

# Legislative Advocacy 201: Advocating for State and Federal Legislation

April 25, 2012



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# Agenda



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- How a bill becomes a law in a state
- Federal Advocacy



# How a bill becomes a law in a state: the Maryland concussion law



# The beginning: January 2010

- Organizations involved
  - Children's National Medical Center
  - Lifebridge Health (Sinai Hospital)
  - Brain Injury Association of Maryland
- Identifying champions
  - Delegate Karen Montgomery
  - Delegate Kirill Reznik
  - Senator Mike Lenett
  - Senator Bobby Zirkin



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# The legislation: Zackery Lystedt Law

- Enacted in the State of Washington: 2009
  - 9 states have enacted similar legislation in 2009-2010
  - 19 states and the District have enacted similar legislation in 2011
- Principles of legislation
  - Education of parents, student-athletes, coaches and other key school personnel
  - Automatic removal from field
  - Written return-to-play



# Forming coalition of support

- Stakeholder support
  - Maryland Psychological Association
  - Maryland Athletic Trainers Association
  - Medchi, the Maryland State Medical Society
  - Maryland Hospital Association
  - TraumaNet
  - Safekids
  - Emergency Nurses Association-Maryland Chapter
  - US Lacrosse
  - USA Football
  - Howard County
- Raising awareness



# Hearings

- House of Delegates
  - Ways & Means Committee
  - Health and Government Operations Committee
- Senate Environment, Health, and Education Committee
- Stakeholder work
  - Preparing talking points for bill sponsors
  - Providing statistics
- General rules for hearings





# The opposition

- Maryland State Department of Education (MSDE)
  - A duplication of actions that they have already taken to distribute educational materials to coaches, athletes, and their parents: proper implementation response
  - Administrative burden
- Immunity provisions
  - Insurance requirements for parks & recreation sports
  - Immunity to voluntary providers



# The amendments

- Discussion among stakeholders about amending the bill
  - Core principles identified
  - Immunity provisions



# Overcoming the opposition

- Outreach to key legislators
  - Delegate Sheila Hixson
  - Delegate Anne Kaiser
- Modes of outreach
  - Coalition letters
  - E-mails
  - Lobbyist outreach
  - Being lobbyists!
  - Grasstops outreach



# 2010: running out of time!

- Senate passage of legislation
  - Approximately one week left in session
- Action needed by Ways & Means Committee
- Craziess of April in Annapolis!
- Session ended without bill passage



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# The interim

- Re-convene coalition
  - Re-visit legislation and principles
  - Address coalition concerns
  - Draft revised legislation
- Secure sponsors
  - Delegate Hixson
  - Delegate Kaiser
  - Delegate Derrick Davis
  - Senator Joan Carter Conway
- Meet with MSDE



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# 2011 hearings

- Same committees
- Student-athlete participation
- Keeping brief panels



# Raising the profile: the press conference

- Help from legislative staff
- Having legislators attend
  - Last-minute availability
  - Providing talking points
- Importance of PR team
- Press release/press packet
- Student-athlete
- NFL involvement



# The subcommittee process

- Breaking through the noise
  - More informal
  - Having experts there
- Reaching out to MSDE
- Special small-group meeting
  - Designating 1 or 2 representatives
- Hammering out details
  - Who applies to
  - Who signs return-to-play
  - Immunity provision
  - Who oversees implementation (schools v. local governments)





# Healthcare provider provisions

- Who should sign return-to-play?
  - Training in concussion management
  - Access to care
- Medical community push



# Heading towards the finish

- Subcommittee approval
  - Committee approval
  - Sent to HGO
- Concern from HGO
  - Confusion over term “suspected of concussion”
  - Mobilized experts quickly
  - Sponsor influence
  - HGO approval
  - Full House of Delegates approval
- Communication with Senate
  - EHE approval
  - Full Senate approval
- Full approval



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# Bill signing

- Pre-determined schedule
  - Very short notice
- All leadership present
- Opportunity for stakeholders to come together
- Photo opportunity



# Major lessons

- Identify key decision-makers (legislators)
- Sponsors matter
  - Developing relationships with staff
- Engaging opposition
- The importance of student-athletes
- Raising the profile



# Lessons involving stakeholders

- Constant communication
  - Managing expectations
  - Don't come on too strong
- Decide on principles of legislation
  - Use as bargaining
- Try and address any opposition
  - You won't make everyone happy!
- Mobilizing grassroots/grasstops



# Federal Legislative Advocacy



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# Federal Calendar

- January Through July
- August Recess
- September
- End of Federal Fiscal Year Implications



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# Federal Calendar

- October – November
- Election Year v. Non-Election Year Implications
- December
- December Recess





# Types of Federal Advocacy

- Policy Changes
- Program Authorizations
- Federal Appropriations



# Federal Level Distinctions

- Access to Members of Congress less likely
- Access to Staff more likely – which in some cases is advantageous
- Do not discount the importance of meeting with staff
- Year-round access given proximity within the Nation's Capitol



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# Effective Approaches

- Fax v. letter v. e-mail
- Bad subject line v. good subject line
- Short and sweet – get to the point fast
- Do be flexible about meeting time, but not TOO flexible



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# Personal Meetings - Preparing

- Morning of the Meeting – Confirm and remind about the Meeting
- Arrive very early – lots of security delays and no where to park on Hill
- Study the House and Senate Buildings
- Bring business cards and one-pager
- Be prepared to have the meeting cut short – elevator speech



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# Post Meeting Follow-Up

- Thank you! Message – 2 Steps:
  - E-mail staff with relevant attachments,
  - Fax letter to boss about staff
- Follow-up as appropriate – brief “soft touch” approach
- Cultivate relationships year-round - don't wait until you need something!
- 3 Ways to be a Resource to Congressional Offices



Questions?



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