



**STATE OF MONTANA  
DEPARTMENT OF PUBLIC HEALTH & HUMAN SERVICES  
DEPARTMENT WIDE POLICY**

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## DPHHS Communications Policy: Media, Legislators and Constituents

### Principles of Communication

The Montana Department of Public Health and Human Services (DPHHS) is committed to informing the public on issues of importance to fulfill our mission of improving the health, well-being and self-reliance of all Montanans. We strive to achieve the balance between the constitutional right of all Montanans to know what their government is doing on their behalf and respecting all individuals' constitutional right to privacy, as well as state and federal laws that mandate confidentiality in specific situations.

DPHHS is the largest agency in state government and our numerous programs impact the lives of Montanans statewide. Naturally, due to the sheer volume of programs and number of people served, there is a high amount of interest in our work.

This policy primarily addresses the communication with the news media. However, both U.S. Congressmen and Montana Legislators make frequent requests, in addition to our constituents. (See page 4.)

**For all inquiries**, the department is committed to responding to all information requests in a timely, appropriate, and professional manner. It will give all Montanans equal access to public information, and it will do its best to ensure that all information that is released is accurate and up-to-date.

Any employee who is uncertain whether specific information being requested is public or private must contact his/her immediate supervisor. If legal advice is needed, the supervisor will make contact with the DPHHS Office of Legal Affairs.

## **News Releases**

Any employee of the department may propose a department-related news release. He/she should submit the proposal to his/her immediate supervisor, division administrator, and branch manager, as well as to the PIO, to determine whether the topic is newsworthy. If there is disagreement as to whether the topic is newsworthy, the PIO, with the department Director, will make the final determination whether to move forward with a news release.

If the proposal is approved, the employee with the greatest knowledge of the subject matter should send the PIO a draft news release or a list of facts with which to draft a release (answering the questions who, what, when, where, why, and how).

Once a draft is prepared to the satisfaction of the PIO, it will be submitted for review to the subject matter expert, his/her immediate supervisor, and the division administrator. The PIO will gain approval from the department Director, the branch managers and when appropriate the Governor's Communications Office. All news releases must include a quote from the department Director.

The DPHHS Public Information Office will issue all news releases emanating from the department, once the above approvals are received.

## **Director's Notes – Official DPHHS newsletter**

For some newsworthy items the most appropriate means of distribution is through the official agency newsletter produced by the Public Information Office called **Director's Notes**. The electronic newsletter is distributed statewide to the approximately 3,000 DPHHS employees. The newsletter features messages from the Director and relevant information from the administrators' meetings and human resources. Other submissions often include but are not limited to agency-sponsored conferences and events, employee or program awards and recognitions, new hires, retirements, reminders, fundraisers, policy changes and various other information that relate to the entire department. Both written and photographic submissions are encouraged, as the newsletter relies on contributions from agency employees statewide. **Director's Notes** submissions should be e-mailed to PIO Jon Ebel at [jebelt@mt.gov](mailto:jebelt@mt.gov). Previous editions of Director's Notes can be viewed on the OURS website at <http://ours.hhs.mt.gov/newsletters/index.shtml>

Other newsletters generated throughout the department should be submitted to the PIO prior to release for review and approval. Other agency newsletters produced include the Montana Developmental Center newsletter, the Montana State Hospital newsletter and the Chimes Times. Those publications are also available on OURS at <http://ours.hhs.mt.gov/newsletters/index.shtml>

As a courtesy, please consider notifying your supervisor and the DPHHS Public Information Office if you submit letters or guest editorials to the media on topics related to the work of the department.

If you wish to editorialize through print or broadcast media in your official capacity with the department, please follow the same procedures as those outlined above for news releases.

## **Media Inquiries**

An employee of the department who is contacted by a member of the media must refer the media representative to the PIO. The PIO and the employee will work together to 1) determine the appropriate spokesperson for the given topic, 2) schedule an interview, and 3) ensure that the reporter gets the information he/she needs in time to meet media news deadlines.

Following an interview, the employee should summarize the interview in an e-mail to the PIO, his/her supervisor, division administrator and branch manager. The e-mail should include:

- ❖ The reporter's name, affiliation, and phone number;
- ❖ The topic of the reporter's call;
- ❖ A brief synopsis of the employee's response;
- ❖ The date of the contact;
- ❖ When the story is expected to be published or aired on TV/radio.

