U.S. Department of Health and Human Services
Plain Writing Act Compliance Report
April 2021

Background

For more than a decade the Plain Writing Act of 2010 (Act) has guided and required federal agencies to use clear government communication that the public can understand and use. Communications and plain writing are especially important in the context of health care and human services. The U.S. Department of Health and Human Services (HHS) recognizes how plain writing can help address the needs of those with limited health literacy skills. Plain writing helps people understand health information better because it results in documents which are less complex and more clear, concise, and jargon-free. The Act requires agencies to write annual compliance reports and post these reports on its plain writing web page in April of each year. It also requires agencies to designate a senior official to oversee implementation of plain writing requirements.

You can find links to HHS's senior officials, and to previous compliance reports, at: http://www.hhs.gov/open/plain-writing/. HHS amplified efforts to implement the Act by engaging the public on how we can improve our plain writing efforts and prioritizing plain writing training for employees. HHS's 2021 report demonstrates our continued compliance with the requirements of the Act. The report is organized in sections on Accomplishments, Best Practices, Innovations, Continuous Improvements, and for the first time includes a New Focus section on Promoting Equity. This focuses on Executive Order (EO) 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. Signed January 20, 2021, it is President Joe Biden's first EO and aims to advance civil rights, social justice, and equal opportunity for all.

Accomplishments

Each year HHS seeks to reach all Americans with useful health information they can easily understand. Over the past year, the Department and its agencies continued ongoing review and improvement of new and existing reports and web content for plain writing to ensure the greatest public impact.

The Administration for Community Living (ACL) notified email subscribers about useful information such as webinars about issues in aging and disability services, funding opportunities, technical guidance, and tools for communicating with their own stakeholders. From March 2020 to March 2021, ACL sent 60 plain language emails which were delivered to 3 million subscribers.

The Agency for Healthcare Research and Quality (AHRQ) emphasized three key products from 2020 which it maintains with plain language:
   1. Easy to Understand Telehealth Consent Form
   2. Health Literacy microsite
   3. Plain Language page

The Office of the Assistant Secretary for Legislation prepared testimony given to Congress by the HHS Secretary by using plain language. Specifically, the HHS Secretary's October 2, 2020, testimony before the House Select Subcommittee on the Coronavirus Crisis and the July 2020

Questions for the Record following the House Ways and Means Committee hearing on the Fiscal Year 2021 budget were examples of impactful testimony based on plain language.

The Centers for Disease Control and Prevention (CDC) pandemic-related documents were among the most widely distributed CDC publications, and were created to reflect plain language principles.
- [Things to Know about the COVID-19 Pandemic](#) incorporates good use of plain language fundamentals.
- [COVID-19 Stop the Spread of Germs Video](#) includes a good selection of images and text to alert travelers, help stop the spread of COVID-19 and other respiratory illnesses by following certain steps.
- [Your Guide to Masks](#) offers a variety of images and text to support CDC's recommendations to wear masks to help stop the spread of COVID-19.

The Centers for Medicare and Medicaid Services (CMS) introduced a revised handout, [Medicare & You](#). It explains Medicare benefits and is mailed each fall to all beneficiary households—about 50 million. The handbook is revised and updated each year through a rigorous review and clearance process that also includes consumer testing to ensure clarity throughout. It is mailed monthly to new enrollees, and several pages were added in the past year with tips to help people who are new to Medicare with the actions they need to take to get the most out of their coverage.

All case-related documents in the Department Appeals Board (DAB) are required to be written in plain language to both comply with the Act and to further DAB's mission to "deliver products which are thorough, well-reasoned and written in concise, clear English." From March 2020 to March 2021, DAB closed/issued decisions for more than 5,000 cases while making efforts to observe its plain writing mission.

DAB's Medicare Operations Division (MOD) employed several new significant plain writing strategies, including a more comprehensive Introductory Training Program developed for new attorneys and judges. The Program includes a session on Introduction to Writing which stresses plain writing techniques, such as omitting irrelevant facts and legal authorities, employing short sentences and paragraphs anchored to one central idea, and using transition words to help the reader navigate the document.

