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For hundreds of years, citizens of the U.S. have exercised their right to petition their government, serving as advocates for many issues, causes, and ideals. This rich democratic tradition has helped to make the U.S. one of the most stable and successful democracies in history. Yet, many people, including surgeons, have never participated in advocacy activities, whether due to lack of knowledge on how to do it, lack of interest, or simply lack of time.

In an ever-changing health care system, it is vital for surgeons to be engaged in policymaking, rulemaking and lawmaking. Surgeons are leaders and are well equipped to advocate on behalf of their patients and their profession. Elected officials need knowledgeable and skilled citizens to help them understand the complexity inherent in the health care system. Because legislators have to deal with massive amounts of legislation on a variety of topics, they cannot be experts on every health care issue. A surgeon advocate can be one of those experts, providing personal insights into the problems that patients and physicians have within the health care system.
What is advocacy?

• Building relationships with legislators
• Issue identification, research, and analysis
• Lobbying/advocating for or against legislation
• Advocacy at the regulatory level

Advocacy can be any number of things, something as simple as dropping by a legislator’s office to say “hello” or as complex as litigation. Any activity that supports an idea or cause is advocacy, including such things as, lobbying a bill, relationship building, and educating legislators and the public.
Develop Relationships

The most important tools you can have in your “advocacy toolbox” are the relationships you create with elected officials, their legislative staff, state agency staff or non-profit organizations. Remember one of the answers to the question “What is Advocacy?” was “saying hello.” It is important to have relationships with both elected officials and other stakeholders before you lobby an issue. It is easier to lobby someone who is familiar with your organization rather than having to explain who you are, what you do, and why they should listen to you.

AMERICAN COLLEGE OF SURGEONS

One of the most important relationships should be with the College’s Division of Advocacy and Health Policy. The State Affairs team is available to help with various aspects of grassroots advocacy. State Affairs contacts include:

- Jon Sutton, Manager, State Affairs, 202-672-1526, jsutton@facs.org
- Tara Leystra Ackerman, State Affairs Associate, 202-672-1522, tleystra@facs.org
- Justin Rosen, State Affairs Associate, 202-672-1528, jrosen@facs.org

IN-PERSON MEETING

Meeting with your legislator during session—either individually or as part of a Chapter lobby day—is a good tactic when building a relationship with legislators and their staff. You can introduce yourself and discuss current topics, as well as meet key staff, which is important to having a good relationship with the legislator.

DOCTOR FOR A DAY

The Doctor for a Day program is a great way to establish relationships with the legislature. Each day the legislature is in session, a member agrees to be the Doctor for the legislature and staff working in the Capitol. Many times, they are introduced on the chamber floor by a legislator and have an opportunity to check out the legislative process from the inside out.

Some ACS chapters or state medical associations already have this program in place and are looking for volunteers. Certainly, if your state does not have this type of program it would be a great idea for the chapter to sponsor. Some states divide the months with each specialty society providing volunteers for their designated months.

Also, state legislatures may host their own health fairs for elected officials and their staff where physicians can volunteer to provide information and basic care. These are usually held in the Capitol building itself and participants offer free screening and informational tables. You may not be talking about legislative issues at these fairs, but you will be putting a face to your organization and that is a good first step in being a successful advocate.

IN-DISTRICT MEETING

Getting together with your legislator in his or her home district is an excellent advocacy opportunity. Things are a lot less hectic in the home district, and a more casual setting can enhance relationship building. You can do this as an individual, or a small group representing your ACS Chapter.

INDIVIDUAL FUNDRAISING AND CAMPAIGN SUPPORT

Most elected officials want to be re-elected, and participating in an election campaign can be a tremendous opportunity to develop a strong working relationship with a candidate that could result in important legislative and regulatory benefits. However, laws vary from state to state with regard to how much an individual can contribute to a candidate’s campaign, and it is recommended that any Fellow wanting to make a contribution first consult with the state elections board to determine what is permissible. In addition, the state elections board can provide information on the rules and regulations governing other aspects of campaigns and elections, including what actions are permitted by individuals and chapters.

