

2009 Innovations Awards Program
APPLICATION

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ID # (assigned by CSG): 09-E-12PA

Please provide the following information, adding space as necessary:

State: Pennsylvania

Assign Program Category (applicant): Government Operations: Public Information (Use list at end of application)

1. **Program Name:** Opening Government
2. **Administering Agency:** Independent Regulatory Review Commission (IRRC)
3. **Contact Person (Name and Title):** Kim Kaufman, Executive Director
4. **Address:** 333 Market Street, 14th Floor
Harrisburg, PA 17101
5. **Telephone Number:** 717-783-5417
6. **FAX Number:** 717-783-2664
7. **E-mail Address:** kkaufman@irrc.state.pa.us
8. **Web site Address:** www.irrc.state.pa.us
9. **Please provide a two-sentence description of the program.**
IRRC's website is the only website in the Commonwealth of Pennsylvania that provides immediate access to all regulations promulgated in the last three years or currently under review from nearly all Commonwealth agencies. Instead of spending long hours searching through numerous sources and requesting information from state agencies, anyone can simply go to IRRC's website and instantly have a wealth of information at their fingertips.
10. **How long has this program been operational (month and year)? Note: the program must be between 9 months and 5 years old on March 2, 2009 to be considered.**
February 2008

11. Why was the program created? What problem[s] or issue[s] was it designed to address?

Prior to the creation of IRRC's new website, obtaining information on regulations was a cumbersome process that may have required the filing of legal requests with agencies promulgating the regulation under Pennsylvania's Right to Know Law. Agencies did not always grant requests within the thirty-day public comment period, moreover, making it difficult for the public to participate in the regulatory review process effectively. By putting all related information on its website, IRRC made an enormous leap in providing public access to information. Regulations, comments, and analyses are now available in almost "real-time." In addition, the public as well as government agencies can take advantage of IRRC's free subscription service, which sends out an e-mail each day to update subscribers on any new information added that day.

12. Describe the specific activities and operations of the program in chronological order.

A Commonwealth agency will propose a regulation and submit it to IRRC, which will then scan the regulation into its database. Any comments that IRRC receives from the promulgating agency are then scanned into IRRC's database. Subscribers will then be notified automatically with a direct hyperlink when documents regarding their agencies of interest are added to the database, and everyone else can check the website at any time they wish to see the documents that have been added. As updates to the regulations and approval or disapproval actions are received, IRRC scans them as well and adds them to the database. All information appears on the website on a near "real-time" basis, providing for almost instant accessibility.

13. Why is the program a new and creative approach or method?

Prior to the website's development, interested parties had to read through the *Pennsylvania Bulletin* (Pennsylvania state government's weekly "gazette") and other Commonwealth documents constantly to keep aware of any proposed and final-form regulations. To find additional information, people had to follow a lengthy process involving legal requests and waiting periods or travel to Harrisburg. The website practically guarantees that the public has access to any and all information concerning regulations within fifteen minutes of IRRC receiving it. IRRC is charged with keeping the public informed, and this website catapults IRRC to the forefront of public access to information. Subscribers receive notices on regulations stemming from any agency in which they are interested, ensuring that they will be constantly informed of any updates in the field of regulatory review. Instead of having to recreate a similar database, Commonwealth agencies can now use [IRRC's website](#) to obtain information for their own benefit and can direct the public to IRRC's website as well, saving the agencies a significant amount of time.

The website also demonstrates the new emphasis on going green. All information is available on the website or through a subscriber's e-mail inbox, thereby eliminating the need for the large volume of paper that would have otherwise been needed to produce copies of the documents and complete other paperwork that previously would have been necessary to complete legal requests for access. Not only does the website greatly help to improve public access to information, it makes that information available in an environmentally-friendly style.

14. What were the program's start-up costs? (Provide details about specific purchases for this program, staffing needs and other financial expenditures, as well as existing materials, technology and staff already in place.)

