Objective:
To identify the benefits to your District/Section of using a legislative committee to:
1) set your legislative agenda and priorities;
2) monitor and influence legislation; and
3) educate your members on legislative issues.

Resources and organization necessary to support an effective legislative effort are discussed. This tool kit will assist your District/Section to be proactive on the growing number of bills and regulations introduced in state capitols each year that affect ob-gyns and women’s health.

Using a Legislative Committee to Achieve Your Goals
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Key Functions 2
Preliminary Steps to Forming a Legislative Committee 3
Role of the Chair 4
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Monitoring Bills 7
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APPENDIX

Sample Committee Charge
Sample Bill Tracking Sheet
Working Committee Checklist
Benefits of a Legislative Committee

An elected leader of a dues-paying membership organization sooner or later faces the perennial membership question—*What have you done for me lately?* One answer might be that you have a working Legislative Committee.

A Legislative Committee can be an invaluable and rewarding endeavor for the ACOG District or Section. It can help you to expand your leadership group, increase the experience of existing leadership, and build your membership.

Other rewards and benefits will vary depending on whether yours is a regional or a state Legislative Committee. These benefits are identified below.

**ACOG District Legislative Committee**

- Gives your District an ‘early warning system’ for emerging issues in state health legislation that impact ob-gyns and women’s health care.
- Assures that states within your District have the opportunity to benefit from the experience of contiguous states in passing or defeating legislation.
- Enables your District to address legislative matters in a proactive—not reactive—manner.
- Helps protect ob-gyn practice and patients from a negative law or regulation and also helps your District initiate and implement favorable new laws and regulations.
- Gives your District access to customized legislative tracking reports from national ACOG.

**ACOG Section Legislative Committee**

- Enables your Section to plan ahead and set priorities for your legislative agenda, and to approach each legislative session with a strategic plan.
- Triggers state legislators’ awareness of your Section as a resource on women’s health issues, and other women’s health advocates’ awareness of your Section as a credible advocate.
- Increases your Section’s opportunity for early and ongoing involvement with government agencies in your state that often have authority to interpret and implement laws passed by the legislature.
- Helps protect ob-gyn practice and patients from a negative law or regulation and also helps your Section initiate and implement favorable new laws and regulations.
- Gives your Section access to customized legislative tracking reports from national ACOG.
KEY FUNCTIONS OF A LEGISLATIVE COMMITTEE

DISTRICT COMMITTEE (regional-based)

Key Functions:
- Communicates in a systematic and sustained way among member states about legislative issues.
- Identifies emerging legislative trends across the various states in the region.
- Learns from one state’s legislative success or failure so that the entire District benefits.
- Monitors legislation of concern.
- Informs and educates members about legislative issues at District meetings and through periodic bulletins or reports.
- Receives and reviews applications for matching funds from member Sections and makes recommendations to the Oversight Committee on State Government Affairs.
- Coordinates all legislative activities of the District.

SECTION COMMITTEE (state-based)

Key Functions:
- Assists the Advisory Council in setting the legislative agenda and priorities for action on bills.
- Implements the legislative agenda.
- Reviews bills for potential impact and recommends a Section position on each to the Advisory Council.
- Monitors the progress of bills as they move through the legislature.
- Develops and recommends strategies for passing legislation that fulfills the Section’s goals.
- Prepares and delivers testimony.
- Works in coalition with other women’s health advocates to initiate and defeat bills, and maintains relationships with coalition partners.
- Recruits members to be legislative contacts and maintains the Section’s legislative alert network.
- Produces periodic legislative bulletins or reports to keep members apprised of the status of bills that the Section is supporting or opposing so that members have up-to-date information when asked to contact their legislators.
- When appropriate, communicates the Section’s legislative goals to the State Medical Society and coordinates Section legislative efforts with the State Medical Society.
- Makes recommendations for state lawmaker awards to the Advisory Council.

A Legislative Committee that encompasses multiple states in a region will function somewhat differently than one whose jurisdiction is a single state. For the most part, a regional-based committee will play less of a hands-on role lobbying bills in the state legislature than will a state-based committee. A regional-based committee will have as its main objective the communication of legislative information across states; whereas a state-based committee will be concerned with the day-to-day implementation of the legislative agenda while the state legislature is in session. These distinct functions are reviewed below.
PRELIMINARY STEPS TO FORMING A LEGISLATIVE COMMITTEE

STEP ONE  
Commit!

Before you set-up a Legislative Committee, your Section or District, as represented by its Advisory Council, should be fully supportive of engaging in legislative activities. The endorsement of the Advisory Council should be a general agreement on the appropriateness of participating in legislative activities that concern ob-gyns, rather than support for a particular issue. You may also want to develop a ‘charge’ for your new committee. See the appendix for suggestions.