In the event of an emergency involving the department, the department may activate its Emergency Information Center (EIC). All department staff will be notified of activation and should direct all media inquiries concerning the event to the Emergency Information Center. The EIC is located in Room 306 at 111 North Sanders. The main phone line for the EIC is 406-444-2599 and the center e-mail address is [hhsic@mt.gov](mailto:hhsic@mt.gov).

## **Montana U.S. Congressman, Montana Legislators, Constituents and Montana Open Records Inquiries**

In addition to the news media, the department receives numerous requests for information from the Montana Congressional delegation, Montana Legislators, our constituents and requests made under the Montana Open Records law. All requests are tracked using the Director's Office tracking system.

### **Montana Legislators**

Legislators frequently make information requests directly to DPHHS staff both during the session and in the interim. Requests for information from Legislators also come via Legislative Services Division (LSD) and Legislative Fiscal Division (LFD) staff. Director's Office staff

work closely with the Legislative Branch to ensure these requests are responded to in a timely fashion. Prior to responding, all Legislator information requests must be logged into the Director's Office tracking system by e-mailing the PIO. All responses must be approved by the PIO, and when appropriate the Director and Governor's Office.

### **Congressional delegation**

Members of the Montana Congressional delegation make frequent requests for information usually on behalf of their constituents. All information requests are logged into the Director's Office tracking system and responded to as appropriate.

### **Constituent requests**

DPHHS clients and other members of the general public often make information requests through the Governor's Office and Director's Office. Constituent correspondence received via this channel, or forwarded to the Director's Office from Division Administrators, are logged into the Director's Office tracking system and are responded to as appropriate.

### **Montana Open Records Requests by companies, advocacy groups, attorneys, etc.**

Under the Montana Constitution and the Montana Open Records law (2-6-102), Montana citizens are entitled to inspect and copy public writings. To ensure such requests are lawful under Montana's Constitution and statutes (e.g. Right to Know, Right to Privacy, etc.) and to ensure such requests are responded to in a coordinated manner, all requests for information should be referred to the PIO, who will then work with the Office of Legal Affairs on an appropriate response.

### **Media Campaigns**

The PIO needs to approve any media campaigns at the initial stages of development, including prior to submission of grants that would use funds to conduct a media campaign. Any program may choose to initiate a media campaign to educate the public about issues related to the program and the department's mission, if appropriate funding is available. The program manager (or designee) should notify his/her supervisor, the division administrator and the PIO prior to a decision to proceed is made or funds expended. A media campaign notification form should be filled out and turned into the PIO. The form is available on the OURS website at <http://ours.hhs.mt.gov/policiesandprocedures/dphhs.shtml>.

This form should be completed prior to requesting proposals from media firms or beginning to work in-house on the details of the media campaign. The notification includes:

- ❖ The subject of the media campaign;
- ❖ The audience for the campaign;
- ❖ The approximate dates that the campaign will run;
- ❖ The media that the campaign will use (i.e. billboards, TV, radio, print ads);

- ❖ The consultant, if any, who will be responsible for crafting the media campaign;
- ❖ The name of a contact person within the program;
- ❖ The anticipated cost of the campaign; and
- ❖ The message options being considered and why these have been chosen.

The PIO will provide the information to the branch manager and department Director for approval to proceed.

Scripts and visual and audio materials for media campaigns must be shared with the PIO for review as early as possible in their development. The PIO will report all new media campaigns and provide updates to the Director. On occasion, it may be appropriate for the program manager, supervisor, division administrator, and/or branch manager to meet directly with the Director to discuss the campaign.

All advertising and public service announcements initiated by the department must include the department logo and/or name.

When grant money is used to finance a media campaign, specific language acknowledging the grant may be included if required by the grant funding source, in addition to the department.

