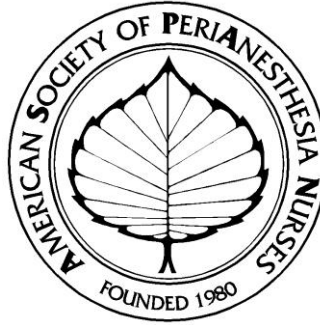


AMERICAN SOCIETY
of
PERIANESTHESIA NURSES



GOVERNMENTAL AFFAIRS:

A PRIMER
for
POLITICAL ACTION



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Special thanks to:

Susan Benner BSN RN CPAN
for her original concept of ASPAN's "A Primer for Political Action" in 2003

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Introduction

The Governmental Affairs Strategic Work Team (GA SWT) acts to promote and position the American Society of PeriAnesthesia Nurses (ASPAN) 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 profession¹ 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 in order 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 in meeting individual patient needs as well as influencing systematic change.² Becoming politically involved provides an opportunity to influence social policy and advocate for the nursing profession and your patients.

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.³

Step 1 Introduction

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.³

Step 2 Committee Consideration

Bills and resolutions are referred to one or more committees in the House or Senate according to specific rules.³

Step 3 Committee Action

When a bill reaches a committee, it is considered by the committee in detail. If a bill is approved by the considering committee, it moves forward in the legislative process. Committees may reject bills by not acting on them. Bills that are not acted on are considered to "die in committee."³

Step 4 Subcommittee Review

Often, bills are referred to a subcommittee for study and hearings. Hearings provide the opportunity to record the views of the government, other public officials, industry experts, supporters, and opponents of the legislation. Testimony can be given in person or submitted as a written statement. Notice of hearings and instructions for providing testimony is published in the Federal Register.³

Step 5 Mark Up

If a subcommittee reports a bill back to full committee, they may make changes or amendments first. This is referred to as the "markup" process. If a subcommittee votes not to report legislation to the full committee, the bill dies.³

Step 6 Committee Action – Reporting 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."³

Step 7 Publication of Committee Report

After the bill is reported, a report is written and published. This report describes the purpose of the bill, impact on current laws and budgetary considerations including new taxes or increased taxes required by the bill. The report typically includes transcripts from public hearings as well as the opinions of the committee for and against proposed bill.³

Step 8 Floor Action – Legislative Calendar

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.³

Step 9 Debate

When a bill reaches the floor of the full House or Senate, strict rules for consideration and debate are followed.³

Step 10 Voting

After the debate and the approval of any amendments, the full membership will vote, either by voice or roll call vote.³

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.³

Step 12 Conference Committee

If significant changes are made to the bill in the second chamber, a conference committee is formed. The conference committee consists of members of both chambers who work 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 or return it to the conference committee for further work.³

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, the bill dies. This is considered a pocket veto.³

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.³

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. Most budget decisions are made annually through enactment of appropriations bills. The Congressional Budget Act of 1974 established a process called the congressional budget resolution for Congress to establish and enforce a plan each year for acting on the budget. Recently this process has been increasingly ignored by Congress.⁴

There are two basic federal spending categories: mandatory and discretionary. Nearly two-thirds of the federal budget is mandatory spending. These expenses are those that are required by law and include programs such as Medicaid, Medicare, Supplement Nutrition Assistance Program (SNAP), Social Security, veterans’ disability compensation and federal military and civilian retirement. Approximately 30% of the budget spending is for discretionary spending. For discretionary funds the law establishes the program or agency but does not determine funding levels. Examples of discretionary funding includes defense, medical care for veterans, operating budgets for civilian agencies and medical and scientific research. Nursing Workforce Development Programs, National Institutes of Health and National Institute of Nursing Research are included in the annual discretionary budget planning. 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.⁴

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.⁴

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." The House and Senate Budget Committees draft a congressional budget resolution. After the Budget Committees pass their budget resolutions, they go to the House and Senate floors, where they can be amended. The budget resolution is adopted when the House and Senate pass an identical measure. This may be accomplished by negotiation of a conference agreement, or one chamber passes the resolution adopted by the other. Congress should pass the budget resolution by April 15, to be effective at the start of the fiscal year, October 1.⁴

Appropriations

The House and Senate Appropriations Committees have jurisdiction over the annual discretionary budget. These Appropriations Committees are each divided into 12 separate subcommittees. Each subcommittee has oversight over one appropriations bill, although some or all bills may be combined into omnibus bills. The House and Senate each receive a spending allocation for all their programs. The Appropriations Committees then determine how to distribute the funding among its 12 subcommittees.

