The ACOG State Legislative Chair

Recruiting, Role and Responsibilities

This is part of a toolkit series on best practices in state legislative advocacy intended for ACOG’s state leaders including the Legislative Chair. Through an ongoing process of communication, ACOG Sections and Districts can learn from and be spurred into greater advocacy by the example and experience of their colleagues in other states. This toolkit was developed by the State Legislative Subcommittee of the Committee on Government Relations and Outreach and the Department of State Legislative and Regulatory Activities.
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TABLE OF CONTENTS

I. OVERVIEW AND OBJECTIVE
II. RECRUITING A CHAIR
III. ROLE & RESPONSIBILITIES (JOB DESCRIPTION)
IV. CHECKLIST FOR NEW CHAIRS
V. RULES & RESOURCES
I. Overview and Objective

This toolkit is a “how-to” manual for the ACOG State Legislative Chair. Other ACOG officers holding state leadership positions will also find it a useful orientation to state legislative advocacy. This toolkit is also recommended for Sections who are developing or re-tooling a legislative program. There is no single “right” way to structure and implement an effective state legislative program, but a Legislative Chair is vital to your program’s success.

This toolkit was developed as part of a February 2008 initiative of the ACOG Executive Board to improve ACOG’s state legislative advocacy in all states by:

1. Identifying and supporting a State Legislative Chair in every state.
2. Assisting states whose activity is currently in development.
3. Improving overall legislative advocacy by improving communication across states and between states and ACOG’s Department of State Legislative & Regulatory Activities.

This is the first edition of the toolkit; some parts are being developed and subsequent editions are anticipated as ACOG’s state advocacy apparatus evolves. Your suggestions are welcome.

Toolkit Objective: State legislative advocacy is about influencing and changing state laws, rules and public policies that affect women’s health and the practice of obstetrics and gynecology. As an ACOG leader in your state, it is important to recognize both the state government’s role in health care and your advocacy role and responsibilities.

This toolkit discusses the role and responsibilities of the ACOG State Legislative Chair to implement the legislative agenda and communicate with lawmakers and coalition partners. The State Legislative Chair’s responsibilities within the Section/District and ACOG nationally are also enumerated. The toolkit includes suggestions for recruiting a State Legislative Chair and a checklist for new Chairs. The final section of the toolkit is a question-and-answer forum on ACOG’s advocacy rules; for example, taking a position on bills and working with a professional lobbyist. This section also lists tools and resources available from the Department of State Legislative & Regulatory Activities. (This toolkit’s focus is the United States; jurisdictions outside the continental US are not addressed.)
II. RECRUITING A CHAIR

It is the responsibility of each Section (state) and single state District to appoint a State Legislative Chair (SLC).

**How to go about it:**

- The optimal candidate will be interested in and knowledgeable about the legislative process, have legislative experience, and reside in or close to the state capitol.

- It is important that the State Legislative Chair be a voting member of the Advisory Council and eligible to attend District Advisory Council and/or District Legislative Committee meetings.

- The Section Vice Chair (in a single Section state) may be an ideal candidate. This would help ensure continuity of leadership and the appointment would be budget neutral for the Section and District. The Vice Chair should serve in this role for the duration of his/her term. Some states have selected the Immediate Past Section Chair which has similar advantages. If the State Legislative Chair is not the Vice Chair, Districts might consider joint District/Section funding of the position to encourage interest and ability over pecuniary interests.

- Because it takes time to establish and build legislative relationships and some state legislatures only meet every other year, longevity and continuity are important. A multi-year appointment is desirable.

- The SLC is a significant time commitment. While the legislature is in session, the SLC acts as liaison to other legislative committees including the State Medical Society’s legislative arm and, within ACOG, the District and/or national legislative committees. The SLC is also expected to participate in relevant ACOG meetings; specifically, the Presidents’ Conference (formerly the CLC), State Legislative Chairs Conference (new for 2009), and State Lobbyist Roundtable.

- ACOG’s State Legislative Subcommittee can be utilized as a resource in recruiting the State Legislative Chair.
III. RESPONSIBILITIES OF THE CHAIR

1. LEGISLATIVE AGENDA

2. RECRUITING MEMBERS OF THE LEGISLATIVE COMMITTEE

3. LIAISON WITH THE STATE MEDICAL SOCIETY

4. LIAISON WITH WOMEN'S GROUPS AND OTHER COALITION PARTNERS

5. REPORTING MECHANISMS & ROLE OF ACOG'S NATIONAL STATE LEGISLATIVE SUBCOMMITTEE

6. FOSTERING BEST PRACTICES

7. REQUIRED MEETINGS & “ON THE JOB TRAINING”

8. TRANSITION TO A NEW LEGISLATIVE CHAIR

1. Legislative agenda.
 Setting the agenda. Depending on the leadership structure in your state, the advisory council, executive committee or other entity has ultimate responsibility for setting the legislative agenda and priorities on bills as well as allocating resources for legislative activity. (It is assumed that the SLC is a member of the advisory council.) The role of the SLC is to assist in this function by staying knowledgeable and up-to-date on legislative activity in the state, mobilizing and recruiting ob-gyns to work on the legislative program, maintaining relationships with coalition partners and the lobbyist (where applicable), identifying political opportunities and threats, and reporting to and keeping the leadership apprised of progress on the agenda.

