

Storming the Hill

By David Jarrard



State lawmakers are gathering at their respective capitols this month as they prepare to do the work for which they ran campaigns, chased money, ate much bad chicken and were, finally, elected.

You want them to represent you well – to promote your interests when it counts and to protect your interests as necessary. You want them to judiciously and knowledgably represent you and your healthcare organization.

Many of them just want to survive.

After all, in the next few months hundreds of pieces of proposed legislation will fly past them on their way to committees, caucuses, floor votes and into law. They will be pressured to support this or oppose that by lobbyists, their political party, the opposing political party, the media, voters, campaign contributors, and by brethren lawmakers.

They will be crunched by the calendar, by the drive to the state capitol, by their need to make a living and by family members who would like to see a little more of them at home, thank you very much.

And in the middle of this chaos, they must represent you and the interests of your healthcare organization – along with the thousands of other citizens in your district.

No two lawmakers are alike. Some seek controversy, other prefer anonymity. Some have grander goals, others are just happy to serve. Some can be approached with logic and reason, others respond to emotion. Still, the overwhelming majority wants to do the right thing.

The problem for legislators is that at any one time on any number of issues, huge numbers of their constituents may disagree on just what exactly the right thing is.

To represent you in an informed and prudent manner, your state lawmakers are going to need some help. For your sake, you better help them. Some tips:

Lawmakers cannot represent you if they don't know you.

Make no assumptions about what your state representatives know about you, your healthcare organization or what's important (or detrimental) to achieving your goals.

Make sure they know about your organization, its fit in the broader healthcare industry, and its impact in their district – that's jobs, taxes, payroll and voters. Say it to them personally and be sure they have something on paper that says it again. A handshake at a fundraising reception won't cut it.

Tell them your story simply and repeatedly – not because they cannot understand it the first time, but because you are one of 1,000 crowding for their attention.

Take a stand when it matters.

Do not make your lawmakers guess about your position on an issue that you care about. They may guess wrong. Tell them where you stand and why. Again, use clarity, simplicity and repetition to penetrate the fog on the hill.

Of course, this requires you (or someone on your team) to be current on legislative matters. Don't kid yourself – this is a difficult task, particularly when you try to squeeze it in among physician recruiting, managed care negotiations and budget reviews. It's difficult but important because it's often the little-known bills that sometimes have the greatest impact.

Your daily newspaper will help, but consider it a limited resource. There is so little news space and so many proposed bills that reporters are often restricted to the broadest topics.

That's why so many health leaders choose to...

Be active in state trade and professional associations.

As in all politics, there's strength in numbers. It helps you get heard. It turns up the volume.

A united group of physicians or hospital leaders from across a state is a powerful political force, particularly if its members are active and vocal. After all, big employers are scattered unevenly across any state and big cities are provincial by default, but everybody cares about healthcare.

That does not mean you automatically win – not by a long shot. But it does mean you should be able to begin your advance on the hill from a position of strength.

A key to winning any battle, of course, is good intelligence. An effective statewide association will keep you up to date on most every new bill and regulatory change that could impact you and on the concerns of lawmakers pushing or opposing them.

An active association will also, occasionally, ask for your help. Its leaders may ask you to write a letter, or make some phone calls, or pay a visit to your representatives at the capitol. When asked, help. Even if the issue being addressed is not on the top of your agenda, the next one might be.

One minor note of caution here: Be mindful of conflicts between members within an association that may neutralize the group's ability to effectively lobby on an issue important to you. If that's the case, you may need to seek support elsewhere.

Muster your troops.

When the going gets tough, get help. There will be times your personal calls and letters are not enough to win legislative support. You should not hesitate to call on your employees, business partners and community members (read: voters) to sound off.

For an elected representative, this can be extraordinarily effective or extraordinarily irritating – or both.

If there is a common mistake here, it's that health leaders often wait too long to deploy their troops, and then do it half-heartedly. Like a loaded weapon, don't use your troops unless you want to make a significant impact. And shooting too late always misses the target.

Once again, clarity and simplicity are key. Your troops need a clear message, strong motivation, and defined action: Make these calls, send these e-mails, write this letter to the editor, speak at this hearing, and urge your friends to do the same.

Hire a lobbyist.

In some cases, your organization may need its own agent within the halls of government – a lobbyist. Consider these questions:

- Does your organization have a unique legislative or regulatory issue that will require shepherding?
- Is your trade or professional association neutralized because of internal political conflicts?
- Do your interests cross professional lines? In addition to being a healthcare company is your organization, say, a manufacturing company with an interest in transportation laws and Internet tax rules?
- Is an issue so significant – and facing such opposition – that your state association would be helped by backup?

If so, you should consider hiring a lobbyist or contracting with a lobbying firm for the legislative session. It won't relieve you of the responsibilities discussed above, but a strategic lobbyist with the right relationships – brought in to the fight early enough – is often the difference between success and failure.

It's often said that making law is comparable to making sausage – you don't want to see it made. This remark is often made by people who don't want you to see it made.

Frankly, today's health leaders don't have a choice.

In a time when government funding and regulations means the success or failure of many healthcare organizations, being part of what is going on at the capitol must be part of your business strategy.

Instead of sausage, think of a roller coaster. It starts slowly, it twists and turns, it ends in a mad rush and there's a lot of screaming involved. Get in and hang on.