Advocacy 101: Understanding what it means to be a physician and an advocate

2014-2015 ACOG JFCAC Legislative WorkGroup
Objectives

• To understand a basic overview of Advocacy in Medicine
• To differentiate between an advocate and a lobbyist
• To have a fundamental understanding of the legislative process
• To understand advocacy at the local, state, national and international level
• To understand how to be an advocate-local, state, federal level
What does it mean to be an advocate?

“Never doubt that a small group of thoughtful committed citizens can change the world; indeed, it’s the only thing that ever has.”

-- Margaret Mead
Definition of Advocacy

Advocacy is a coordinated combination of problem identification, solution creation, strategy development, and actions taken to make positive change.
Definition of Advocacy

- **Health Advocacy**
  - Enhancing community health and policy initiatives that focus on the availability, safety, and quality of care

- **Legislative Advocacy**
  - Reliance on legislative processes (state or federal) as a strategy to create change
Physicians as Advocates

• Advocacy can take place at every level
• Physicians can be active at the:
  • Local level (hospital, clinic setting)
  • State level
  • Federal level
  • International level
Advocating at the Local Level
Physicians as Advocates

- Physicians are in a unique position to advocate for their patient in times of hardship, distress, uncertainty, and vulnerability
Physicians as Advocates

• As an advocate for the patient, “the concerns and best interests of the patient are at the core of all decisions and interactions.”
• Physicians should listen to their patients, respect their autonomy and beliefs, and allow patients to be fully involved in their healthcare decisions
• Making decisions for patients or withholding key medical information is not being an advocate for their patient and it does not allow the patient to be an advocate for themselves

Physicians as Advocates

- Key components of a physician advocate:
  - Inform the patient and promote informed consent
  - Empower the patient and protect autonomy
  - Protect the rights and interests of the patients where they cannot protect their own
  - Ensure patients have fair access to available resources
  - Support the patient no matter what the potential cost
  - Represent the views/desires of the patient and not just her needs

Physicians as Advocates: Case Studies

• Case #1:
  • One of your pregnant patients does not own a car and relies on public transportation to make her appointments. She is often late to her appointments and complains that the hospital shuttle from the bus stop only comes once an hour
  • What are some things you could do to advocate for your patient?
Physicians as Advocates: Case Studies

• Case #1, possible solution:
  • You schedule a meeting with the hospital administrators to discuss the hospital shuttle schedule.
  • You share your patient’s story and advocate for more frequent pick up times during busy clinic hours
  • This could benefit many patients and increase access and care to the community
Physicians as Advocates: Case Studies

• Case #2
  • You see a 16 year old in your clinic and ask her and her mother if she has had the HPV vaccine series. Her mother says no and reports that a concerned parent has been spreading information that the vaccine is dangerous and parents should not have their children vaccinated.
  • How could you help spread factual information about the HPV vaccine in your community?
Physicians as Advocates: Case Studies

• Case #2, potential solution:
  • Talk to the local school and offer to arrange an informational session on the HPV vaccine for parents and their children
  • Offer to create a fact sheet to leave in the nurse’s office at the school
Physicians as Advocates: Case Studies

• Case #3
  • Your 65 year old patient recently presented to you with complaints of postmenopausal bleeding. You performed an endometrial biopsy that returned adenocarcinoma, grade 3. The patient returns to your clinic with her daughter. You inform her of the results and recommend surgery. The patient refuses surgery, but the daughter insists she undergo the procedure.
  • What would you do in this situation?
Physicians as Advocates: Case Studies

• Case #3, possible solution:
  • Talk with the patient alone about how she is feeling about the diagnosis
  • Explain all potential options with the patient including risks and benefits and overall prognosis
  • Offer to set her up with additional services that may allow her to make an informed decision (eg. Support groups, social work)

• Advocating for the patient is not pushing her towards one outcome, right or wrong, it is giving her all the information and resources to give her the opportunity to make the best decision for herself and her family
State and Federal Advocacy
Why State and Federal Advocacy Matters

• As physicians, we have the unique opportunity to share our expertise, advocate for our patients and our field, and educate our lawmakers.
• It is important to share your voice, contact your representative, and/or lobby on legislation that effects our field, our patients, and the care we provide.
Every day there are rules, regulations, laws and programs that are being implemented and/or changed by government entities that effect the practice of not only obstetrics and gynecology but the entire field of medicine.

