



Congratulations!

If you are using this toolkit, it is likely that you are plunging (or have already plunged) into the whirlpool of political action. It is an exciting and sometimes scary undertaking, but its rewards will far outweigh the effort.

You are a leader in the profession and your actions will help to protect the public we serve. We commend you for taking up this challenge, and provide this guide as one of the many tools available at the National Athletic Trainers' Association (NATA) to help you.

Athletic trainers are regulated in 49 states. As the profession has evolved, it has become critical that regulation becomes more standardized and is effective in all jurisdictions.

The National Athletic Trainers' Association benefits from the commitment and involvement of its members, and that dedication is evident in this legislative toolkit. It is truly an example of members making it happen. Thanks go to the entire NATA Governmental Affairs Committee and leadership.

The NATA, through its Board of Directors, Governmental Affairs Committee, and staff stand ready to assist you. Please contact us for additional information or resources.

Sincerely,

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## I. Government Relations

One person can influence local legislation and, at times, one person can affect state or federal legislation. One person can almost always organize many people and those people, speaking as one voice, can have a profound political impact.

This toolkit provides information about the legislative process and how to use the process to affect legislation at the state level. Because no two legislatures operate in exactly the same fashion, and because the cultures and schedules vary widely, this information is necessarily of a general nature. So, it would be wise to become familiar with the formal and informal structure of your state's legislature. (*See the Resource section of this Toolkit for tips on how to get needed information.*)

Hiring a lobbyist to represent you does not eliminate the need for you to know how the process works, though he or she can be expected to know the legislative rules and process inside and out. A professional representative will advise you on some of the more arcane rules and how best to steer your bill through.

One word of caution: Once legislation is introduced, it becomes the property of the legislature and, at times, of the committee to which it is assigned. "Ownership" of the bill may become a bit fuzzy; unfavorable amendments may be forced on the author; the bill may become untenable to the very group that initially sought its passage. It is for these reasons that no group undertakes to change an existing practice act ("open up the practice act") without a close examination of the potential downside. Having said that, it is often advisable and even essential that practice acts be updated.

### State Legislatures

State legislatures are thought of more as the "people's" government than is Congress in that serving as a state legislator is rarely the sole occupation. Most state legislators earn their living through other vocations.

Because of increased complexity of public policy questions, the urgent need for answers to those questions, and federal deregulation, state legislative and regulatory bodies have gained prominence for innovations and ability to enact change. State legislatures and regulatory agencies have taken over many responsibilities once managed at the federal level. Former federal programs are now state run and states develop and implement new programs to meet the needs of their citizens.

### Terminology

Terms may be familiar, but to avoid confusion here are clarifying definitions.

- *Statute* – It's the law, already enacted by the legislature.
- *Bill* – A proposed statute pending in the legislature and subject to amendment before it makes its way to the Governor's desk for signature.
- *Legislation* – See "Bill"

- *Regulation* – It's a rule, made by a regulatory agency or rulemaking body such as a licensing board. Members of regulatory bodies are usually appointed by the Governor or Legislative leadership.
- *Administration* – The Governor and gubernatorial appointees/staff.
- *Member* – An elected official, a member of either the House/Assembly or Senate
- *Constituency* – Voters who live in the legislator's district.
- *Exemption* – The state statute specifies that athletic trainers are exempt from licensure or other regulatory requirements of the law.
- *Registration* – Recognition by the state that athletic training is a profession, and a mechanism for the state to keep track of those individuals who hold themselves out as athletic trainers. Some states use the term registration but the AT act is essentially licensure if it includes educational prerequisites, a scope of practice, and penalty for violating the act.
- *Certification* – More structured than simple registration, certification generally limits athletic training to BOC-certified individuals. Some states use the term certification but the AT act is essentially licensure if it includes educational prerequisites, a scope of practice, and penalty for violating the act.
- *Licensure* – The most defined category of regulation, the requirement for a state license sets out minimum education, provides for an examination or other approval process, and defines the scope of practice of athletic training. License revocation requires due process.

## Structure

While state legislatures are structured similarly, no two operate in exactly the same manner. Most state legislatures are comprised of two chambers: a lower house generally called the House of Representative (or the Assembly) and an upper house called the Senate. (Nebraska's legislature is the only unicameral or single chamber, legislative body. Its members are Senators.) Though there may be two houses, the legislature may act procedurally as one; e.g., in Connecticut, all legislative business is conducted by joint committees of both houses, significantly reducing the number of hearings each bill will receive. The District of Columbia is governed by its City Council.

A demonstration of how a seemingly similar legislative process may vary from state to state is in how bills are written. While Congress writes omnibus legislation that may encompass wide-ranging subjects such as military spending, environmental issues, and health care, state legislatures more often limit bills to one topic. Called the rule of "germane," amendments to the bill may be resisted on the basis that they are not related to the main topic. Given sufficient political or public policy import, however, legislative leadership may bend the rules to expediently achieve its goals; keeping a sharp eye out for changes that affect you is always a good idea.

## Operations

Legislative sessions vary greatly, some may meet for only 30 - 90 days. Several states with large urban populations basically meet year round.

Legislative sessions generally convene in January and adjourn in April or May. Several states convene two-year sessions in January, adjourn, and convene again for a short term the next February or March. Others are constitutionally limited to biennial sessions, though there may be off year meetings at which only topics specifically noted may be considered.

## The Legislative Bodies

There are differences and similarities between the lower and upper houses.

The differences are:

- The “lower” legislative chamber (House or Assembly) is the numerically larger chamber;
- Members of the “upper” chamber (Senate) serve a larger constituency (usually both numerically and geographically) than do members of the lower house; and
- Members of the upper chamber generally serve longer terms of office.

The similarities between chambers are that they:

- Are about equally powerful;
- Have similar workloads;
- Have virtually parallel committee structures; and
- Provide information and assistance to their district’s voters.

## **Legislative Staff**

Legislative staffing is quite different at the state level from that of Congress. Members of Congress have *personal staffs* and, if they chair a committee, a committee staff.

Most state legislators do not have a large staff, if any. They may even share staff. A member of a state representative’s staff may deal with legislative matters in the state capitol and casework in the home district.

Regardless of the size of the staff, and whatever their duties, they play an important role in your ability to contact a busy legislator in either Washington or your state capitol. Treat them with respect and courtesy.

## II. How a Bill Becomes Law

Laws begin as ideas: from a member of the legislature; from the governor; from the legislative body itself; from any citizen. Legislators often react to fix problems identified by the media or by major events such as natural disasters or high-profile legal decisions.

As noted in the previous section, most legislatures allow for the pre-filing of bills and some establish deadlines for the introduction of bills. Others limit the number of bill that may be introduced each session.

### **Bill Introduction**

Bills are “constructed: by the legislature’s legal counsel. Though a legislator or special interest group may provide draft language, counsel will revise it to fit within the construct of existing law.

The first formal step in the process is for the clerk or secretary to read the bill and assign it a number. The bill is then referred to the committee(s) with jurisdiction over the subject matter.

The title of the bill may influence the committee the bill is assigned to. (“An Act for the Licensure of Athletic Trainers” probably will be assigned to a professional regulation committee. “An Act to Guarantee Competent Athletic Health Care” might go to a health care committee.)

Although it takes only one member to introduce legislation, other members may sign onto the legislation as co-sponsors. Co-sponsorship signals support and gives legislators a chance to see who supports the bill. Legislators often ask their peers to co-sponsor legislation.

In addition to the formal structure of the legislature, there are informal or even loose-knit groups called caucuses. The most obvious caucuses are those divided by party (Democrat, Republican, Independent, e.g.) Members from rural areas often form a caucus, to counteract the larger or more influential bloc from the urban districts. There may be a women’s caucus, or a caucus based on ethnicity or race. The power of these groups should not be downplayed or ignored. These sub-groups will meet and often agree to vote in a bloc, or push a particular agenda.

### **Sunrise and Sunset Reviews**

#### Sunrise

Legislation establishing professional regulations or a new regulatory board is often subject to a “sunrise” process, which varies by state. Usually, there is a public hearing conducted by either the legislature or the appropriate regulatory agency to determine the necessity of new regulation. The results of a sunrise hearing can effectively kill a bill before it is introduced.