A surgeon can become involved in a political campaign in many different ways:

1. Make a personal monetary donation to a candidate’s campaign fund within the requirements of the law.
2. Host a “meet and greet” event. Invite physician colleagues and request that each person contribute to the candidate’s campaign. An average and usually affordable amount is $100-$200; campaigns at the local level are usually less expensive that those at the federal level. Collect the checks yourself and present them all at one time to the candidate on behalf of “the physicians in the community.”
3. Offer to volunteer time in the campaign office. Volunteer work can involve assisting with mailings, working telephone banks, distributing campaign literature and yard signs, and so on. As a respected professional within the community, you might also be called on to attend campaign functions and speak on behalf of the candidate.
4. Serve as a health care policy advisor. Not only will you be a respected and trusted resource during the campaign, hopefully, you will be the first person the legislator turns to when information is needed on a health care issue if the candidate is elected.
Monitor Legislation

How do you know what is happening in the state legislature? Using the relationships you have so carefully built is a start. But there are other ways to monitor legislation. Do not always rely on one source, or person, to tell you what is important, as their priorities may not be the same as yours.

STATE LEGISLATIVE WEBSITES

State websites contain a wealth of information about the legislative activities in a state. You can find out the process of how a bill becomes a law, who your state legislators are, obtain biographical information on each legislator, visit an individual legislator’s website, determine the status of specific bills, access state statutes, and more. While each state website has its own unique features, you can usually search by keywords in addition to sponsors and bill numbers. A few even offer tracking capabilities. For instance, once you’ve selected a bill the system will e-mail action updates or save it in a report so you don’t have to run the same search again.

YOUR STATE CHAPTER

Although not all ACS Chapters are actively involved in state advocacy, some of them do have a legislative committee and/or hire a lobbyist. Another helpful resource can be other state medical and specialty societies. Many state medical and specialty societies list legislation being monitored on their websites, or e-mail legislative alerts to their members. They may also send hard copies in the mail. Checking your “opponents” websites is also helpful, and is a great way to stay ahead of the game and determine what their strategy will be during the legislative session.

THE COLLEGE

The State Affairs Team at the College tracks legislation and can help you anticipate issues that may be introduced in your state based on the trends in other states. Be sure to contact them to find out which bills are being monitored.

THE MEDIA

The media is another source of information on state legislation. Do not rely on this as a sole source of information, since media outlets will probably not report on a bill unless it is actively moving through the legislative process and there is an angle that makes good “press,” and by then it may be too late to mount a grassroots advocacy campaign.

Tips for Successful Communication

Whether a state-level issue is being addressed through legislation or the regulatory process, grassroots advocacy is communication with a state legislator or other state governmental official. You can communicate via letter, fax, e-mail, telephone call, meeting, and more—or a combination of these. Legislators want to hear from their constituents and are sensitive to their opinions. Thoughtful, sincere, and precise comments are most helpful and may be used by a legislator or regulator when debating or discussing a bill or proposed rule.

WRITTEN CORRESPONDENCE

In order to make your written communication effective, there are a few simple rules to follow:

FORMAT THE LETTER PROPERLY WITH THE CORRECT SALUTATION

- Honorable (all Representatives and Senators)
- Representative (all rank and file representatives)
- Senator (all rank and file senators)
- Leader (Majority and Minority leaders in the House and Senate)
- Chairman/Woman (Chairperson for each committee)

ALWAYS BE AWARE OF THE TONE IN YOUR LETTER

A polite, informative tone is the best to use, avoid language that might seem threatening. Stay away from writing an opening sentence saying “as a citizen and taxpayer,” since the legislator can already assume you are both.

INCLUDE INFORMATION ABOUT YOU

It is useful to include information about your role as a physician and where you work. A standard opening sentence could be something similar to, “This letter is being written to comment on HB 1234, the Health Care Liability Act. H.B. 1234 is currently before the legislature, and as a surgeon at Memorial hospital who is affected by this, I encourage you to support it.”

FOCUS ON A FEW KEY POINTS

Do not make the communication too wordy, and use common terms and language. Overly technical language is indecipherable to most legislators, who generally have no medical or clinical training. When possible, use bullet points to outline your arguments. Explain the potential impact on your patients, on quality and accessibility of care, and on your practice. A one-page letter is ideal, but two pages are acceptable. Avoid discussing tangential issues, since they will only confuse the issue and the recipient of the letter and make it look as though you are not sure what issue you are addressing.