Through advocacy, a physicians rights and needs are expressed and represented. By advocating for what is and/or is not an appropriate course of action a physician serves as the expert and provides insight that would otherwise not be considered.
Lobbyist

• A person hired by an organization, cause, or business who works to persuade legislators to support that organization’s goals, the specific cause being discussed, or a business’s agenda(s)
Advocate vs Lobbyist

When nonprofit organizations advocate on their own behalf, they seek to affect some aspect of society, whether they appeal to individuals about their behavior, employers about their rules, or the government about its laws.

Lobbying refers specifically to advocacy efforts that attempt to influence legislation.

This distinction is helpful to keep in mind because it means that laws limiting the lobbying done by nonprofit organizations do not govern other advocacy activities.
State and Federal Advocacy

Before we discuss the important of state and federal advocacy, it is important to review how bills become laws to better understand how physicians can advocate for legislation that effects our field and our patients.
Outline

This section will review:

• Structure of the U.S. Congress
• Timing
• Legislative Process 101
• Committees affecting healthcare
Structure of U.S Congress

U.S. House of Representatives
- 435 members
- 2 year terms
- Re-election every even-numbered year

U.S. Senate
- 100 members
- 6 year terms
- 1/3 of senators up for re-election each election year
Structure of U.S Congress

Speaker of House and Senate Majority Leaders:
- Elected by members of Congress
- Determine which legislation will be brought to the floor

Speaker of the House:
- Voted on by the whole house
- Technically does not represent the majority party
- Appoints Committee Chairs, calls votes, and signs all bills and resolutions passed by the house

Senate Majority Leader:
- Party’s chief spokesperson in the Senate
- Controls the floor agenda
- Schedules debates and votes
Structure of U.S Congress

Other important positions in the U.S. House
• Majority Leader
• Minority Leader
• Majority Whip
  – Maintains communication between party members and leadership
  – Counts votes on key legislation before a vote
  – Persuades wavering Members to vote with party
• Minority Whip
  – Keeps party members in line on key votes
• Caucus Chair (Majority party)
  – Unites members around policy goals
• Conference Chair (Minority party)
  – Translates party’s priorities into legislation
Structure of U.S Congress

Other important positions in the U.S. Senate
• President
  – U.S. Vice president
  – Can only vote in the Senate to break ties
• President Pro Tempore
  – Second-ranking position in the Senate
  – Largely honorific
  – Title usually held by the most senior Senator of majority party
• Majority Leader
  – Controls floor agenda
  – Schedules debates and votes
• Minority Leader
• Majority Whip
  – Ensures party discipline in voting
• Minority Whip
# Structure of U.S Congress: Committees

## House Committees
1. Energy and Commerce
2. Ways and Means
3. Budget
4. House Appropriations
5. House science
6. Government Reform
7. Judiciary
8. Small business

## Senate Committees
1. Finance
3. Budget
4. Appropriations Committees

Majority party in each house has control over Committee Chairmanships
Timing

Congress convenes every odd year for a 2 year period
First and Second sessions

Legislation introduced during first session carried over to second session

Slate wiped cleaned and unfinished bills at end of second session must be reintroduced

Majority party in each house has control over that chamber’s schedule
Legislative Process 101

Bill Introduction and Committee Action

• Any Senator or Representative can develop a legislative proposal
• Once introduced becomes a bill
• Bill sponsors can recruit other Members to support and cosponsor legislation
• House bills begin with H.R.
• Senate bills begin with S.
• Majority of bills introduced are not passed
• Committee Chairs:
  – Can choose to hold a hearing on a bill
  – Can schedule a mark-up of a bill when Committee members can offer amendments, change the bill, and send the bill to the full House or Senate for floor vote
  – Can take no action a bill
• House Speaker or Senate Majority Leader may choose to bypass Committees and bring legislation directly to floor
**Legislative Process 101**