STEP TWO  
Assess your strengths and limitations!

Advisory Council support is also needed in order to allocate resources for legislative activity. These resources include financial, leadership and support structure, and time.

The direct and indirect financial costs will be variable. As a starting point, however, your Advisory Council may need to allocate a portion of its budget for committee meetings, printing and mailings, trips to the state capitol, and a salary for a lobbyist.

Will your Legislative Committee have the time, flexibility, and expertise to implement your legislative agenda on its own? Or will you need outside help; for example, from your District if yours is a Section Committee; from the National Office; a hired lobbyist; or a friendly advocacy group? Is the Section/District a member of any coalitions? Do you have a good relationship with, and the support of, your State Medical Society?

Your leadership and dedicated members must be willing to commit themselves for the duration, or any effort is likely to fail. If you have staff, a minimum of five hours per week is typical of what is required for mailings, telephone calls, copying and other support of a Legislative Committee.

Finally, bear in mind that many legislative efforts require a long-term commitment. It takes time to educate legislators, build coalitions and gain strong allies, and implement an advocacy program that works effectively. It also takes time to pass legislation. Passage of a bill during the same session it’s first introduced is more the exception than the rule. Your resources’ allocation should reflect these realities.

STEP THREE  
Clarify decision-making procedures!

Your Advisory Council should clearly delineate who has the authority for setting your legislative agenda and priorities. Everyone should be clear on how the agenda is set. However, your Committee Chair and the Committee overall will need flexibility to implement the agenda and any change in strategy. Your Advisory Council must be able to trust the Legislative Committee to check back at appropriate points during the hectic, fast-paced days of a legislative session.
 ROLE OF THE CHAIR

- **POSITION**
  - Appointed by the Chair of the Advisory Council
  - Sits as a member of the Advisory Council
  - Long-term appointment (e.g., minimum of 3 years)

- **DUTIES**
  - Oversees the legislative program
  - Reports to and keeps the Advisory Council apprised of progress on initiatives
  - Implements a change in legislative strategy at the Legislative Committee’s direction
  - Maintains relationships with coalition partners
  - Communicates regularly with ACOG’s Department of State Legislative and Regulatory Activities

- **PROFILE**
  - Knowledgeable about the legislative process in his/her state
  - Feels comfortable meeting with legislators
  - Resides in or close to the state capitol
  - Has some lobbying experience
  - Is able to make a considerable time commitment
  - Is politically savvy
  - Sees issues in broad terms and how they affect certain portions of the membership
  - Puts aside any personal political agenda and addresses legislative issues as they affect the entire membership
When recruiting and selecting members for a District Committee, consider the following:

- One member from each Section is advisable.

- Your Committee could be comprised of all Section Vice Chairs who would serve for the duration of their terms.

- Junior Fellows should have representation.

- The rotation and election of new members should be clearly defined.

- Meetings could be held twice a year during the Annual and Interim District Meetings.

- Members should commit to the legislative goals and priorities of the District.

- Members should have responsibility for reporting back to their Section as well as bringing Section legislative news to the District’s attention. Communication should run both ways.

- Members should regularly attend District/National legislative meetings.

- McCain Fellows could have automatic membership on the Committee at the completion of their fellowships.

A limited tenure is an insufficient time in which to develop a knowledge of the legislative process, hone advocacy skills, and establish legislative contacts.
When recruiting and selecting members for a Section Committee, consider the following:

- Statewide membership will help maximize your influence on legislators.
- A balance of academic, private practice and employed ob-gyns will be critical when setting your legislative agenda and priorities.
- Members could be appointed by the Chair, the Advisory Council, or both; also, consider an open selection process which may yield more enthusiastic or experienced candidates. Additionally, the rotation and election of new members should be clearly defined.
- Junior Fellows should have representation.
- Longevity and continuity of members will be critical in making Committee appointments.
- The political climate in your state may put a premium on female, minority or rural-based ob-gyn spokespersons.
- Ideally, one or two members should reside in the state capital.
- A knowledge of state government and prior legislative experience are desirable in appointing members.
- Members should commit to the legislative goals and priorities of the Section.
- Members should attend all legislative meetings of the Section, District, and National ACOG.
- Members should be able to commit to meeting at least three to four times a year, and on short notice, while the legislature is in session. (This meeting commitment will be less in states where the legislature meets every other year.)
Setting Your Legislative Agenda

**STEP 1:**

**Define Your Goals and Objectives!**

Defining your goals and objectives should be part of an overall legislative planning process. This will help you to identify your strengths and opportunities, as well as your limitations and the political threats or obstacles that ob-gyns face.