At this hearing, the committee will ask questions about how creation of a new licensing category will protect the public, how many people will be affected, and how existing license categories might be impacted. They will want to review the educational standards for the profession and determine how much it will cost the state to set up a new board or advisory committee. The process of “sunrise” can be exhaustive and lengthy; preparation is vital.

### Sunset

A “sunset” date is often written into the statute when a licensing category is created. The law will stipulate that, unless the Legislature acts to extend it, the sun will set on the practice act and the established regulatory board on a date certain. In the year prior to that date, hearings will be held or a review will be conducted by a state agency to determine if there is a need for continued regulation.

In essence, the sunset process is a new “sunrise” process and the board and its proponents will be called to report on their activities and how they continue to serve the people of the state as well as the licensees. The process lays everything on the table and is often the mechanism for resolving disputes between licensee categories over scope of practice or other related issues. Key issues will include numbers of new licensees, disciplinary actions undertaken, and the public’s access to information about those governed by the regulatory board.

*NATA’s Government Affairs Council (GAC) and staff can assist you with information and advice.*

## **Legislative Committees**

The committee system is, in part, the result of the legislatures’ need to divide up the work and to develop expertise in particular subjects. Each standing committee has jurisdiction over particular subject matters.

Depending on the particular rules or customs of a state’s legislature, committee chairs are generally the most senior members of the committee or are appointed by the leader of the body.

Because jurisdictions often overlap, bills can be assigned to more than one committee. Occasionally, a committee might seek a dual referral after it has heard a bill if questions arise that they feel require the input of another policy committee.

Committees have the power to:

- Hold hearings on the legislation, consider it and report it out;
- Rewrite (amend) the legislation;
- Reject it;
- Report it unfavorably; or
- Refuse to consider it.

In some legislatures, committees can require study periods (sunrise or interim study) on bills from one legislative session to the next. Several legislatures require that all committees report all bills to the entire legislature.



## Hearings

Committees and subcommittees conduct legislative hearings. Hearings are held to obtain information, to test public opinion, to build support for the legislation, to allow those opposing the legislation to be heard, and to investigate.

Hearings can be conducted in one afternoon or last for weeks (such as budget hearings). Most hearings are open to the public. Committees are required to make some type of public announcement of hearing schedules.

One of the hardest aspects of the legislative process for the novice to understand is the hurry up and wait atmosphere that pervades the Capitol. Some people are bustling around while dozens of others appear to be idling in the halls. Committee meetings may not start on time, or they may be cancelled at the last minute. It's frustrating to have cancelled patient appointments and traveled for two hours, only to be told it's going to start at 5:00 p.m. rather than 1:00 p.m. – or it's postponed until next week.

Witnesses presenting testimony should be experts in the subject matter or those who would be affected by the legislation. Witnesses are scheduled through the committee holding the hearing. Witnesses can include the bill's author and its sponsor(s).

Witnesses should prepare complete written statements of their remarks for the committee and it is recommended that these statements be provided to committee members prior to the hearing. Back-up materials such as newspaper articles or photographs should be supplied at this time, too. Check with the committee staff about rules for submitting materials. A witness' oral presentation should be a summary of the statement submitted of the printed record.

As cable channels proliferate, more legislatures are televising their proceedings; copies of the video may be available.

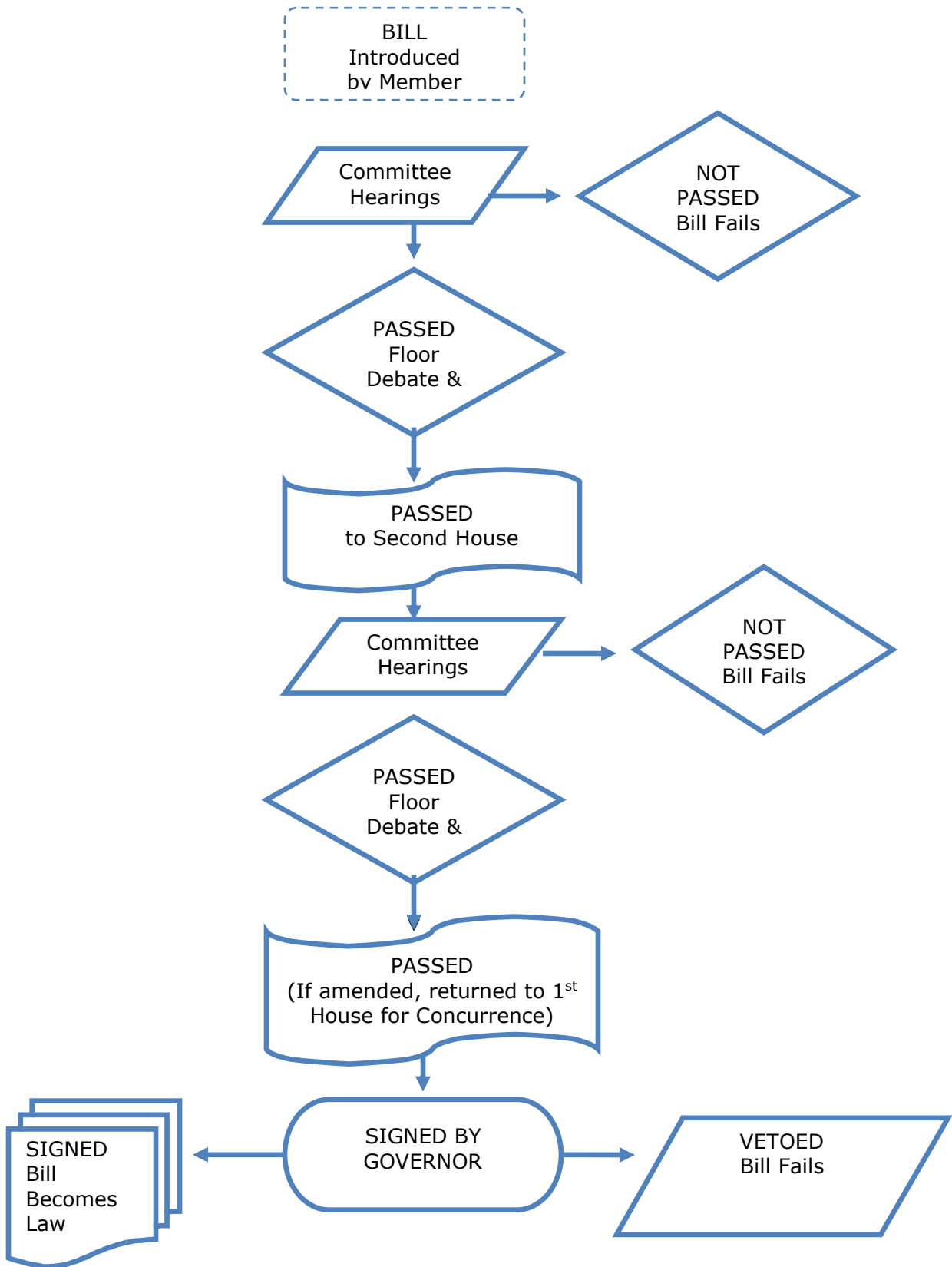
Most state legislatures allow members of the public to track legislation via their website. If you do not have a lobbyist to monitor bills and hearings, you can ask the system to notify you when a particular bill is going to be heard.

## **Floor Action**

The full chamber debates and votes on bills voted out of committee. If it passes, the bill is sent to the other chamber where it must go through the same committee review, amendment process, and floor voting process. If the second chamber amends the bill, the first chamber must concur with the amendments. If it does not concur, then a conference committee is assembled to develop language acceptable to both houses.

## **Enactment**

If passed by both houses of the legislature, the bill is sent to the governor. The governor may sign, veto, or take no action, which causes the bill to become law without signature, or die depending on the state. See the following page for a chart on the legislative process.



### III. Administrative Agency Regulations

The regulatory process is a very important element of any government relations effort. Getting the bill passed is Hurdle #1; the implementation process can be as lengthy and as frustrating. *Ask for NATA's resources.*

An administrative agency is a governmental body created by a legislature or the Governor to administer statutes. Governments are generally organized into Agencies in the Governor's cabinet and departments or other units under their jurisdiction. Cabinet Secretaries, Department Directors, and other officials are usually gubernatorial appointees and may change when an administration changes. Licensing boards will be under the jurisdiction of state agencies such as Consumer Affairs, Professional Regulation, Department of Health, or the like.