BE SURE TO NOTE A BILL NUMBER OR TITLE OF A PROPOSED RULE, AS WELL AS A BRIEF DESCRIPTION OF WHAT THE BILL/RULE WILL DO

Generally, the common abbreviations for state legislative bills are House Bill (H.B.), Senate Bill (S.B.), or Assembly Bill (A.B.) and bills are referenced as H.B. 1234 or S.B. 736 or A.B. 1427. In some cases, using H or S or A is also
TIPS FOR SUCCESSFUL COMMUNICATION (cont.)

If you cannot reach the staff person responsible for your issue, you should leave a message with the receptionist.

Similar to writing a letter, it is important that you keep your message to a few simple points. Reference the bill number you are calling about, offer your comments, and ask what position the legislator has taken on the bill. Avoid being argumentative or trying to “win” the discussion; simply present your position matter-of-factly and encourage support or opposition to the bill. Before you end the call, offer to follow-up with a letter recapping your discussion. Give the staff person your telephone number so they can easily contact you if they need further information. If the staff person has been helpful, courteous, or otherwise accommodating, note it in the letter, which should be addressed to the legislator. Positive strokes are valuable in an environment where often the negative is emphasized.

The same rules apply when calling a state government official.

Meeting with an Official

As with writing a letter, there are a few simple guidelines to follow when meeting with a legislator or other governmental official.

Setting up a Legislative Visit

- When calling a legislator’s office to schedule a meeting, ask to speak with the appointment scheduler.
- Be flexible. The more options you provide, the more likely you will get a meeting with the legislator.
- Let the scheduler know how many people will be in the meeting and a synopsis of what you would like to discuss.
- Do not be surprised if you are asked to e-mail/fax in a formal meeting request.

Prior to a Legislative Visit

- Learn legislators’ committee assignments and what their specialties may be as well as general biographical information which is usually available on their Web page.
- Determine legislators’ leadership roles within the legislature and their party caucuses.
- Develop relationships with personal legislators and their staff—in district if possible.
- Provide legislators and staff with preliminary information on potential issues for discussion, names and addresses of those participating in the visit, etc.

During a Legislative Visit

- Introduce everyone meeting with the legislator.
- Start on a positive note by finding some common ground. For example, if the legislator recently voted in support of an ACS issue, thank them.
- Provide a brief overview of the issue and your position right away. This is key if the meeting is cut short.
- Use personal anecdotes to explain why the issue needs action. Explain a position with facts, and use personal stories to back it up. State legislation affects surgeons and their patients; make sure legislators understand the personal ramifications or benefits resulting from their actions.
- Focus on only a few issues to avoid overloading the legislator with too much information, and keep the conversation simple and polite.
- Ask for clarification or an explanation if it is unclear what the legislator may be referencing/stating.
- Have the legislators clarify their position and/or vote on the issue.

Telephone Communications

If using the telephone to communicate with a state legislator do not be surprised if you end up talking to the staff person responsible for the issue you want to discuss, such as the Health Legislation Aide. Legislators will try to take your call if they are available, but they are often in meetings or negotiating with their colleagues over proposed legislation. However, since staff are very influential, it is a positive outcome to speak with the staff person and begin developing that personal connection.

When Closing, Mention the Bill Number/Rule Title Again and Encourage Support or Opposition

Recap your main points and encourage the specific action you want them to take.

Offer to speak further with the legislator/regulator by providing your contact information.

Physicians are viewed in a generally positive light and are seen as experts on medical/clinical issues. State legislators and regulators or their staff may very well take you up on your offer and call—and if they do, be sure to take the call or ask to schedule a time to talk if you are busy seeing a patient or performing a procedure. They may even want to meet with you to talk about the issue.

Example: H.B. 1234 – An Act Concerning Surgery - SUPPORT

WHEN CLOSING, MENTION THE BILL NUMBER/RULE TITLE AGAIN AND ENCOURAGE SUPPORT OR OPPOSITION

If you cannot reach the staff person responsible for your issue, you should leave a message with the receptionist.

