AMERICAN SOCIETY

of

PERIANESTHESIA NURSES

GOVERNMENTAL AFFAIRS:

A PRIMER

for

POLITICAL ACTION
Special thanks to:

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The Governmental Affairs Strategic Work Team (GA SWT) acts to promote and position the American Society of PeriAnesthesia Nurses (ASPN) as a major participant in legislative and health policy development. The purpose of the GA SWT is to monitor legislation, governmental regulations and administrative actions that impact nursing and healthcare. By promoting nurse advocacy perianesthesia nurses will influence state and federal legislators.

The fundamentals of grassroots advocacy include the skills of communication and relationship building. These are the same skills you rely on every day in your nursing profession. Every nurse should take an active role in becoming more knowledgeable about the legislative process to ensure appropriate funding for development of the nursing workforce, affordable access to quality of care, eliminating barriers to advanced practice nurses practicing to full degree of training, and promoting evidenced based care and research. This primer provides some basic guidance on how you can effectively influence legislators.
PART I

“I Am A Nurse – Why Do I Need to Know About Politics?”

Because you can’t afford NOT to be involved!

Virtually every day, Congress and state legislators across the country make decisions that vitally affect the nursing profession regarding policy issues. As the nation’s most trusted profession and largest group of healthcare professionals, nurses have a strong and powerful voice to impact legislative proposals being considered at our local, state and national levels.

Nurses have the authority, leadership, expertise and unique knowledge of healthcare issues that can be used to influence opinions and ensure the profession’s role as a major participant in the policymaking process. Most legislators are not experts on healthcare and nursing. They need and welcome the expertise you have to make informed decisions.

It is imperative for nurses to get involved and stay involved at every level of the nation’s political process to meet the complex challenges of healthcare. Becoming politically involved provides an opportunity to influence social policy and advocate for the nursing profession and your patients.

Reference
1. Brenan M. Nurses again outpace other professions for honesty, ethics. Gallup website. Published December 20, 2018. Available at: https://news.gallup.com/poll/245597/nurses-again-outpace-professions-honesty-ethics.aspx?g_source=link_NEWSV9&g_medium=NEWSFEED&g_campaign=item &g_content=Nurses%2520Again%2520Outpace%2520Other%2520Professions%2520for%2520Honesty,%2520Ethics. Accessed May 11, 2019.
PART II

Where to Begin

The first step in political activism is becoming informed about issues and matters of legislation. There are a number of ways you can become more knowledgeable.

The following are some suggestions to get you started.

- Visit ASPAN’s Governmental Affairs website
- Visit professional organization websites
- Read local and national newspapers
- Read professional nursing journals and newsletters
- Familiarize yourself with the legislative process
- Identify your legislators and track their voting record
- Invite legislators to speak at component conferences
- Attend Nurse’s Day or other legislative functions (local, state, national)
PART III

The Legislative Process

There are several stages in the legislative process where opportunities exist to impact the outcome of a bill. Armed with the knowledge of how the system works, you can better understand the ways you can make your power felt and the appropriate time to take action.

Anyone may draft a bill. A bill might arise from a citizen’s demand for action, initiated by an individual who takes his or her concerns along with supporting documentation to a legislator. A bill might be promoted by a special interest group, and then sponsored by a legislator. Other originators of bills are members of Congress, coalitions, a legislative committee and the President.

Only members of Congress can introduce legislation and, by doing so, become the sponsor(s). There are four basic types of legislation: bills, joint resolutions, concurrent resolutions and simple resolutions. The official legislative process begins when a bill or resolution is introduced and assigned a number with the designation of H.R. signifying a House of Representatives bill and a S. for a Senate bill.

**Step 1  Referral to Committee**
Bills are referred to standing committees in the House or Senate according to carefully delineated rules of procedure.

**Step 2  Committee Action**
When a bill reaches a committee, it is placed on the committee’s calendar. A bill can be referred to a subcommittee or considered by the committee as a whole. At this point, a bill is carefully examined and chances for passage are determined. A committee’s failure to act on a bill is the equivalent of “killing” it.

**Step 3  Subcommittee Review**
Often, bills are referred to a subcommittee for study and hearings. Hearings provide the opportunity to record the views of the executive branch, experts, other public officials, supporters and opponents of the legislation. Testimony can be given in person or submitted as a written statement.

**Step 4  Mark Up**
When the hearings are completed, the subcommittee may meet to “mark up” the bill, adding any changes or amendments prior to recommending the bill to full committee. If a subcommittee votes not to report legislation to the full committee, the bill dies.
Step 5 Committee Action to Report a Bill
After receiving a subcommittee’s report on a bill, the full committee can conduct further study and hearings, or it can vote on the committee’s recommendations and any proposed amendments. The full committee then votes on its recommendation to the House or Senate. This procedure is called “ordering a bill reported.”