Implementing the agenda. The SLC has primary responsibility for implementing the legislative agenda. Specifically, the SLC is responsible for implementing a procedure for monitoring legislation, recommending strategy on bills and implementing changes in strategy, mobilizing ob-gyns on priority bills, and re-evaluating the legislative agenda after each session. The SLC coordinates all communication with lawmakers. If your state has a professional lobbyist, the lobbyist may report directly to the SLC.

Role vis-a-vis the legislative committee. The SLC chairs the Legislative Committee where this exists. In some states, the advisory council or an informal group may function as a legislative committee. (Please refer to the ACOG toolkit, Using A Legislative Committee to Achieve Your Goals.)

Role vis-a-vis the professional hired lobbyist. The decision to hire a lobbyist should be part of your overall legislative planning and coordinated with ACOG National. The role of
the SLC is to help inform this decision-making and to participate in the search and hiring process. Once hired, the SLC works in partnership with the lobbyist and may be designated as the lobbyist’s primary contact person. A lobbyist should never be perceived as the one responsible for your legislative program, but rather as a resource to assist your legislative efforts. (Please refer to the ACOG toolkit, Hiring & Managing Your Lobbyist.)

**Decision-making responsibilities: SLC, legislative committee, and lobbyist.** During the legislative session, your strategy on bills may change frequently depending on the issue, its relative priority on your agenda, and the political realities and timetable. Clear lines of communication between the SLC, lobbyist, and legislative committee, as well as the national State Legislative Subcommittee and staff, are essential for success. States will need to define their own decision-making rules. The SLC can help to clarify these rules and expectations.

2. **Recruiting members of the legislative committee.**
   
   Each state should establish a mechanism for selecting, maintaining and replacing members of their legislative committee; the SLC can assist in this function. In recruiting members of a legislative committee, consideration should be given to diversity in terms of gender, ethnicity, geographic distribution and type of practice. Fellows, Young Physician Fellows and Junior Fellows should be represented. Ideally, one or two members should live in the capital city. Members should be committed to the legislative goals established by the committee, to promote public awareness of issues important to women’s health and the practice of obstetrics and gynecology, and to foster best practices in advocacy across ACOG. Members of the legislative committee must understand that when speaking publicly on an issue, they are representing ACOG and, therefore, must follow the policy of the ACOG Executive Board. (Please refer to the ACOG toolkit, Using A Legislative Committee to Achieve Your Goals.)

3. **Liaison with the State Medical Society.**
   
   An active collaborative relationship with the state medical society is encouraged. ACOG’s ability to influence legislation in the states will often be greater where there is a partnership with the society. The SLC is responsible for maintaining a legislative liaison with the society, communicating ACOG’s position on issues and legislation and working to gain the society’s support for ACOG’s legislative agenda, and is encouraged to be an active member of the society. The SLC can serve as the ACOG delegate to the society’s house of delegates, a member of the society’s legislative or public affairs committee, or a member of the society’s inter-specialty council, and should be on a first-name basis with the society’s lobbying team. Your liaison relationship with your state medical society will be dictated to some degree by the society’s track record on and commitment to women’s health issues. Some state medical societies don’t give priority to women’s issues that form the core of much of ACOG’s legislative agenda. (Please refer to the ACOG toolkit, Working Effectively With Your State Medical Society)

4. **Liaison with women’s groups and other coalition partners.**
Coalitions are an important part of any legislative strategy. Legislators like consensus and a long list of groups supporting or opposing a piece of legislation shows consensus. On a more practical level, coalitions are about building power. Each state should have a proactive and organized strategy of coalition building. The role of the SLC is to foster networking relationships that can be enlisted in the pursuit of the legislative agenda. These relationships will require time and effort to create and sustain.

5. Reporting mechanisms & role of ACOG’s national State Legislative Subcommittee.

The SLC is part of a communication network designed to enhance her/his effectiveness and the overall effectiveness of state legislative activity in all of ACOG’s Districts and states. The SLC’s compliance with reporting mechanisms is an integral part of ACOG’s legislative advocacy program.

The SLC will report activities to both his/her District and to the Department of State Legislative and Regulatory Activities through the national State Legislative Subcommittee. The appropriate forms and mechanisms for reporting are being developed and will be appended to this toolkit.

The Department and Subcommittee serve as a clearinghouse of legislative information in the states including:
- current legislation
- legislative process
- state legislative strategy
- emerging issues.

6. Fostering best practices across states and within ACOG.

Through identification of best practices, ACOG can enhance its legislative advocacy in the state capitols. The SLC and all members of ACOG’s state, regional and national legislative committees have a role to play in fostering best practices.

