U.S. Department of Health and Human Services
Plain Writing Act Compliance Report
2024

Background

On October 13, 2010, the Plain Writing Act (Act) was signed into law. The Act requires federal agencies to use "clear Government communication that the public can understand and use." Plain writing is especially important in the context of health care and human services. The U.S. Department of Health and Human Services (HHS or Department) recognizes how plain writing can help address the needs of those with limited health literacy skills. Plainly written documents are less complex, more clear, concise, and jargon-free in helping people understand health information better. It also requires agencies to designate a senior official to oversee implementation of plain writing requirements. The HHS Plain Writing Act compliance reports and senior officials are available at: https://www.hhs.gov/open/plain-writing/index.html.

This HHS Compliance Report for calendar year 2023 demonstrates our continued compliance with the requirements of the Act. The Report is organized in sections on Accomplishments, Best Practices, Innovations, Continuous Improvements, Promoting Equity, and Transparency and Accountability.

Accomplishments

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

The Food and Drug Administration (FDA), Center for Drug Evaluation and Research (CDER) regulates over the counter and prescription drugs, including biological therapeutics and generic drugs. In 2023, CDER posted 11 CDER Alerts bringing public awareness to emerging drug safety issues and 15 CDER Statements explaining the center's most impactful actions in plain language formats. CDER also posted 10 CDER conversations explaining the center's programs, initiatives and priorities in plain language. For example, the following new plainly written web documents received thousands of views from the pubic:

- Medications Containing Semaglutide Marketed for Type 2 Diabetes or Weight Loss: It addressed patients' concerns about the safety and legality of compounded semaglutide drugs like Wegovy and Ozempic that were originally for Type II diabetes but became popular for weight loss. Total views: 349,544.

- FDA Clarifies Results of Recent Advisory Committee Meeting on Oral Phenylephrine: The CDER Statement addressed patient concerns following an advisory committee meeting questioning the efficacy of phenylephrine as a decongestant in over-the-counter drugs. Total views: 62,264.

- Opill (0.075mg Oral Norgestrel Tablet) Information: It provided important information and answers to frequently asked questions for consumers about Opill's switch from prescription to

over the counter. Total views: 22,499.

- [New Drug Therapy Approvals for 2023:](#) These approvals span a wide range of diseases and conditions that help many people live better and potentially longer lives. Total views: 57,704.

The National Institutes of Health (NIH) launched the new [NIH Virtual Tour](#). This dynamic, interactive tour showcased the depth and breadth of NIH's important work in turning discovery into health. The tour featured 20 in-depth virtual tour stops on the NIH Bethesda campus. Visitors can select the full tour to experience the breadth of NIH's work or choose special tour tracks, one designed specifically for patients and caregivers interested in NIH clinical trials and another designed for researchers to explore opportunities to work, collaborate, or train with NIH.

NIH's National Institute on Aging introduced two major plainly written guides for older adults and their caregivers: [The Caregiver's Handbook](#) and [Advance Care Planning: A Conversation Guide](#). They were available on the NIA website for download or print. The public ordered more than 21,000 copies of "The Caregiver's Handbook" and more than 13,000 copies of "Advance Care Planning."

Additionally, NIH updated several plainly written, high-traffic online information articles. For example, the updated [Memory Problems, Forgetfulness, and Aging](#) was viewed more than 800,000 times.

Health Resources and Services Administration's (HRSA) Office of Communications kickstarted a project to improve the top webpages across the agency's sites by requiring a "Flesch Reading Ease" readability score increase to better align with plain writing guidelines. The top three pages with plain writing improvements and the greatest public impact were:

- [Improving Workforce Well-Being at Health Centers:](#) When the health workforce is healthy and supported, the patients at the health centers benefit. This page explained HRSA's workforce well-being survey and how results informed change.

- [Title V Maternal and Child Health Block Grant](#): It was the largest HRSA-funded grant in 2023, providing services to an estimated 61 million people. The plainly written document informed audiences about what it is, why it's needed, and who was helped through the program.

- [COVID-19 Testing Supply Program:](#) HRSA's health centers were a key resource for communities seeking COVID-19 information and testing supplies. This plainly written document explained how health centers ordered supplies and made them available to the public when they need them.

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 is a sample of best practices across the Department in the previous year.

The Substance Abuse and Mental Health Services Administration (SAMHSA) sent out a weekly email across the agency entitled "Training Tuesday" that linked SAMHSA staff to an internal webpage providing information on upcoming trainings. Plain language training was included with a live link. The SAMHSA publications spreadsheet tracked those products that were replaced with an updated version. SAMHSA's Office of Communications selectively used the Microsoft Word tool to assess plain language and readability according to the Flesch Reading Ease test and the Flesch-Kincaid Grade Level scale.