If sending an e-mail, please use a clear subject line that indicates the bill number, and whether you support or oppose the bill.

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TIPS FOR SUCCESSFUL COMMUNICATION (cont.)

• Show openness to the knowledge of counterarguments and politely respond to them if it seems appropriate to do so. Caution. Do not argue with the legislator or their staff.

• Firmly and fairly direct the conversation especially if the conversation begins to veer off track.

• Ask the legislator to take some specific actions such as sponsoring a bill, voting for or against a pending measure, or meeting with the chapter.

• If the answer to a question is not known, it is okay to say so, but offer to get an answer and follow-up with that answer; this actually provides a good opportunity to keep the conversation going after the initial meeting.

• Express thanks upon leaving.

AFTER THE VISIT

• Write a thank you letter summarizing priority points.

• Share the results of the legislative meetings with chapter leadership or lobbyists, including insights about legislators’ concerns. Inform the chapter membership through the chapter newsletter or listserv, and ask other Fellows to lobby.

• Maintain ongoing communication with legislators and their staff through letters, calls, and visits.

• Find out when legislators will be at home in the district and organize a local visit.

ININVOLVING PATIENTS IN THE ADVOCACY EFFORT

Sometimes, a broad base of support is needed to pass legislation. If this is the case, patients can be a tremendous help in advocating for legislation since they are ultimately affected by its enactment. Legislators listen to their constituents, so encouraging patients to write their legislators or send postcards in support of the legislation can show the legislature it is not just physicians who want the legislation passed. Preprinted postcards can be inexpensively produced and provided to all Fellows for use in their offices.

Due to confidentiality and privacy considerations, it is important to be sensitive to an individual patient’s situation before approaching him or her to become active in this process. It is never a good idea to pressure a patient to participate—rather, broach the subject as part of the visit, offer the availability of a postcard or sample letter at the front desk, and be gracious if the patient declines the opportunity. If you are uncomfortable discussing legislative issues with your patient(s) directly, a poster/brochure at the front desk is often effective and may encourage a patient to ask questions about the issue during their visit.

Let the College know about your efforts

Let ACS State Affairs staff know about your advocacy activities, challenges and successes. Staff can help guide you through difficulties, provide resources and support to help in your efforts and recognize your successes in ACS publications. If you are interested in getting involved with the College in a more formal role, consider becoming a State Advocacy Representative (StAR). More information about the program as well as other College resources can be found at the end of this guide under the ACS State Legislative Affairs: Department Resources and Programs section.
ABOUT SurgeonsVOICE

SurgeonsVoice is the American College of Surgeons Professional Association’s nationwide, interactive advocacy program that provides surgeons with the tools to strengthen its impact in Congress and around the country. The Health Policy Advisory Council is chaired by Charles Mabry, MD, FACS, a general surgeon from Pine Bluff, AR, and is operated by the ACS Division of Advocacy and Health Policy in Washington DC.

The online resources at SurgeonsVoice.org allow surgeons to engage and build valuable relationships with lawmakers, advance pro-surgery policy and legislation, and help foster champions for surgery on Capitol Hill. SurgeonsVoice provides you the tools you need to become a surgeon advocate today.

Through SurgeonsVoice you can engage in a number of advocacy-related activities online when you visit SurgeonsVoice.org, such as:

- Take action on key issues by participating in town hall meetings, reaching out to members of Congress, encouraging colleagues to get involved, and more
- Learn about your legislators
- Become a key contact
- Share personal stories regarding the effects of health care legislation on your practice
- Learn the fundamentals of serving as a surgeon advocate

BECOME A COUNCILOR

There is one Councilor from every chapter who is responsible for fostering an extensive grassroots advocacy network throughout their chapter. Councilors are advocacy experts who promote grassroots and political advocacy among their peers, and communicate feedback from surgeons on the ground in their chapters on legislative and regulatory policy and implementation, back to the Division of Advocacy and Health Policy.