There is no single “right” way to structure and implement an effective legislative advocacy program. But there are vital steps and components to consider – for example, adequate legislative planning. And while recognizing that legislative goals will differ from state to state, there are common benchmarks with which to evaluate success. A successful legislative program requires a commitment of time, money, leadership, and organization. It takes time to educate legislators, build coalitions and gain strong allies, and implement a key contact program that works effectively.

Within ACOG, there are different types of legislative programs and apparatus in place in states across the country. Differences among programs reflect different organizational strengths and limitations, different allocation of resources, and different goals. However, a common element in all of the programs, and vital to their success, is the leadership and vision of individual physicians. All ACOG Sections and Districts can learn from and be
spurred into greater advocacy by the example and experience of their colleagues in other states.

7. **Required meetings & “on the job training.”**
The SLC and legislative committee members should be knowledgeable about their state government’s structure and legislative process and familiar with ACOG’s position on issues and legislative priorities. This knowledge and skills can be acquired by attending ACOG’s legislative conferences. For the incoming SLC, the Presidents’ Conference (formerly the Congressional Leadership Conference) held over three days each winter in Washington, DC is obligatory. Devoted primarily to the federal Congress, the Presidents’ Conference often includes sessions on state issues. New in 2009, is a State Legislative Chairs Conference designed specifically for the SLC. ACOG also conducts the State Lobbyist Roundtable for active states who have a professional lobbyist and working legislative committee. The State Lobbyist Roundtable is held each year in the fall.

8. **Transition to a new legislative chair.**
The Advisory Council or other leadership entity should decide if the SLC position is slotted, elected or appointed as well as the duration of the term. The role of a legislative committee in this process should be clarified. A carefully structured succession from chair to chair allows for training and mentoring of a new chair. It also aids record-keeping about your legislative agenda, accomplishments, coalition partners and unfinished business. Any time there is a new SLC, this should be communicated to the Department of State Legislative & Regulatory Activities.
IV. CHECKLIST FOR NEW CHAIRS

Use this checklist to help you take the first steps toward becoming a successful State Legislative Chair. Remember, it is the responsibility of both incoming and outgoing leaders to ensure an effective transition.

✓ **Goals.** Spend some time thinking about your goals (personal, professional, and organizational) as a State Legislative Chair. Identifying your goals is the first step toward achieving them.

✓ **Job Description.** Review the job description for your new position as detailed in this toolkit.

✓ **Training.** Knowing how the legislative process works is the first step in being an effective advocate.
  - Review ACOG’s Legislative Primer and state legislative toolkits.
  - Plan to attend ACOG’s legislative conferences.
  - Find a mentor who can introduce you to the key players in your state legislative arena – a long-time member of your state’s legislative committee, your lobbyist, or the lobbyist for a coalition partner or the state medical society.

✓ **Consider how you would expedite the following:**
  - Help set the legislative agenda & goals.
  - Mobilize members.
  - Know where to focus your attention.
  - Identify the key elements of a successful campaign.
  - Utilize coalition partners.

✓ **Legislative Timeline.**
  - Understand the legislative timeline of your State Legislature.
  - Know when key legislative committees meet.
  - Set-up a mechanism for monitoring action on bills.

✓ **ACOG Timeline.** Be aware of key meeting dates:
  - President’s Conference (formerly the Congressional Leadership Conference)
  - State Legislative Chairs Conference (new in 2009)
  - Committee on Government Relations & Outreach
  - State Lobbyist Roundtable
  - Legislative forums at the Annual Clinical Meeting (ACM) and Annual District Meetings (ADM)

✓ **Legislative Agenda.** Set-up a time to meet with the key people in your Section
(Chair, Lobbyist, Legislative Committee) and your District’s Legislative Chair to discuss the legislative agenda, and to determine the course of action for each agenda item.

✔ **Communication.** Establish contact with key people. Do this as early as possible. Make sure you have the contact information for the following:
  - Past Section (state) Chair
  - Section (state) Chair
  - JF Chair, Vice Chair, and Advisor
  - District Chair/Vice Chair
  - State Medical Society lobby team and leadership
  - Women’s groups and other coalition partners in your state
  - ACOG’s national State Legislative Subcommittee members
  - ACOG’s staff in the Department of State Legislative & Regulatory Activities

✔ **Legislative Communication.** Maintain a list of contact information for the elected officials in your state:
  - Your State Representatives (include both those for your home and office if these are in different legislative districts)
  - Members of key legislative committees (eg, Health, Judiciary, Children & Families)
  - Majority and minority leadership in both chambers
  - Governor and key state agency heads (eg, Health and Insurance Departments, Office of Women’s Health)
V. ACOG’S RULES & RESOURCES FOR LEGISLATIVE ADVOCACY

[Note: This section of the toolkit is being developed.

The Rules part will be presented in a Q & A format and will clarify key aspects of advocacy including the following:
1. ACOG’s tax status and how this affects our legislative activities.
2. Taking a position on bills.
3. Working with a professional lobbyist.
4. Talking to decision-makers in your professional and personal capacity.
5. What role ACOG can play within partnerships, alliances and coalitions.

The Resources part will introduce Fellows to staff and resources in the Government Relations Department.]