Administrative agencies are granted powers similar to legislative and judicial powers – demonstrated by the responsibility and authority to interpret legislation and ability to conduct hearings, render decisions, and discipline those found in violation of agency rules.

When enacting statutes, a legislature may direct a specific administrative body to develop rules and regulations implementing the legislation. When legislative language is vague, administrative agencies enjoy latitude in writing the implementing rules. Rules and regulations can be viewed as a set of instructions on how to comply with the new law.

#### **Lobbying Regulators**

Regulators – the experts on how a new law will be implemented – usually make recommendations to the Governor about signing or vetoing a bill. Therefore, it is important to work with administrative agency personnel from the outset as well as during the rule writing process. Agency rules have as much impact or even more than legislation:

Because agencies have such influence, it is a common practice to lobby regulators. Groups that opposed your legislation probably will move their legislative battle to the regulatory level.

## IV. Grassroots Advocacy

Grassroots advocacy is a broad term used to describe establishing and using one-on-one relationships between constituents and their legislators. It is the most useful and effective way to influence the outcome of legislation.

There are innumerable methods of grassroots advocacy and this section of the Toolkit will look at the more tried and true tactics. The following is divided into two sections: first, what you must do as an individual, and the second on how to organize your colleagues.

### **Becoming a Key Contact**

The most precious commodity of lobbying is access. Access is being able to see or talk to or influence a key person at the right time. Access is best gained by establishing a strong relationship with your elected representative before you need their vote on a bill. Even if you weren't your state representative's roommate in college and don't drive his kids in the soccer carpool, there are many ways to get to know your legislator on a personal basis. A "key contact" is the athletic trainer who is recognizable by name and face to the elected official. The ideal contact is the one whose name pops into the legislator's head when the words "athletic training" are spoken or read.

To be effective:

- Make sure that you and the members of your family are registered to vote.
- Make an appointment just to introduce yourself. This is best done in the district office when the legislature is not in session. Legislators are difficult to meet during the session.
- Before meeting with the member find out a little bit about his or her background. School attended? Church? How many kids? When were they first elected? What committees do they sit on? Conservative or liberal? Voting record on key issues?
- In your introductory visit, talk to them about athletic training in general terms. Let the elected official know that you are interested in them and their positions on issues, that you are an "informed" and voting constituent, that you have a position of importance in your state association, (i.e., member of the legislative committee, on the Board, etc.).
- Leave something behind – a business card, a fact sheet, or pamphlet.
- Create a reason to contact them again, such as leaving with the promise to do something. A tour of your office or facility is a perfect follow-up. You are trying to become a familiar face to the politician. Find reasons to see them – at ribbon-cutting ceremonies, football games, or parades. Newspapers list events such as town hall meetings.
- Respect their privacy. Don't lobby legislators in church or at their home. And don't talk to their spouses about your issue.
- Ask to be on their mailing list. Volunteer to help the district office with a project.
- Invite your legislator to participate in programs where they will be positively received – your monthly school board meeting, your neighborhood group, your church or synagogue, etc. This gives them the chance to meet constituents and give you the credit for it.

- If you serve on a civic or community group, offer to be the liaison with the representative's office to keep the legislator and the staff informed of your group's events or local issues.
- If your legislator does something with which you agree – votes your way on an issue, wins a “Best Legislator” award, or heads a new committee on drug abuse – write a letter acknowledging the accomplishment. Much of the mail received by legislators is from unhappy constituents. Set yourself apart.
- Don't forget to meet the legislator's district and capitol staff. They funnel information to the member and control the calls and letters that get through.

#### AND THE MOST IMPORTANT THING YOU CAN DO:

- Support the legislator's re-election campaign. It can mean making a contribution, but it also means putting up yard signs, walking precincts, or manning phone banks. Organize your neighbors and introduce them to the legislator. For an investment of a few hours' time during the campaign season, you will be repaid with access to your legislator when problems arise or when a vote is needed. Legislators can accomplish nothing if they are not first elected to office, and volunteers are invaluable in making that happen.

## Organizing Your Colleagues

The adage “strength in numbers” applies to politics in a big way. As noted in the introductory section, many people speaking with one voice can have a profound political impact.

If you're not already a leader, get involved in the state athletic trainer association. Any action you undertake should be coordinated with the association to maximize the impact and minimize any confusion.

People *don't* participate in the political process for a variety of reasons. They don't think they can make a difference. They don't know whom to contact. They don't know what to say. They don't have an issue. Or, *because no one asked them*.

The following are suggested ways to get your colleagues to coalesce around not only the upcoming legislative battle but any future issues for which you will need to mobilize a unified response. The time to organize is before there's a problem.

- **Organize a committee:** With a handful of committed volunteers, set out a plan detailing your needs for a grassroots organization. Determine the activities to be undertaken that will best utilize your army. Will you have a Legislative Day at the Capitol? Will you mount a letter-writing campaign? Forming a PAC? Plan a fundraiser? Do you need witnesses for legislative hearings? Identify “key contact” members?
- **Ask them:** People often don't know that they're needed. Host a meeting and invite members, or have a special session at the annual meeting. The purpose of the meeting is fourfold: education, motivation, commitment, and organization.

- **Education:** Inform them about the current legislative situation. Be prepared to answer questions fully and completely. Preparation for the meeting is good exercise for discussions you will have later with legislators. And if a colleague is pessimistic and hostile, that's a good rehearsal as well.

Depending on the enthusiasm of the crowd, time available, etc., you may want to take the time for some Political Training 101. Pass out "letter to legislator" samples and give brief instructions on how to write and send the letter. Explain simplistically the legislative process. People are more likely to get involved if they know what's expected.

- **Motivation:** Share your vision of the benefits of seeking legislative changes and the importance of preparing to defend the profession against any incursions into the scope of practice. Urge them to register to vote and become a "key contact" as described above. If appropriate, you may ask the lobbyist to attend this meeting.
- **Commitment:** Ask the participants for a commitment of resources, i.e., time or money, to get the project going. Time is the more valuable resource, as you will need manpower for all the projects you have planned.
- **Organization:** Depending on how many commitments you receive, you may need to organize into smaller groups based on activities or geography. Identify leaders to head up these groups. Note particularly anyone who is highly respected or highly visible within the professional community who could encourage other athletic trainers to get involved. Make sure you have everyone's current contact information.

Alert the members to the legislative schedule and when they may be called upon. If you've already settled on a date to rally in the Capitol, give them the particulars. Provide information that will prepare them to respond quickly when you need them.

- **Communicate regularly:** It is vital that the members feel they know what's going on. This will help them respond to your calls for action in a more professional, knowledgeable manner. Also, regular communiqués will allow you to send information out in smaller, more digestible bites than an occasional 4-page memo.

In general, in-person communication works best. It gives people a chance to seek clarification and to share the experience and enthusiasm of other members. Organizing your state association into regions or districts will greatly facilitate your ability to share information without traveling a great distance.

Set up a telephone or e-mail communication network for critical information. The old-fashioned telephone tree works very well in grassroots organization and alleviates any one person having to make too many calls. Even in this electronic age, not everyone checks his or her e-mail regularly. There may be

times when telephoning will be essential. However, for passing along updates and other general information, an e-mail list is ideal.

Schedule a Day at the Capitol. Giving members a first-hand look at how their legislation is proceeding, as well as giving them a chance to meet their legislators in a group, is an excellent way to both energize your members and to have an impact on legislators before they vote on your bill. They will be impressed if you can fill the building with Athletic Trainers wearing identification (YES on HB 2!). It also provides accountability for legislators to see their constituents who have invested their time and money traveling to the capital.

- **Recognize volunteerism:** Publicly thank those members who give of their time and money to assist in this effort.

*Remember this:* members are more responsive when they are knowledgeable and when they have been given the tools to do the job.



## V. Communicating with Legislators

No matter how you choose to communicate with your legislator, make sure your message is clearly and concisely presented. Three types of information are most useful to legislators: *accurate information about current conditions; purpose of proposed legislation; and the impact of proposed legislation.*

Who is your legislator? You can find that out by logging on the NATA website.