JOIN THE DISTRICT OFFICE CONTACTS BY SURGEONS (DOCS) PROGRAM

Surgeons who participate in DOCS will routinely meet with their Representative and Senators in their state district offices during House and Senate recesses, “in-district work periods,” and advocate on issues critical to surgery. These meetings will foster lasting relationships between participating surgeons and members of Congress, and will serve to develop the surgeons into knowledgeable and trusted resources on healthcare policy for their elected officials. Visit SurgeonsVoice.org to learn more and get started.

CONTRIBUTE TO SurgeonsPAC

Political action starts with ACPSA-SurgeonsPAC which provides bipartisan financial support to the campaigns of Members of Congress who support and are positioned influence our legislative goals. Contribute to SurgeonsPAC to help elect pro-surgery Representatives and Senators, who directly influence your practice environment.

For more information, please contact Sara Morse, Manager of Political Affairs and Grassroots, at smorse@facs.org or call 202-672-1512

Chapters of the ACS play a key role in advocating for surgeons on the state level. This section will outline specific tools Chapters can utilize in advancing Surgery’s legislative priorities.
ADVOCACY TIPS FOR CHAPTER LEADERSHIP

Step 1: Developing a Legislative Strategy: When and How to Get Involved

There are many variables that go into determining a successful state legislative strategy. Some of them are process oriented, others are organizational, and all involve commitment and dedication on the part of chapter leadership and Fellowship. Remember the State Affairs team at the College is available to help with all of this!

DEFINE, PRIORITIZE, AND CATEGORIZE

Defining and prioritizing the issues is the first and one of the most important steps in developing a legislative strategy. Many take this step for granted, but deciding exactly what the most important issues may be before the start of a legislative session is vital to determining what resources will be needed and will save time in the long run. An example is medical liability reform, a hot topic in many states, but complex with many potential areas with which to focus. Is a cap on noneconomic damages more important than alternative dispute resolution and is alternative dispute resolution more important than limiting attorney’s fees? By prioritizing these elements, you are prepared for the inevitable negotiations that will occur during the legislative session.

After the issues have been defined and prioritized, they should be categorized into three lists—proactive, reactive, or opportunistic.

HERE ARE EXAMPLES OF EACH

- **Proactive:** Medical Liability Reform, Physician Reimbursement
- **Reactive:** Self-Referral, Scope of Practice, Physician Taxes
- **Opportunistic:** Trauma System Funding and Development

It is important to note that a particular issue may not stay in the category in which it started. Last year’s reactive issue may be this year’s proactive issue, requiring a re-evaluation of the overall grassroots advocacy strategy.

ADVOCACY RESOURCES

After you have defined and categorized the issues it is easier to determine what resources you need and when you need them. The term “resources” is used to refer to anything that can be utilized in grassroots advocacy efforts. Resources can be model legislation, talking points, studies, testimony, flyers, or advertisements. A lot of these resources can have an associated cost; please be sure to budget for unexpected expenditures. In addition, you should plan a timeline for when to start and finish your advocacy efforts. Most state legislatures have strict deadlines to act on legislation, and it’s important that advocacy efforts take place prior to when legislators must act on a bill.

HIRING A LOBBYIST

While it is possible to be successful in advocating for legislation without a lobbyist, hiring your own can make a world of difference. State registered lobbyists tend to be well connected with legislators, understand the legislative process at every end, and are familiar with various legislative strategies. However, a lobbyist can be costly, so a clear budget must be forethought before the chapter proceeds with the hiring process. Also, determine whether the chapter’s tax status permits hiring a lobbyist. The chapter may be prevented from using tax-deductible dues dollars and might have to approve a special assessment of the Fellowship. The ACS State Affairs staff is also a great resource that can help guide your Chapter through the advocacy process. When your Chapter begins to consider getting involved in state level advocacy, let the College know, and you will have a supportive partner to help ensure your efforts are successful.

OTHER ASSOCIATIONS

Partnering with other state specialty societies and local state health organizations is a great way to combine strengths and reach more people. Attending their events and inviting them to yours help to create solid working relationships. These organizations are more likely to be allies on surgical issues and it will pay off in the long run if these relationships are established early.

