



ADVOCACY HANDBOOK



INTRODUCTION

WHY IS ADVOCACY IMPORTANT?

A central part of TMA's mission is advocacy. In pursuit of that mission, our organization works directly with state lawmakers to influence public policies and protect the medical profession. TMA's government affairs team advocates for laws that improve physician effectiveness while fighting regulatory changes that jeopardize the physician-patient relationship or add administrative burden without improving the delivery of care.

On average, more than 300 pieces of legislation are filed by the Tennessee General Assembly yearly that affect medicine, health care, and public health. This means the decisions made in the legislature directly impact how you practice medicine and deliver care to your patients.

As a citizen legislature, most legislators have full-time jobs unrelated to public policy. With well over 1,000 bills filed annually, they often depend on limited staff, lobbyists and interested parties, such as TMA members, to describe the problem and offer reasonable solutions. As health care experts, it is critical that physicians educate legislators on proposed policies.

This handbook is designed to educate TMA members about the legislative process, parliamentary terms and political etiquette. The goal is to equip you with the necessary knowledge and skills to effectively lobby on behalf of your patients and profession in Tennessee.



UNDERSTANDING THE LEGISLATIVE PROCESS

The Tennessee General Assembly is a part-time, bicameral legislature consisting of a Senate and a House of Representatives. The Senate is comprised of 33 members who serve in four-year, staggered terms. The House of Representatives is comprised of 99 members who are elected to two-year terms.

The constitutional authority of the General Assembly is to enact, amend, and repeal laws of the state of Tennessee. The powers granted to the body by the State Constitution include the appropriation of all money by the state treasury; the levy and collection of taxes; and the right to authorize counties and incorporated towns to levy taxes.



TYPES OF BILLS

- **Administration Bill:** A bill introduced at the request of the governor.
- **Appropriations Bill:** The bill which appropriates the state's operating budget from the state treasury.
- **Caption Bill:** A placeholder bill which opens up part of the Tennessee Code Annotated but does not indicate legislative intent.
- **Constitutional Amendment:** A resolution that amends the state constitution. Proposed constitutional amendments must pass three consecutive sessions by two-thirds majority before being placed on the ballot for a vote by the public.
- **General Bill:** Any other piece of legislation filed by members of the Tennessee General Assembly.

HOW A BILL BECOMES A LAW

INTRODUCTION

A legislator introduces a bill in the body of which he or she is a member by filing it with the appropriate clerk. The bills are jacketed and contain the signature(s) of the sponsor as well as the caption of the bill.

NUMBERED BY CHIEF CLERK

The bill is then examined by the chief clerk of the House or Senate to see that it conforms to legislative rules, is given a number which is placed on all copies, and is then distributed as required under the rules.

PASSED ON FIRST AND SECOND CONSIDERATION

The Tennessee Constitution provides that no bill shall become a law until it has been considered and passed on three different days in each house. This step is largely procedural.

REFERRED TO STANDING COMMITTEE

The Speaker of each chamber refers the bill to the appropriate standing committee under the proper order of business. The bill will remain on the committee calendar until it is voted upon, taken off notice, or referred back to the clerk's desk from inaction.

REFERRED TO CALENDAR

The calendar committees set the calendar and establish the schedule of meetings of the various standing committees. While the Senate Calendar Committee determines **when** a bill reaches the floor for debate, the House Calendar and Rules Committee determines **whether** a bill reaches the floor.

PLACED ON CALENDAR

Written calendars are required to be posted in the Senate chamber at least 24 hours prior to consideration and in the House chamber at least 48 hours prior to consideration.

PASSED ON THIRD CONSIDERATION

The bill is taken up for passage and is open to debate by the legislative body. After being considered the third time, it may be passed with or without amendment by a constitutional majority.

HOW A BILL BECOMES A LAW

BILL IS ENGROSSED

Having been passed in one body, the bill then goes to the office of the chief engrossing clerk, where it is retyped, without errors or erasures, and is transmitted to the other body.

COMPANION BILLS

When a bill is passed in one chamber, it then goes to the other to await action on its companion. Bills must be substituted and conformed into one identical version before becoming law.

BILL IS ENROLLED

After being passed by both chambers, the bill is enrolled, then retyped, without errors or erasures, on a heavy-weight paper by the chief engrossing clerk in the house of origin. This step involves preparing the bill in the exact form passed by both chambers and in a format suitable for approval by the two speakers and the governor.