It is the policy of the department that its media advertising must not endorse or appear to endorse any specific political agenda, party, candidate, or issue, either:

- ❖ Directly, by advertising in support of or opposition to a political agenda, party, candidate, or issue, whether such advertising is by direct purchase or through an intermediary, or
- ❖ Indirectly, by purchasing advertising time, either directly or through an intermediary, that will or may be aired during radio or television programming about or regularly associated with political agendas, parties, candidates, or issues. Examples of such programming include but are not limited to political speeches, debates, and talk shows that advance any political agenda, party, candidate, or issue.

Language to this effect must be included in contracts with media firms or other intermediaries.

It is appropriate to air department advertisements or public service announcements during news, sports, weather, music, and other non-political programming.

### **Use of Photographs, Actors in Media Campaigns**

Incorporating photographs of people is an important element in media campaigns. Of equal importance is ensuring all individual(s) selected to represent the department in media campaigns are of the highest standard. Consequently, the department will incorporate the use of name-based

criminal background checks, when possible. This requires the individual(s) sign a release form that is then submitted to the department's Human Resources Office for processing. The PIO is the main point of contact for questions concerning the use of photographs in media campaigns.

## **Publications**

Please send a single copy of all newsletters, reports, posters and other methods of communication produced for public distribution to the DPHHS Public Information Office. Send 5 copies of all brochures and pamphlets to the Public Information Office.

All publications printed by the department must include:

- ❖ Cost disclosure information (usually provided by the Department of Administration's Print Services);
- ❖ Grant requirement language (when applicable);
- ❖ An accessibility statement: "Alternative accessible formats of this publication will be provided upon request. For further information call xxx-xxxx or TDD xxx-xxxx;
- ❖ A date (in most cases year is sufficient); and
- ❖ The department logo.
- ❖ Include a letter, message or statement from the department Director, or when appropriate the Governor in publications by submitting a draft to the PIO prior to publication.
- ❖

State agencies are required by law to send a minimum of four copies of all publications to the State Library Publications Center Coordinator. For more information, visit:

[http://msl.mt.gov/state/Submit\\_State\\_Publication/default.asp](http://msl.mt.gov/state/Submit_State_Publication/default.asp)

## Contract Requirements:

### **SECTION 18. PUBLIC INFORMATION AND DISCLAIMERS**

- A. The Contractor may not access or use personal, confidential, or privileged information obtained through the Department, its agents and contractors, unless the Contractor does so:
1. in conformity with governing legal authorities and policies;
  2. with the permission of the persons or entities from whom the information is to be obtained; and
  3. with the review and approval by the Department prior to use, publication or release.

Privileged information includes information and data the Department, its agents and contractors produce, compile or receive for state and local contractual efforts, including those local and state programs with which the Department contracts to engage in activities related to the purposes of this Contract.

- B. The Contractor may not use monies under this Contract to pay for media, publicity or advertising that in any way associates the services or performance of the Contractor or the Department under this Contract with any specific political agenda, political party, a candidate for public office, or any matter to be voted upon by the public. Media includes but is not limited to commercial and noncommercial print, verbal and electronic media.
- C. The Contractor must inform any people to whom it provides consultation or training services under this Contract that any opinions expressed do not necessarily represent the position of the Department. All public notices, information pamphlets, press releases, research reports, posters, public service announcements, web sites and similar modes of presenting public information pertaining to the services and activities funded with this Contract prepared and released by the Contractor must include the statement:

"This project is funded in whole or in part under a Contract with the Montana Department of Public Health and Human Services. The statements herein do not necessarily reflect the opinion of the Department."

- D. The Contractor must state the percentage and the monetary amount of the total program or project costs of this Contract funded with (a) federal monies and (b) non-federal monies in all statements, press releases, and other documents or media pieces made available to the public describing the services provided through this Contract.

I have read the above Policies and Procedures to be completed for Media.

I understand as a designee of the Department, I must follow all Department protocols and contracting requirements regarding any creation or publicizing of media I am involved with in my job as a Prevention Specialist.

I agree to adhere to the above requirements.

\_\_\_\_\_  
Prevention Specialist's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Prevention Specialist's Printed Name

\_\_\_\_\_  
Prevention Specialist's Agency Director/Administrator's  
Signature

\_\_\_\_\_  
Date

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Prevention Specialist's Agency Director/Administrator's  
Printed Name

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Youth Connections Management Representative's Signature

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Date

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Youth Connections Management Representative's Printed Name

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Date