The Office of the Assistant Secretary for Public Affairs' Digital Services (ASPA) regularly used SiteImprove, the Flesch Kincaid Grade Level score to measure readability, and the Quartics Survey to ensure website content was written in plain language. Digital experts consistently monitored these scores and continued to make incremental improvements. In addition, they contracted for a UX team with a content writer to evaluate HHS.gov as a whole and to suggest improvements.

The Administration for Children and Families' Office of Child Support Services (OCSS) applied the plain writing principles on every piece of web content, every response to a letter, and on all email interactions. OCSS deployed a comprehensive, multi-level clearance review process that encouraged the use of plain writing principles at each level of review. A quality assurance (QA) coordinator was embedded into each division to perform first level clearance. The QA coordinators worked with authors to make edits and maintained document control. All correspondence and written content then advanced to the Division of Customer Communications for a specific review for plain writing as part of the clearance process. Finally, senior leadership reviewed all content before it was released. The team of QA Coordinators met monthly to discuss writing challenges and to share resources and plain writing tips. They attended free training sessions available from outside training groups or through the Digital.gov Plain Language Action and Information Network (PLAIN) community.

Innovations

In the past year, agencies across HHS implemented innovative strategies to promote plain writing, including web banners, webinars, external social media messages, awards, and plain writing skills in position descriptions.

The Office of the Assistant Secretary for Health for Disease Prevention and Health Promotion (ODPHP) used videos to explain complex health promotion concepts to health professionals. ODPHP plans to expand the use of consumer short videos on its website and in its social media outreach next year. ODPHP required plain language and health literacy best practices in staff job descriptions and evaluated plain writing in their annual performance reviews. The MyHealthfinder site redesign won a ClearMark Award in the Before & After digital category in

2023. This award was for the site redesign to support the "Take Good Care" campaign which sought to direct consumers to the MyHealthfinder tool to learn about clinical preventive services.

The Centers for Disease Control and Prevention (CDC) Health Literacy Council, comprised of representatives from across CDC, met four times in 2023 to develop guidance to help Chief Information Officers (CIOs) comply with the Plain Writing Act and the agency's "Action Plan to Improve Health Literacy." The action plan supported the use of plain language. The Health Literacy Council members worked with their CIOs to create unique events for CDC colleagues and partners. These included the following:

- Converted the in-person courses, "Principles of Plain Language for Powerful Communication and CDC Clear Communication Index", into self-paced courses. This freed up person-hours that staff used to develop a new course, "Communicating Science Clearly", which was offered in-person and as a self-paced, online course.

- Hosted a Communicators' Network session titled, "Filling Gaps in Health Literacy: Measurement, Community Partners, and Equitable Digital Access." The session had 270 staff members in attendance.

- Conducted two trainings on the use of VisibleThread software and hosted two VisibleThread town hall meetings. The presenters at the town hall discussed plain language principles, how to use plain language software to improve the clarity of CDC content, and shared VisibleThread success stories. The presenters also answered questions from the audience.

- Developed five social media messages, one for each week of Health Literacy Month in October and worked with the Office of Communication's Visual Design Branch on two Health Literacy Month graphics to use as backdrops for virtual meetings and in social media messages.

The Agency for Healthcare Research and Quality (AHRQ) implemented the following innovations central to plain language:

- Revised the agency's website to reflect updated research priorities. Summarized research priorities in plain language.
- Augmented the agency's "Challenge Competition" microsite, a one-stop shop for all

AHRQ challenges that were previously located in separate areas.

- Provided the research community with new "Data Visualizations" on topics including Prevalence of Abnormal Lipid Levels in Children and Adolescents, Prophylaxis to Prevent HIV Infection, and Inpatient Stays for the Five Leading Mental Disorders.
- Updated the Agency's signature TeamSTEPPS 3.0 patient safety training program.

Continuous Improvement

Across the Department, agencies implemented training activities to ensure employees fully understood the importance of plain writing and how to effectively apply it. Many agencies encouraged the use of plain writing for both internal and external communication. The following were examples of continuous improvement across HHS.

The Departmental Appeals Board (DAB) sent out plain writing training requirements and instructions to all employees and contractors. The training was accessible via the HHS Learning Management System. DAB's completion rate was 100% for on-duty staff.

The Office of the Assistant Secretary for Administration (ASA) offered "The Plain Writing Act" training available Department-wide to all divisions and HHS employees. This basic plain writing training was accessible on the HHS Learning Management System learning portal and the HHS intranet. The course helped employees meet Plain Writing Act requirements by introducing principles of effective composition for both paper and web content, such as analyzing an audience, organizing the presentation of information, and choosing clear words and phrases. 236 learners across the Department completed "The Plain Writing Act" course.