SIGNED BY SPEAKERS

After the speakers sign the enrolled copy, it is automatically transmitted to the governor for action.

SIGNED BY GOVERNOR

The governor may sign the bill; veto it; or allow it to become law without signature. The governor is allowed 10 days (except Sundays) after a bill is presented to approve or veto the bill; if there is no action within that period, the bill becomes law without signature.

ASSIGNED PUBLIC CHAPTER NUMBER

The secretary of state's office assigns each general bill passed into law a public chapter number, while local bills are assigned private chapter numbers. The public chapters are published in pamphlet form soon thereafter for distribution to members of the General Assembly and other interested parties.

INCORPORATED INTO THE CODE

The Tennessee Code Commission and the publishers of the Tennessee Code Annotated convert and annotate new laws into the existing code. The supplements and replacement volumes of the code are usually available about six months after the General Assembly adjourns.

GRASSROOTS ADVOCACY

Grassroots advocacy is about building the capacity of stakeholder voices and harnessing that power to influence public opinion and government action.

TMA employs a wide range of strategies to influence pro-medicine policies and ensure high standards of care in Tennessee. One of the most effective strategies is grassroots advocacy.

In today's saturated special interest political environment, this type of advocacy has become increasingly important in moving the needle on major policy discussions. On any given day, legislators are lobbied on a wide array—and often competing sides—of an issue. Legislators rely upon input from constituents to help them become effective policymakers.

When lobbying during session, you are competing for the legislator's time and attention. However, knowledgeable people who present their message with clarity and make their request in a simple and concise manner are likely to be remembered, helped and called upon in the future.

It is important to remember that all legislators—on the federal, state, and local levels—are politicians whose continued success depends upon their ability to satisfy voting constituents. Ongoing communication is the only way elected officials know and understand how voters and physicians feel about particular issues.

While TMA's government affairs team works fervently to protect the interests of physicians on Capitol Hill, no one is more qualified to help guide legislators and offer medical expertise than those who dedicate themselves to the pursuits of wellness, research, and compassion for others.

This means that **YOU** are the most powerful advocate in advancing the cause of physicians and patients in Tennessee. You don't have to be a political expert to make a difference. You only need the desire to make an impact.



HIGH-YIELD ADVOCACY

Just as it sounds, high-yield advocacy is about fostering lasting relationships with lawmakers in order to generate a high return on investment. In this case, the return is political capital.

10 TIPS FOR HIGH-YIELD ADVOCACY

1. KNOW YOUR AUDIENCE

Who are your elected officials? Are they a Republican or Democrat? Conservative, moderate or liberal? On which committees do they serve? Which issues matter most to them? Know if they will be a key vote on an issue.

2. MAKE INITIAL CONTACT

Initiate a relationship with your legislator by writing a letter or making a phone call. Politely explain your concerns and ask for your representative's position on the issue.

3. PRESENT ONE ISSUE AT A TIME

You should not air a list of grievances or raise multiple concerns in a single interaction. Pick the issue that is most critical to you and explore it in depth. You can always approach a different issue at a later time.

4. USE PERSONAL ANECDOTES

Anecdotes are the most powerful and suggestive method of swaying a legislator. They are the best way to explain how an abstract health care policy affects their constituents at home.

5. OFFER SOLUTIONS

You should not just talk about how bad a problem is. Offer up reasonable solutions and provide your legislator with a course of action. Actions can include sponsoring legislation or voting on a bill.





6. KNOW YOUR ISSUE

Present your position, then back it up with facts and background information, including statistics, studies, and personal anecdotes that support your point of view. Know your opposition's talking points and be prepared to discuss them.

7. FOSTER A RELATIONSHIP

Quality relationships stem from repeated contact during the legislative session and during the legislative recess. Build your credibility as a trusted resource by making yourself available for meetings in the district.

8. UNDERSTAND TIMING

Even the most eloquently written letter or email has no effect if it comes after a key vote. Knowing when to engage your legislator is a critical factor to your success.

9. ACT LOCALLY

Start building a relationship with your legislator before the legislative session begins. This is a fundamental step to building the long-term trust needed to ask for a vote on a specific issue.

10. FOLLOW UP

Legislators appreciate constituents who follow up. It shows you are passionate about the issue. Be polite, but persistent. Ask for an update on where the member stands on an issue.

PERSONAL VISITS

The personal visit is the single most effective advocacy technique. A trip to the Capitol represents your effort and dedication to a specific cause. Your representative will be impressed and will make time to meet with you.