**STEP 2:**

**Choose Your Issues!**

A formal set of criteria to evaluate the issues you will develop into legislative initiatives should be agreed to in advance.

For example, your Legislative Committee can provide recommendations to the Advisory Council as to:

- whether the Section should initiate its own legislation, support someone else’s bill, or defeat a bill;
- the overall time-frame needed to achieve the goal;
- the type of strategy that should be used; and
- the activities that need to be accomplished at various stages in the advocacy process.

For example, consider the following:

- What women’s health concerns are not being addressed?
- Is there a threat to ob-gYN practice?
- Will ob-gyns support this initiative?
- Is a new law or agency rulemaking the only way to remedy the problem? Would strengthening the enforcement of an existing law alleviate the problem? Would increased awareness of an existing law alleviate the problem?
- Are you contemplating legislation that’s already been passed in another state? If so, contact ACOG’s Department of State Legislative and Regulatory Activities for strategic support.
- How long will it take to achieve your goal? Realistically, can you do this in one session? Or, is it more likely that you will need to spend the first year laying the necessary groundwork; that is, educating the public and legislators, and building strong alliances?
- Is the current political climate favorable for this initiative? Who are your allies? Your opponents? Is the opposition organized? Well-financed? Is the media sympathetic?
- Can you join in a coalition with other groups to achieve your goal? Is any other group already proposing a legislative remedy which you could support?
- How much time and effort are you willing and able to contribute to this issue?
STEP 3:

**DON'T FORGET THE “WHITE HAT ISSUES”!**

These help deflect any criticism that your legislative agenda is self-serving.

For example,
- A legislative agenda that is top-heavy on physician practice or “pocketbook” issues should be balanced with patient-specific or other issues that focus attention on the benefits ob-gyns provide to the public.

STEP 4:

**DON'T AIR YOUR “DIRTY LAUNDRY” IN PUBLIC**

An effective process, begun prior to the start of the legislative session, will help to identify and resolve differences of opinion on critical issues and will provide member “buy-in” to your legislative agenda.

For example,
- Nothing will kill a legislative program quicker than conflicting voices from your members. If internal differences become public, legislators won’t know what your position is and will begin to doubt or distrust your credibility.

STEP 5:

**BE FLEXIBLE!**

Your legislative agenda should be viewed as a work in progress.

For example,
- Expect to modify or fine-tune your legislative agenda to reflect sudden changes in the political environment.
- Your agenda should be evaluated before and after each legislative session.

STEP 6:

**DELIVER RESULTS!**

Don’t hold yourself accountable for accomplishing your agenda in one year, but do be able to show progress.

For example,
- Distinguish simple and non-controversial issues from those that are complex, controversial or visionary when setting your legislative agenda.
- What short-term or partial victories can you win as steps toward a long-term goal?
- *Remember*, results are also measured by the defeat of a harmful bill.
A major task of any Legislative Committee, and one which can involve a considerable time commitment of the members, is the monitoring of bills and agency regulations. Because the vast majority of bills introduced in your state each legislative session won’t be of interest, the key is to identify the relevant bills. Your Legislative Committee should implement a procedure for acquiring copies of bills, a procedure for reviewing bills to determine whether or not they are relevant, and a procedure for recommending a position on relevant bills to the Advisory Council. How do you go about it?

Your Legislative Committee will need a procedure for obtaining copies or summaries of bills in a timely manner—that is, at the time they’re introduced or prefilled. You have several options. Consider the following:

- Every state has some type of document mailing service or on-line service to which you can subscribe or even access free of charge. Call your state capital or check out their web site.
- If your Section has a lobbyist, this would be an appropriate task to delegate to him or her.
- You may want to consider asking your State Medical Association if it would be willing to have its lobbyist or specialty society liaison staff provide all ob-gyn-related bills to your Legislative Committee.
- Sign-up for ACOG’s Customized State Legislative Tracking Service available from the Department of State Legislative and Regulatory Activities.