This year DAB's Alternative Dispute Resolution (ADR) Division made efforts to provide information to the public in plain writing formats. For example, the ADR Division transformed its Agreement to Mediate form into a fillable PDF to make it easier to sign and return virtually, which has been critical to continuing mediation working during the pandemic. ADR uses technology to give more clarity to the public by updating its website formatting to provide better readability and more clear functionality. These changes include reorganizing helpful links so that each part of the web page is easier to access. Most importantly, the ADR Division site added training registration links right on its training page for all virtual offerings, and included new descriptions of each course to match all available trainings.

The Office of the Inspector General (OIG) placed approximately 1,000 new documents, written in plain language guidelines, onto its website this year. These include audit and evaluation

reports (of which the summaries are written for general public consumption), web "Spotlights" that describe OIG work in plain writing, and podcasts by senior management that explain OIG's work and mission in a conversational way.

The results of the Office of Medicare Hearings and Appeals (OMHA) Fiscal Year 2020 Appellant Climate Survey indicated that 91% of respondents said that decisions were written in language that was "generally or very clear."

The Administration for Children and Families Office of Head Start (OHS) published six program instructions and four information memoranda in plain language in the preceding year. In the same time period, OHS produced approximately 500 documents, ranging from a bio for the new director of OHS to an interactive module on COVID-19 and Early Care and Education Considerations Before Reopening. Publishing materials in plain language is a standard practice for OHS—all documents are reviewed by a quality assurance team before posting on the website.

Best Practices

HHS employed a variety of best practices to reinforce plain writing requirements, including senior officials promoting plain writing, and programs for tracking and measuring plain writing effectiveness. The following examples were a representative sample of best practices across the Department in the previous year.

The Office of the Assistant Secretary for Public Affairs observed that during the COVID-19 pandemic, the importance of plain language was paramount due to the high concentration of scientific and government language surrounding the pandemic response. All content associated with the COVID-19 section of the hhs.gov website was edited using plain language guidelines. Specifically, writing for the appropriate audience, organizing the information, being concise, and designing for reading. One measure of success was the "A" rating earned by HHS on the 2020 Federal Plain Language Report Card.

Senior officials within the Office of the Assistant Secretary for Planning & Evaluation (ASPE) review all Office of Human Services Policy (HSP) draft publications for adherence to plain writing requirements. Senior HSP officials also used professional copy editing, as needed, to ensure that all HSP publications were written consistent with the plain writing requirement. HSP staff used a project tracker to collect quantitative and qualitative data on the dissemination of the publications they produce, including feedback on their accessibility to readers and effectiveness. HSP also used Google Analytics to track page views, determine the types of products most commonly viewed, and identify how users, including members of the public, access products. Senior officials reviewed these trackers regularly.

Senior CDC agency officials reinforced plain writing by sponsoring staff for training, requesting plain writing briefings, and inviting plain writing presentations at staff meetings. CDC leadership also reminded staff of the importance of plain language and complying with the Plain Writing Act. This is continually reinforced through the CDC intranet, newsletters, and agency-wide announcements. In 2020, the CDC Director continued supporting CDC's dedication to the use of plain language principles when communicating with the public.

Every consumer product that the CMS Office of Communications creates is developed using plain writing principles. Print products were updated for content accuracy and other improvements. Web page metrics were tracked using Qualtrics and Google Analytics to monitor pain points and update pages early, and as often as possible, when points of confusion were identified. Readability tests like the Fry, SMOG, FOG or Flesch-Kincaid were routinely used on completed content. These kinds of tests relied largely on counting syllables per word, words per sentence, and sentences per paragraph to determine the grade level. With Medicare and Marketplace materials, there were terms (think "formulary") that are unfamiliar but necessary, and CMS went to great lengths to explain these terms and concepts that aren't readily understood. CMS focused on ensuring readability (Do they know the terms used, and is information organized effectively?), usability (Can they easily find the answers they are looking for?), and understandability (Can they accurately explain the meaning or concept after reading?) were successfully achieved.