**Floor Debate and Votes**
Passage of most bills in the House requires simple majority

House has rules:
1. Limit number of amendments that can be offered on the floor
2. Specify how long bill can be debated

Senate has very few rules regarding consideration of a bill:
1. Any 1 Senator can amend, slow down or stop a bill at any time
2. Filibuster: Senator stands on Senate floor and speaks without resting for the entire time he or she wants to delay action on a bill
3. Only a cloture vote, requiring 60 votes can end filibuster
4. If 60 votes not obtained, bill pulled from floor with no further action
Legislative Process 101

**Floor Debate and Votes**

When House and Senate pass different versions of same bill:

1. **Conference:** Process for reconciling 2 bills into a common text that can be voted on again by both bodies
2. House and Senate leaders of both parties appoint Members to the Conference Committee

- Only when passed in identical form by both chambers does a bill go to the President for signature
- President has 10 days except Sundays to sign a bill into law or to veto the bill
Legislative Process 101

Floor Debate and Votes

Vetoing a bill
A vetoed bill is sent back to Congress
Can become a law if it wins 2/3 approval from the House and Senate
Committees affecting healthcare: 
House of Representatives

- Health legislation typically goes through Energy and Commerce and/or Ways and Means
- Energy and Commerce Committee
  - Health Subcommittee
  - Jurisdiction over Medicare Part B which includes physician payment, Medicaid, food and drug safety, and public health
- Ways and Means Committee
  - Jurisdiction over taxes
  - Health Subcommittee
    - Medicare Part A (hospitals) and Part B (physician payment)
    - Provisions of the IRS dealing with health insurance premiums and health care costs
- Budget Committee
  - Sets federal spending goals and limits
- House Appropriations Committees
  - Directs government spending to particular programs
Committees affecting healthcare:

Senate

- Health legislation typically goes to the Senate Finance Committee or the Health, Education, Labor and Pensions (HELP) Committee

- Senate Finance Committee
  - Jurisdiction over Medicare, Medicaid, and the State Children’s Health Insurance Program (SCHIP)
  - Jurisdiction over health programs financed by specific tax or trust funds

- HELP Committee
  - Jurisdiction over public health and health insurance
  - Jurisdiction over most of the agencies, institutes, and programs of the DHHS, including the FDA, the CDC, and the NIH

- Budget and Appropriations Committees also important to health care issues
ACOG Advocacy Resources

• ACOG has excellent resources to stay up-to-date and involved in Advocacy:
  • Check out the Advocacy tap at www.acog.org
  • The Legislative Action Center at www.acog.org makes it easy to send emails to your representatives on issues important to our field and our patients
  • Look for Government Affairs emails in your in-box that keep you up-to-date with current legislative issues
  • Look for information to get involved with your State ACOG Legislative Committee
  • Watch this great video on the importance of advocacy
Lobbying Opportunities

• Check with your local medical society or ACOG Legislative committee for lobbying opportunities
• Every year, ACOG hosts the Congressional Leadership Conference to learn and lobby on national issues that effect out field and patients. More information can be found at www.acog.org
• Before you go, here is a helpful video to the do’s and don’ts of lobbying
Physicians as Advocates: Case Studies

• Case #4
  • Your State Senator has proposed a bill that would mandate all businesses have a dedicated space for nursing mothers. The bill is going to committee next week.
  • You and your local ACOG and/or Medical Society support this bill. What are some ways you can help to support this bill?
Physicians as Advocates: Case Studies

• Case #4, possible solution:
  • Contact the Senator’s office to notify him/her of your and your organization’s support for the bill
  • Once the bill is introduced, organize a local advocacy day at the State Capitol through your organization to raise awareness about the importance of breastfeeding and supporting women who breastfeed in the workplace
Physicians as Advocates: Case Studies