DRAFTING APPROPRIATE LANGUAGE FOR THE LEGISLATION

If you decide that an issue is important enough that you would like to draft your own bill, first check with ACS to see if model legislation exists. Model legislation can serve as a useful starting point and save time and advocacy resources.

When developing a bill it is important that the language be written in the statutory format utilized by the state legislature. Either use a current statute as an example for style, or seek the assistance of ACS staff; a state lobbyist or legislator who could serve as a potential sponsor; an attorney; or state medical society government relations staff person. In many states, a legislator will determine the basic intent of the bill, provide that information to a legislative information office in the state capitol, and that office will draft language while making sure the appropriate section of the state statute is amended.
Step 2: Rallying Support for Your Issues

After you have identified the issues your Chapter is going to advocate for and laid out a strategy, the next step is to take action, by reaching out to your membership, as well as state legislators, to gain support of your issues.

**LOBBY DAYS/A DAY AT THE CAPITOL**

Lobby Days are a great way to both create and leverage relationships. It is not necessary to have a lobby day only when you have issues on the table. Legislators want to see and hear from you year-round, and they appreciate receiving “thanks” for a job well done.

Checking the state and local lobbying laws is critical before you begin to plan an event. Once you have established what you can and more importantly, cannot do, you may begin planning your event. Most lobby days include:

- **Speakers:** Elected officials (where allowed), and/or representatives from the College and chapters, state medical and specialty societies, and so on.
- **Dinners and/or Receptions:** These may be open events for the whole legislature or more structured invitation-only events.
- **Meetings with Legislators:** These events will include times for the attendees to meet with their specific elected officials.

**HELPFUL HINTS**

1. Include a speaker who can address the “do’s” and “don’ts” of advocacy that not only highlight the legalities (what can you say, do, etc.) but the how’s. For example, how to maintain eye contact, how to introduce yourself, how to follow-up, etc.

2. Do not forget to prepare “leave-behinds,” which can be one-page handouts on the issues you will be discussing.

3. Include young surgeons in the event—residents and medical students add enthusiasm and may connect more quickly with legislative staff who are also typically quite young themselves.

4. Understand the process of meeting with legislators. In some states, constituents call their legislators out from the floor of the chamber during session, and have the opportunity to quickly speak with them in the hallway. In other states, it is better to make appointments to visit with the legislators.

**SURGERY STATE LEGISLATIVE ACTION CENTER (SSLAC)**

This simple, user-friendly, Web-based advocacy tool is an excellent way for surgeons to advocate. The SSLAC requires entry of a zip code which helps identify elected officials. Pre-written letters are provided, and can be edited and sent by e-mail to legislators directly from the action center. These letters are easy to modify to reflect a surgeon’s personal situation and how the proposed legislation may impact their patients. The SSLAC also conveniently links a surgeon to local media outlets (newspapers, magazines, television, and radio stations), so that surgeons can get the message out to the public and to patients, who can serve as effective advocates on any issue.

The State Affairs Team at the College has the ability to update the SSLAC to reflect any current legislation in a state. The College can send an e-mail to all Fellows in a given state urging them to write to their elected officials; set the site to send to federal and/or state officials, specific officials, or full chambers; and can even track the number of letters sent. This website is shared with over a dozen other surgical societies and they are able to post their own alerts as well. Contact the State Affairs Team at the College to initiate an action alert.

**HEALTH FAIRS**

Many State Senators and Representatives host various informational “fares” in their communities. “Senior Health” and “Back to School” fairs are especially popular. They are always looking for participants, and offering to host a table is a short commitment with only a couple of volunteers. Local chambers of commerce or towns/cities have similar fairs or events and chances are your State Senator or Representative will have a table there too—why shouldn’t you?

Another opportunity for Chapter’s to present a “face” to legislators is the Doctor for a Day program, which is discussed in greater detail on page 6 of this document.

**SOLICITING SUPPORT AND INVOLVEMENT BY THE STATE MEDICAL SOCIETY**

The state medical society is often one of the most politically powerful health care organizations in a state. Determine if they have a policy for or against your issue. If they support the legislation, find out what level of support can be expected by medical society lobbyists. Will they actively lobby on behalf of the bill, or will they focus on procedural support such as submitting slips of support in committee hearings and letting legislators know they support the legislation only if asked? Do they want to assist in passage of the legislation but are willing to let the chapter take the lead in the effort, or will this be a priority issue for them on which to take the lead in advocacy activities?