CMS regularly monitored a digital quality management tool on Medicare.gov called SiteImprove. Numerous edits were incorporated to pages to improve the site quality by looking at things like long sentences. To date, its content quality score was 93.6%, and its content freshness score was 98.5%. Overall, the content quality score was 95.8% (and the industry benchmark for government is 78.2%).

OMHA's position descriptions all included communication and/or writing skills as an element of required duties for these positions. Approximately 48 job announcements were posted in 2020, all with "Writing" as a competency in the USA Staffing system. The Writing competency definition indicated: "Recognizes or uses correct English grammar, punctuation, and spelling; communicates information (for example, facts, ideas, or messages) in a brief, clear, and organized manner; produces written information, which may include technical material, that is appropriate for the intended audience."

The Substance Abuse and Mental Health Services Administration (SAMHSA) created plain writing courses—both an introduction and a refresher—which were posted to the HHS Learning Management System (LMS). SAMHSA's intranet contained a page explaining plain language with a referral to the SAMHSA LMS training. Information on the plain language training was also included in the weekly SAMHSA Training eBlast. Several SAMHSA offices, such as those publishing the revised Treatment Improvement Protocols (TIPs), included short surveys in their products to obtain user feedback.

ACF's Office of Planning, Research, and Evaluation (OPRE) developed a "Clear Communications Checklist" for OPRE staff to use and share with research contract partners to improve the accessibility of publications. This checklist prompted staff to consider their publication from the reader's perspective–examining message clarity, word choice, and overall organization. OPRE also developed a digital metrics dashboard that measured public engagement with OPRE research publications in real time, helping OPRE to understand the effectiveness and accessibility of its writing products. OPRE made this dashboard available for staff to use and share with research contract partners so as to learn from and continually improve upon the accessibility of research outputs.

Innovations

HHS developed innovative strategies to promote plain writing, including web banners, webinars, external social media messages, employee awards, and plain writing skills in position descriptions.

In an innovative partnership with Google Health this year, AHRQ developed a microsite based on a previous public education initiative. That program originally launched in 2007 through a series of public service advertisements with the Ad Council, the [Questions Are the Answer](#) message, highlighted the vital role patients and families can play as part of their own health care teams. The site included videos, easy-to-read brochures and a question builder application.

The Assistant Secretary for Administration (ASA) Office of Equal Employment Opportunity Diversity and Inclusion (EEODI) developed a Final Agency Decision (FAD) guidance manual that instructed FAD writers to use clear, concise, short sentences, and reduce legalese. The manual provided specific guidance, such as instructing FAD writers to replace troublesome legal language where possible with plain language, avoid wide gaps between the subject and verb, and keep modifiers close to the word being modified. These instructions helped promote plain language and clarity. In addition, samples of properly constructed FADs with plain language were included to provide further guidance and assistance to the staff in drafting these documents.

ASPE's HSP regularly used outside editors to ensure its products were clear and organized, and accessible to non-technical readers. HSP staff developed several tools to assist analysts and contractors with plain writing. These included:
- A style guide emphasizing the principles of plain writing.
- "Writing about Research," a guide to support plain writing in all its staff-developed publications.
- "Better HSP Products: Start to Finish," a guide emphasizing the importance of accessibility and plain writing in work-planning and execution.
- Use of sample solicitation language in the procurement process to ensure that contractors understand the need to use plain writing in all HSP products.

In 2020, CDC used the RedCap system, referred to as the "Health Literacy Reporting System," to collect clear communication data for a full year. This system standardized data collection on plain language and health literacy initiatives across divisions. The data collected through this system were compiled into an annual report card to assess progress implementing its Action Plan to Improve Health Literacy, which included activities promoting plain writing.

Continuous Improvement

Across the Department, agencies carry out a wide array of training activities to ensure that employees fully understand the importance of plain writing and how to do it effectively. Many agencies encourage the use of plain writing for both internal and external communication.

