



## SECTION SEVENTEEN

# THE LEGISLATIVE SEMINAR

A legislative seminar is a meeting sponsored by a state ACEP chapter that focuses on the legislative interests of that chapter. Its purpose is to educate physicians and promote the chapter's legislative agenda to elected officials, legislative staff, and regulatory agencies. These seminars have proven to be extremely valuable in advancing the issues important to emergency medicine at the state level, and chapters that have held such meetings have found that they often become one of their best-attended educational functions.

### Advantages

There are several advantages to holding a legislative seminar. It is an excellent opportunity to educate the membership about a chapter's legislative and policy initiatives and increase the members' understanding of the political process. Members then can visit and educate elected officials and their legislative staffs on pending bills that could affect patients and the practice of emergency medicine in their state and on other issues of concern to the chapter. Meetings such as these can solidify physician commitment to the chapter's legislative agenda. They are excellent opportunities to recruit colleagues into state "key contact" programs, because members who attend legislative seminars are individuals who tend to become more involved in chapter activities. Finally, an annual legislative seminar

will increase ACEP visibility at the state capitol with legislators, regulatory officials, and their staffs, which can be extremely valuable in achieving the chapter's future political goals.

### Overall Organization of the Meeting

The chapter's board of directors must decide if the legislative seminar is to be a one – or two-day event. The board also should appoint a chapter member or chair of an appropriate committee (such as the chapter's legislative or government affairs committee) to plan and coordinate the meeting. Chapters must commit time and some resources, but these seminars can be held at minimal expense; some chapters spend as little as \$200 for an entire meeting. As with any chapter educational or lobbying activity, the board will need to determine a budget in advance.

If time or resources are limited, a one-day event is the most reasonable choice. This format usually starts with a morning session, during which the chapter's political goals and objectives are presented and discussed. Legislators and other policy makers also can be invited to this morning session to make presentations on topics pertinent to these goals. The afternoon should be reserved for members to visit their elected officials or other key members of state government.

A two-day legislative seminar allows for a more extensive educational program and can focus on a specific topic of interest to the chapter. For example, the second day of the seminar can focus on the issue of firearm violence, family violence, trauma system funding, or helmet laws. Legislators can be invited to make presentations about their pending or proposed bills relating to the topic. Speakers both for and against the issue can be invited to express their views or participate in a panel discussion on the topic. With the longer seminar, it is usually possible to hold related chapter activities, such as a board of directors meeting, state political action committee board meeting, or other related committee meetings (for example, legislative/government affairs). A two-day event also affords more latitude in scheduling legislative speakers and member visits to their elected officials.

### **Timing of the Seminar**

The chapter must decide on the most advantageous time to conduct the conference. The scheduling is usually dictated by the legislative calendar. Obviously, a meeting of this type should be held when the legislature is in session, or else there will be few or no legislators to visit and fewer influential individuals available to speak. If the chapter has a bill under consideration, consult with the sponsors of the legislation to determine the best time to have members at the capitol to lobby for the measure. The rules concerning debate and consideration of bills in committee and on the floor of the legislature will vary from state to state, so be aware of the time that your chapter's bill may be facing a crucial vote and try to schedule your meeting accordingly. A chapter lobbyist, if available, can be an invaluable resource in determining the best timing for a legislative seminar.

### **Location of the Seminar**

It is usually best to hold this meeting at the state capitol or in nearby facilities. Rooms may be available in the capitol building or in adjacent government offices at little or no cost if they are reserved through a legislator. Check

with the staff of a state legislator, your chapter's lobbyist, or the state medical association for information on the possibility of using these facilities. If such space is not available or for sessions requiring larger facilities, a hotel near the capitol, especially if legislators or their staffs frequent it, is usually a good choice. Other organizations, such as the state medical or hospital association, also may have a convenient building available for sessions. With little effort, some type of facility usually can be found that will meet the chapter's needs at minimal or no expense.

### **Organizing the Program**

The individual or committee in charge of the seminar will need to decide on the program's agenda. If possible, the agenda should be prepared several months in advance to allow sufficient time to schedule the most appropriate speakers. Once the chapter's board of directors approves the program, the organizing physician or chapter staff can begin to contact the legislators being considered as potential speakers. If the legislator has an appointments secretary or scheduler, it is generally best to talk to this individual first to ascertain whether the legislator is available on the proposed date. If there is no secretary or scheduler, call the legislator directly, obtaining the telephone number from the capitol operator or from the headquarters of the legislator's political party.