If the medical society does not have a position, or opposes the issue, it may be useful to introduce a resolution at
ADVOCACY TIPS FOR CHAPTER LEADERSHIP

(cont.)

of the process.

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some key actions Chapters should

to what is provided above, there are

the legislative process. In addition

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getting a bill introduced, the focus

legislature, with the outcome of

its issues to membership and the

Once the Chapter has presented

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chambers of commerce/business

specific associations, church groups,

patient groups, unions, disease-
supporting your position. Consumer/
organizations that will be interested in

care issues are

traditional potential supporters.

Take the time to look beyond the

theoretical potential supporters. Where health care issues are

concerned, there are non-physician

organizations that will be interested in

supporting your position. Consumer/ patient groups, unions, disease-
specific associations, church groups,

chambers of commerce/business

groups, American Association of

Retired Persons (AARP) chapters,

and hospital associations could be

approached to request their support

and participation in a coalition.

Step 3: Moving Your Bill through the Legislature

Once the Chapter has presented

its issues to membership and the

legislature, with the outcome of

getting a bill introduced, the focus

needs to shift to moving it through

the legislative process. In addition

to what is provided above, there are

some key actions Chapters should

take as they proceed through this part

of the process.

WORKING WITH LEGISLATIVE LEADERSHIP TO DETERMINE SUPPORT

In virtually every state, legislation first has to go through a rules committee, or equivalent, composed of the legislative leadership or their representatives and controlled by the majority party, which is responsible for assigning bills to hearing committees. If the leadership doesn’t want a bill to pass, it will not get out of the rules committee. As such, gaining support of legislative leadership is a critical factor in a successful advocacy strategy. Special consideration may be given, however, to the chairman of a committee who happens to be a sponsor of the legislation, or if a member of the rules committee is a sponsor.

PREPARING FOR COMMITTEE HEARINGS

After a bill is assigned to a committee, it will be debated during a hearing. At that time, many other bills will also be heard, so testimony must be clear, concise and to the point. More extensive information can be submitted in written form during the hearing, or when testimony is presented, but the oral presentation should be short unless the chairman is willing to allow a longer time. The State Affairs Team at the College can help prepare talking points, testimony, background information, and even help brief you before the hearing.

Remember

• Do not forget when testifying that you are both the expert AND the constituent.

• Be prepared to take questions from the committee; anticipate both friendly and unfriendly questions.

• Stand your ground. Do not stray from your point, or allow yourself to become emotional.

It is important that all members of the legislative committee be contacted before the hearing with a formal letter of support and any informational materials, preferably, those that will be submitted during the hearing as part of the testimony. Fellows living in a committee member’s district should call and write their legislator in support of the bill.

In some cases, a committee chair or committee member will request that an informational hearing be held on a particular piece of legislation, usually between legislative sessions or during a recess. No vote will be taken by the committee at that time, and often this type of hearing can last one hour or more, providing plenty of time for proponents and opponents to make their case. Planning for an informational hearing is more extensive as presenters of testimony can go into greater detail, and “experts” can be brought in to explain an issue or procedure. Such a hearing is an excellent opportunity to use colorful charts, graphs, and handouts.

ENLISTING SUPPORT OF THE GOVERNOR’S OFFICE

Communicating with the health care staff in the Governor’s office to inform them of the issue can lead to support from the Governor. This is especially helpful if the Governor’s party is the majority party in the state legislature, and may be useful in getting the bill out of committee for action by the full House/Assembly or Senate.

LET THE ACS STATE AFFAIRS STAFF HELP

The tips provided serve to help your Chapter get started in advocacy and better understand the resources and efforts necessary to be successful. ACS Staff is available to help your Chapter in its advocacy efforts. The college has many resources available to support your efforts and can provide more in-depth information and support when needed.
For many years, the College has supported ACS Chapters in their state legislative advocacy efforts, as well as worked to advance ACS policy in the states. During this time, top-notch staff developed useful resources for Fellows and Chapters, helping to inform about current issues and grassroots advocacy, how the legislative process works, and what surgeons can do to impact the surgical environment in their state.

