

November 2010

Certification Corner

Q: We have been trying to get certification passed in our state for quite some time, but we continue to face obstacles and always seem to wind up right back where we started. How long of a process can we expect — and can you offer any suggestions for helping us finally break through to the other side?



A: First, we should convene a conference call to discuss the issue in greater detail. As this issue is being published, it looks as if two bills will be introduced for 2011. I also have a list of seven states working on grassroots efforts to try to introduce bills for 2012. This does not mean that we will be introducing seven bills in 2012, however; it will depend on what each state has accomplished to determine if that state will run a bill in 2012. We will have more information on this progress in upcoming issues. In addition, we will be rolling out webinars to introduce the new Government Affairs structure and grassroots strategy.

That being said, it will take three to five years, on average, to pass a bill. I am a big believer in laying all the necessary groundwork before approaching a legislator to sponsor a bill, or hiring a lobbyist to help us with a bill. We need to develop a strong grassroots strategy that entails identifying our members with their elected officials, reaching out to elected officials to educate them on the certification issue, and reaching out to our allies/adversaries to find out where they stand on the certification issue. The legislators need to know who we are and what we do at a very elementary level. The process of educating elected officials may take a year.

Once the educational process is completed, we will then evaluate whether or not a lobbyist should be hired to help us introduce a bill. Educating elected officials beforehand makes it easier for us when we introduce the bill. At that point, we know who our allies and adversaries are, and the elected officials know our issue.

There will always be obstacles and the legislative process will be frustrating. It may seem like you end up at the same place you started, but that really is not the case. There are little milestones that count -- such as simply educating the legislators on the issue, getting a bill introduced, and passing a bill out of committee. Even if the bill doesn't pass out of the Senate or House, if we succeed at any of the "little milestones," it is a win. From there, we will pick up the issue for the next legislative session and regroup on what worked for us (and what didn't).

Q: In your experience, what is the single biggest mistake chapters tend to make when meeting with state officials and attempting to get legislation passed?

A: I have seen two big mistakes. One is discussing the certification issue by using the term "mandatory." Mandatory is a negative term when speaking with legislators and there are legislators who will oppose legislation simply because it is a "mandate." We have to take this word out of our discussions entirely because it could hurt our efforts before we even get started. Our new phraseology will be that the certification bill is for patient safety. It is a patient safety bill.

The second mistake is not doing enough grassroots work before introducing a bill. The worst thing we can do is introduce a bill without legislators or lobbyists in the state capitol knowing who we are and what we do. A state legislature is a group of elected officials and lobbyists that works together every day of a legislative session. There have been organizations that have had lobbyists in the state legislature for more than 50 years. These organizations have a lot of political capital with the elected officials and are used by legislators as go-to organizations on certain issues. We do not have this luxury. Therefore, we have to spend time on the ground in the legislators' districts talking to them and their staff so they know us and trust us. I cannot express enough the need for a thorough educational process.

Additionally, some states have put together informational packets, some of which contain roughly 80 pages of material. The packets have a wealth of information and will be useful to us as we go through the legislative process; however, we cannot hand a legislator or their staff an 80-page document and expect them to read it. I will extract the most important information out of the packet for us to use as handouts. Because legislators and their staff have very limited time, we will have to boil down our information to no more than one page. Giving them the most critical information in a bullet point format -- all on one page -- is the most effective method.

Have a state certification- or legislative-related question that you'd like answered in an upcoming issue? Email IAHCMM's Government Affairs Director at jo@iahcsmm.org.