New ACL employees completed plain writing training, including 22 ACL team members in 2020. All participants reported the training as helpful in acclimating to their writing expectations of the agency and their new roles.

Reflecting ongoing efforts to enhance plain language use, in 2020 various CDC centers, institutes, and offices identified 299 employees who completed plain language training.

CMS developed its own Plain Writing Training on the HHS LMS. Its Office of Communications launched this desktop training for all CMS employees and was completed successfully by 98% of employees. CMS continued to train agency employees through new employee orientation sessions using that HHS LMS training. CMS also developed tools to help staff integrate plain writing into their work, including documents on its intranet and in its plain writing training:
- Plain Writing Style Guide: This guide includes plain writing tips, terms to use in place of other terms (both general and program-specific), and other guidance.
- Web Writing Style Guide: This guide includes tips for writing meaningful and user focused content like writing links, headlines, and content that is easy to scan.
- 7 Plain Writing Basics: These tips help keep writing direct and focused on the user.
- CMS Tone of Voice Checklist: This checklist is a series of questions a writer should answer about their document to make sure it complies with CMS Tone of Voice.
- User Interface Guidelines: Guidelines were implemented across Medicare.gov to help staff creating content across the site to use consistent terminology, content, and design based on best practices and research.

For the January 2021 plain writing training, DAB required all staff to watch a series of nine sequential videos, Essentials of Plain Language. DAB received positive comments from staff about the online training for this past year. Staff appreciated that it was broken down into short, minutes-long videos, and felt that this format made the information very digestible.

From March 2020 to March 2021, 412 FDA employees took one of five plain writing training programs offered by FDA.

Approximately 50 people within the Health Resources and Services Administration (HRSA) completed plain language training through targeted, virtual, and in-person demonstrations. Trainings included how to use the Readable tool as well as an easy-to-use plain language checklist. As part of holistic web revamp efforts, HRSA also produced a checklist to help staff assess the best format for web content and encouraged adoption of HTML pages over PDFs where possible. HRSA focused plain writing efforts more fully by hiring two team members in the Office of Communications with a focus on plain language, assisting the one full-time employee who previously served in that role for the entire agency.

National Institutes of Health (NIH) staff completed a variety of relevant trainings in the past year, including the following:
- NIH's Clear Communication materials
- U.S. Department of Health and Human Services Plain Language Training
- Plain Language Action and Information Network (PLAIN)
- CDC's Plain Language Materials & Resources

- [Alan Alda Center for Communicating Science](#)
- [Science, Health and Public Trust](#)
- NIH Training Center's Effective Writing Refresher training
- Plain Language Summit 2020, hosted by the Plain Language Community of Practice and DigitalGov

The Office of the National Coordinator for Health Information Technology (ONC) offered writing sessions with guidance on Plain Language/Plain Writing. These offerings included Writing for Results, a course focused on writing to convince readers and achieve real-world results using plain language as mandated by the Plain Writing Act, and the Clear Writing Through Critical Thinking Course, which improves thought process at each stage of the writing process, by writing plainly.

SAMHSA's agency Style Guide contained a section on plain language with links and resources, and it is posted on the SAMHSA intranet for viewing or download by all employees. SAMHSA included information about how to obtain instruction in plain language in the weekly all-agency training eBlast.

New Focus: Promoting Equity

A new focus for the Department is the Biden Administration's priority of promoting equity. Inequities in our laws and public policies, and in our public and private institutions, have too often denied equal opportunities to individuals and communities, further entrenching disparities on the basis of race, gender, immigration status, and other characteristics. Promoting equity is essential to the Department's mission of protecting the health of Americans and providing essential human services. The use of plainly written and culturally sensitive, unbiased information supports the Department's equity promotion impact by reaching people in a way that resonates with them and can understand.