Try to invite speakers from the legislature based on their leadership positions, committee assignments, or their history as an ally of the chapter's activities. You also may wish to invite those elected officials identified as "rising stars" in the legislature because their exposure to ACEP at this stage of their careers could prove valuable in the future. If a legislator agrees to participate, a letter confirming the date, time, location, and topic of the speech should be sent, along with any written materials that you could provide about your chapter and/or national ACEP. It is sometimes helpful to have an emergency physician who is a constituent of the legislator reinforce the invitation with a telephone call or letter.

As the date of the seminar approaches, it is important to maintain close contact with the legislators or their schedulers to be certain that they are still able to honor their commitment. Like physicians, legislators tend to lead chaotic, busy lives, especially during the legislative session, and they frequently have to make changes in their schedules at the last minute. The key to any legislative seminar's speaking program is flexibility. Be prepared to change speaking times on short notice. It is always a good idea to have a back-up presentation (or two) available just in case a legislator is forced to cancel.

In addition to elected individuals, other government officials, including members of the governor's staff, heads of state agencies, regulatory officials, or others with jurisdiction over issues that could affect emergency medicine, can be invited to speak. Other candidates to consider as speakers are political journalists/commentators from the print and electronic media, who can give interesting "insider" views of the legislature. The State Legislative Office staff or members of the State Legislative Committee may be available to provide presentations on several topics of interest to emergency physicians.

Written materials you may want to provide seminar attendees include the following:

- Agenda
- Brief biographies of the speakers
- The chapter's and national ACEP's policies, position papers, or talking points on relevant issues
- Recent media articles on relevant issues
- Capitol map
- Directory of legislative offices and telephone numbers
- Lobbying tips
- Key contact report form
- Seminar evaluation form

Examples of chapter legislative seminar materials are available from the State Legislative Office.

## Organizing a "Special Issue" Session

If time is available, in addition to political speakers, you may wish to choose a single issue to serve as the focus of a "special issue" or "special topic" session at the seminar. Although tying the issue to one of the chapter's major legislative initiatives is ideal, the topic need not be related to the chapter's current political goals. Reimbursement issues, the impact of managed care on emergency medicine, violence-related topics, or public safety issues are just a few examples of subjects that could be addressed.

Once a topic is chosen, invite speakers with a special interest or expertise in the area. These could include legislators with pending bills related to the topic, individuals from appropriate government agencies, experts from the academic community, or practicing emergency physicians. If appropriate, those with opposing views also could be invited to speak. If the issue is topical and newsworthy, members of the media can be invited to participate and/or attend the session. If the issue and speakers are chosen carefully, a special topic session can provide a great deal of positive publicity for the ACEP chapter and its political goals.

## Organizing Member Visits to Legislators

The major focus of any legislative seminar is direct contact between legislators and their constituent emergency physician. These visits are often key to the success of a chapter's legislative agenda and are the cornerstone of grassroots political activity. Although it is true that many laws and policies are determined by "back-room" political wheeling and dealing, the power of a visit by a constituent (or even better, a number of constituents) to a legislator should never

be underestimated. Seminar organizers should check the legislative calendar and plan the program agenda so that visits can be made at the most opportune time, and not when the legislators are scheduled to be in active session.

Appointments to visit legislators must be made in advance. All chapter members who will attend the legislative seminar should be advised by the organizing committee or chapter staff to contact the office of their state representatives and senators to arrange for appointments. The Legislative Record Match Service provided by the State Legislative Office can be helpful in organizing these appointments prior to the seminar. If more than one member will be visiting a legislator, these visits should be combined or at least coordinated by someone at the chapter. There should be a specific time for these meetings in the seminar agenda, but flexibility is again essential due to the unpredictable nature of the demands on a legislator's time. The physician must understand that even if the legislator is not personally available, a productive and valuable visit still can occur with the legislator's staff.

