MEDICAL ADVOCACY: NOT A SPECTATOR SPORT

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GOVERNOR, FLORIDA CHAPTER
OVERVIEW

• WHY ADVOCACY IS IMPORTANT
• HOW TO SETUP ADVOCACY PROGRAM
  • PREPARING FOR ADVOCACY
  • DEFINING PROBLEMS/SOLUTIONS
  • ALLIES/RESOURCES
  • ENGAGEMENT
• CASE STUDIES
PURPOSE OF ADVOCACY

• ONE OF THE PENALTIES FOR REFUSING TO PARTICIPATE IN POLITICS IS THAT YOU END UP BEING GOVERNED BY YOUR INFERIORS - PLATO

• IF YOU ARE NOT AT THE TABLE, YOU ARE ON THE MENU - ANONYMOUS

• I WANT TO BE IN THE ROOM WHERE IT HAPPENS - AARON BURR, HAMILTON
THOUGHTS ON ISSUES

• EVERYONE HAS ISSUES THAT ARE OF CONCERN TO THEM

• GOVERNMENT SHOULD BE A SYNTHESIS OF COMPETING IDEAS TO FIND COMMON GROUND

• IF A GROUPS ISSUES ARE NOT BROUGHT TO THE LAWMAKERS THEN THOSE ISSUES WILL NOT BE ADDRESSED OR UNDERSTOOD

• AS PASSIONATE AS YOU MAY BE ABOUT YOUR ISSUES, SO TOO IS THE OTHER SIDE.
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PREPARING FOR ADVOCACY

• APPOINT A LEGISLATIVE CHAIR AND COMMITTEE
  • CHAIR SHOULD BE FAMILIAR WITH THE ISSUES AND PLAYERS
  • REGIONAL AND POLITICAL DIVERSITY

• DETERMINE LEGISLATIVE ENVIRONMENT
  • WHAT ARE THE CHALLENGES AND OPPORTUNITIES
  • WHO ARE YOUR FRIENDS AND OPPOSITION (ENEMIES IS A BAD WORD)
  • THIS IS QUITE A GAME, POLITICS. THERE ARE NO PERMANENT ENEMIES, AND NO PERMANENT FRIENDS, ONLY PERMANENT INTERESTS.- WILLIAM CLAY
PREPARING FOR ADVOCACY

• WHAT IS THE LEGISLATIVE CALENDAR?

• WHO ARE THE LEGISLATIVE LEADERS?

• DETERMINING ORGANIZATION’S RESOURCES
  • VOLUNTEER ONLY?
  • PAID MONITOR? ($5K-$10K)
  • PAID LOBBYIST? ($20K-$80K)
  • FULL-TIME GOVERNMENT RELATIONS PROFESSIONAL? ($100K+)
PREPARING FOR ADVOCACY

• CREATE LEGISLATIVE AGENDA
  • WHAT DO YOU WANT?
  • WHAT CAN YOU REALISTICALLY GET? (FLORIDA HOUSE WILL NOT PASS MEDICAID EXPANSION)
  • WHAT ISSUES ARE ALREADY THERE?
  • WHAT ARE YOUR POLITICAL ASSETS AND LIABILITIES? (PAC, RELATIONSHIPS, GOODWILL, BAD RELATIONSHIPS)
  • RANK YOUR PRIORITIES
**PREPARING FOR ADVOCACY**

- **ASSIGN RESPONSIBILITIES**
  - **LEadership**
  - **Key Contacts (specific relationships that people have e.g. college roommates, relative, friend, personal physician)**
  - **Fundraising**
  - **Identify interested residents**
  - **Residents should be assigned to an experienced leader/mentor**
  - **Engage program directors to allow residents to attend events/meetings**
  - **Have residents present experience to their program**
  - **Include legislative updates at meetings**
  - **Florida chapter brings residents and experienced ACP leaders to the capitol every week during committee week and session to advocate on the issues**
FLORIDA CHAPTER RESIDENT ADVOCACY

- TALLAHASSEE VISITATION PROGRAM
- STARTED IN 2000
- HAS INVOLVED AS MANY AS 30 RESIDENTS EACH SESSION
- CONNECTS CHAPTER LEADERSHIP AND RESIDENTS WITH LEGISLATORS
- OPPORTUNITY TO TESTIFY BEFORE COMMITTEE ON POLICY ISSUES
- IDENTIFIES POTENTIAL LEADERS FOR THE CHAPTER
- HIGHLIGHTS THE IMPORTANCE OF ADVOCACY
- INSTRUMENTAL IN CHANGING POLICY
- MANY DAMAGING PIECES OF LEGISLATION HAVE BEEN DEFEATED THROUGH THE TESTIMONY OF RESIDENTS IN THIS PROCESS
- LEGISLATORS WANT TO HEAR FROM THE RESIDENTS
- CREATES A CULTURE OF ADVOCACY AND ENGAGEMENT
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DEFINE PROBLEMS