### Preparation

Meetings with legislators are scheduled through their staff. To schedule a meeting, call the representative's office and ask to arrange a meeting (generally you will be referred to the *scheduler or administrative assistant*). After reaching the appropriate individual, explain your purpose for calling. Follow up on this conversation with a letter or e-mail to the staff member thanking him/her for the assistance and reiterating your purpose. If a meeting was scheduled during the telephone conversation, confirm the meeting date and time in this letter.

### In The Legislator's Office

*Make your presentation interesting.* For example, consider beginning "I'd like to talk to you about cost-effective, quality health care..." rather than "I'm here to discuss licensure issues with you."

*Begin promptly.* Be prepared for your meeting to be interrupted. Be aware of staff activities ("well, our time's about up.") Keep your presentation brief and concise – 10 minutes at the most, and start with the most important information. If it lasts longer, you'll have a chance to bring up the less important issues.

*Do not omit negative but vital information* from your presentation. Better to get the good, the bad, and the ugly out immediately. Do not discuss issues not on the 'agenda,' or you may find yourself unprepared to answer certain questions. Do not make commitments on behalf of the organization unless you are sure that you have the authority and that the commitment is in concert with association policy.

*Ask what you can do* or how you can best assist the legislator in complying with your request.

*Make sure you've done exhaustive research on your subject matter. Be prepared to answer the question you least want to be asked.* If you're asked a question to which you do not know the answer, offer to provide it later. Avoid the temptation to speculate or guess at the answer, or if you do tell them you'll have to check and verify. *Research and respond promptly* if asked to provide additional information, and send enough copies for distribution to all legislators and staff who were present.

*Leave a brief summary of your presentation* with your legislator. (Make sure you leave copies for staff, too.) The summary should include what action you're

requesting, how your issue impacts on the legislator's constituents, and draft language. Leave business cards or contact information.

### Tours

As an alternative to meeting in the legislator's office, consider *inviting him/her on a tour of your facilities*. Extend the invitation in a letter. Include information about any topics you wish to discuss with the legislator during the tour. A tour provides you with an opportunity to extend hospitality and to educate your legislator. Provide a selection of dates and times and also suggest that if none are satisfactory, the legislator select a date and time. Specify how much time should be allotted for the visit. If time allows, schedule an informal working breakfast, coffee break or luncheon during which you can present your issues.

If you schedule a tour, plan carefully. You don't want to appear disorganized. Or, if legislators visit each state university and college, ask to be a stop on their tour. Most of them want to see the athletic facilities, so it should not be a big issue to be included. If you work at a secondary school, invite them to the Big Game!

### Follow-Up

After your meeting, keep in touch with the staff, updating them on your progress. *Send thank you letters promptly.*

## **Written Communication**

Despite the advent of the Internet, state legislators still pay the most attention to *letters from constituents*. Effective communication involves common sense:

Use letterhead

Include your return address

Communicate in your own words, about your particular experience or situation

Form letters are easily spotted and don't get as much consideration as a personal letter (there are legislative offices that take exception to this). In order for an organized letter writing campaign using a form letter to succeed, there must be a *massive* number of letters flowing in.

### Tips for Making A Point Most Effectively

- Mention the bill number and common name in the first sentence.
- Mention whether you support or oppose the bill in the second sentence.
- Keep it short; no longer than one page.
- Explain how the bill will affect you and the legislator's constituents
- Sum up your arguments.
- Involve other stakeholders (parents, athletes, doctors or employers). The broader the cross-section of support, the better.
- Honesty and accuracy are premium; do not exaggerate.
- Be clear by using layman's language.
- Use honey rather than vinegar; no scare tactics or threats.

- AVOID FORM LETTERS; they receive less attention than personal letters.
- Include a return address prominently at the top of the letter.  
*For a sample letter, see the last page of this section.*

Addresses for state and federal officials, or to learn the name of your representative, go to the NATA's Legislative Alert Center ([www.nata.org](http://www.nata.org)).

## Phoning Your Legislator

State legislators give serious attention *telephone calls* from constituents, especially in smaller states. Many include their personal phone number in their material. If you call, first identify yourself and be sure you can express your verbal points concisely. If it makes you more comfortable, *write out points* you want to make before you call. Keep that list handy while on the telephone. Speak in your own words.

Faxes and e-mails are now acceptable forms of communicating with your legislators. Be prepared, however, for the fax line to be busy during business hours, and the e-mail box to be full. E-communication should be as well written and as neat as a mailed letter.

## Timing Your Contact

The best time to communicate your view depends on the position(s) held by your representative. If you are writing to a legislator who is on the committee that will hear the bill, send your position before a committee vote is scheduled so that your input will be used in the analysis and will be in the legislator's file as s/he hears the bill. If your representative will consider the bill for the first time when it comes up for a floor vote, then wait to send your letter until the bill has passed out of its last committee. You may want to write to all members of the committees that hear the bill, although the most effective communication is to your district representative. Don't forget to write to the governor once the bill is approved by the legislature.

## Communicating with Staff

It is inevitable that one day you will arrive for an appointment, only to find that your representative has been summoned to the Governor's Office or to an urgent caucus meeting. Don't be offended; this is the legislative way of operating.

Now is the time to work with staff, if available. It is written elsewhere in this Toolkit that staff is important, and that is especially true in more populous states. If you find yourself present with no one to meet with, ask to talk with the chief of staff, legislative assistant, or health care advisor. Talk with them just as you would with the legislator, and leave your prepared information behind. It is fairly certain that your message will be passed along, particularly if you are a district resident. As you would with the legislator, follow up with a thank you note.

## Social Media

There is no denying that social media in all its forms (Facebook, Twitter, Instagram, etc.) has changed the way we communicate. For many Americans social media is the preferred platform to connect with friends and family and to express our opinions on matters ranging from the mundane to the profound. Social media's impact on the political landscape has steadily influenced how elected officials and their staff interact with the public. However, as convenient as these platforms may be through the use of smart phones, effective political advocates can't rely solely on social media to connect with elected officials.

Some key points to consider as you develop your communications strategy and determine what role social media will play in your efforts:

- Elected officials' use of social media vary greatly. Some are avid users; for example, several members of Congress live Tweet from the House chamber during the State of the Union address. Some have accounts on the major providers but delegate the use of the account entirely to staff. Some have no social media presence whatsoever.
- This form of communication is new and rapidly evolving. Elected officials and their staff are still developing internal procedures for measuring constituents' responses to events and issues via social media. Traditional means of contact by scheduling face to face meetings, making phone calls, and writing letters are still the primary means of communication to and from most elected officials.
- The internet is forever. If you are connecting to an elected official or his staff through social media, you must assume they are, or will at some point, be looking at your Facebook page, Twitter account, or whatever medium you used to connect. You can destroy your credibility with one photo, one comment, or one post.
- Social media can be a great avenue to recruit young people into your organization, keep them informed on the issues, and put them to work in a technology with which they are very comfortable and highly skilled.
- Social media can be an effective supplement to a well-planned communications strategy, but it must not become a substitute for one.

## Sample Letter to Legislator

DATE

The Honorable (*Name*)  
The (*State Name*) Senate  
(*Senate Address*)  
(*Senate Address*)

or

The Honorable (*Name*)  
The (*State Name*) (*House of Representatives*)  
(*House Address*)  
(*House Address*)

Dear *Senator* \* *Representative* \* *Assemblyman/Assemblywoman* (*Name*):

***First paragraph:*** 1) reason for writing: 2) your position: 3) the issue and, if appropriate, the bill number and where the bill is in the legislative process. (These three facts should be in one sentence.) **I am writing requesting your support for S.B. 123 or H.B. 456, licensure of athletic trainers, currently before the House Professional Licensure Committee.**

***Second paragraph:*** Briefly, concisely, explain your position – why this is important to you and how you're affected by the proposed legislation. Offer your alternatives, if any, to the proposed legislation. **Adoption (passage) of such regulation would help protect our (State name) athletes from suffering the consequences – chronic pain, long-term disability or loss of life – of having received health care from unqualified practitioners. State regulation would require, as is now required of other health care professions, demonstration of a minimum competency level in the athletic training profession. State regulation would ensure that (State name) athletes receive specialized emergency care and aggressive rehabilitation. OR Adoption (passage) will inhibit the practice of athletic training. Restricting the athletic trainer's scope of practice denies to athletes access to specialized medical professionals.**

***Third paragraph:*** Briefly provide salient facts about athletic training in your state and about yourself. **More than (300) athletic trainers live and practice in (State name) and another (100) athletic trainers live in (neighboring State) but practice in (your State). I have been a BOC certified athletic trainer for 12 years. I have been employed as an athletic trainer by the University of (State name), by sports medicine clinics in (town, State), and by (\*\*\*\*).**

***Fourth paragraph:*** Thank the legislator for considering your position and offer to provide further information.

Signature block

## VI. Hiring a Lobbyist

Retaining the services of a lobbyist is one of the most important steps you can take to assure the success of your legislative program. This person will be your advocate -- your voice -- before legislators and other policy makers, so it is important that there is a "fit" with you, the client.