If appropriations bills are not enacted by the start of the fiscal year Congress must take steps to avoid disruption of government services. When actions on an appropriations bill are not completed prior to the start of the fiscal year, Congress must approve a continuing resolution (CR). This must be signed by the President and serves as a stopgap for funding of affected agencies and programs. This has become a common practice over the past several years. Without Congress passing a continuing resolution or a President's signature, programs, and agencies that rely on annual appropriations essentially shut down operations.

Of note, the COVID-19 recession and relief packages unexpectedly and significantly changed spending and revenue levels for 2020, 2021, and into the 2022 fiscal years. Budget projections by the Congressional Budget Office (CBO) anticipate a return to a more normal budget plan for 2023 and beyond.⁴

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>

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 four million nurses is awesome, but this potential won't be realized unless you take the steps to register and vote.⁵

Communicating with Your Legislators

The most effective way to communicate with your legislators is with a personal visit, either in the Capitol or at their district office. If you are unable to meet in person, a phone call is another option. Sending a personalized letter or email may be helpful as well.

General Tips⁶

Be respectful- address the legislator by title (Senator, Representative, etc.)

Create a buffer- focus on the issue, not politics.

Be concise- keep conversations brief and simple, stick to key messages.

Use everyday language- avoid professional jargon.

Use personal stories- connect key points and facts with a brief personal story related to the issue at hand.

Remember the ask- this is the action you are asking the legislator to take. This is an important step in communicating with legislators, but it is often forgotten.

Reinforce key messages, facts, and your ask- mention these several times to the legislator and staff members.

Meeting with Your Legislators or Legislative Staff⁶

Be on time, be concise, and know what you want to say- your time with the legislator will be limited so be prepared to share your key points within a few minutes.

Bring supplemental materials- a one page summary with important facts and a clear ask is beneficial to leave behind after your meeting.

Go with a friend or colleague- it may be easier to meet with a colleague that can add value to the conversation. Limit the number of participants to three or less and know who will share what information.

Be prepared for a conversation

- ✎ Research and understand the issue and, if applicable, read and refer to the bill you wish to discuss by number.
- ✎ Review your legislator's website and learn where they often stand on issues and which committees they sit on.
- ✎ If you do not know the answer to a question let the legislator or staff member know you will find out and follow up with an email with the answer.

Embrace the legislative staff members- you may not be able to meet with the legislator personally; however, the legislative staff often research and have a more in-depth understanding of the issue than the legislator. They can be your messenger.

Follow up- send a thank you email to the legislator and staff with whom you spoke within 48 hours of the meeting. Include additional information that may have been requested as well as answers to any follow up questions. Remind the legislator and staff what action you wish them to take.

Telephone Calls⁶

Identify yourself- state that you are a constituent and let them know you are a registered nurse.

Identify the issue or bill- let the staff know what issue or bill you want to discuss. Legislative staff will answer the call.

State your position on the issue or bill and what action you are asking your legislator to take- be concise and factual. If you are unsure of the legislator's position, ask.

Provide key messages and facts and include a brief personal story, if possible.

Leave your contact information with the staff member- this is in case they want to follow up with the legislator's position or to ask questions.

Follow up- email the staff member you spoke with and thank them for their time. Provide any additional information requested. Remind them of the action you wish the legislator to take.

Emails and Letters⁶

Use appropriate headings and salutations- address the legislator by their title (Senator, Representative, etc.).

State the purpose of your email or letter in the address and/or subject line.

Introduce yourself- as a constituent and a registered nurse.

State your position on the issue or bill and what action you are asking your legislator to take- share key messages and facts with a short story if appropriate.

Explain the impact of the legislation on constituents and patients. Be concise, keep letter or email to one page. Limit attachments to one, if needed.

Restate the ask- end your email or letter with a reminder of the action that you wish your legislator to take.

Social Media⁶

Not all officials use social media, however many may use Twitter, Facebook, or other social media to share information, elicit feedback, and engage discussion. To learn more about the social media platforms used by your legislator, search their personal website to find the links to their social media accounts. When using social media remember to be professional and polite.

PART V

Internet Resources

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:

ASPAN website: 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

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

Offers information on Representatives and committee directories, hearing schedules, and allows users to identify and contact their Representatives.

Congress: 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 email.

National Council of State Legislatures: www.ncsl.org

Provides links to state legislative websites.

National Council of State Boards of Nursing: 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.ahrq.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.democrats.org
- **U.S. Department of Health & Human Services:** www.hhs.gov
- ⊖ **Federal Register:** www.federalregister.gov
- **(U.S.) Governmental Accountability Office:** www.gao.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

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