• WHAT ARE THE PROBLEMS?
  • EXAMPLE: ARNPS WANT INDEPENDENT PRACTICE
  • OBTAIN AGREEMENT AMONG LEADERSHIP
  • DO MEMBERS AGREE THAT THIS IS A PROBLEM?
  • OPIATE EPIDEMIC
  • BALANCE BILLING
  • FLORIDA HAS A DIVERSE POPULATION WITH MANY DIFFERENT POLITICAL IDEOLOGIES
  • COMPLEX ISSUES DO NOT ALWAYS FALL WITHIN PARTY LINES
  • DOCTORS SOMETIMES USED AS POLITICAL PAWNS
PROPOSE SOLUTIONS

• SUPPORT TELEMEDICINE BILL THAT DOES NOT AUTHORIZE OUT-OF-STATE, NON-LICENSED PROVIDERS
• OPPOSE ARNP INDEPENDENT PRACTICE
• FIND ROOM TO COMPROMISE
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COLLECT ALLIES

• WILL STATE MEDICAL ASSOCIATION SUPPORT?
• WILL FAMILY PRACTICE SUPPORT?
• WILL PEDIATRICS SUPPORT?
• FLORIDA NURSES ASSOCIATION
• FLORIDA MEDICAL ASSOCIATION HAS SYNERGISTIC RELATIONSHIP WITH FLORIDA ACP ALLOWING FOR MUTUAL SUPPORT
OBTAIN LEGISLATIVE FRIENDS

• ARE THERE PHYSICIANS IN THE LEGISLATURE?
• WHO WILL BE YOUR SPONSOR FOR SUPPORTED LEGISLATION?
• WHO WILL BE YOUR “FIREWALL” FOR OPPOSED LEGISLATION?
• SOMETIMES FRIENDS WILL HAVE TO VOTE AGAINST YOU
"WE DON’T WANT NOBODY THAT NOBODY SENT"

- **TIMOTHY O’SULLIVAN 8TH WARD COMMITTEE MAN 1948**
- **SAID TO ABNER MIKVA WHEN ASKING TO VOLUNTEER FOR ADLAI STEVENSON**
- **O’SULLIVAN WANTED TO KNOW WHO SENT MIKVA, MIKVA SAID NOBODY, TO WHICH O’SULLIVAN REPLIED WITH THAT RESPONSE**
- **MEANING: IF YOU WANT TO BE INVOLVED IN POLITICS, YOU NEED TO KNOW PEOPLE FOR BOTH INTRODUCTIONS AND CONNECTIONS**
POLITICAL ACTION COMMITTEES

- Part of the process
- Campaigns are expensive and require significant amounts of money to get elected
- Money does not buy votes or influence
- Contributions do help with access
- Candidate more likely to remember person or groups that help them get elected
- Sweat equity also effective, that is non-financial contributions
- Can make phone calls for candidates, display yard signs, or walk door to door
## Federal Campaign Contribution Limits

<table>
<thead>
<tr>
<th>Donor</th>
<th>Candidate committee</th>
<th>PAC† (SSF and nonconnected)</th>
<th>Party committee: state/district/local</th>
<th>Party committee: national</th>
<th>Additional national party committee accounts‡</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual</td>
<td>$2,800* per election</td>
<td>$5,000 per year</td>
<td>$10,000 per year (combined)</td>
<td>$35,500* per year</td>
<td>$106,500* per account, per year</td>
</tr>
<tr>
<td>Candidate committee</td>
<td>$2,000 per election</td>
<td>$5,000 per year</td>
<td>Unlimited transfers</td>
<td>Unlimited transfers</td>
<td></td>
</tr>
<tr>
<td>PAC: multicandidate</td>
<td>$5,000 per election</td>
<td>$5,000 per year</td>
<td>$5,000 per year (combined)</td>
<td>$15,000 per year</td>
<td>$45,000 per account, per year</td>
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<tr>
<td>PAC: nonmulticandidate</td>
<td>$2,800* per election</td>
<td>$5,000 per year</td>
<td>$10,000 per year (combined)</td>
<td>$35,500* per year</td>
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*Note: The limits in red text are combined limits for individuals and PACs.

†SSF: Super PACs
‡Additional national party committee accounts apply to national committee contributions only.
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ENGAGE OPPOSITION

- DETERMINE POTENTIAL FOR COMPROMISE
- DETERMINE THEIR SELLING POINTS
- DETERMINE THEIR WEAKNESSES
- BE POLITE AND PROFESSIONAL. DO NOT MAKE PROMISES OR CONCESSIONS EARLY.
ART OF COMPROMISE

• DIFFERENT POLITICAL PARTIES SUPPORT DIFFERENT ISSUES
• NEED TO BE BIPARTISAN
• ONE PARTY MAY BE YOUR BIGGEST SUPPORTER ON ONE ISSUE BUT BIGGEST OPPOSITION TO ANOTHER.
• PARAPHRASING VOLTAIRE “DON’T LET THE PERFECT BE THE ENEMY OF THE GOOD.”
• LEARN COMPROMISE
• “A GOOD COMPROMISE IS WHEN BOTH PARTIES ARE DISSATISFIED” - HENRY CLAY
GET INVOLVED EARLY