You can maximize your lobbyist's effectiveness by connecting him or her to the NATA's resources of volunteers, staff, and information. Please feel free to ask them to contact NATA's Government Affairs Department directly.

A lobbyist is an individual (or firm) retained to present your organization's views. A lobbyist should provide a number of services to clients:

- Serve as a conduit for information gathered from the legislature and relayed to you and vice versa.
- Develop (or have in place) relationships with key legislators and staff.
- Accurately and persuasively present your views.
- Keep you informed of developments involving your legislation, factors that could affect it, and other bills with potential impact.
- Advise you when concessions are advisable or when you should stand your ground.

There are lobbying firms in every state. Contact your state's legislative information office for information on locating registered lobbyists in your state. Better yet, ask other groups that have successfully passed licensing legislation for the name of their lobbyist. If you are on friendly terms with a legislator, ask for the names of several lobbyists who are well respected and have a reputation for success.

There are advantages to having a former legislator represent you: they know the legislative process, have established contacts, and know the executive branch process as well. The downside is that public officials have lots of opportunity to make enemies, and it is important to find out the person's reputation on "both sides of the aisle." You don't want someone who is living on past accomplishments and not willing to pull out all the stops on your behalf.

Expect your lobbyist to be candid with you, serving as a "reality check." They are in the capitol regularly and should know the prevailing attitude about your type of legislation. Conversely, be candid with your advocate. Prepare them for the opposition. Warn them of potential landmines.

As when hiring any type of consultant, prepare a contract or letter agreement detailing the issues on which the lobbyist is to represent you, the types of services (ordinary and extraordinary) to be provided by the lobbyist, what you are to provide to the lobbyist, and the cost of services. *(See the following Request for Proposal (RFP) template for a suggested means of communicating your needs and obtaining information from potential lobbyists.)*

Consider the possibility of conflicts of interest and if it is necessary to request that the lobbyist represent your organization exclusively on a particular issue. Address the

issue of expenses and reimbursements. Once the process begins, it would be difficult and probably embarrassing to terminate your relationship with a lobbyist and start over with someone new. At the least, it will be a sign of weakness on the part of the organization or the issue. Choose well.

## Responsibility of the Legislative Committee

The responsibility for the success of your legislative program does not fall solely on the lobbyist. Be specific about your needs. Inform candidates of your issues, potential opposition, and what reporting you expect, the length of the contract, etc. As you would in any candidate interview, find out what they know about you and your association. Determine their comfort level with your policies and philosophies. Essentially, your lobbyist is selling your point of view -- would you buy from this person?

Ask yourself the following questions:

- What type of person would best represent our views and us?
- Do we have members who can competently testify – on short notice?
- Who will work with and supervise the lobbyist? Who is authorized to give direction on behalf of the organization? (The legislative process can be characterized as long periods of stagnation punctuated by manic activity when deadlines loom. There should be a primary contact identified who can make decisions or get quick turn-around when decisions need to be made.)
- What are our resources? Are we willing to form a PAC? Can we turn out dozens of supporters or hundreds of letters?

## Sample Interview Questions

- How long have you been lobbying?
- What is the current legislative climate for this type of legislation?
- What kind of a track record do you have when it comes to health care issues? Licensing?
- Describe your style. Do you talk with every member of the committee before every vote? Do you utilize written as well as verbal communication?
- Describe potential strategies for passage of this type of legislation.
- How long do you think it will take to get the bill passed?
- How much do you charge and what service does that include? (The fee will be commensurate with the level of service you expect, but there can still be a range. While the most expensive is not necessarily the best, you should also expect to pay for experience and reputation.)
- What are your expectations of us? Will we testify at all hearings, or will you sometimes handle it? Who will prepare the letters, testimony, and fact sheets?
- Will we be able to reach you by phone or e-mail at all times? How promptly can we expect a response?
- How will you keep us informed of hearings, problems, proposed amendments? Are you available to speak to our Board (or annual meeting)?
- Will you provide regular, written reports of the progress of our bill?

- Do you also handle media?
- Who are your other clients? (You may not want to be associated with someone who represents, say, the tobacco or alcohol industry, or a client with whom you would not naturally align. There will be some interests with whom you have both mutual goals *and* conflicts: physicians, insurance companies, etc.)
- (*If an advocate represents a large clientele*) How are you staffed and who will personally represent us?
- (*If it is a small operation*) How will you cover schedule conflicts (bills being heard in different committees at the same time, for example)? Which client takes precedence?
- Do you have relationships or conflicts with the advocates for our opposition?
- Are your fees payable only during the legislative session? What if a special session is called that does not include our type of legislation?

## Requesting a Proposal

It is hoped that the foregoing information has helped to focus the discussion and decision to hire a lobbyist to represent you. The following three documents should assist in the actual process.

The first is a draft Request for Proposal (RFP) that you may customize to suit your association's specific needs. Lobbyists are accustomed to receiving requests in a variety of formats, and providing them with a formal RFP will demonstrate the professionalism of your association and its commitment to realizing its legislative goal.

To simplify comparison of proposals from various lobbying firms or individual lobbyists, you may wish to establish a template and ask that proposals follow a defined format. The second document is such a form. Standardization will allow you to create a summary of the various proposals for committee review.

The third draft is a cover letter to send with the initial package.

The process of seeking an advocate will likely alert the opposition to your intention. Do not send RFPs indiscriminately but rather carefully select potential bidders based on the discreet inquiries you've already made. Some lobbyists may not respond because they cannot take on new clients at this time or because they have a conflict of interest. On the other hand, it would be very difficult to process too many proposals. You may wish to solicit proposals from no more than eight to ten firms or individuals.

These forms will assist you in preparing for the in-person interviews prior to making the critical decision about legislative representation.



## Sample Request for Proposal

### *(State Your Purpose)*

The \_\_\_\_Athletic Trainers' Association (\_ATA) wishes to retain legislative representation for the next legislative cycle. Our interests are outlined below, and we ask that you provide us with responses on the attached form. An electronic version of the form will be e-mailed to you upon request (*e-mail address here*).

### *(Tell Who You Are)*

The \_ATA represents \_\_% of the certified athletic trainers (ATCs) in our state and has \_\_ members. Our mission is to protect the athletes we serve, whether they have amateur, high school or college, or professional status.

### *(Broadly State the Goal)*

Forty-seven other states recognize athletic trainers and athletic training. Athletic trainers are professionals equivalent to physical, occupational, speech, language and other similar therapists. In the past decade, there has been (nationally) a \_\_% increase in the number of athletic trainer professionals; average annual net growth is \_\_%. (For more information, please see our Key Fact sheet, attached.)

With this increase, it is imperative that the legislature knows who these individuals are and where they're working, and sets minimum standards for training. ATCs work with children and are often the first responder when a child is injured at school. We wish to emulate our colleagues in other states with appropriate oversight.

### *(State Your Needs)*

The \_ATA seeks a professional, persuasive, and knowledgeable advocate to assist us. We will engage a lobbyist to work with us to educate our members about the political process and legislators about the practice of athletic training. We desire to affiliate with a representative who will be candid with us about any obstacles we may encounter and offer positive recommendations for overcoming those obstacles.

Most importantly, we want to work with our representatives over the next few years. We have prepared our organization to be responsive and realistic in this effort.

### *(Give a Deadline)*

Please provide your proposal on the attached form by 5:00 p.m. on \_\_. It may be mailed to the address on the cover letter, or e-mailed to \_\_\_\_\_. If you wish to attach brochures or other information about your firm, please do so. All information provided will be held in the strictest confidence and will be considered proprietary.

If you have any questions about this request for proposal, please contact (*signer of cover letter*) or (*other contact if appropriate*).