As evidence of ASPE's commitment to promoting equity through its policies, programs, and activities, in March 2021 ASPE HSP hosted a training on equitable research communication with experts from Child Trends. HSP used plain writing to promote equity by:
- Precisely defining populations and avoiding euphemisms.
- Using person-centered language to humanize people, and engage and elevate the voices of community stakeholders,
- Not centering one type of person as the norm when describing and comparing groups.
- Increasing awareness of attributing value and stigma to research findings.
- Including context on systemic inequity to explain differences early and often.

HSP simultaneously developed structures and supports to ensure all publications were reviewed with these key principles of equitable research communication in mind.

CDC's Office of Minority Health and Health Equity (OMHHE) aims to accelerate CDC's health impact in the U.S. population and to eliminate health disparities for populations at higher risk for poor health outcomes as defined by race/ethnicity, socio-economic status, geography, gender, age, disability status, risk status related to sex and gender, and among other populations identified as at-risk for health disparities. Its Office of the Associate Director for

Communication and other CIOs across the agency consult with OMHHE to ensure use of culturally sensitive, unbiased language along with plain language.

With permission of the leads of the HHS Health Literacy Workgroup, members of CDC's Health Literacy Council were invited to attend the workgroup's meeting scheduled for March 23, 2021. The meeting included a plain language and cross-cultural communication consultant as a guest speaker on avoiding bias in communication.

The COVID-19 Response Chief Health Equity Team developed a Health Equity Style Guide for the COVID-19 Response: Principles and Preferred Terms for Non-Stigmatizing, Bias-Free Language. CDC plans to expand use of this guide across the agency to incorporate language related to health equity in all work.

CMS published the report, Paving the Way to Equity: A Progress Report (2015-2021) which outlines the ways CMS has increased understanding and awareness of disparities, developed and disseminated solutions, and implemented sustainable actions to achieve health equity. Part of the CMS Equity Plan for improving the quality of care provided to minority and other underserved populations is improving communication and language access for people with limited English proficiency and people with disabilities. Its Office of Communications provides many of its plain language publications in languages beyond English and Spanish and alternate formats such as braille, large print, audio CD, and eReader. The Information in other languages page on Medicare.gov provides translations to more than 20 languages of publications in many popular Medicare topics.

FDA's Center for Biologics Evaluation and Research (CBER) works with its Office of Minority Health and Health Equity to develop materials promoting equity and access to CBER-regulated products. During the pandemic, CBER translated the COVID-19 Vaccine Patient Fact Sheets into about 30 languages, and posted them on FDA.gov.

NIH's Community Engagement Alliance Against COVID-19 Disparities is an endeavor that works closely with the communities hit hardest by COVID-19, such as African Americans, Hispanics/Latinos, and American Indians/Alaska Natives. The effort featured FAQs, fact sheets, videos, infographics and other kinds of resources in English and Spanish that one can share to provide accurate information using plain language and health literacy best practices, to encourage people to get involved in the fight against COVID-19. This effort includes more than 50 resources.

To support the Federal wide efforts at health care equity, the Office of the Assistant Secretary for Health (OASH) created talking points for speaking to and about specific ethnic audiences to ensure that messages use the preferred language that resonates and avoids stigmatizing or outdated terms.

OIG endorses efforts in health care equity with two recent reports related to health disparities, clearly written and in plain language:
- Geographic Disparities Affect Access to Buprenorphine Services for Opioid Use Disorder

- [Instances of IHS Labor and Delivery Care Not Following National Clinical Guidelines or Best Practices](#)

SAMHSA's Office of Behavioral Health Equity (OBHE) focuses on the promotion of behavioral health equity for underserved racial and ethnic minorities, as well as lesbian, gay, bisexual, and transgender populations. OBHE strives to ensure that all public-facing engagements are conducted in plain language and that materials—blogs, reports, briefs, and other publications— are developed using plain writing.

<u>Conclusion</u>

HHS's implementation of the Plain Writing Act has grown in scope and effectiveness with each year. Through persistent leadership, HHS cultivated a plain writing culture, ensuring all new and existing documents and web content for the public, other government entities, and HHS employees are written in plain writing. If you have questions or feedback about this report, please contact the HHS Executive Secretariat at HHSExecSec@hhs.gov.