- CONTACT EACH AND EVERY LEGISLATOR, INCLUDING OPPOSITION
- PERSONAL APPEARANCES BY DOCTORS ARE VERY IMPORTANT EARLY
- TARGET KEY VOTES ON VARIOUS COMMITTEES
STAY INVOLVED

- KEEP VISITING AND EMAILING LEGISLATORS
- VOTER VOICE BEFORE KEY VOTES
- IN-PERSON REPRESENTATION AT EVERY LEGISLATIVE STOP
- SOME OF THE MOST IMPORTANT WORK IS DONE BEFORE SESSION
- ASIDE FROM GETTING HELPING CANDIDATES GET ELECTED, MAINTAIN CONTACT AND BE A RESOURCE.
IT AIN’T OVER TIL IT’S OVER

• GOVERNOR VETO?

• COURT CHALLENGE?

• ADMINISTRATIVE RULEMAKING?
  • THE ADMINISTRATIVE BODIES (E.G., BOARD OF MEDICINE) CAN ENHANCE OR GUT ANY LEGISLATION.
  • ADMINISTRATIVE BODIES MUST HAVE LEGISLATIVE AUTHORITY TO ENACT ANY RULES
START AGAIN

- WORK TO ELECT FRIENDS AND DEFEAT OPPOSITION
- DRAFT “GLITCH BILLS” TO FIX BAD LANGUAGE
- MEET WITH KEY LEGISLATORS
- ENGAGE MEMBERSHIP
  - NEWSLETTERS
  - LEGISLATIVE FORUMS
  - INVITE LEGISLATORS TO MEMBERSHIP MEETINGS
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DOCS VS GLOCKS

• Pediatrician asks a parent if they have a gun in the home
• Parent is offended and refuses to answer
• Pediatrician discharges patient from practice
• Parent goes to state legislator to complain
• Legislator feels Second Amendment rights infringed
• Law written and NRA gets involved
• LAW PROPOSED TO MAKE IT ILLEGAL FOR A DOCTOR TO ASK IF A PATIENT HAS A GUN IN THE HOME

• PENALTY WOULD INCLUDE LOSS OF LICENSE, JAIL TIME AND MILLIONS OF DOLLARS IN FINES

• ACP AND SEVERAL MEDICAL GROUPS GET INVOLVED TO FIGHT THIS LAW

• SEVERAL COMPROMISES OCCUR TO LESSEN PENALTY AND ALLOW FOR CERTAIN SITUATIONS TO ASK

• LAW IS PASSED BUT MEDICAL GROUPS LITIGATE
• COURT RULES LAW UNCONSTITUTIONAL AND VIOLATES FIRST AMENDMENT RIGHTS, ISSUES INJUNCTION

• STATE APPEALS WITH SUPPORT OF NRA

• THREE JUDGE APPELLATE COURT RULES LICENSED PROFESSIONS CAN NOT HAVE PROTECTED SPEECH, WOULD ALSO INCLUDE ATTORNEYS

• ACLU AND BAR ASSOCIATION JOIN WITH MEDICAL GROUPS TO APPEAL THIS DECISION.

• FULL APPELLATE COURT RULES LAW UNCONSTITUTIONAL, STATE DOES NOT APPEAL
• First Amendment and doctors' rights protected by several groups working together to achieve a common goal

• Necessary to have friends in the legislature who were supportive

• Advocacy worked to overturn a serious infringement of constitutional rights

• Opposition was aggressively working for their side
POLITICAL CONTRIBUTIONS

- FMA DECIDES TO ENDORSE CONGRESSMAN RON DESANTIS IN ADVANCE OF PRIMARIES BEFORE ANY OTHER GROUP
- CONGRESSMAN WINS THE REPUBLICAN GOVERNOR PRIMARY
- CANDIDATE WAS RECEPTIVE TO THE CONCERNS OF THE PHYSICIANS
- WON GOVERNORS RACE
- PHYSICIANS ABLE TO ADVISE GOVERNOR ON KEY ISSUES IMPORTANT TO THEM
- CURRENT 2019 SPEAKER OF FLORIDA HOUSE IS FULLY COMMITTED TO EXPANSION OF SCOPE OF PRACTICE OF NURSE PRACTITIONERS
- GOVERNOR HAS OPPOSED EXPANSION OF SCOPE AND STATED THAT HE BELIEVES IF YOU WANT TO BE A DOCTOR YOU SHOULD GO TO MEDICAL SCHOOL
- EARLY INVOLVEMENT BY PHYSICIANS LEAD TO GOVERNOR BEING VERY AWARE AND SUPPORTIVE OF MEDICAL ISSUES
CONCLUSION

• ADVOCACY WORKS
• ADVOCACY IS NECESSARY TO AFFECT CHANGE
• ADVOCACY CAN BE DONE BY ANYONE
• EVERYONE MUST WORK WITHIN THE SYSTEM REGARDLESS IF YOU AGREE OR DISAGREE WITH THAT SYSTEM
• DON’T BE ON THE MENU