## Interview Checklist

	RESPONSE	COMMENTS
<b>CONTACT INFORMATION</b>		
<b>NAME OF FIRM</b>		
<b>NAMES OF INDIVIDUALS WHO MAY LOBBY ON OUR BEHALF</b>		
<b>ADDRESS</b>		
<b>CONTACT INFORMATION (PHONE, CELL, FAX, E-MAIL)</b>		
Are you currently registered as a lobbyist?		
<b>EXPERIENCE:</b>		
Years Experience		
Do you have established relationships with the members of the <u>(relevant)</u> committee(s)?		
Do you have rapport with legislators of both political parties? Please be specific.		
Do you have rapport with legislative leadership in both houses? Please be specific.		

<p>Do you have a track record on licensing legislation? Please be specific.</p>		
<b>COMMUNICATION</b>		
<p><b>Please indicate the means by which you routinely communicate with your clients</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> e-mail</li> <li><input type="checkbox"/> phone</li> <li><input type="checkbox"/> weekly conference call</li> <li><input type="checkbox"/> contact as needed</li> <li><input type="checkbox"/> firm bulletin (frequency?)</li> <li><input type="checkbox"/> meet with association leadership</li> <li><input type="checkbox"/> presentations to association members</li> <li><input type="checkbox"/> prefer to deal with association designee</li> <li><input type="checkbox"/> Other</li> </ul>	
<b>SERVICES</b>		
<p><b>Please indicate the services that are included in your fee</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Monitor all new and amended legislation for its impact on athletic trainers</li> <li><input type="checkbox"/> Provide regular, written status reports</li> <li><input type="checkbox"/> Provide political education for association leadership, witnesses, key contacts, etc.</li> <li><input type="checkbox"/> Testimony on behalf of our association</li> <li><input type="checkbox"/> Organize Capitol Day</li> <li><input type="checkbox"/> Arrange legislative speakers for our Capitol Day</li> <li><input type="checkbox"/> Speak at Capitol Day</li> <li><input type="checkbox"/> Handle media contacts</li> <li><input type="checkbox"/> Arrange appointments for association members with legislators</li> <li><input type="checkbox"/> Other</li> </ul>	

	RESPONSE	COMMENTS
<b>LOBBYING STYLE</b>		
<b>Please describe your “style.” Include specifics such as working with legislative staff and the Administration. How will you communicate our position to legislators?</b>		
<b>Please describe potential strategies for passage of this type of legislation.</b>		
	RESPONSE	COMMENTS
<b>YOUR EXPECTATIONS</b>		
<b>What do you expect of our association as the client? Please be specific.</b>		
<b>FEE</b>		
<b>Please describe your fee arrangement and provide an estimate for the fee based on the services indicated above. Include expectation as to length of contract and frequency of payment.</b>		

	<b>RESPONSE</b>	<b>COMMENTS</b>
<b>CLIENTS</b>		
<b>Please attach a list of your clients for the past and current legislative session.</b>		
<b>REFERENCES</b>		
<b>Please provide a list of three references that may be contacted prior to formal interview. References may include legislators, legislative staff, or clients.</b>		

## Sample Cover Letter

Date

Address

Dear \_\_\_\_\_:

Enclosed is a Request for Proposal (RFP) for the \_\_\_\_ Athletic Trainers' Association. We seek to engage the services of a legislative advocate on our behalf for the upcoming legislative session.

The \_ATA has over \_\_\_\_ athletic trainer members, most of who are certified (ATCs). The Association is a chapter of the National Athletic Trainers' Association, representing 30,000 ATCs nationwide.

Our legislative goal and our anticipated working relationship are outlined in broad terms in the attached informational packet. If you submit a proposal and are chosen for an interview, we will discuss with you in some detail our precise expectations and resources.

We are very eager to receive a proposal from you, and hope to hear from you by the deadline.

Sincerely,

\_\_\_\_\_, ATC  
President

## VII. Building Coalitions

A coalition is a group created through organization of like-minded individuals or entities, for the purpose of gathering and disseminating information and exerting influence over policy and decision makers. In addition to greater clout, benefits of coalition membership include the division of costs and workload.

Coalitions can be permanent or ad hoc; any size; formed to support or oppose ideas; concerned with only one aspect of one issue or concerned with many issues.

### **Getting Started**

To form a coalition, first develop lists of potential members. Coalitions are often made up of groups that would not usually be aligned but in a particular instance find that they would benefit from the adoption or defeat of legislation. Although all coalition members must agree on the coalition's position, members need not share identical motivation. Consider inviting groups representing members in professions similar to yours, competitors or not, and groups that might share your views but are not in a similar profession. Involving disparate groups provides credibility to the coalition. Remember the adage: Politics makes strange bedfellows. Try not to make assumptions about another organization's position, or eliminate a potential ally without first asking for their participation.

Send potential members an invitation to join an exploratory meeting. (Follow up with a phone call.) Make clear that attending this formation meeting does not obligate anyone to participate. At this meeting, lay out the problem, specify what you hope to accomplish, and explain how the other groups might benefit by joining you. Should an organization decline, accept graciously – there will undoubtedly be future opportunities for collaboration.

### **Defining Goals**

Once agreed, a coalition must have a clearly defined goal and a well-developed plan to achieve it. The following lists potential action steps:

- Develop a budget; get financial commitments from each group
- Make a list of identifiable tasks or projects.
- Develop deadlines for accomplishing each task or project.
- Make assignments.
- Set future meeting dates.
- Identify high-profile, influential spokespersons if appropriate.

It may be that financial support will not be expected of coalition members; each organization will simply support the position independently but as part of the coalition

### **Communication**

A coalition must be able to act quickly, so developing an efficient communications system between coalition members is critical. However, communication should not become an obstacle to action, and coalition members will sometimes act autonomously if circumstances dictate.

At the appropriate time, get the coalition's position out to the public via the media and to legislators directly. Depending on the coalition's goal and whether confidentiality is desired, send out press releases announcing the formation of the coalition, its purpose, its members, and who to contact to get further information. If appropriate (and agreed to in advance by coalition members), invite the press to coalition meetings. Continue to send out press releases about the activities of and the result seen by the coalition.

Naturally, strategy discussions are best held at smaller, private meetings of the entire coalition or, if size dictates, a steering committee. You don't want to telegraph your tactics to the opposition, giving them time to prepare and blunt the impact of your message.

If suitable, create letterhead for the coalition and list members on the letterhead. Coalition members can also provide materials on their own letterhead.

## Potential Members

Potential coalition members may include:

- Physician groups
  - M.D.s
  - D.O.s
  - Clinical or large group practice associations
  - Medical societies
  - Sports Medicine specialty groups
  - Emergency Room physicians
- Podiatrists
- School organizations
  - Parents and PTA organizations
  - Alumni or Booster groups
  - School administrators
  - School Board associations
  - Faculty organizations
- State athletic organizations
- Allied Health Professions
  - EMTs
  - Physician Assistants
  - Nurses
- Occupational Safety Managers
- Athletic suppliers/manufacturers
- Hospital administrators



## VIII. Fundraising

You may want to raise funds to support the organization's legislative efforts. In fact, though NATA has legislative grants available, but fundraising at the state level is still necessary. There will be expenses for witness travel, expenses related to coalition meetings, the retainer for a lobbyist, etc.

Funds raised for political activities may be subject to reporting requirements under the state's lobbying or political campaign statutes. Check the applicable state law. When fundraising for political purposes outside the membership, you must be sensitive to the type of event you sponsor and with whom you partner.

The following are some fundraising ideas:

- Dinner/auction
- Sport tournaments: Golf, Softball, Basketball
- Sell T-shirts with different athletic training slogans.
- Host a district fun night
- Monte Carlo Night
- Road racing 10K
- Buy the house out at your local theaters and sell the seats yourself.
- Add to your State Dues and earmark this amount for fund-raiser.
- Hold a raffle. (Check on your state's gambling laws)
- Host Sport Celebrities vs local ATs in a sports challenge.
- Partner with another organization (e.g., the state medical or orthopedic society, or the university) on an event. Split the proceeds and raise awareness of sports or other injuries.
- Create a mechanism for incremental member giving (\$x per month) to encourage those who feel they cannot make a "large" contribution.
- Ask members to volunteer their time at a community event for which the AT association will be paid.
- Seek sponsorship to underwrite overhead of a fundraising event

NATA has adopted a program of matching funds for political purposes. Please see the NATA Grant Procedures and Application available from the NATA staff, ext. 103.

