

Chapter 6

IARP LEGISLATIVE HANDBOOK.
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A Guide For Grass Roots Action!

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Introduction

The purpose of this Legislative Handbook is to provide guidelines on how local IARP chapters can develop grass roots action for legislative change. The field of rehabilitation is often affected by legislative change at all levels, ie, city, state, and federal. It is paramount that our professional organization stay involved in the legislative process at all levels so that the changes, which are inevitable and often quite warranted, are favorable. To accomplish this task, local IARP chapters as well as our national office often hire lobbyists to help us navigate the political hallways, and have appropriate influence on the legislative process. Our professional history is replete with situations in which State legislatures, for example, have decided to "reform" a benefit delivery system in such a way that our much needed services are adversely affected. It is always much, more difficult to change an existing law than it is to be involved in a law when it is being developed. Therefore, it is crucial that we, as a profession, remain vigilant and ready to become involved in the legislative, or law-making process.

This Handbook is divided into 5 sections, each of which tries to explain and elucidate what local IARP chapters need to do to stay politically active. From knowing whom your legislators are, to contacting and educating them about what services rehabilitation professionals deliver, this handbook provides simple "do's and don'ts" as well as in-depth information about how laws are made and modified. Above all else though, it is important for each and every local IARP chapter to form a legislative committee, or appoint a lead-person who can track the legislative process locally, and report to the local board of directors on legislation which will affect our work. Hopefully, this handbook will help with that process. When in doubt though, feel free to contact the National President, or the current Chair of the National Legislative Committee. Their names and contact information is listed in this Handbook. Good luck with helping our profession to develop and prosper, so that rehabilitation can indeed be a valued and helpful service to individuals with disabilities.

Bruce Growick
IARP Legislative Chair

WHAT CAN ONE PERSON DO?

This handbook is dedicated to the principle that one person CAN make a difference.

IARPs' greatest resource is its members. This handbook gives practical tips on how each and every IARP member can be effective in representing their interests to legislators and government officials, and in supporting the interests of all IARP members.

This is what YOU can do:

KNOW WHO YOUR LEGISLATORS ARE. A simple, basic first step, but sometimes difficult for beginners. Find out and *write it down*.

MAKE SURE YOUR LEGISLATORS *KNOW WHO YOU ARE*. Once you let them know who you are and what you are concerned about, you should never let them go.

WRITE TO YOUR LEGISLATORS. Introduce yourself. Tell them who you are, what you do for a living, what your general concerns are.

MEET WITH YOUR LEGISLATORS. Introduce yourself again, in person this time. If possible, have a specific issue or bill to discuss. If not, it's OK to just talk about your general concerns about your profession, and see if the legislator can suggest anything to help.

IDENTIFY AND TRACK KEY LEGISLATION. Learn how the legislative process works. Put that knowledge to *practical use - identify* and follow a bill of concern to IARP

EDUCATE YOUR LEGISLATORS. Putting it all together - you can be a citizen educator for IARP. Since you now know your legislator, and vice-versa, ask them to help you out --- when you need the help.

KNOW WHO REGULATES YOUR PROFESSION. Which state official controls the licensing and/or certification requirements, if any in your state, for your profession? Who controls the decisions over workers' compensation or other publicly regulated programs that affect your livelihood? *Find out, and write it down*.

KEEP TRACK OF CHANGES IN REGULATIONS. Many states have mailing lists to advise people of proposed changes in regulations. Some state departments will be glad to put you on a mailing list of suggested changes. If you don't want to get such mailings yourself, make sure at least someone you know does, so you will be able to find out before it's too late.

MAKE YOUR VOICE HEARD. Write to your legislators, and the appropriate state officials (that you found out about in #7) about changes or proposed changes that affect you. Write to them about changes you don't like, but also write to them when they do something you do like. Write letters to the editor on the same subject. Write to the Governor as well.

HELP MAKE IARP MORE EFFECTIVE. IARPs' best resource is its members. If each member would follow these simple steps, become aware of the legislative and regulatory process, and *will* help IARP educate their legislators, we *will* be better able to forestall negative changes and to promote developments.

Know Your Legislators

Do you know who your legislators are? Every state (except Nebraska, which has just a Senate) has a State Senate and House of Representatives or Assembly. Every state has two U.S. Senators and one or more Congressmen.

This is the first step in your becoming an effective citizen educator -- knowing who your legislators are, and how to reach them. If you already know who your state and federal legislators are -and have written down their addresses and phone numbers, you can skip the rest of this page.

YOUR LEGISLATORS. Your State Senator and Representative (or Assemblyperson) are *your representatives* at the state capital. Your two U.S. Senators and one Congressmen are *your representatives* in Washington.

Usually, the first job of a legislator is what is called *constituent service* -- answering questions of their constituents, helping them with state government, listening to their views on legislation. Effective constituent service is important for any legislator who wants to get re-elected, so you will find that (hey are usually very receptive to anything you might want to tell them. and usually will make sure to respond to any communication from you.