MEETING WITH LEGISLATORS

The legislative environment is chaotic, so it is important to have the right expectations when visiting with lawmakers. During session, 15 minutes is a realistic time frame for your meeting. Use your time wisely by communicating your point succinctly and offering reasonable solutions to the problem.

SCHEDULING A MEETING

In the fast-paced setting of the Capitol, it is imperative to use telephone and email skillfully to navigate legislative offices and staff. Understand that staff are the gatekeepers to the legislator, so always treat them with the same respect and dignity you would the elected official.

Start by calling their office. If you do not get an answer, follow up with an email. **Identify yourself as a constituent and a physician**, the nature of your inquiry, and supply a couple of options for date and time. If meeting in Nashville during session, Mondays and Fridays are not typically options unless the legislator lives locally. If your interest is in a specific bill, it is always helpful to include the bill number in the subject line of an email.

BEFORE THE MEETING

Do some research on your legislator. The Tennessee General Assembly's website will list his or her hometown, party affiliation, committee assignments, and community involvement. Identifying which issues are important to the legislator beforehand will give you more credibility and influence. It is also important to know the committees on which your legislator serves. Members of the legislature have more influence over legislation assigned to their respective committees and tend to focus their efforts on that subject matter.

DURING THE MEETING

Use talking points and handouts to make your points clearly and concisely. Explain why the issue is important to you personally or how it affects your patients. If there are two or more people in the room, identify a spokesperson to lead the meeting and ask other members to speak as discussion moves along. Listen to the legislators' questions and concerns, and respond as well as you are able. If you are unsure of an answer it is perfectly appropriate to follow up with information after the meeting. Keep things conversational and avoid party politics.

AFTER THE MEETING

Make sure to follow up with promised information or answers to questions during the meeting. Write a brief thank you note to your legislator. Email is acceptable.



LOBBYING DO'S AND DON'TS

Lobbying is simply having a conversation with a person and communicating what you would like to see happen. Don't spend too much time thinking about the do's and don'ts. Go to the meeting, try to find common ground, and form a connection.

DO

- Identify yourself and your district.
- Thank your legislator for meeting with you.
- Use correct forms of address (e.g. Senator, Representative, Chairman).
- Be professional, courteous, direct, concise, factual and specific.
- Know your audience.
- Offer your expertise.
- Illustrate how your proposed solution will help his or her district.
- Be specific about the action you want the legislator to take.
- Be reasonable. Respect the position of the legislator and accept that he or she may not agree with you.
- Always follow up with information you have promised.
- After a visit or call with your legislator, follow up with a letter or email thanking him or her for the time and summarizing any commitments he or she made during the meeting.

DON'T

- Link campaign contributions to legislative support.
- Guess or give inaccurate information.
- Be argumentative or abrasive.
- Threaten or be rude to a legislator or his or her staff.
- Make moral judgments based on a vote or an issue.
- Hold grudges or burn bridges. You never know when you will need a legislator for a future vote.
- Publicly or privately complain about a legislator.
- Ignore a legislator, then contact a legislator from another district for help with your issue.
- Interrupt a legislator or staff while they are obviously busy.
- Cover more than one subject at a time.
- Press for an answer on your first visit.
- Give up! We will not win on every issue.

TESTIFYING IN COMMITTEE

Lawmakers depend upon expert testimony when making difficult policy decisions. Submitting testimony is one of the most effective ways to engage in legislative action.

Lawmakers are lobbied all day by special interest groups, so when members of the public show up to speak on a specific issue, they pay attention.

Having a physician testify on behalf of TMA at a committee hearing significantly improves our organization's chances of passing or defeating legislation. That is because legislators trust physicians which helps bring credibility to our cause. Likewise, patient anecdotes help bring life to complex health care issues which may otherwise be too abstract for the layperson to understand.

The following tips will help you prepare for and deliver expert testimony to members of the General Assembly:

BEFORE THE HEARING

- Read the bill. All too often people give testimony about provisions that are not in the bill.
- Be prepared to submit written and verbal testimony. Outline your main points beforehand to ensure you do not ramble or miss anything.
- Ensure TMA staff has put your name on the list to testify in accordance with committee rules.

