

Colleen's¹ Recommendations for Drafting Comments to Federal Agencies

As of September, 2015

STRUCTURE: Keep it brief, easy to skim, and in plain English.

- Chances are the Federal staff reviewer spend less than 5-10 minutes reviewing the entire document. They will *skim*, not read in detail. So make it brief, and easy to find the key points while skimming.
- Every comment/ recommendation must be boiled down to a one sentence summary. (This is how CMS/HRSA will report it in the Final Rule, so we want the summary to be in our words, not theirs.) Two sentences at most.
- To make it easy to identify your key points by skimming:
 - Put a summary of your key points at the start of the document. (Often that's all that will get read.)
 - In the main text (after the summary), highlight your key points using bold, underlining, etc.

CONTENT:

- Do:
 - To the extent possible, give specific, on-the-ground examples of how a policy would impact patients and providers.
 - If you oppose a proposal, try to offer an alternative – ideally, one that will meet the agency's needs without negatively impacting health centers or their patients.
 - Frame your request (or support) in terms of how it would: increase access; improve quality; save money; improve the patient experience; ensure compliance with the statute, etc. Don't just focus on the impact on FQHC revenues or operations.
 - Use plain English. Avoid legal or technical language whenever possible.
- Do not:
 - Explain what is in the proposed reg – the people reading the comments already know this information, as they probably wrote the reg.
 - Request that the agency do something that is contrary to the statute, or that would impose a significant cost that Congress would need to (but did not) budget for.
 - Make a request that might be construed as holding FQHCs to lower standards than other providers.
 - "Let the perfect be the enemy of the good." Remember that your comments likely will only be skimmed, so making your key points succinctly is more important than perfecting a detailed analysis.

FINALLY: Keep it brief, and easy to skim. This cannot be overemphasized.

¹ Note that these are only recommendations, not hard-&-fast rules. They are offered by Colleen Meiman, NACHC's Director of Regulatory Affairs, based on her 20+ years working for CMS and HRSA, reading public comments.