Public Comment Management & Analysis

RIPPLE EFFECT
Work Smarter. Perform Better.®

Public comments are essential components of federal rule making. When a federal agency proposes a new regulation, it must provide the public with an opportunity to comment on it before it is finalized. Similarly, agencies often seek public comment via requests for information. As the public submits comments—many of which are technical—they must be collected, screened, categorized, coded, interpreted, and delivered back to the agency promptly. Comments vary in length and scope and the widespread use of form letters adds to the complexity of legal requirement that the agency respond to each comment. Analysts must understand the regulations, know the right keywords to search for, and grasp the context and relevance of comments to code them accurately. Agencies often partner with contractors to manage the volume and tight timelines for processing public comments.

Ripple Effect has developed a flexible solution that rapidly responds to the challenges of public comment management and analysis, while ensuring a high quality, consistent result. Ripple Effect employs an 80-person part-time analyst workforce, geographically dispersed and highly skilled in qualitative analysis, to support public comment coding efforts. When a commenting project arises, we rapidly deploy and thoroughly prepare a team to meet the size of the effort and the agency's needs. Our analysts are trained to identify proverbial 'needles in haystacks'—the valuable comments and contextual clues that can help guide revisions to a proposed federal rule or resolve requests for information.

Capabilities:

Develop Materials for Public Comment
- Draft NPRMs and RFIs
- Draft requests for public comment
- Identify audiences and key informants

Prompt Public Comment Submissions
- Publish requests on Regulations.gov or elsewhere
- Promote requests to target audiences

Prepare for Analysis
- Download comments from FDMS or Regulations.gov
- OCR conversion of PDF and faxed submissions
- Transcribe audio files for analysis
- Develop coding schemes/taxonomies
- Train analysis team on project content and background

Analyze Submissions
- Identify, parse, and code in-scope content
- Identify and catalog form letters and duplicates
- Identify commenter/stakeholder categories
- Complete quality checks on coded comments
- Summarize coded comments
- Develop comment logs
- Generate frequencies by stakeholder category

Synthesize Feedback
- Aggregate coded comments to identify themes
- Create summary reports and infographics
- Develop recommendations for responding to feedback
- Draft public comment disposition documents

Leveraging Software Tools to Streamline Comment Processing

Ripple **E**ffect **CO**mment a**N**alysis (RECON) supports each stage of the process. Our custom-designed, secure software solution is used to store, code, and summarize public comments.

Data Retrieval
- RECON can ingest FDMS bulk extracts and enables us to filter, triage, de-duplicate, cluster, search, code, and machine-classify a large volume of unstructured units of text

Coding
- Our duplicate and near-duplicate identification system was specifically developed for high-volume public comment rulemaking efforts using Natural Language Processing (NLP)
- RECON links parsed, coded comments to original submissions for ease of traceability
- Priority submissions receive dedicated attention to quickly surface key stakeholder recommendations
- RECON exports real-time comment logs and dashboards to inform customized dashboards for our clients

Synthesizing
Dynamic spreadsheets are used to aggregate and synthesize coded comments and prepare thematic results

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Our Approach to Supporting Rulemaking

Ripple Effect provides efficient and flexible expertise to assist in the rule making process during the pre-rule, proposed rule, public comment, and final rule stages. Our unique approach relies on four fundamental principles[1]:

Shared Culture and Values
We strive for cultural parity between employees of Ripple Effect and the agencies we support. Establishing rapport with agency personnel fosters trust and helps us to understand agency workflows and priorities.

Leveraging Broad Contract Vehicles
Our single-award blanket purchase agreements (BPAs) with CMS and MITRE Corporation enable short task order award times and minimize start-up steps. These BPAs streamline support to meet aggressive timelines. Pre-negotiated discounted labor rates also provide administrative ease at high value.

COI Awareness
In executing regulatory work, we maintain a hyper-awareness of actual or perceived conflicts of interest (COI), and carefully consider COI when taking on new tasks. Our staff are screened for potential conflicts on a project-by-project basis. To help ensure transparency, Ripple Effect does not engage in proprietary work that is shielded from the public domain.

Role Clarity
Making policy choices is an inherently governmental function. That boundary is always top of mind; we support agencies while working within the clear boundaries of our role.

CMS Public Comment Analysis
The High Priority Regulation and Comment Analysis Support for CMS supports the evolving healthcare regulatory landscape by providing access to fast-paced analysis of public comments, analysts with subject matter expertise, and a flexible management process. The BPA supports services for processing public comments from forums including, but not limited to, Notices of Proposed Rulemaking (NPRMs), Request for Information (RFIs), interviews, and listening sessions, as well as technical assistance such as analysis, deduplication, summarization, policy reviews, and quality management, where necessary.

[1] Bridget C.E. Dooling & Rachel Augustine Potter, "Contractors in Rulemaking" (Mar. 8, 2022) (draft report to the Admin. Conf. of the U.S.).

Public Comment Clients
- Centers for Medicare and Medicaid Services (CMS)
- Patient-Centered Outcomes Research Institute (PCORI)
- National Institutes of Health (NIH)
  - Office of the Director, Office of Extramural Research
  - Division of Biomedical Research Workforce
  - National Institute of Allergy and Infectious Diseases
  - National Human Genome Research Institute

Contract Vehicles
- GSA Professional Services Schedule (PSS): 47QRAA22D008N
  - Management and Financial Consulting, Acquisitions and Grants Management Support, and Business Program and Project Management Services (SIN 541611)
  - Marketing Research and Analysis Services (SIN 541910)
  - Option periods through 2042
- NIH BPA –75N98020A00061

- OASIS Small Business Pool 1 (Sub to IMC): 47QRAD20D1019 (IMC)
- MITRE Corporation – BPA
  - Option periods through 2026
- CMS BPA: High Priority Regulation and Comment Analysis – 75FCMC20A0021
  - Option periods through 2025

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