**Contact**

**STATE AFFAIRS STAFF**
- **Jon Sutton**, Manager State Affairs, 202-672-1526, jsutton@facs.org
- **Tara Leystra Ackerman**, State Affairs Associate, 202-672-1522, tleystra@facs.org
- **Justin Rosen**, State Affairs Associate, 202-672-1528, jrosen@facs.org

**Programs and Resources**

**SURGERY STATE LEGISLATIVE ACTION CENTER (SSLAC)**
The SSLAC is a website that ACS hosts with over a dozen other surgical specialty societies. This simple, user-friendly, web-based advocacy tool is an excellent way for surgeons to participate in state advocacy. The SSLAC is a public website, and any interested party may use & share alerts with others.

The SSLAC has a variety of functions.

1. **Letter-Writing Campaigns**
   - Letters can be directed to elected officials, regulatory bodies, even media sources. The SSLAC requires entry of a zip code which identifies who are the user's elected officials. Pre-written letters can be sent by e-mail to legislators directly from the action center. These letters are easy to modify to reflect a surgeon's personal situation and how the proposed legislation may impact their patients.

2. **Election Information**
   - By clicking the “election” tab, users can select their state and find out important election dates, register to vote, and find their polling place. Users may also find out who is running in their local races and get contact information for the candidates.

3. **General Information**
   - The SSLAC can be used at any time to send letters to media outlets (with the media guide) or elected officials/agencies.

**STATE ADVOCACY REPRESENTATIVE (STAR) PROGRAM**
The job of a STAR is to be the “eyes and ears” of the College at the state level, and serve as a key contact in the state. STARS pay attention to current legislation and let the State Affairs team at the College know what's happening. STARS participate in conference calls several times a year in order to exchange information with the College and their counterparts, and may be called upon to help with implementing grassroots advocacy activities—encouraging colleagues to contact their legislators, testify at committee hearings, interface with state specialty societies, and more.

**ELLENBERGER AWARD FOR EXCELLENCE IN STATE ADVOCACY**
To recognize excellence in advocacy, the ACS created in 2003 the Arthur Ellenberger Award for Excellence in State Advocacy. Named for Arthur Ellenberger, the former Executive Director of the New Jersey Chapter and expert in state grassroots advocacy, the Award is presented periodically to “recognize a career of outstanding leadership and distinguished service and commitment to protecting patients’ access to high-quality surgical care by their involvement with their state’s legislative and regulatory process.” In 2009, the award criteria were expanded to include Chapters as potential recipients of this award.

**STAFF SUPPORT**
- Participate as speakers for any Chapter event or other stakeholder group. Topics can range from specific issues to advocacy training workshops; a sample program outline, objectives, and a timetable are provided.
- Assist with planning a lobby day at the State Capital or prepare for a legislative site visit.
- Assist in advocacy for or against legislation introduced in the state legislature.
- Address advocacy planning and strategy issues including development of a Chapter Advocacy and Health Policy Committee.
- Develop background information/briefing materials and research a legislative issue.
- Help develop testimony for presentation at state legislative committee hearings.
American College of Surgeons

- ACS State Affairs Web Page
  http://www.facs.org/advocacy/state
- What is Advocacy?
  http://208.250.24.72/ahp/whatisadvocacy.doc
- Grassroots Advocacy Basics
  https://www.facs.org/advocacy/state/resources/what-is-advocacy
- Developing a Strategy
  https://www.facs.org/advocacy/state/resources/developing-a-strategy
- How to Start
  https://www.facs.org/advocacy/state/resources/how-to-start
- State Legislative Lobby Laws
- State Legislative Issues
  http://www.facs.org/advocacy/state
- Bulletin of the American College of Surgeons:
  http://www.facs.org/fellows_info/bulletin/bullet.html
- SurgeonsVoice
  http://www.surgeonsvoice.org/

Additional Resources

- Federation of State Medical Boards
  http://www.fsmb.org
- National Conference of State Legislatures
  http://www.ncsl.org
- Public Affairs Council
  http://pac.org/