The Centers for Medicare & Medicaid Services (CMS) provided more in-depth virtual training in addition to the online training to CMS components upon request. For example, CMS provided the following plain language trainings:

- CMS Innovation State and Population Health Group all-staff meeting. Sample feedback: *Thank you again for your great webinar, my manager is still talking about how useful it was!*

- CMS National Training Program Updates & Education webinar in honor of health literacy month for 226 attendees which included State Health Insurance Program participants and other Medicare partners.

The Office of Medicare Hearings and Appeals (OMHA) offered substantive training to all new Attorney Advisors, Administrative Law Judges (ALJs), and new staff. Plain writing was an essential part of the training materials that the Attorney Advisors and ALJs used when they drafted legal conclusions to send to appellants and beneficiaries.

Promoting Equity

Inequities in U.S. laws, public policies, and public and private institutions have denied equal opportunities to individuals and communities. As a result, entrenched disparities based on race, gender, immigration status, and other characteristics have persisted. Promoting equity is essential to the Department's mission of protecting the health of all Americans and providing essential human services. The use of plainly written, culturally sensitive, unbiased information, such as in the examples below, supported the Department's equity promotion by reaching people in a way that resonated with them.

The Office of the Assistant Secretary for Planning and Evaluation (ASPE) Equity Technical Assistance Center (ETAC) consulted and provided individualized technical assistance on 26 projects and hosted an HHS-wide learning session on accessibility for 1,000 HHS staff. ETAC used plain language to develop three equity tools to be used across HHS, including a recorded learning session, and accompanying discussion guide on making HHS work accessible. These resources emphasized plain language principles and making information easy to find, understand, and use. ASPE hosted numerous visiting scholars though the ASPE-wide Visiting Scholar Series and the Intramural Research Series that discussed equitable methods and practices in research, evaluation, and dissemination.

The Administration for Community Living (ACL) prepared a final rule that updated and clarified how the Older Americans Act (OAA) should be enacted at the state level. The updated regulations clarified and strengthened provisions to meet OAA requirements for prioritizing people with the greatest social and economic needs.

ACL, along with the Office of the Assistant Secretary for Financial Resources for Grants (ASFR), developed a prototype for ACL notices of funding opportunities, which prioritized HHS equity initiatives in grants and plain language goals. ACL worked weekly with a plain language specialized writer and designer, produced the Notice of Funding Opportunity template, participated in a learning collaborative webinar and evaluation of lessons learned, and participated in the HHS Equity Learning series.

The Office of Inspector General (OIG) during Mental Health Awareness Month explored innovative approaches to initiate meaningful discussions about mental health. OIG's attention was directed towards the internal Peer Support Team and the valuable resources available to employees. The focus was on conversations, such as "You are not Alone" and "It is ok to not be ok." These dialogues ensured that everyone's mental well-being was recognized and valued. OIG normalized these discussions and shared experiences to enhance belonging and inclusivity, while providing support and resources.

The Office for Civil Rights (OCR) issued the Department's updated "Language Access Plan" to ensure greater access to HHS programs, activities, and services for people of limited English proficiency and for people with disabilities. The Plan set forth practical guidance, best practices, and action steps for HHS Operating and Staff Divisions to develop their own, agency-specific language access plans. The HHS plan called for agencies to collect data regarding their language access services and to increase access to their respective programs, activities, and services. The

Plan required each HHS Division to develop consumer-friendly, accessible information in multiple languages, including:

- Creating an index describing materials already available in non-English languages, including American Sign Language, and posting the index on an internal website available to HHS employees.
- Using a qualified third party to review translations for accuracy, readability, usability, and cultural responsiveness.
- Using plain language to inform individuals that language assistance is available at no cost through HHS or entities funded by HHS.
- Distributing and making available resources, such as the Department's "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (HHS LEP Guidance)" and "Federal Plain Language Guidelines," directly and over the internet to all current recipients, providers, contractors, and vendors.

Highlighting the availability of consumer-oriented materials in plain language and languages other than English at: https://www.hhs.gov/sites/default/files/Language-Access-Plan-2023_0.pdf.

Transparency and Accessibility

On December 13, 2021, the President signed Executive Order 14058 on Transforming Federal Customer Experience and Service Delivery to Rebuild Trust in Government. Sec. 7(f) asked agencies to "identify means by which their respective agencies can improve transparency and accessibility through their compliance with the Plain Writing Act of 2010 (Public Law 111-274) and related requirements and guidance."

The following examples illustrate how HHS agencies used plain writing in their policies, programs, and activities to enhance transparency and accessibility of services and information that improved customer experience in 2023.