Step 6 Publication of a Written Report
After a committee votes to have a bill reported, the committee chairman instructs staff to prepare a written report on the bill. This report describes the intent and scope of the legislation, impact on existing laws and programs, position of the executive branch and views of dissenting members of the committee.

Step 7 Publication of Committee Report
After a bill is reported back to the chamber where it originated, a report is written and published. This report describes the purpose of the bill, impact on current laws and budgetary considerations. The report typically includes transcripts from public hearings as well as the opinions of the committee for and against proposed bill.

Step 8 Floor Action
The bill will be placed on the legislative calendar of the House or Senate and is scheduled in chronological order. The House maintains several calendars; the Speaker and Majority Leader determine if and when bills are placed on the calendar, and the order for discussion of bills. The Senate has only one legislative calendar.

Step 9 Debate
When a bill reaches the floor of the House or Senate, there are rules or procedures governing debate on legislation. These rules determine the conditions and amount of time allocated for general debate.

Step 10 Voting
After the debate and the approval of any amendments, the full membership will vote, either by voice or roll call vote.

Step 11 Referral to Other Chamber
When a bill is passed by the House or the Senate, it is referred to the other chamber where it usually follows the same route through committee and floor action. This chamber may approve the bill as received, reject it, ignore it or amend it.

Step 12 Conference Committee Action
If only minor changes are made to a bill by the other chamber, it is common for the legislation to go back to the first chamber for concurrence. However, when the actions of the other chamber significantly alter the bill, a conference committee is formed with members of both chambers to reconcile the differences between the House and Senate versions. If the conferees are unable to reach agreement, the legislation dies. If agreement is reached, a conference report is prepared describing the committee members’ recommendations for changes. Both the House and the Senate must approve of the conference report.
**Step 13  Final Action - Enrollment**

After a bill has been approved by both the House and Senate in identical form, it becomes “Enrolled” and is sent to the President. If the President approves of the legislation, he signs it and it becomes law. If the President takes no action in 10 days while Congress is in session, it automatically becomes law. If the President opposes the bill, he can veto it. If he takes no action after the Congress has adjourned its second session, it is a “pocket veto” and the legislation dies.

**Step 14  Overriding a Veto**

If the President vetoes a bill, Congress may attempt to “override the veto.” This requires a two-thirds vote by a quorum of members present in the Senate and the House. If the two-thirds threshold is reached, the bill becomes law.

**The Regulatory Process**

After a law is passed it is sent to the particular federal agency that is responsible for writing the regulations to implement the law. These regulations establish the specifics of how the law will be carried out. The regulatory process provides an opportunity for interested parties to contribute to the development of regulations.

**Federal Budget and Appropriations**

Each year, Congress and the President begin a yearlong, involved process to establish spending levels for many of the areas of government. The federal government must balance income and expenses. Very often, the expenses exceed income. The government must decide, on an annual basis, how to best prioritize and allocate funding for many necessary items.

There are two types of budget allotments: mandatory and discretionary. Mandatory expenses are those that are required by law and include programs such as Medicaid, Medicare and Social Security. Discretionary spending is a much smaller piece of the overall budget pie and contains such items as the Nursing Workforce Development Programs, National Institutes of Health, National Institute of Nursing Research and Veterans Affairs. Since these items are considered discretionary, the amount that is allocated to fund them may vary from year to year. Hence, the discretionary spending is often a source of much interest and lobbying efforts.

The President submits his budget to Congress on the first Monday in February. This document is a political “blueprint” that Congress can use as a guideline. The President’s budget is not binding and is considered a formal request to Congress. The budget request is developed through an interactive process between federal agencies and the President's Office of Management and Budget (OMB) that begins the previous spring.
**Congressional Budget Process**

The President's budget lays out his relative priorities for federal programs and Congress then develops its own budget plan, called a "budget resolution." This work is done by the House and Senate Budget Committees. Congress is responsible for enforcing the budget resolution, developing as many as 12 appropriations bills to fund the federal government. Appropriations bills provide the legal authority to spend U.S. Treasury funds. These bills must be enacted prior to the start of the new fiscal year, October 1.

