Testimony on a Health Policy Issue

U.S. Congressional hearings provide a unique format for contributing to healthcare debates and decisions. A hearing is a meeting or session of a Senate, House, Joint, or Special Committee of Congress, usually open to the public, to obtain information and opinions on proposed legislation, conduct an investigation, or evaluate and oversee the activities of a government department, or the implementation of a federal law. In addition, hearings may also be purely exploratory in nature, providing testimony and data about topics of current interest. Congressional hearings are generally published two months to two years after they are held. [http://www.sinauer.com/groom/article.php?id=10](http://www.sinauer.com/groom/article.php?id=10)

Testimony can have many functions, including Information gathering Investigatory, Issue visibility, and Exploratory. You will focus on the first function, and will testify in response to a request for information about a health policy issue. Your purpose is to inform legislators about a health policy issue/proble

and to persuade the audience to accept your recommendation for a solution: how to best address the problem in order to increase access to affordable, quality health care with a minimum of unintended consequences.

PREPARING TESTIMONY

- Understand the purpose of the hearings. Respond to the needs of the committee and its invitation.
- Consult with committee staff in advance — sometimes they will tell you what questions their bosses are likely to ask — these staffers often draft these questions.
- Where personal opinions are given, these should be carefully delineated: "My personal opinion is... Again, that is my personal opinion."
- Choose points that have policy relevance. Keep the language as non-technical and simple as possible. Your audience doesn't have a scientific or technical background, so write for the layperson.
- Check in advance on the desired format of the statements. Some committees require single-spaced testimony of no more than five pages; others require double-spaced testimony at ten pages.
A staff member said, "We like statements that convey facts, contain original analysis, and clearly state a position," (Working with Congress: A Practical Guide for Scientists and Engineers).

Inquire about other witnesses. It is often helpful to try to find out in advance who else will be testifying and what their key points will be. Hearings are often deliberately set up to hear opposing points of views.

http://www.ucar.edu/oga/html/advocacy/tips_on_testifying.html

THE PROCESS

Testimony is concise. For this exercise, you have 20 minutes: 6-7 minutes to present and 6-7 minutes for feedback and discussion (plus a few minutes for Norm to offer feedback for a maximum total time = 20 minutes). Congressional Testimony usually ranges from 5-15 minutes.

You will submit testimony (three to five page written summary (1.5 or double spacing) in writing prior to the ‘hearing.’ It is quite a challenge to read your testimony aloud, word for word, and yet speak as conversationally as possible. Don’t wing it! Bring a script to follow and– print the text in size 18 font so that you can glance down and see it easily. Print only on the top half of the page to prevent ‘head bobbing.’ If you prefer bullet points or PowerPoint slide, print these in large font.

There are three versions of the testimony (you will submit #2):

1. One version for the official records (official written statement). This version will appear in the official record as what you actually said rather than the shorter version that you actually spoke from. Length: 10-20 pages.

2. A shorter version to refer to while Testifying (script of verbal statement). This version should be consistent with the official written statement. Practice reading this out loud. Writing words for speaking is different than writing words for reading. Length: 3-5 pages.

3. And another even shorter version (abbreviated verbal script that takes 30 seconds – one minute to present) in case the Chairman wishes to speed things up. Time limits are not unusual, so it’s best to be prepared. Length: One 5x7 file card.

Make sure that your testimony remains focused on the issue at hand. Your testimony should be filled with passion but do not include anything extraneous. Choose three of the most important things you want to say and remain focused on those three points.

Keep your oral testimony simple. Do not include technical jargon or numerous statistics that could be confusing or detract from your main points.
Keep in mind that at any time during your testimony you could be cut off or have your time shortened. This is why it is important to make sure that you have an extremely abbreviated pitch, lasting no more than 30 seconds, practiced and prepared so that you can use it on demand as required.

When you are testifying you never know who may be in the hearing room. There could be reporters or even bloggers who may be influenced by what you have to say during your testimony.

Finally, remain polite and cordial. Do not attack anyone personally. Keep your comments on point and restricted to the issue at hand.


CONTENT

The information you need for Testimony is in your health policy brief – no need to reinvent the wheel; simply cut and paste information that fits the criteria below. The legislators will have two main questions: What is the problem and what do you want me to do about it? Answer those questions in the following format:

Opening Statements
- Thank the chairperson and the members of the committee
- Give your name and brief credentials
- Identify the group you represent
- Introduce the subject of your testimony: Tell your audience what the issue/problem is and what you want them to do about it.

Opening statements show that you are present by choice, you consider yourself an appropriate spokesperson for the occasion, and you desire to help the committee.

Body

*The cost/access/quality problem*
- Offer details about the problem/issue and its impact on access to quality affordable care
  - An anecdotal story is a good “hook”
- Present data to substantiate the problem’s impact on cost, access, quality, but don’t overwhelm the audience with statistics.