Once your Legislative Committee has implemented a system to obtain bills, it is then ready to conduct an initial screening to determine which bills are relevant to women’s health, to ob-gyn practice, and to the profession generally. In this screening process, it will be important to distinguish those bills that have minimal-to-no impact and, thus, require little effort beyond basic watching, from those that are critical and will require a major effort to pass or defeat. It will be helpful to have an agreed upon coding system for the various degrees of impact and the corresponding effort required so that bills can be readily categorized for ease of monitoring. A suggested coding system is illustrated below:

<table>
<thead>
<tr>
<th>ACOG Position</th>
<th>Action Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Position</td>
<td>Simple monitoring is all that is required; monitor for major changes or amendments which do have an impact.</td>
</tr>
<tr>
<td>Watch</td>
<td>Telephone call, letter or personal visit to communicate ACOG concerns and to provide educational/supporting materials; possible additional effort if resources and/or priorities permit.</td>
</tr>
<tr>
<td>Approve, if amended</td>
<td>Do whatever is necessary to pass or kill a bill.</td>
</tr>
<tr>
<td>Disapprove, unless amended</td>
<td></td>
</tr>
<tr>
<td>Support</td>
<td></td>
</tr>
<tr>
<td>Oppose</td>
<td></td>
</tr>
</tbody>
</table>
To maintain enthusiasm for legislative efforts, it is important to keep Fellows in your Section or District apprised of the status of bills your Legislative Committee is supporting or opposing, and especially, the conclusion or outcome of specific efforts. A relatively easy way to do this is through your District or Section newsletter. Why not devote a column in the newsletter to legislative updates? This could go under the Chair’s by-line.

If your District or Section newsletter is published infrequently (say, less than quarterly), your Legislative Committee is advised to produce a legislative bulletin or report. A legislative bulletin could be sent out bi-monthly from your Committee while the state legislature is in session, and less often or not at all when the legislature has adjourned.

At crucial junctures during the legislative process—and especially during action on your priority bills—it may be necessary to alert the entire Fellowship or just your legislative key contacts. For rapid delivery, consider sending your legislative alerts by fax or e-mail.

Remember—education and motivation of Fellows in your Section or District about legislative matters is a year-round process. An informed Fellow is more easily mobilized to influence the legislative process. Fellows must be educated about the potential impact of bills, and their status, in order to participate effectively when they are called upon to take action during key stages in the legislative process. They deserve to know what you have achieved recently and what you are working on. In most cases, what you accomplished two years ago is not good enough. Fellows also need to know what lies ahead on your agenda and why you need to continue to be active legislatively. You should always try to tie the two together. The agenda that you haven’t completed yet demonstrates why you’re worthy of their future involvement!
Is Your Legislative Committee Working Effectively?

Having a Legislative Committee means more work for your District or Section, of course, but it should also help you to grow your District/Section. In part 3 of this Tool Kit, the resources needed to set-up a functioning Legislative Committee were discussed. Here in part 9, the Tool Kit offers some guidance for keeping an already established committee functioning the way you want it to. Listed below are ‘guideposts’ and ‘tips’ to assist you. You may want to have your Legislative Committee formally address each of these ‘guideposts’ at the conclusion of a legislative session.

Are you able to mobilize, quickly, ob-gyns behind an issue your Legislative Committee has identified as a priority?

**TIP:** Make sure that the bill or issue you’re advocating hits home and demonstrates a clear impact on ob-gyns and patients.

**TIP:** Education and motivation of Fellows about legislative matters is a year-round process. An informed ob-gyn is more easily mobilized to influence legislation. To maintain Fellow enthusiasm for legislative efforts, Fellows need to be apprised of developments and the conclusion or outcome of a specific effort.

Can you readily identify the legislative issues that are important to ob-gyns in your state/region?

**TIP:** Communication is a two-way street. If yours is a District Committee, then you need to focus on whether each of your Committee members is bringing legislative news from their Section to the attention of the District. Are they speaking about legislative matters at their local meetings? If not, why not?

**TIP:** If yours is a Section Committee—how often are your Committee members communicating with their colleagues on legislative matters? Are legislative issues discussed at most Section meetings? Is anyone doing ‘grandrounds’ on legislative concerns? How about at Junior Fellow meetings? Does your Section suffer from regional conflicts or isolation? If so, does your Legislative Committee reflect these regional differences of outlook when it sets the legislative agenda and priorities? Do you always hold legislative meetings in the same city or town? Or do you hold meetings at various locations around the state?

Are you recruiting and involving more ob-gyns to work on your legislative program?

**TIP:** Find at least a few ob-gyns who can become interested enough in legislative matters to give it some of their time. Encourage them to call and put their names on mailing lists to receive free mailings from the Senate/Assembly/House clerk’s office.

**TIP:** It takes time to build an effective grassroots program. Start slowly, but early! Involve ob-gyns as they express an interest. Don’t ask newcomers to do too much. Emphasize recognition and retention of your active ob-gyns and use your activists to recruit more ob-gyns.
**What are your Legislative Committee's priority issues?**

**TIP:** If you cannot write them down on the back of a business card, your Legislative Committee is suffering from a lack of clarity. Take the time to get your focus back on what’s important.