**Appropriations**

After the budget resolution has been presented, the House and Senate Appropriations Committees meet to determine funding for annually appropriated programs. Funding for these programs must be renewed each year to keep government agencies open and the programs in this category operating. They are known as "discretionary" programs because the laws that establish those programs leave Congress with the discretion to set the funding levels each year. Discretionary spending is approximately one-third of the total federal budget. The remaining two-thirds of the budget is mandatory spending and includes the three largest entitlement programs (Medicare, Medicaid, and Social Security) as well as certain other programs. Discretionary spending encompasses many programs funded through Appropriations Committees of both the House and Senate. These Appropriations Committees are each divided into 12 separate subcommittees. Each subcommittee has oversight over one appropriations bill. The Labor-Health and Human Services Subcommittee oversees many programs of interest to nursing.

There are four types of appropriations:

- Regular measures that provide funding for the upcoming year
- Supplemental appropriations, which allocate additional funding for the upcoming year. Funding national disasters, emergencies, and wars are examples of such supplemental measures
- Continuing resolution, which is a temporary funding measure that funds the federal government after the budget deadline of September 30 until a permanent appropriations bill can be passed
- Omnibus appropriations, or consolidated appropriations bills -- when two or more separate appropriations bills are combined into one

Each spring, the appropriations subcommittees learn how much has been allocated to their various programs. Each individual appropriations bill is limited by the total amount allocated as well as by the amount that was authorized in the original legislation.

*There is a significant difference between authorization and appropriation.* Authorization means that Congress has allowed moneys to be allocated to a particular measure or bill. Appropriation is the actual allocation of a certain amount of money to fund the authorization. In other words, if no moneys are appropriated, a bill may, in fact, not be implemented due to lack of authorized funds.
Committee Process

The Senate and the House Appropriations Committees hold hearings on pieces of the budget that they each oversee. Following those hearings, an appropriations bill is presented to the full House or Senate chamber for discussion and a vote. Often amendments are added to the bills.

Very often the Senate and the House pass different versions of an appropriations bill. Members then meet in a conference committee to reconcile the differences. Once negotiations have concluded, a conference report containing the compromise agreements is presented to the House and the Senate for a vote. Once this has been voted upon, the conference report is sent to the President for his signature.

Final Enactment: Becoming Law

After the President receives the funding measure from Congress, he has 10 days to either sign or veto. If no action is taken, the appropriations bill automatically becomes law after 10 days. If the President vetoes the bill, it is sent back to Congress. Congress may override the veto with a two-thirds majority.

How Nurses Can Impact

Most of the funding decisions take place at the subcommittee level. Nurses and other advocates must communicate with their elected officials to ensure programs important to nurses and patients in our care are adequately funded. For further information, visit: http://www.appropriations.senate.gov or http://appropriations.house.gov

Bibliography


PART IV

What’s Next – Getting Involved

Vote!

Exercising your right to vote is the most important action you can take to become involved in the political process. Voting is your responsibility as a U.S. citizen! Legislation occurring at the local, state, and federal level impacts healthcare services and affects the role and future of nursing. The potential power of more than two million nurses is awesome, but this potential won’t be realized unless you take the steps to register and vote.

Contacting Legislators

Many lobbyists work on Capitol Hill, each trying to capture the attention of legislators. Members of Congress and their staff rely on these professionals to alert them to legislation and provide information. However, the most effective lobbying comes from constituents like you. A legislator is heavily influenced by a voter residing in his or her home district. Letters, emails, phone calls, and personal visits you use to communicate with your U.S. Senators or Representatives (or their staff) have an enormous impact on the outcome of issues. That’s why YOU, as a grassroots lobbyist, can play the most important role of all in shaping legislation.

Congressional offices handle constituent communications differently. Thus, it may be helpful to call each of your elected officials’ offices and inquire as to their preferred method of constituent input. When communicating with legislators and staff, remember that most are not in the healthcare business and, as such, do not speak “our language.” Limit the use of medical terms and speak in basic, lay terms so the message is more clearly understood.

Timing is everything. The key time to contact legislators:

- When an issue arises that may inspire an idea for a law
- When proposed legislation is introduced
- When a piece of legislation travels through committee(s)
- When the bill is being debated
Writing a Letter / Sending a Fax / E-mail/ Social Media

Communicating in writing is an effective means to deliver your message to legislators.

To contact your member of Congress:
- By phone: Capital switchboard: Senate (202-224-3121) or House (202-225-3121). Recommend contacting your legislator’s office directly. You can locate this information via www.govtrack.us
- By e-mail: www.house.gov or www.senate.gov
- By mail: see below.