ACL's public inquiry program was a tool the agency used to enhance transparency and accessibility of information. People who wrote to ACL often did not have the skills or capacity to process complicated documents, because many were dealing with a family crisis when they accessed the ACL website. ACL referred most of these contacts to two ACL-funded national information and referral centers (one focused on older adults and the other on people with disabilities), which used plain language to help connect people to the resources they needed. For the remainder, ACL responded to each person individually, with simple but thorough background information as well as contact information for the local offices that could help them further. This was an important way for ACL to build trust with the public.

ASFR launched Simpler NOFO (Notice of Funding Opportunities) to help HHS awarding agencies increase transparency and accessibility of federal grant information to the American public. Awarding agencies broadened their interest and increased compliance with the Plain

Writing Act. ASFR worked with the Equity Technical Assistance Center to assess customer experience and satisfaction with the initiative and its ongoing work.

CDC ensured that all content on its website was 508 compliant. The agency provided many of its online resources in 37 languages other than English. Visitors reported accessibility problems via the online accessibility contact form. CDC followed accessibility best practices for in-person and online meetings. Additional examples are below:

- How to Develop Products for Adults with Intellectual Developmental Disabilities and Extreme Low Literacy: A Product Development Tool: It helped users develop communication materials for adults with intellectual and developmental disabilities and extreme low literacy. CDC conducted three webinars on using the tool. Recordings of the webinars were available on the CDC intranet.
- CDC's National Center for Immunization and Respiratory Diseases launched the COVID-19 Easy-To-Read Web Hub with 72 products.
- COVID-19 Information in Braille: CDC created braille-ready files (BRFs) with important guidance about COVID-19. Anyone can request these BRFs by sending an email to: ICTProducts@cdc.gov.
- CDC updated the COVID-19 ASL (American Sign Language) YouTube Playlist with 12 new videos.

OMHA used clear and appropriate language on its public website, including the OMHA e-Appeal Portal which allowed appellants to file Medicare Part A and Part B appeals electronically, uploaded documentation to existing appeals, and obtained timely status updates on pending appeals. OMHA conducted an annual Appellant Claimant Survey to obtain feedback on appellant satisfaction with all levels of the appeals process and used those results in establishing or updating policies, practices, and trainings. OMHA regularly trained staff to ensure that all documents were written in plain language and that the facts and ultimate disposition were clearly articulated. OMHA's policy was to use agency-approved forms and templates to ensure that written communications were consistent and included all required information.

As a high impact service provider, CMS focused on service assessments, collecting customer feedback, and making measured improvements on three designated services:

- **Getting Started with Medicare:** Over 63 million people were enrolled in Medicare insurance. CMS customer research showed that the "New to Medicare" customers did not have a smooth experience compared to existing customers and may need extra support.
- **Understanding Eligibility Results and Next Steps after the Marketplace Application:** 16.3 million consumers enrolled for coverage on HealthCare.gov during open enrollment. The number of plans to choose from made it more difficult to compare and select a plan.
- **Checking Eligibility and Applying for Medicaid:** Medicaid supported health benefits for more than 80 million people. Medicaid.gov helped to connect those seeking coverage with resources to determine their eligibility and begin their application.
- **Implemented Personalized Medicare.gov Experiences:** Improved the Medicare.gov experience for customers that were "New to Medicare" by developing and testing

personalized roadmaps. Approximately 4 million people enter Medicare each year. **Streamlined the First Step of Enrolling in Medicare:** Implemented the "Get Started with Medicare" section of Medicare.gov that provided streamlined navigation and a new wizard explaining key deadlines and coverage options. Customer satisfaction on "Get Started" increased 13 percent in 2023**.**

- **Launched Marketplace Plan Selection Decision-making Tools:** Developed and implemented improved decision tools to support customers comparing, selecting, and enrolling in Silver plans.

- **Improved Navigability of Medicaid.gov:** Launched an improved site-wide search feature, a redesigned home page carousel, an improved social section, and a new blog feature to respond to customer pain points.

- **Developed User-specific Landing Pages on Medicaid.gov:** Designed and tested customized landing pages for top customer types to assist with navigation and make it easier to find and access relevant content.

<u>Conclusion</u>

HHS's implementation of the Plain Writing Act has grown in scope and effectiveness with each year. Through persistent leadership, HHS has cultivated a plain writing culture, ensuring all new and existing documents and web content for the public, other government entities, and HHS employees were written in plain language.

If you have questions or feedback about this Report, please contact Dr. Ekaterini Malliou in the HHS Office of the Executive Secretary at <u>Ekaterini.Malliou@hhs.gov</u>.