• Case #5:
  • A Congressman from another state has introduced a bill at the federal level that proposes to fine women who do not go to at least 5 prenatal appointments during their pregnancy.
  • You strongly oppose this bill and understand that access to healthcare can be difficult for some women
  • What are some ways you can show your opposition to this bill?
Physicians as Advocates: Case Studies

• Case #5, possible solution:
  • There are many possibilities to express your opposition to this bill.
  • You can:
    • Call this Congressman and express your concerns
    • Call your own representatives and explain why they should not support this bill
    • Write an op-ed on the dangers of this bill in your local paper
    • You can send an email through ACOG’s Action Center to your representatives
Physicians as Advocates: Case Studies

• Case #6
  • An email from ACOG has notified you about legislation at the federal level that could substantially cut physician reimbursement to providers that accept Medicare.
  • ACOG will also be lobbying against this bill at their annual Congressional Leadership Conference
  • If this bill passes, you are concerned that you may have to lay off employees are close your practice
  • What are some ways you can show your opposition for this bill?
Physicians as Advocates: Case Studies

• Case #6, possible solution:
  • As in the last case, there are many options for expressing your opposition to this legislation
  • You could also plan on attending ACOG’s Congressional Leadership Conference (CLC). Every year, ACOG hosts the CLC in Washington, DC to advocate for and against legislation that directly impacts our field and our patients.
  • You can find more information at www.acog.org or email govtrel@acog.org for more information
International Advocacy

• There are numerous opportunities for Ob/Gyns to get involved in the international level
• Advocacy on international issues on various issues can take place through letter writing campaigns to either U.S. national leaders or international leaders
  • See an example of ACOG’s international advocacy [here](#)

• Check on ACOG.org for international organizations that are in need of Ob/Gyn services
Physicians as Advocates: Case Studies

• Case #7
  – One of your colleagues travels abroad three times a year to volunteer her services in small villages in Kenya. She tells you that many of the women don’t have access to basic sanitary supplies and young girls will often miss school when they have their period.
  – What are some things you could do to advocate for this community?
Physicians as Advocates: Case Studies

• Case #7, possible solution:
  – You could organize a drive in your local hospital and community to have pads and tampons donated to this village
  – You could volunteer to go abroad with your colleague and attempt to work with local leaders to find a solution to this issue
Physicians as Advocates

- From home
  - Be knowledgeable, stay informed
  - Calls, emails, letters to legislators (“grassroots” advocacy)

- Locally
  - Town Hall meetings with legislators
  - Invite legislators to work with you for a tour/shadowing
  - Campaign participation and donations
  - Develop relationships with your legislator’s local staff
Physicians as Advocates

❖ State Level
➢ Hill visits, lobbying (state legislature)
➢ Participation in state medical societies
➢ Campaign participation and donations for medicine-friendly candidates

❖ Nationally
➢ Hill visits, lobbying
➢ Participation in national organizations (ACOG, AMA, etc)
➢ Campaign participation and donations
➢ Donation to political action committees that represent your views
Physicians as Advocates

❖ Internationally

➢ Notify your representatives or the executive branch on important international issues through email, phone calls, or in-person meetings
➢ Sign on-line petitions
➢ Volunteer to work with international organizations
Physicians as Advocates

As physicians, we can advocate for our patients no matter how big or how small

Think about ways you can advocate for your patients and our field
What would you do?
Ways to Get and Stay Involved

- Check out the **Advocacy** tab at ACOG’s website
- Check out the **Advocacy** tab at the AMA’s website
- Email **stateleg@acog.org** to discover local legislative issues and discover ways to get involved
- Email **govtrel@acog.org** for national events and ways to donate and get involved with the Ob/Gyn PAC
Authorship

• Dana M. Block-Abraham, DO; University of Maryland
• Megan L. Evans, MD, MPH; Tufts Medical Center
• Jeannine M. Miranne, MD; Washington Hospital Center
• Special thanks to District II Resident Advocacy Program Presentation for granting permission to use select slides
• Review and Editing by members of the 2014-2015 ACOG JFCAC Legislative Work Group