

# Tips for Submitting Effective Comments

## Overview

Pursuant to 42 C.F.R. §441.304(f), the Nebraska Department of Health and Human Services (DHHS) is required to give public notice before making changes to the state's 1915(c) Medicaid Home and Community Based Services (HCBS) waivers. DHHS is also required to give public notice before making changes to the Nebraska Administrative Code. During public comment periods, the Division of Developmental Disabilities (DDD) provides the proposed document for a 30-day public comment period.

A comment can express simple support or dissent for a proposed action. However, a constructive, information-rich comment that clearly communicates and supports its claims is more likely to have an impact on program decision making.

These tips are meant to help the public submit comments that have an impact and help DDD policy makers improve proposed waivers and regulations.

## Summary

1. Read and understand the document(s) you are commenting on.
2. Attend a public information session to learn more about proposed changes.
3. Be concise but support your claims.
4. Base your justification on sound reasoning, evidence, and/or how you will be impacted.
5. Address trade-offs and opposing views in your comment.
6. There is no minimum or maximum length for an effective comment.
7. The comment process is not a vote. One well-supported comment is often more influential than a thousand form letters.

## Detailed Recommendations

1. Comment periods close at 11:59 PM, Central time on the date comments are due. Begin work well before the deadline.
2. Although DDD receives and appreciates all comments, constructive comments (either positive or negative) are the most likely to have an influence.
3. Attempt to fully understand each issue. If you have questions or do not understand part of the document(s), you may attend a public information session to learn more about proposed changes. You may also consult resources available on the [DDD Public Comment webpage](#).
4. Although DDD staff can answer your questions about the document's meaning during public information sessions or via email, official comments must be submitted by:
  - a. Completing the [DDD Public Comment Form](#);
  - b. Emailing the Division at: [DHHS.HCBSPublicComments@nebraska.gov](mailto:DHHS.HCBSPublicComments@nebraska.gov)

c. Sending via US mail to:

DDD Public Comments  
301 Centennial Mall South  
P.O. Box 95026  
Lincoln, NE 68509

5. Clearly identify issues in the posted document(s) on which you are commenting. When you are commenting on a particular word, phrase, or sentence, provide the PDF page number(s) or document section.
6. When proposed documents raises more than one concern, do not feel obligated to comment on each one. Select the issues that concern and affect you the most and/or you understand the best.
7. When you disagree with a proposed change, suggest an alternative and include an explanation and/or analysis of how the alternative might meet the same objective or be more effective.
8. The comment process is not a vote. DHHS is attempting to formulate the best policy, so when you submit a comment, it is important that you adequately explain the reason behind your position.
9. Identify credentials and experience that may distinguish your comments from others. When you are commenting in an area in which you have relevant personal or professional experience, say so. This might include stating that you are a participant, family member, provider, advocate, attorney, or other professional.
10. DDD reviewers looks for sound logic and reasoning in the received comments. When possible, support your comment with substantive data, facts, and/or expert opinions. You may provide personal experience in your comment, as may be appropriate. By supporting your arguments well, you are more likely to influence DHHS decision making.
11. Consider including examples of how the proposed rule would impact you negatively or positively.
12. Comments on the economic effects of rules that include quantitative and qualitative data are especially helpful.
13. Include pros, cons, and trade-offs of your position and explain them. Your position could consider other points of view and respond to them with facts and sound reasoning.
14. If you are uploading more than one attachment to the comment web form, it is recommended that you use the following file titles:
  - a. Attachment1\_<insert title of document>
  - b. Attachment2\_<insert title of document>
  - c. Attachment3\_<insert title of document>

This standardized file naming convention will help DDD reviewers distinguish your submitted attachments and aid in the comment review process.

15. Save a copy of your comment(s). This helps ensure you will not lose your comment if you have a problem submitting it using the web form.

## Posted Comments

After all comments are received and reviewed, DDD will consider the need for changes to the proposed document(s). DDD may choose to adopt requested changes or consider them for future action. When substantive changes are made to the draft document(s), an additional public comment period will be provided.

Following the review of all comments, DDD will publish all comments received and a response document to the DDD Public Comment webpage. Comments may be posted in their entirety and without edits.

## Form Letters

Organizations often encourage members to submit letters designed to address issues common to their membership. Organizations, including provider associations and advocacy groups, sometimes use form letters to voice their opposition or support proposed program changes. A person may mistakenly believe that by submitting a form letter, they are making a "vote" regarding an issue concerning them.

Although public support or opposition may help guide important public policies, DHHS does not make changes based on a majority of "votes." DHHS makes decisions about proposed action based on sound reasoning, supported by qualitative and quantitative evidence. A single, well-supported comment may carry more weight than a thousand form letters.

## Disclaimer

*This document is intended to serve as a guide. It is not intended and should not be considered legal advice. Please seek counsel from a lawyer if you have legal questions or concerns.*