



TEXAS BEHAVIORAL HEALTH EXECUTIVE COUNCIL

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Effectively Communicating Through Comments on Proposed Rules

The rulemaking process utilized by the Council is set out in Chapter 2001, Subchapter B of the Administrative Procedure Act. This process entails publishing proposed rules for a set period of time in the Texas Register and taking public comments prior to adopting any rule change. In an effort to enhance public awareness of this process and provide guidance on the effective use of comments in the rulemaking process, the Council would encourage those wishing to make comments to review the following information.

There are three methods for submitting comments on proposed rules, the two primary methods being written letters and emails, and the third less common method being personally appearing before the Council. The reader will note that with regard to written comments, this article refers only to letters, but the recommendations set forth herein apply to emails as well.

As a stakeholder or member of the public, a letter is an easy way for you to let the Council know your views on proposed rules, encourage them to vote your way, and let them know that you will be following an issue through the rulemaking process. Personally-written letters allow you an opportunity to present your position to the Council without interruption. With that in mind, you will want to keep the letter short and to the point, with just enough facts and figures to further enhance your statement. Never lie or make a statement you cannot back up with evidence. Always let the Council know how a proposed rule change will affect you personally, as well as the profession as a whole. If you are a licensee or own or operate a business involved in the delivery of services regulated by the Council, do not hesitate to mention that. Taking these steps will enhance your message and ensure your concerns are taken seriously.

You should also make every effort to be brief, specific, and courteous when submitting comments. Letters containing comments should not exceed one page, and the purpose of your comments should be stated clearly in the first paragraph. If your comments pertain to a specific section of a proposed rule, rather than the rule as a whole, identify that particular section accordingly. To make sure your comments are as productive as possible, always be courteous, even if you disagree with the proposed rule change or its rationale. Never threaten or use abusive language. This only hurts your cause.

When delivering comments in-person before the Council, you will want to follow many of these same suggestions. You will also want to dress professionally to convey the seriousness of your visit, arrive to the meeting in a timely manner, refrain from any disruptive behavior during the meeting, and pay careful attention to your allotted time when speaking. The Council is typically required to cover a multitude of issues during a meeting, thus disruptions will not be tolerated

and time limits will be strictly enforced. Additionally, when providing comments in-person, you will not receive any response from the Council, but may be asked questions by individual Council members. You should also bring ample materials (i.e., 13 copies) to share with the Council members if these materials bolster your point and serve as valuable reference materials. You are encouraged to submit any such materials at least 15 days prior to the scheduled meeting to give the Council members adequate opportunity for review.

One of the foundational principles in Texas government is that each citizen is entitled to provide input on any changes proposed in law. To further this long standing and important tradition, the Council encourages its stakeholders and the public to participate in the rulemaking process by submitting comments to proposed rule changes. You can review any proposed rule changes in the Texas Register, which may be accessed through the Texas Secretary of State's website. Subscription information and access to the Texas Register can be found at <https://www.sos.state.tx.us/texreg/index.shtml>.