Whether you choose mail, facsimile (fax) transmission, e-mail, or social media there are several guidelines to follow:

- Use your own stationery or e-mail account
- Address the legislator properly and spell his or her name correctly

Representative:
The Honorable Full Name
U.S. House of Representatives
Washington, DC 20515
Dear Representative Last Name:

Senator:
The Honorable Full Name
U.S. Senate Office Building
Washington, DC 20515
Dear Senator Last Name:

- Type or write legibly
- Include your name/return mailing address/e-mail address/phone number
  - If you are a federal or state employee, you must use personal e-mail and your personal computer
- Identify yourself as a nurse and a constituent
- Sign your first and last name with your nursing credentials following your name
- Address only one bill or issue per letter/email
- Clearly identify the bill or issue
- When discussing a bill, use its number or title
- Personalize your message; you are the expert in the healthcare arena. Personal stories often spur policymakers into action
- Offer supporting information rather than opinions; be prepared to provide references/sources for the congressional staff to verify
- Keep the letter brief and concise, using your own words
- Be timely -- it is important your message arrives while the issue is still being discussed
- Clearly state the action you wish the legislator to take
- Offer assistance and offer to serve as a resource
Be polite and make suggestions, not demands
Write to say thank you if your legislator supported your position
Ask for a response
Make sure to follow-up. Keep in touch with the offices of your members of Congress to establish a relationship and offer your services as a local resource on nursing and healthcare related issues

**Tips about Regular Mail Service on Capitol Hill**

If you write a letter, avoid sending unessential documents, large brown envelopes or bulk mailing. These contribute to serious delays due to security procedures. Do hand address the envelope and keep your letter to one page.

**Tips for Using Social Media**

Using the [www.govtrack.us](http://www.govtrack.us) website, identify your congress member and search for their social media links on their official website.


Social media posts are public representations of their constituency and are noted by congressional office staff. Since social media posts are monitored by congressional staff for a limited period of time, it is recommended to reply promptly.

Congressional Staff: Who Are They and What Do They Do?

All members of Congress have staff to assist them in fulfilling their duties. Each congressional staff member plays a different role in the running of a busy office. Most of the staff is quite young, energetic and eager to do a good job. Staff does much, if not all, of the research on a bill, reply to all inquiries, draft legislation, work with the media and meet with lobbyists, constituents and anyone seeking an audience with the legislator. Some descriptions of various staff members are listed below.

Chief of Staff/Administrative Assistant: The Chief of Staff is the person in charge of the overall management of the legislator’s office and is largely involved with constituents’ requests, legislative drafts and pending legislation.

Legislative Director: The Legislative Director is responsible for monitoring the legislative calendar and often makes recommendations either for or against proposed legislation.

Legislative Assistant: Depending on the legislator’s interests, committee appointments, etc., an office may employ a variety of Legislative Assistants. For the most part, constituents will communicate initially with the Legislative Assistant (LA) assigned to their particular area of interest -- for example, healthcare. It is very important to remember that the LA is young and most likely has limited, if any, experience or knowledge with healthcare. Remember to keep all conversations free of medical jargon and to always speak in “lay” terms.

Scheduler, Appointment Secretary, Personal Secretary: The role of the Scheduler is to allocate the legislator’s time amongst the various demands of his/her office. Some employ a scheduler in their home state as well as in Washington. So, if you are planning to schedule a visit while the legislator is “home,” establish who will be responsible for making that appointment.
**Telephone Calls**

Calling members of Congress is perhaps the most effective and, by far, the easiest method for nurses to communicate with their elected officials. To reach your Senators and Representatives by phone, call the U.S. Capitol Switchboard at 202-224-3121 and ask to be connected to your Senators’ or Representatives’ offices.

Once connected to your elected official’s office, be sure to identify yourself by name and address so that the receptionist knows that you are a constituent.

A staff member -- not the member of Congress -- often takes telephone calls. Ask to speak with the aide who handles the issue on which you wish to comment. Make a record for yourself detailing the date that you called, name of the person to whom you spoke and what was discussed.

After properly identifying yourself, tell the aide you would like to leave a brief message, such as:

“Please tell Senator/Representative (Name) that I support / oppose (S____/HR____)”.

Be brief, concise, and polite in stating reasons for your support or opposition to the bill.

Have a summary of your “talking points” in front of you to help you stay focused. Ask for your Senator’s or Representative’s position on the bill. You may also request a written response to your telephone call.

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**Personal Visits**

Face-to-face meetings are the most effective method of communicating with Senators, Representatives, or their staff members. It can also be the most intimidating. With careful preparation, you can make this a productive, comfortable and rewarding experience.