Because IRRC already had an existing maintenance agreement for its website, IRRC did not have to pay any additional costs to redesign the site. IRRC spent \$22,800 to hire a consultant to provide the mechanism by which the database exports information to the website and to provide the e-mail subscription availability. IRRC also paid a consultant \$6,750 to link the website to the database. In order to expedite the scanning of information into the database, IRRC purchased a W7675PC Copier equipped with "DocuShare" technology for \$25,449.

15. What are the program's annual operational costs?

Costs come from the existing maintenance agreement for the website and from maintaining scanning capabilities as well as annual support. The existing maintenance agreement totals \$25,000 per year; however, this sum encompasses additional aspects of IRRC's operations and not just the website. Maintaining the copier with scanning technology costs \$1634.76 per year. The annual support for Smart Document Travel is \$740, while annual support for the DocuShare technology is \$4,500.

16. How is the program funded?

IRRC receives an annual operating budget (less than \$2.2 million) from the state budget. The operating budget supports the entire cost of IRRC's staff and activities as well as the website.

17. Did this program require the passage of legislation, executive order or regulations? If YES, please indicate the citation number.

No. While IRRC was initially created in 1982 by the Regulatory Review Act, this program simply enables IRRC to fulfill its duty to make the process of regulatory review more transparent and did not require any additional legislation, executive orders, or regulations. IRRC saw an opportunity to provide "real-time" information to the public and undertook this website project on its own.

18. What equipment, technology and software are used to operate and administer this program?

The program requires a scanner in order to scan documents into the databases. IRRC uses a W7675PC Copier equipped with DocuShare technology to meet this need. The website uses both an internal database as well as a mirror database that simultaneously receive documents as they are scanned into the system, and the databases refresh themselves every fifteen minutes to ensure that the public has access to any new information in almost "real-time." The website also makes use of a subscription feature that automatically notifies subscribers when new regulations or comments in their field of interest are scanned into the system.

The SQL server used for the website is a Dell PE2650. The software used to operate the server is Windows 2003 Enterprise Edition, IIS 6.0, Red Hat Enterprise Linux 4.0, IBM DB2 UDB Version 8, ColdFusion MX 8, and SmarterStats 3.

19. To the best of your knowledge, did this program originate in your state? If YES, please indicate the innovator's name, present address, telephone number and e-mail address.

Yes. No other state has an independent agency that is charged with reviewing all state regulations from an independent perspective, giving IRRC a unique opportunity. When IRRC changed Executive Directors in 2005, the idea to overhaul IRRC's website to make it more user-friendly and to make public documents more easily available was put into action. IRRC first devised the idea of putting all regulations and regulatory comments on the website and then proposed the idea of providing a subscription service to simplify the process even further. Not only would people be able to access the information they needed instantly, but they could receive information on only those topics that were of the most interest to them and could be instantly notified if new information was added to IRRC's database. Prior to the introduction of the new website, IRRC's website contained very little information.

To create the new website, IRRC used staff from the Legislature's Data Processing Center to act as operator for the site but hired SRC Solutions to provide technical support service for the program. SRC Solutions provided the technology needed for the mirror database and the subscription feature that IRRC originally proposed.

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20. Are you aware of similar programs in other states? If YES, which ones and how does this program differ?

No. While some states, such as Virginia, have regulatory databases online and offer a subscription service, those databases are not as extensive as IRRC's database. Because IRRC is unique in that it is an independent agency, IRRC has a unique opportunity and distinctive resources to create a website with all of the specifications that IRRC offers. The subscription service provides users with a wide range of options, distancing IRRC and Pennsylvania from other states.

21. Has the program been fully implemented? If NO, what actions remain to be taken?

Yes. All that remains is the constant scanning of documents into the database as they arrive. The infrastructure of the website, however, has been established. As technology permits, IRRC expects to make additional website enhancements to stay at the forefront of information-based sharing.

22. Briefly evaluate (pro and con) the program's effectiveness in addressing the defined problem[s] or issue[s]. Provide tangible examples.