*What you want your audience to do about the problem*
- State your recommendation (solution) and describe the implications of the solution/legislation to constituent groups
- Describe the benefits the solution/legislation will produce
- Include stakeholders who share your recommendation and why (the facts that back up your position)
- Know the opposition’s arguments and be able to counter them
Conclusion

- Repeat your Recommendation
- Summarize the most important reasons/facts that substantiate your position
- At the risk of sounding repetitive – be repetitive!
- Thank the chairman and committee

PRACTICING DELIVERY

- **Sit at a table.** Place your statement in front of you, but perhaps not in your hands. *Shaky hands during testimony could cause your copy to wave like a white flag.*

- **Read aloud,** preferably before an audience. Use your voice – pitch, tone, volume, and pauses – to **highlight** words and statements. *You can practice reading to a colleague, a spouse, a child, or your dog.*

- **Mark your spot.** Use your finger to mark your spot so you can look at the “committee” and not lose your place.

- **Mark your text.** Underline key words with 1, 2, or 3 lines. *Not all words are equally important.*

- **Time yourself.** Practice both versions: *The 1-minute and the 3- to 5-minute versions.*

- **Record and listen to yourself.** *Relax and try to be conversational.* It is quite a challenge to read your testimony aloud, word for word, and yet speak as conversationally as possible. Take advantage of three ways your voice can add a conversational quality to your remarks: *pitch, volume, and speed of delivery.*

How can I enhance my delivery?

- **Eye Contact.** Don’t simply look up to scan all Members. Look up from your text *(marking your place with one hand)* and seek the eyes of one Member. When you look up again, find the eyes of another. Those sitting near the Member you are looking at will think you are looking at them as well. When you see the faces, one at a time, you will tend to speak more conversationally. Don’t be surprised if a Member is inattentive – keep trying.

- **Body language.** Body and mind should be actively engaged in communicating.
  - *Leaning back in chair = disengagement, lack of interest.*
  - *Arms crossed = defensive, uncooperative.*
  - *Hands in lap = hiding behind table.*
• **Facial expressions.** A stiff or unresponsive expression is as off-putting as crossed arms. *It doesn’t hurt to smile, especially when greeting the committee.*

• **Gestures.** Gestures can enliven your delivery and punctuate your prose with added emphasis. However, being seated limits the gestures available. Be natural in use of gestures. Every gesture should have a purpose.
  o *Raising one, two, or three fingers marks importance of major points.*
  o *Tapping finger on table marks important word or point.*
  o *Holding hand flat, palm up, indicates pleading or supplication.*
  o *Holding hand up, palm out, indicates admonishment or objection.*

• **Be concise, be clear, be simple.** Legislators are generalists; they vote on hundreds of bills. Focus on making your essential points clear. Don’t make it hard for them to understand your points. *Use no abbreviations, acronyms or jargon.*

• **What they remember.** No one will remember all you say. But people do remember –
  o Human-interest stories.
  o Concrete examples that trigger sympathetic reactions.
  o Graphic exhibits.

• **Personal touch – bring it home.** Find out which members will be at the hearing; read about their personal and political backgrounds. Know what state or district they represent, where they went to school, what professional training they had, etc. *You may be able to incorporate this knowledge in your answers to their questions, thus helping to bring a point home to them.*


**ANSWERING QUESTIONS**

**Answering strategy.** Decide in advance on a strategy for handling questions in general. Is this hearing an opportunity to convey the maximum amount of information? If so, seize every question and expound at length on your answer. However, if more information is likely to lead to more critical questions, then lean towards brief responses.

Always try to be forthright and candid. “*Candor translates into credibility in the eyes of Congress.*” Former Chief of Navy Legislative Affairs.

**Repeated questions.** Because members come and go during the hearing, you may find yourself answering the same question over and over. Will your answers be the same each time?
Weak Answers. When questions are answered with “It is under study...” or “We are reviewing that program...” the justification for the program is viewed as weak and requested funding becomes vulnerable to deletion or deferral.

Strong Answer. Be able to answer “Why this program?” in terms of cost/access/quality goals and national interests.

What if I don’t know the answer to a question? If you don’t know an answer, say so and offer to submit an answer for the record (after the hearing). Never make up an answer. And never testify above your level of expertise, or below it. For example, if you are the expert on how it works, leave it to someone else to testify on when it will be used.

Non-question. Be prepared for when a Member uses his or her time to state personal views. You may not need to answer. Ask the Member for clarification if you’re not sure. “Sir, did I miss a question?”

Some questions may be from those who oppose your position and want to expose weaknesses in your arguments. If you’re prepared, the effectiveness of those questions can be minimized. http://www.tradoc.army.mil/tpubs/misc/HANDBOOKTestifyingBeforeCongress.pdf