PREPARING YOUR TESTIMONY

- Keep your testimony simple and straightforward. Avoid jargon and acronyms.
- Keep it brief. Most committees allow only 2-4 minutes for testimony.
- Stick to what you know. Confine remarks to irrefutable facts or your expertise only.
- Patient stories are the best way to illustrate your point, but do not forget about HIPAA compliance.

DELIVERING TESTIMONY

- Greet the committee chair by title and name and thank him or her for allowing you to testify.
- State your name, where you live, your organization, specialty and area of expertise.
- Clearly present your issue and why you have taken a specific position.
- Ask for a specific action by the committee.
- Thank the committee for its time.





TMA PAC is the non-partisan, physician-led political action committee established by the Tennessee Medical Association aimed at the election and retention of pro-medicine candidates.

As the political arm of TMA, TMA PAC helps amplify the voice of physicians from all across the state by engaging in campaign activity to grow political capital and legislative influence.

TMA PAC membership is separate from TMA dues. All licensed and unlicensed physicians are encouraged to participate regardless of TMA membership. Membership benefits are dependent on donation level and include various perks such as in-depth election guides, access to legislative receptions, and discounts on admission to TMA PAC hosted fundraisers. Contribute and learn more at tnmed.org/tmapac.

*Contributions to TMA PAC are not deductible for federal income tax purposes.

CAPITOL HILL CLUB | \$1,000+

For those politically involved members who seek a platform to engage with policymakers. Capitol Hill Club members receive priority access to legislative receptions, fundraisers, and an annual dinner with state dignitaries.

ADVOCATE | \$500-\$999

For those passionate members who want to go the extra mile for organized medicine. Advocate members will have access to legislative receptions and half-price admission to TMA fundraisers.

SUSTAINING | \$250-\$499

For politically disengaged members who recognize the value of a strong, well-funded PAC. Sustaining members will receive name recognition on TMA's website and discounted admission to TMA-hosted fundraisers.

CONTRIBUTOR | \$50-\$249

For politically inactive members who support TMA's vast policy agenda. Contributor members receive a copy of our weekly legislative newsletter, Political Pulse, and election guides.

LEGISLATIVE GLOSSARY

Act: A statute (law) enacted by the legislature and signed by the governor or becomes law without a signature after 10 days.

Adopt: To approve an action (i.e., an amendment, committee report, motion).

Adjourn: To conclude session for that day, with the hour and day of the next meeting set prior.

Amend: To make a change in a bill or a law.

Appropriation: A bill which appropriates money from the state treasury during a fiscal year to implement the state operating budget. Money may provide for other items of expenditure, such as local projects, through amendments.

Assigned: All bills must be heard and approved on three separate readings by each house. The first two readings are pro forma. Following the third reading, the speaker designates the appropriate standing committee to hear and discuss the merits of the bill.

Bicameral: A legislative body with two chambers.

Bill: A proposed law presented for approval to a legislative body.

Bill Number: The number the Senate or House chief clerk assigns to a bill at the time of introduction. All bills must have a companion filed in the alternate chamber.

Blue Book: A compilation of information on state government and facts about Tennessee produced by the Secretary of State. It is called the Blue Book due to the color of its binding.

Budget: The recommended allocation of state revenues presented by the governor to the General Assembly in the form of a document for its consideration during the legislative session. It is filed with the chief clerks in the form of a bill and known during the budget process as the Appropriations Bill.

Caption: A brief description of a bill's contents appearing on a bill and the bill's jacket. A bill's content cannot be any broader than its caption. Each caption will "open" one or more titles of Tennessee Code Annotated.

Caucus: A group of legislators with common cause.

Committee: A group of legislators of one or both chambers which conduct studies or make recommendations on a piece of legislation to the Senate or House.

- **Conference:** A committee comprised of members of both chambers appointed by the speakers to reconcile differences in a piece of legislation.
- **Joint:** A committee comprised of members from both chambers.
- **Select:** A committee established by the speaker of a chamber for a designated purpose.
- **Standing:** A permanent committee of the Senate or House with subject matter jurisdiction defined by rules of its chamber. A standing committee functions both during and between legislative sessions to conduct public hearings on proposed legislation, review proposed administrative rules, make its own studies of problems, and submit reports and recommendations.

Companion Bill: Identical copies of a bill introduced in both the Senate and House.

Concurrence: One chamber approves an action taken by another chamber.

Consent Calendar: A bill calendar used to group noncontroversial bills together to allow approval in one motion.