**TIP:** Is your agenda sufficiently broad and balanced? That is, are you pursuing both patient-specific issues, such as improved access to mammography screening or new monies for teen pregnancy prevention efforts, and physician-specific issues, such as prompt payment legislation? Action on the former increases your chances of success on the latter.

**Is your Legislative Committee identifying and resolving differences of opinion on critical issues before you go public with your legislative agenda?**

**TIP:** Nothing will kill a legislative initiative faster than internal differences that become public. An effective committee planning process will identify and resolve differences of opinion on critical issues and will include ratification by the membership of the basic elements of your legislative agenda.

**TIP:** Did you commit sufficient resources to your legislative agenda?

**Goals should fit resources—Are you David confronting Goliath?**

**TIP:** Were your legislative goals realistic and achievable?

**TIP:** How about your leadership—were they committed for the duration of your legislative initiative?

**TIP:** Legislative success is really very similar to any marketing success. The better you know your audience and the environment in which your message is delivered, the more likely you are to hit your target.
WORKING COMMITTEE CHECKLIST

☐ Can you readily identify the legislative issues that are important to ob-gyns in your state/region?

☐ Are you able to identify what is important to legislators?

☐ Are you re-evaluating your legislative agenda before and after each session?

☐ Are you making political friends and allies before you need them?

☐ Are you identifying and resolving differences of opinion on critical issues before you go public with your legislative agenda?

☐ Do your legislative goals fit your resources?

☐ Are you able to quickly mobilize ACOG Fellows behind a political issue?

☐ Are you recruiting and involving more ob-gyns?

☐ Are you able to anticipate the likely future threats to your legislative agenda and long-term goals?

☐ Does your legislative agenda include steps to increase positive, public awareness of ob-gyns?
## A SAMPLE MODEL FOR MONITORING YOUR LEGISLATION

<table>
<thead>
<tr>
<th>Bill #</th>
<th>Description</th>
<th>Author</th>
<th>ACOG Action</th>
<th>ACOG Position</th>
<th>Tracking Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 123</td>
<td>House Insurance Reimbursement to Pay Claims for Mileage</td>
<td></td>
<td></td>
<td></td>
<td>01/10 Prefiled</td>
</tr>
<tr>
<td>01/26 Passed House</td>
<td>Requires insurers to pay claims for reimbursement within 30 days</td>
<td></td>
<td></td>
<td></td>
<td>01/31 Insurance Committee Hearing</td>
</tr>
<tr>
<td>01/32 Passed Committee (4-2)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>01/33 Insurance Committee Hearing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>02/06 Introduced and referred to Insurance Committee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>02/10 Prefiled</td>
</tr>
<tr>
<td>02/11 Passed Committee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>02/12 Passed Committee as amended (5-0)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>02/13 Passed House (42-8); TO SENATE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>03/10 Referred to Senate Insurance Committee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>03/11 Prefiled</td>
</tr>
<tr>
<td>03/12 Passed Senate (36-4); TO HOUSE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>05/01 Passed Senate</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>05/02 Governor signs into law</td>
</tr>
<tr>
<td>05/14 TO GOVERNOR</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>05/17 House concurs with Senate amended</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>05/20 House Insurance</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>12/10 Prefiled</td>
</tr>
</tbody>
</table>

### ACOG Action
- **Approve:** if amended
- **Support:**
- **Oppose:**
- **Disapprove:** unless amended
- **No Position:**
- **Watch:**
- **Require:**
- **Do whatever is necessary to pass or kill the bill**

### ACOG Position
- **Required**
- **Watch**
- **No Position**
- **Support**
- **Oppose**
- **Disapprove**
- **Approve, if amended**
- **Support, unless amended**
- **No Position**
- **Watch**
- **Require**
- **Do whatever is necessary to pass or kill the bill**

### Tracking Status
- **Do whatever is necessary to pass or kill the bill**
- **Call, write, or visit**
- **Meet with any major changes**
- **Watch**
- **Require**
- **Support**
- **Oppose**
- **Disapprove, unless amended**
- **Approve, if amended**
- **Support, unless amended**
- **No Position**
- **Watch**
- **Require**
- **Do whatever is necessary to pass or kill the bill**

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A SAMPLE MODEL FOR MONITORING YOUR LEGISLATION

APENDIX
The Legislative Committee will (1) actively work to inform, participate in, and influence the state legislative and regulatory process as it affects women’s health care, ob-gyn practice and the profession generally; and (2) facilitate communication on state legislative matters among and between Fellows, the [insert state] Section, and District [insert District #].