages using clear writing principles, such as:

  - Health Care for People with Disabilities (http://www.cdc.gov/features/disabilitiesday/index.html) and

  - Food Safety Differences between Restaurants Linked and Not Linked to Outbreaks (http://www.cdc.gov/nceh/ehs/EHSNet/plain_language/Differences-Restaurants-Linked-to-Outbreaks.htm)

- ONC, which supports the adoption of health information technology and the promotion of nationwide health information exchange to improve health care, has produced several guidances in plain writing for consumers and professionals, including:

  - Data Briefs, Guide to Privacy and Security of Health Information. Link for Privacy Guide: http://www.healthit.gov/providers-professionals/ehr-privacy-security

  - Information for providers and staff on the use of mobile devices in the medical practice setting: http://www.healthit.gov/mobiledevices

- CMS redesigned its Medicare Summary Notice (MSN) to incorporate consumer-tested plain writing improvements, including user-focused organization and messaging to help people navigate their Medicare benefits. See http://www.cms.gov/apps/files/msn_changes.pdf. The MSN is an explanation of benefits sent quarterly to people with Medicare who have had claims filed for services. The redesigned notice is available online through MyMedicare.gov and was mailed this year: http://www.cms.gov/apps/files/msn_changes.pdf. CMS also developed "A Quick Look at Medicare," which is a clear, concise brochure based on extensive consumer research on Medicare's health insurance model: http://www.medicare.gov/Publications/Pubs/pdf/11514.pdf.

- FDA uses plain writing principles in products that provide information to consumers:

- o *Center for Radiological Health (CDRH)*
  - Breast Pumps: Consumer Information: http://www.fda.gov/MedicalDevices/ProductsandMedicalProcedures/HomeHealthandConsumer/ConsumerProducts/BreastPumps/default.htm

    Decorative contact lenses: Consumer Information: http://www.fda.gov/MedicalDevices/ProductsandMedicalProcedures/HomeHealthandConsumer/ConsumerProducts/ContactLenses/ucm270953.htm

- o *Center for Tobacco (CTP):* Searchable Tobacco Control Act (seeks to make a complicated piece of language much more accessible): http://www.accessdata.fda.gov/scripts/tobaccocontrol/

- ▪ NIH produced many popular publications for providers and the general public using plain writing. These include:

  - o NIH: News in Health (OCPL), http://newsinhealth.nih.gov/issue/sep2012

  - o The National Institute on Aging (NIA), http://www.nia.nih.gov/health/publication/fatigue-more-being-tired

  - o The National Eye Institute (NEI), http://catalog.nei.nih.gov/p-248-dont-lose-sight-of-age-related-macular-degeneration.aspx

  - o The National Center for Complementary and Alternative Medicine (NCCAM), http://nccam.nih.gov/health/providers/digest

  - o The National Institute of Diabetes and Digestive and Kidney Diseases (NIDDK), http://ndep.nih.gov/media/NDEP4_TakeCareOfFeet_4c_508.pdf

4. Training

This past year, the Department increased plain writing training opportunities. Currently OpDivs and StaffDivs can take advantage of several such opportunities, and the Department is developing a universal course for all employees. The course focuses on three learning objectives: (1) identification of tools and best practices to help organize ideas in writing; (2) development of clear, concise, and organized written content; and (3) principles for communicating effectively. This training course will be accessible on the internet for all employees by September 2013.

In the meantime, OpDivs and StaffDivs already require all of their employees to take plain language training in various forms. For example:

- AHRQ sent staff for training at the Clear Language Group.
- All OIG writers attend courses such as "Write to the Point" that emphasize clarity and conciseness. In 2013, OIG required all OIG employees, contractors, and interns to watch the OIG-produced Plain Writing Training, which explained how to comply with the law.
- This year, the DAB will use a live three-hour plain writing training session conducted by a plain writing instructor from the Office of the Federal Register.
- FDA developed a training plan that includes a variety of training strategies such as online training modules, webinars, and traditional classroom workshops with hands-on exercises. FDA also offers its employees in-person consultations, presentations, and discussions about plain language and plain writing tailored to the requestors' needs. For example, employees may request a general discussion or one tailored to a specific document. FDA is planning periodic, in-person and web-mediated editing workshops, which will provide a forum to discuss, edit, and troubleshoot specific plain language and plain writing issues related to employees' work.
- CDC offers employees several training options including multiple, open enrollment sessions of "Introduction to Plain Language" based on the Federal Plain Language Guidelines. CDC University also paid outside trainers to teach writing and clear communication classes several times during the year.
- CMS's Office of Communications has a desktop training for all CMS employees that was completed successfully by 98 percent of employees. As part of the desktop training, CMS included a survey to assess the training needs of the agency. CMS also provided follow-up training to other components upon request, and it continues to train agency employees through the bi-weekly new employee orientation sessions.

5. Recognition

The Department's successful implementation of the Act and its commitment to improving its use of plain writing were recognized during the past year in several notable ways:

- In 2012, CMS's redesigned Medicare Summary Notice won a ClearMark Award. CMS's redesigned Medicare.gov web site was also nominated this year.

- In 2012, CDC's National Center for Environmental Health/Agency for Toxic Substances and Disease Registry (NCEH/ATSDR), Environmental Health Tracking Branch, won the ClearMark Award in the category of Website/Dynamic Media for its *Environmental Public Health Tracking Network*.
- CDC's National Center for Occupational Safety and Health received an award of distinction in the category of Original Document: Public Sector for its *Encourage Your Workers to Report Bloodborne Pathogen Exposures* document.
- OASH's Office of Disease Prevention and Health Promotion received a ClearMark Award for the HealthFinder.gov website redesign.

To encourage plain writing excellence within the Department, agencies employed several creative incentive programs and initiatives. For example:

- FDA annually gives plain language awards to employees at both the agency and center levels.
- In 2012, CDC offered a new plain language award in its annual agency awards program. As well, senior leadership and other supervisors reward staff who demonstrate and promote effective, clear communication and literacy skills through Performance Management Appraisal System (PMAS) ratings, time off awards, and special agency awards. Individual offices and centers within CDC have also created their own internal awards and recognition programs. For example, the National Center for Emerging and Zoonotic Infectious Diseases (NCEZID) hosted its first Annual Showcase of Clear Communication Products in October 2012. As well, the Division of Global Migration and Quarantine (DGMQ) in NCEZID created a Clear Communications Award in which the nomination and selection process is a "people's choice." The award recognizes staff who bridge excellent science with excellent communications to deliver timely health information for the intended audience. DGMQ management also encourages staff to present their plain language materials and projects at national and international conferences.

CONCLUSION

The Department's implementation of the Act is growing in scope and effectiveness with each year. Through persistent leadership, the Department will continue to cultivate a plain writing culture at HHS, will strive to effectuate universal plain writing training, and will continue the development of metrics to ensure that the program delivers clear, concise information for the public we serve.

Appendix A

Chapter 2: Plain Writing

_____

The Plain Writing Act

On October 13, 2010, President Obama signed into law the Plain Writing Act of 2010. The purpose of the law is to improve clarity and simplicity in government communication.

The Plain Writing Act requires federal agencies to use clear language that the public can understand and use. The law requires agencies to write in plain language all covered documents that are new or substantially revised. Covered documents include those that:

- are necessary for people to obtain any federal government benefit or service or to file taxes;
- provide information about any federal government benefit or service; and
- explain to the public how to comply with a requirement that the federal government administers or enforces.

The Act also requires agencies to use plain writing in every paper or electronic letter, publication, form, notice, or instruction. While regulations are exempt, the Office of Management and Budget has noted that rulemaking preambles are not exempt and that long-standing policies require agencies to write regulations in a manner that is simple and easy to understand.

This chapter contains tips on plain writing. To learn more about plain writing, grammar, and punctuation, please see the references below.

Useful References

PlainLanguage.gov is the federal government's plain writing website. It discusses the full range of plain language principles. The Federal Plain Language Guidelines are available at www.PlainLanguage.gov/howto/guidelines.