LEGISLATIVE GLOSSARY

Constitutional Majority: A constitutional majority in the Senate is 17 votes; in the House, 50 votes. Any bill must receive constitutional majority before it is considered passed by the respective chamber.

Deferred: Postponement of a bill that has been placed on calendar for some definitive length of time, normally in weeks. Sometimes referred to as “rolling” a bill.

Enacted: A bill becomes law and takes effect.

Executive Order: A written document issued by the governor to effectuate a purpose over which he has authority.

Extraordinary Session: A session of the legislature held in the interim between regular sessions, called for a specific number of days by the governor or upon petition of two-thirds of the members elected to each house. It is restricted to matters specifically enumerated in the call. Frequently referred to as a special session.

File: Legislation filed with the respective clerk to be printed and assigned a unique number.

Fiscal Note: An analysis prepared by the Joint Fiscal Review Committee of a bill, resolution, or amendment to indicate its fiscal effect or estimated dollar implications as to cost or revenue. All fiscal notes project cost for two fiscal years.

Fiscal Year: The 12-month period for which appropriations, budgets, and financial reports are made running from July 1 to June 30.

General Sub: A Senate term that refers to the bill being taken off notice.

Heel: A motion in which a bill is moved to the end of the calendar in either a committee or on the floor. Typically referred to as “moving to the heel.”

House: Comprised of 99 members representing districts of roughly 65,000 Tennesseans each. Elected for two-year terms in even-numbered years only.

Joint Resolution: A resolution both chambers pass making a statement on a public issue, requesting action from a government office, or establishing a task force. After passage, the joint resolution is signed by both speakers and the governor.

Laid Over: Floor action on a bill is postponed for one legislative day.

Legislative Intent: The purpose for which a measure is introduced or passed. This becomes critically important if and when there is disagreement over the legislation as enacted.

Motion: To propose an action. A bill must be motioned and seconded by committee members before it can be considered and voted upon.

Off Notice: A term that signifies a bill will not be heard in committee or placed on a calendar in the near future.

Public Chapter: The number assigned to a bill by the secretary of state before it is codified in statute.

Quorum: The minimum number of members of a chamber (or committee) required to conduct business.

Recess: A temporary termination of a meeting.

Regular Calendar: Lists of bills required to be posted in each chamber prior to consideration. Each committee also establishes regular calendars. No legislation can be considered unless the bill is placed on calendar before the committee meeting.

LEGISLATIVE GLOSSARY

Regular Session: The 90-day session held over a two-year general assembly. The body convenes on the second Tuesday of January in an odd-numbered year.

Roll Call: Names of members present in the chamber or committee are recorded to establish a quorum or take a vote.

Rules: A set of guidelines approved at the beginning of each two-year session for conducting orderly business. Each chamber establishes its own rules.

Senate: Comprised of 33 members representing districts of roughly 200,000 Tennesseans each. Elected for four-year, staggered terms in even-numbered years only.

Sine Die: Final adjournment at the completion of a session.

Speaker: The presiding officer of each legislative body. The Lieutenant Governor in the Senate and Speaker of the House are both selected by a majority of their respective members at the beginning of the two-year session.

Sponsor: The legislator who will assume responsibility for moving a bill through the legislative process or taking the bill off notice.

Statute: An act of the legislature adopted pursuant to proper authority and procedure such that it becomes a law.

Subcommittee: A subgroup of a House committee where bills normally begin the legislative process in this legislative body. Although a few Senate committees have subcommittees, most notably Finance, most bills are not heard by a Senate subcommittee.

Substitute and Conform: Once a bill has been approved by either the full House or Senate, the companion bill is heard on the floor of the other legislative body and the sponsor must make this motion to adopt the other version in order to pass identical bills.

Summer Study: A House committee action in which a bill is reviewed and discussed throughout the summer and fall months to gain a better understanding of the issue and how to best address it in the next legislative session. Often this is a means of killing a bill.

Sunset Provision: Provides that a provision or a law is automatically repealed on a specific date unless the General Assembly takes legislative action.

Suspension of the Rules: A parliamentary procedure whereby actions can be taken which would otherwise be out of order. A two-thirds vote of each body present and voting is required to adopt a motion to suspend the rules. Often done at the end of session to speed up the process.

Table: A reference to stopping a bill or amendment from further action. A motion to table cuts off all further debate before a vote is taken.

Veto: Power exercised by the governor to reject legislation passed by both the House and Senate. The General Assembly can override a veto with simple majorities in each legislative body.



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