IRRC's website has been extremely effective in addressing the problems concerning public access to information. Previously, the public had to endure difficult searches and lengthy waits in order to acquire information on regulations. Now, however, the public has access to all regulations and comments within minutes of IRRC receiving them. The website eliminates the need to travel to Harrisburg to read through numerous Commonwealth documents as well as the possibility of the need to file legal requests under the Right to Know laws, which many times take more than thirty days. Now, people can simply go to IRRC's website and click on "Search for a regulation" under the "Proposed and Final Regulations" heading to be instantly connected to the database. Users can then search for regulations in many different ways, whether it be by agency, regulation number, regulation title, or

keyword. People can also elect to receive automatic notifications when action is taken on a regulation of their interest.

As successful and effective as IRRC's website has been, however, the website has also encountered some problems. Because comments submitted during the public comment period are public information, IRRC's policy is not to redact or change the comments it receives. This policy has proved problematic in certain instances because people are unhappy upon the discovery that their personal information is on the Internet. In response to a State Board of Education regulation, for example, one writer submitted a comment that included the locations where her children went to school and demanded that it be removed from the website; however, IRRC would not remove the comment because it was public information under the Regulatory Review Act. Another problem is that current software does not enable handwritten comments to be text-searchable; eliminating this problem is one of IRRC's goals for the future. Because all information is added to the website by IRRC staff, human error is a potential problem as well and could cause documents to be placed in the wrong folder or area of the website.

23. How has the program grown and/or changed since its inception?

Generally, enhancements have been user-driven; however, IRRC has added additional related documents and expanded the subscriber information. Originally, only proposed and final-form regulations and public comments submitted during the public comment period were added to the website. IRRC had a great deal of correspondence between itself and the legislative committees and state agencies that occurred outside the public comment period, however, and wanted to make that correspondence available to the public as well. IRRC added the "Related Documents" section so that these other forms of commentary are now fully accessible as well. Plans for the near future include adding a docket as well as a section for press releases.

24. What limitations or obstacles might other states expect to encounter if they attempt to adopt this program?

Pennsylvania is unique in that it is the only state to have a single independent agency that deals entirely with regulations and acts as a clearinghouse for all executive agency, state board, and commission regulations. IRRC therefore had a unique opportunity to make regulations and accompanying documents more accessible. The technology that IRRC utilizes, however, would be easily transferrable to any agency that wishes to make public information or other information that they capture more accessible and could be easily replicated.

Other states could face several obstacles if they attempt to adopt IRRC's program. First, given the current economic crisis, many states may not have the funds needed to hire consultants and purchase the technology needed to implement such a program. Secondly, states could experience contracting issues when hiring a consultant. Finally, a significant percentage of the population faces Internet accessibility issues. While that information is on the website and available to the public, not everyone is able to access that information. That being said, however, the basic technology and concept behind IRRC's website could be easily transferred to any state expressing the desire to keep its people informed.

2009 Innovations Awards Program Program Categories and Subcategories

Use these as guidelines to determine the appropriate Program Category for your state's submission and list that program category on page one of this application. Choose only one.

Infrastructure and Economic Development

- Business/Commerce
- Economic Development
- Transportation

Government Operations

- Administration
- Elections
- Public Information
- Revenue

Health & Human Services

- Aging
- Children & Families
- Health Services
- Housing
- Human Services

Human Resources/Education

- Education
- Labor
- Management
- Personnel
- Training and Development
- Workforce Development

Natural Resources

- Agriculture
- Energy
- Environment
- Environmental Protection
- Natural Resources
- Parks & Recreation
- Water Resources

Public Safety/Corrections

- Corrections
- Courts
- Criminal Justice
- Drugs
- Emergency Management
- Public Safety

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CSG Innovations Awards 2009
The Council of State Governments
2760 Research Park Drive, P.O. Box 11910
Lexington, KY 40578-1910

Contact:

Nancy J. Vickers, National Program Administrator
Phone: 859.244.8105
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The Council of State Governments
E-mail: nvickers@csg.org

This application is also available at www.csg.org, in the Programs section.

Deadline: March 2, 2009