If possible, the chapter's lobbyist or legislative committee chair should provide a brief overview of the chapter's legislative program and goals to all members prior to the legislative visits. Any emergency physician with an established or special relationship with any elected official should try to visit that individual. Key contacts should establish or renew contacts with their assigned legislators. Newcomers to the process ideally should be accompanied by a more experienced member on their first visit, or have an arrangement to observe a "veteran" physician before meeting their legislator. If possible, it is valuable to provide participants with brief background information about their legislators and their voting

histories (friend or foe) on medical matters. Printed material may be available from the legislator's staff, or the state medical association.

In addition, all physicians who will be visiting an elected official should understand the basics of interacting with their state legislators, a topic covered in more detail elsewhere in this Guide. Remind members that they are expected only to have a brief and friendly interaction with their legislator and to provide basic information about themselves, their chapter, and emergency medicine in general. Every legislator probably has had an experience – good or bad – in an emergency department, and the physician will likely hear about it.

Specific concerns of your chapter can and should be discussed, but physicians must not argue, demand compliance, or threaten legislators if they do not agree with a particular point of view. Members must always be polite, even if the legislator is hostile. If a physician disagrees with, or does not feel comfortable defending the chapter's official position on an issue, that member should not make a legislative visit as a representative of the chapter. Money issues, such as personal donations or political action committee contributions, should never be addressed, especially if legislation important to the chapter is being discussed at the same visit. Printed material on the chapter's position should be available to give to the legislator, if requested.

After the visit, a physician should complete a "debriefing" sheet. This report should include a brief written summary of the visit, the topics discussed, and any definitive statements made by the legislator concerning issues important to the chapter. Any request by a legislator or staff member for more information should be relayed to the

organizing committee or chapter staff, and the information should be provided as soon as possible.

### **Related Activities**

Depending on time and space availability, other functions can be scheduled in conjunction with the legislative seminar. As mentioned before, these might include a chapter meeting, board of directors meeting, political action committee board meeting, related chapter committee meetings (for example, government affairs committee, emergency medical services [EMS] committee, or reimbursement committee), or joint meetings with other professional associations. A legislative reception can be held, using the guidelines provided elsewhere in this Guide. If a social program or meal function is planned and legislators or other government officials are to be invited, review the lobbying and disclosure laws of your state to be sure that the chapter complies with all applicable regulations. Your chapter's lobbyist or the state medical association can be a valuable source of information on these regulations.

### **Emergency Medicine Day**

One technique to maximize the effectiveness of your chapter's legislative seminar is to hold it in conjunction with "Emergency Medicine Day" or "Emergency Medical Services Day." This is a specific day officially proclaimed by the governor to honor those who provide emergency medical services to the public. The specifics of obtaining such a proclamation are covered elsewhere in this Guide.

If staff and member support is available and if it is part of the chapter's legislative strategy, Emergency Medicine Day can be promoted by distributing press releases to legislators and to the media a day or two prior to the event. These releases should contain information about emergency medicine,

and can announce that emergency physicians will be at the capitol on a certain date to speak to legislators on issues affecting patients and the specialty.

It is often useful to create a theme for Emergency Medicine Day. Examples could include "Emergency Medicine, the Safety Net for Health Care" or "Emergency Medicine, Treating Every Disaster, Every Day." If a theme is to be used, buttons and banners proclaiming it can be produced and distributed and are generally effective public relations tools.

If Emergency Medical Services Day, honoring all emergency care providers, is the proclamation, it may be appropriate to coordinate activities with other organizations, such as the Emergency Nurses Association, paramedics, and various EMS groups. These organizations often can provide exhibits to display at the capitol and usually can bring in large numbers of members to assist with planned activities. If several groups are involved in the effort, all should decide jointly in advance which will be primarily responsible for planning and coordinating the event; be sure that all members understand their roles and responsibilities.

Financial contributions can be solicited to help defray the expenses of a legislative seminar and Emergency Medicine Day activities. Emergency physician groups, billing companies, pharmaceutical firms, and medical equipment companies sometimes provide funds for this type of program. All contributions should be acknowledged in the seminar's printed material and / or in the chapter newsletter.

As with any chapter activity, the success of an Emergency Medicine Day program will depend on the amount of time committed by members, staff, and volunteers to plan, coordinate, and host the event. Lack of organization could cause legislators, regulators, and their

staffs to lose respect for emergency medicine, thus ultimately harming the chapter, its members, and its legislative goals. If a chapter chooses to hold an Emergency Medicine Day program at the capitol, it should take great care to plan it carefully and to do it well. The rewards are usually well worth the effort.