## IX. Suggested Strategies

### **Accessing NATA Assistance**

The NATA Board has committed extraordinary resources to furthering the legislative goals of state chapters. Between 2004-2010, NATA disbursed almost \$1.5M in grant funds for state legislative efforts. Equally important, the Governmental Affairs Council and the State Legislative Affairs Office have valuable resources in terms of collateral material, strategic advice, language review, etc. For more information, contact NATA's Government Affairs Manager, Lathan Watts at ext. 103.

### **Rallying State Support**

#### Leadership

Obviously, support of the association's state leadership is vital to any effort to regulate the profession or update an existing act. The association's leaders are in the best position to know whether a legislative effort is timely, is in concert with association policy, and is within the resources of the organization.

Therefore, you should affirm any action, whether by an individual member, a regional caucus, or the legislative committee, with the state board of directors. The Board may set out parameters on policy or expenditures.

Legislative efforts are very public undertakings; a house divided, demonstrated by conflicting testimony or letter-writing campaigns, is not only unpleasant but can set back legislative efforts for years. Mixed signals from association members gives legislators the perfect excuse to withhold support.

#### Membership

Perhaps one of the most important steps in a successful legislative campaign is rallying your troops. Some ATCs may be misinformed about the intent of the legislation, may feel the effort is useless or too expensive, or they may have questions about how the organization will go about making an idea a reality. Here are some ideas for overcoming that reluctance:

- Have motivational speakers come and talk to your state associations. They can be representatives from NATA, BOC, past Presidents, or leaders from other states that have just gone through the process.
- Have flyers stating the facts and reasons why this is important to your association and community. (KISS – three to five talking points at maximum)
- Set up town hall meetings to inform your state association members in different areas of the state.
- Have a list of your states' ATCs and their voting districts so you can contact them to write to their legislator personally about your bill.

## Organizational Issues

This is a good time to think about the way your state legislative committee is organized. There are myriad ways, of course, but a broad-based committee that truly represents all segments and settings of the membership will represent the views of varying types of practice settings.

It's important, as well, to seek members for the legislative committee who have real life experience in politics. They may have been active in a single or many political campaigns, may have been activists in college, or simply have an interest in the process. Ask among your colleagues to find these gems, and try to get them involved. "New" members are often energized by the challenge and eager to be of assistance. "Old" members may have become discouraged by the lack of past success and are ready to move on to another committee or activity.

Too, you may want to motivate senior committee members by giving them the facts about the current administration, or why THIS is the time to go forward with your bill. Concrete plans will make the chances of success seem more realistic and may re-energize some volunteers to get going again.

## **Increasing Visibility Among Legislators**

Post-September 11 security has tightened the restrictions in all government buildings. Check with the legislative staff such as the Clerk of the House or Secretary of the Senate, or in some cases the State Police or Capitol Security, to confirm that you may undertake some of the following suggestions:

- On the first day of session, give out welcome bags to the legislators. In the bags are items with your state association logo, e.g. coffee cups, pens, letter openers, golf tees, etc.
- Educate legislators during the day at the capitol. You can have educational booths, an event in which they participate (putting, basketball free throws), give away prizes with your state logo, or have a drawing for sports items from the local high schools, colleges, and pro teams if you have one.
- Host an ice cream social, or distribute big cookies and a drink at the capitol. At the same time, you educate them about who you are and what you do.
- Have a recognition night for the legislators at a college game. Host a tailgate party before the game, let them go down on the field during the game, and visit the athletic training room.
- Host a dinner for legislators and recognize those who have helped your association.
- Give key legislators sports memorabilia if you know what teams they like and if allowed by state law.
- Host a competition (e.g., House vs Senate) with a sporting activity at the capitol.

These activities can be done in conjunction with National Athletic Training Month or at another appropriate time.

## **Expanding External Support**

There is a section of this toolkit on building coalitions, but there may be other supporters a little closer to home that are overlooked. ATC students may be an untapped source of manpower for a letter writing campaign, provide extra “bodies” for the Capitol Day, may make excellent witnesses before the legislature, and may have contacts with school officials. As with their more experienced colleagues, they will need a bit of coaching and support but they will also bring a unique perspective.

Help students prepare their own talking points. They can speak personally about the cost of their education, their career goals, and potential obstacles to reaching those goals.

## **Legislative Witnesses**

Having articulate, credible witnesses for legislative hearings is critical. Although it’s common for a witness to walk to the microphone, give brief testimony, and walk away, it’s also possible that they will be asked questions or otherwise become engaged in a dialogue with legislators. On rare occasions, a witness will be subjected to what may appear to be harsh or even hostile questioning, calling for cool under fire. It’s important that witnesses be chosen carefully.

The first and obvious place to look for witnesses is among the association leadership. These are people most likely to be familiar with the issues and to have practical experience in the field. However, the ability to speak well in front of a potentially large audience and to think on one’s feet may not go hand-in-hand with knowledge. If you do not have an obvious choice for spokesperson, seek training in public speaking for your most likely candidates.

A common debate is whether to use celebrity athletes as witnesses or spokespersons during the campaign. This is a double-edged sword calling for discernment and judgment. A well-known witness will certainly draw attention to the issue, but without sufficient preparation and style for public speaking, the result may be more negative than positive. It’s best to observe an individual in a similar setting (e.g., press conference) before putting your fate in their hands. In addition, legislative schedules are notorious for changing and celebrities often have limited time available.

There may be other ways to utilize the name of a celebrity athlete. You could ask them to sign a letter to legislators, pose for a picture with the governor or legislative leadership, or provide an autographed ball for auction.

## **Legislative Staff**

Cultivating professional relationships with legislative staff will help you succeed in your legislative efforts. Whether involved with a state or federal legislative issue, it is important to build relationships with both the member’s personal staff and the staff of

the committee reviewing your bill. Develop a group of professional friends – *champions* – who know you and your organization’s goals. These champions are the legislators and their staff you will eventually ask to sponsor your legislation.

The best way to ensure a good relationship with staff members is to *make their jobs easier and make them look good to the boss*. If you want your representative to prepare legislation or amend existing legislation, *provide the staff member with draft language*. Always *provide accurate information* about your issue, both its pros and cons. Provide information supporting your issue and arguments mitigating its negatives.

*Don’t try to circumvent the staff for any reason*. Apprise staff of developments concerning your issue through regular e-mail, faxes, and phone calls.

## Get the Facts

Prepare to answer questions from legislators, regulators, and your opponents. Look at the Talking Points that are part of this toolkit (Resources Section). Get the latest statistics. NATA’s Government Affairs staff can assist you in gathering information about the following for your state:

- How many licensees are there?
- How many accredited ATC programs are there?
- Where do ATs work (settings)?
- How many students matriculate and graduate each year?
- What is the employment rate for ATCs?
- Match members to legislative districts

## X. National Issues

The NATA lobbies on behalf of its members in Washington before Congress and regulatory agencies. While states regulate the professions, many critical decisions affecting the health care delivery system in this country ultimately lie in the federal arena. Medicare and Medicaid together account for almost half of the national expenditure on health care, and the policies adopted for those programs have enormous impact on health care delivery in the private sector.

If you have questions about NATA’s Congressional efforts, please contact the Director of Government Affairs, Amy Callender at ext. 153.

## **XI. Resources**

### **Where to Get Information**

As previously mentioned, you will want to learn as much as possible about what goes on in your state Capitol. This may take a little time and some ingenuity, but it won't be hard work. Best of all, this information is mostly free.

First, look on the Internet for information about current legislative leadership, including chairs of the committees most likely to hear a licensure bill (such as Professions and Business or Health). Read up on the chair and vice chair; their biographies (found through the legislature's web site) will tell you about their background and how long they've been in the legislature. If they've been on the committee for some time, they will be familiar with issues such as scope of practice, supervision, settings, and reimbursement. Determine the upcoming session's schedule. Look for the committee schedule and, if available, note the names of committee staff.

If you have time, peruse the last session's list of enacted laws. If you find any pertaining to health care licensing, read them carefully. Newly enacted laws are a good indicator of the current legislative attitude toward "new" government regulation.