Tips for a successful legislative visit:

- Contact your Senator’s or Representative’s office and ask to speak with the appointment secretary/scheduler
- Explain who you are and the reason you want a meeting
- Ask how you can arrange a meeting
- Consider visiting with other nurses as a group
- Be prepared
- Be on time; allow sufficient time to pass through the security checkpoints, as you may encounter long lines
- Keep your meeting brief and concise – an appropriate time frame is 15 minutes
Prepare a one page “talking points” sheet on your position to leave behind as a reference for the legislator and staff

Be positive and firm, but not confrontational

Establish yourself as a resource

Be credible – tell the truth

If you don’t know an answer, say so, but offer to find the answer and get back in touch with the legislator or staff as soon as possible

Follow-up your meeting with a thank you note or email including a brief summary of the major points discussed during the meeting

Most of the legislators maintain local offices. Inquire from the legislative aides when your Senator or Representative will be in your home state and consider making an appointment there.
The Nurse in Washington Internship (NIWI) is an educational offering sponsored by the Nursing Organizations Alliance, of which ASPAN is a member. The purpose of NIWI is to provide nurses the opportunity to learn how to influence healthcare through the legislative and regulatory processes. Participants learn from health policy experts and government officials, network with other nurses, and visit members of Congress.

NIWI is held annually in Washington, D.C. and typically begins on a Sunday in early spring. The three-day course includes lectures, role playing as well as a preplanned visit to the ‘Hill’ to meet with the attendees’ Representatives and Senators. All program registrants are notified in advance with the names and contact information for nurses from their state who will be attending NIWI. All are encouraged to collaborate in scheduling visits to their Senators and Representatives.

The Nursing Organizations Alliance offers an annual fully funded scholarship to NIWI. Further information can be located at www.nursing-alliance.org.

In addition, ASPAN provides a scholarship for up to two qualified ASPAN members to attend NIWI. For more information, visit the ASPAN website at www.aspan.org and under the Members tab, click on the ‘Scholarship/Award Program’ link.
There are numerous Internet sources for legislative information. Many nursing organizations, including ASPAN, provide legislative information easily accessible on their websites.

In addition, quite a number of legislative officials and interested citizens have created their own blogs. A blog (or weblog) is a regularly published interactive journal on the Internet. Blogs allow individuals to easily publish and share their ideas and opinions.

The following is a list of useful Internet legislative resources:

**ASPN website:** [www.aspan.org](http://www.aspan.org)
The Governmental Affairs page provides information on ASPAN’s activities, action alerts, monthly legislative updates, and links to other legislative websites.

**United States Senate:** [www.senate.gov](http://www.senate.gov)
Provides Senators and committee directories, Senate schedule, committee hearing schedule, Senate floor activity, search for bills, and much more.

**U.S. House of Representatives:** [www.house.gov](http://www.house.gov)
Offers information on Representatives and committee directories, hearing schedules, and allows users to identify and contact their Representatives.

**Federal Legislation:** [www.thomas.gov](http://www.thomas.gov)
Provides the opportunity to search federal bills and other federal legislative information.

**Congress:** [www.congress.org](http://www.congress.org)
Provides a Congressional directory by state, alphabet, committee and leadership, Executive/Judicial branches and Governors. Sign up for Megavote to track your Senator’s and Representative’s votes by e-mail.

**National Council of State Legislatures:** [www.ncsl.org](http://www.ncsl.org)
Provides links to state legislative websites.

**National Council of State Boards of Nursing:** [www.ncsbn.org](http://www.ncsbn.org)
Offers links to individual state boards of nursing as well as state nurse practice acts and regulations.
Additional nursing/legislative/political links of interest:

- Agency for Healthcare Research and Quality: www.ahcpr.gov
- American Society for Pain Management Nursing: www.aspmn.org
- American Nurses Association: www.nursingworld.org
- Cable Satellite Public Affairs Network: www.c-span.org
- (US) Centers for Disease Control and Prevention: www.cdc.gov
- Democratic National Committee: www démocrats.org
- U.S. Department of Health & Human Services: www.hhs.gov
- Federal Register: www.federalregister.gov
- (U.S.) Governmental Publishing Office: www.gpo.gov
- Health Resources and Services Administration: www.hrsa.gov
- Kaiser Family Foundation: www.kff.org
- League of Women Voters: www.lwv.org
- National Association of Counties: www.naco.org
- National Governors Association: www.nga.org
- National Institutes of Health: www.nih.gov
- National Journal: www.nationaljournal.com
- Nursing Community Coalition: www.thenursingcommunity.org
- Project Vote Smart: www.votesmart.org
- Republican National Committee: www.gop.com
- Roll Call (one of the most read newspapers on Capitol Hill): www.rollcall.com
- White House: www.whitehouse.gov