Other helpful resources include:

- *The Elements of Style* (Strunk & White)
- *The Government Printing Office Style Manual* (www.gpoaccess.gov/stylemanual/index.html)
- *The Chicago Manual of Style*

Plain Writing Tips to Improve Clarity

Use *active voice* instead of *passive voice.*

In the active voice, the subject of the sentence *acts.* In the passive voice, the subject of the sentence *is acted upon.* Verbs in the active voice are stronger and enhance clarity. They make a sentence easier to read. Examples:

- *Active:*   *Passive:*
  I received your letter.   Your letter has been received.
  Tom will prepare a report.   A report will be prepared by Tom.

Use action verbs to avoid word clutter.

Use *does* verbs instead of *is* verbs. Example: *He runs* instead of *He is running.* Avoid past perfect verbs. Example: *We wrote* instead of *We have written.*

- *Instead of ...*   *Try …*
  We are in agreement   We agree
  The host is remembering   The host remembers
  The Department has established The Department established
  We have shared   We shared
  The Task Force has compiled   The Task Force compiled
  State law is in compliance   State law complies

Write short sentences more frequently than long sentences.

Use short sentences to make your point clear on the first reading. People digest short sentences faster than long sentences.

Write short paragraphs.

Short paragraphs are easier to read than long paragraphs. The white space after a paragraph gives readers a second to absorb the material they have just read before moving to the next paragraph.

Use pronouns.

Use pronouns such as *you, we,* and *us*, when appropriate. Pronouns are more direct and sound like everyday language. In an instruction memo for job applicants, which sentence is more straightforward?

- All job applicants are encouraged to bring writing samples to their interviews.
- We encourage you to bring writing samples to your interview.

Use parallel construction.

Make sure a series of words, phrases, or clauses in a list are in the same grammatical form so that they are parallel. For example, if the first bullet in a list contains a phrase starting with a verb, all of the bullets in the list should contain a phrase starting with a verb.

Avoid unnecessary words.

Some of the most frequently encountered unnecessary words and phrases, with suggested improvements, follow:

Instead of ...	*Try ...*
▪ at the present time	now
▪ first annual	first or inaugural
▪ in the event that	if
▪ prior to	before
▪ as a result of	because
▪ for the purposes of	to
▪ reason why	reason
▪ whether or not	whether
▪ certainly	(*eliminate this and most other intensifying modifiers, such as "very"*)

Avoid redundant words or phrases.

▪ *both*	(You can usually just say "and.")
▪ *either*	(You can usually just say "or.")
▪ *in addition to… also*	(They mean the same thing.)
▪ *and also*	(This is almost always redundant.)
▪ *close scrutiny*	(By definition, all scrutiny is close.)
▪ *advance planning*	(You cannot plan after the fact.)
▪ *major breakthrough*	(A minor discovery is not a breakthrough.)
▪ *new innovation*	(Innovations are always new.)
▪ *but nevertheless*	(One or the other is sufficient.)
▪ *on the occasion when*	(Either *on the occasion of* or *when* will suffice. *When* has the advantage of being shorter.)
▪ *true fact*	(If it is not true, it is not a fact.)
▪ *eliminate altogether*	(If some remains, it has not been eliminated.)
▪ *blue in color*	(Context should make it clear.)

Use abbreviations and acronyms sparingly.

Do not introduce an acronym unless it will be used more than once. Avoid using several acronyms in one document, especially if they are not widely recognizable. Numerous abbreviations slow a reader because he or she must stop frequently to recall the meaning of each acronym or find the explanation again in the document.

Generally, you should include the full title or name before introducing its acronym. However, use common sense. If your memo is aimed at FDA employees, you do not need to spell out *Food and Drug Administration* first before referring to *FDA*. FDA employees know what *FDA* means.

Plain Writing Tips to Improve Readability

- Use white space and other design features to make a document easier to read.
- Use bullets or a text box to help readers absorb the material.
- Use headings and sub-headings to organize information.
- Isolate an idea for emphasis.
- Avoid writing in all capital letters.