Next, identify friends, neighbors, and colleagues who are politically active. Contact them and ask about the CURRENT legislative cycle (old news is interesting, and might even prove helpful, but you really need contemporary information). On the assumption that you know little or nothing about the current political situation, potential questions include:

- What are the major issues facing the legislature?
- Who's the most powerful/knowledgeable legislator on health care issues?
- What is the political climate? Factors such as a power struggle for legislative leadership, a several fiscal crisis, political scandals, or a contested redistricting plan can seriously derail legitimate but low-profile legislation.

A wealth of information (pamphlets, information bulletins, studies, educational videos) is available through the many state legislative offices – most is free; occasionally you'll be asked to pay a few dollars to cover the cost of printing and mailing.

Private contractors and publishing companies provide bill monitoring and reporting functions, delivery of daily digests of legislative actions, and directories. These services, however, may be pricey and are often included in the lobbyist's fee, if you go that route.

Also, information is available through the local and state headquarters of the Republican and Democratic parties and through other groups organized around a particular philosophy or issue.

Research lobbyist registration and lobbying laws. In most states, there are thresholds of money earned or time spent pursuing legislation that might require you to register as a lobbyist. On the state's web site, search for "lobbying."

## State Legislative Information Offices

A good source of basic information about a state's legislature is the state's legislative reference (or information) office. The telephone number for each state legislative information offices is provided below. The staff of this office can assist you in locating legislative staff, legislative offices and a variety of documents.

- How a bill becomes a law
- How to draft legislation
- Where to get reports on daily legislative actions
- Background information on legislators
- Bill status
- Directories of lobbyists, lobbying rules and regulations
- Chamber rules

ALABAMA	(334) 242-7560	<a href="http://www.legislature.state.al.us">www.legislature.state.al.us</a>
ALASKA	(907) 465-4648	<a href="http://www.legis.state.ak.us">www.legis.state.ak.us</a>
ARIZONA	(602) 926-3559	<a href="http://www.azleg.state.az.us">www.azleg.state.az.us</a>
ARKANSAS	(501) 682-1937	<a href="http://www.arkleg.state.ar.us">www.arkleg.state.ar.us</a>
CALIFORNIA	(916) 445-3614	<a href="http://www.legislature.ca.gov">www.legislature.ca.gov</a>
COLORADO	(303) 866-3055	<a href="http://www.leg.state.co.us">www.leg.state.co.us</a>
CONNECTICUT	(860-240-0555)	<a href="http://www.cga.ct.gov">www.cga.ct.gov</a>
DELAWARE	(302) 744-4114	<a href="http://www.legis.state.de.us">www.legis.state.de.us</a>
DIST. OF COLUMBIA	(202) 724-8080	<a href="http://www.dccouncil.washington.dc.us">www.dccouncil.washington.dc.us</a>
FLORIDA	(904) 488-2812	<a href="http://www.leg.state.fl.us">www.leg.state.fl.us</a>
GEORGIA	(404) 656-5015	<a href="http://www.legis.state.ga.us">www.legis.state.ga.us</a>
HAWAII	(808) 587-0666	<a href="http://www.hawaii.gov/lrb">www.hawaii.gov/lrb</a>
IDAHO	(208) 334-2475	<a href="http://www.legislature.idaho.gov">www.legislature.idaho.gov</a>
ILLINOIS	(217) 782-6851	<a href="http://www.legis.state.il.us">www.legis.state.il.us</a>
INDIANA	(317) 232-9856	<a href="http://www.in.gov/legislative">www.in.gov/legislative</a>
IOWA	(515) 281-5129	<a href="http://www.legis.state.ia.us">www.legis.state.ia.us</a>
KANSAS	(913) 296-2391	<a href="http://www.kslegislature.org">www.kslegislature.org</a>
KENTUCKY	(502) 564-6543	<a href="http://www.lrc.ky.gov">www.lrc.ky.gov</a>
LOUISIANA	(504) 342-2431	<a href="http://www.legis.state.la.us">www.legis.state.la.us</a>
MAINE	(207) 287-1600	<a href="http://janus.state.me.us/legis/">http://janus.state.me.us/legis/</a>
MARYLAND	(410) 841-3810	<a href="http://www.mlis.state.md.us">www.mlis.state.md.us</a>
MASSACHUSETTS	(617) 722-2356	<a href="http://www.mass.gov/legis">www.mass.gov/legis</a>
MICHIGAN	(517) 373-2400	<a href="http://www.michiganlegislature.org">www.michiganlegislature.org</a>
MINNESOTA	(612) 296-1563	<a href="http://www.leg.state.mn.us">www.leg.state.mn.us</a>
MISSISSIPPI	(601) 359-3728	<a href="http://billstatus.ls.state.ms.us/">http://billstatus.ls.state.ms.us/</a>
MISSOURI	(314) 751-4633	<a href="http://www.moga.mo.gov">www.moga.mo.gov</a>
MONTANA	(406) 444-3064	<a href="http://leg.mt.gov">http://leg.mt.gov</a>
NEBRASKA	(402) 471-2271	<a href="http://nebraskalegislature.gov">http://nebraskalegislature.gov</a>

NEVADA	(702) 687-6800	<a href="http://www.leg.state.nv.us">www.leg.state.nv.us</a>
NEW HAMPSHIRE	(603) 271-2239	<a href="http://www.gencourt.state.nh.us">www.gencourt.state.nh.us</a>
NEW JERSEY	(609) 292-4840	<a href="http://www.njleg.state.nj.us">www.njleg.state.nj.us</a>
NEW MEXICO	(505) 986-4600	<a href="http://www.legis.state.nm.us">www.legis.state.nm.us</a>
NEW YORK	(518) 455-4218	<a href="http://www.senate.state.ny.us">www.senate.state.ny.us</a>
NORTH CAROLINA	(919) 733-7044	<a href="http://www.ncleg.net">www.ncleg.net</a>
NORTH DAKOTA	(701) 224-2916	<a href="http://www.legis.nd.gov">www.legis.nd.gov</a>
OHIO	(614) 466-3615	<a href="http://www.legislature.state.oh.us">www.legislature.state.oh.us</a>
OKLAHOMA	(405) 521-2502	<a href="http://www.lsb.state.ok.us">www.lsb.state.ok.us</a>
OREGON	(503) 986-1848	<a href="http://www.leg.state.or.us">www.leg.state.or.us</a>
PENNSYLVANIA	(717) 787-4816	<a href="http://www.legis.state.pa.us">www.legis.state.pa.us</a>
PUERTO RICO	(809) 722-2312	<a href="http://www.oslpr.org/english">www.oslpr.org/english</a>
RHODE ISLAND	(401) 277-2473	<a href="http://www.rilin.state.ri.us">www.rilin.state.ri.us</a>
SOUTH CAROLINA	(803) 734-2145	<a href="http://www.scstatehouse.net">www.scstatehouse.net</a>
SOUTH DAKOTA	(605) 773-3251	<a href="http://www.legis.state.sd.us">www.legis.state.sd.us</a>
TENNESSEE	(615) 741-3511	<a href="http://www.legislature.state.tn.us">www.legislature.state.tn.us</a>
TEXAS	(512) 463-1252	<a href="http://www.capitol.state.tx.us">www.capitol.state.tx.us</a>
UTAH	(801) 538-1032	<a href="http://www.le.state.ut.us">www.le.state.ut.us</a>
VERMONT	(802) 828-2231	<a href="http://www.leg.state.vt.us">www.leg.state.vt.us</a>
VIRGINIA	(804) 786-6530	<a href="http://legis.state.va.us">http://legis.state.va.us</a>
WASHINGTON	(206) 786-7550	<a href="http://www.leg.wa.gov">www.leg.wa.gov</a>
W. VIRGINIA	(304) 558-2040	<a href="http://www.legis.state.wv.us">www.legis.state.wv.us</a>
WISCONSIN	(608) 266-0341	<a href="http://www.legis.state.wi.us">www.legis.state.wi.us</a>
WYOMING	(307) 777-7011	<a href="http://legisweb.state.wy.us">http://legisweb.state.wy.us</a>

## NATA Resources

NATA has additional resources available; some are included in this toolkit and others can be ordered or are available on NATA's website ([www.nata.org](http://www.nata.org)) or contact Lathan Watts, Manager of State Government Affairs for assistance at ext. 103.