HOW TO FIND OUT. How do you find out who your legislators are? One of these easy calls should tell you:

Make a (hopefully) local call to your local registrars of voters, also referred to as the City Clerk. Town Clerk or County Clerk. They should be able to tell from your address who your State Senator and State Representative(s) -- in rare cases you could have more than one -- are. In this same call, or any other calls. they should be able to tell you who your Congressman - is and who the U.S. Senators from your state are. (In this same call, you can also verify that you are registered to vote or, if you aren't registered, how to do so. While legislators will respond to you as a resident of their district, they will be much more interested if you are also a voter.)

Call the Secretary of State in your state capital. and ask for the Elections Division (the name may vary from state to state). They should be able to tell you, from your voting address. who your state and federal legislators are.

Call information for the state capital, and get the phone numbers for the State Senate and House of Representatives (or Assembly). Someone at the switchboard should be able to tell you, from your address, who your state Senator or Representative is.

Call your local public library and ask someone there to look it up for you.

Call a local newspaper; it's a sure bet that they have done one or more stories on your legislators or would otherwise know.

Most local Post Offices have a list of the federal legislators that you could copy down.

WRITE IT DOWN -- YOU WILL BE USING IT! Be sure to get the following information: full name. party affiliation, term of office. home and office (and district office, if they have one) addresses. and office phone number. You need this information for: Two U.S. Senators. One U.S. Congressman. One State Senator, and One (or more) State Representative(s). Sometimes the Secretary of State has this already printed on a list they can send you. *Write this down*, and put this information in an easily accessible place. You're ready to go onto the next step.

LETTER WRITING SUGGESTIONS

According to a survey by the public relations firm Burston-Marsteller, constituents get the most attention of Congress -- 75%, much more than do government agencies or interest groups. The two most important ways of influencing Congress, according to the survey, are "spontaneous" mail (e.g. not form letters) and telephone calls. The same dynamic undoubtedly works for state legislators -- letters from constituents have an impact!

Also, any legislator can tell you that they almost never get letters from constituents. So, if they got as little as five (5) letters from constituents on any one issue of legislation, that is considered a landslide, and can help them decide what to do.

Here are some basic guidelines for writing a letter to your legislators:

THINK ABOUT WHAT TO SAY. Before you actually write the letter, take a few minutes to decide what the issue is and what your main point is.

BE BRIEF. For most letters, one page is usually enough.

WRITE SIMPLY AND CLEARLY. Use short sentences, short paragraphs, and keep to the point. Stick to one main point in each letter. Use specific -- but non-technical language. Remember, this is not intended as an article in the IARP Journal, and the recipient is not a rehabilitation professional.

NO FORM LETTERS. Any letter you send to a legislator should be in your own words. They can tell a form letter a mile away. The overuse of form letters these days has drastically reduced their usefulness.

BE A CONSTITUENT. Make sure the legislator knows that you are a constituent -- and a voter -- and that you are writing as a resident of his district, not because you are a member of an organization.

BE REASONABLE. Never threaten. Be positive; not negative. Be constructive -- admit that problems may exist, but that you are trying to help find a solution. Avoid sarcasm. If you merely give your position in a straightforward manner, your letter will be considered. If, on the other hand, your tone is offensive or challenging, it will either be ignored or will be counterproductive.

BE SPECIFIC. If you're writing about a specific piece of legislation, such as "Senate Bill 862", give the bill number. Then ask for exactly what you want -- "Please vote FOR S-862." If you're writing about more general issues, be consistent in the terms you use, and define any of them when that may be helpful.

SIGN YOUR LETTER. Anonymous letters cannot be answered, and usually do not help the cause they are written for. Use professional or business stationery if possible.

ASK FOR A REPLY. Always. At the end of each letter, politely ask for a specific response. Don't challenge the legislator -- just ask for his/her position or for information about what you asked for.

SEND US A COPY. Please, also send a copy of your letter to your state chapter (for letter to state legislators) and to the national IARP office (for letters to member of Congress). Also, keep a copy for yourself.

ONE MORE RULE is "DO IT NOW". Write the letter TODAY, while the issue or the idea is fresh in your mind. If you're thinking about writing about pending legislation, a delay of one day may lose you the opportunity to have any impact.

WRITE YOUR LEGISLATORS -. TODAY!

Now that you have the names and addresses *of* your state and federal legislators, *you* need to make contact -- today. *To* write them. *you do not* necessarily need a pending piece *of* legislation or burning issue.

Write a letter which merely introduces yourself, *so* your legislators will know who you are and what you are concerned about (in general). Writing this innocuous letter today -- *a* letter that does not ask for anything -- will make it that much easier for *you* to ask your legislator for support when the time comes.

Legislators only usually hear from people who want something from them -- a vote, to file a bill, to intervene with a state agency, etc. Legislators actually like being asked to do something, since they usually can say "yes" and therefore do a favor for the voter. Eventually, if *you* continue as a citizen educator for IARP you will be asking them for something this initial letter helps lay the groundwork.

IARP in most states, is not very visible with the state legislature or state government, *so* for us to have success, we need the time and opportunity to *educate* them about IARP and what our members do for a living. We have learned, unfortunately, that most state officials and legislators have a poor understanding, *if* any, about vocational rehabilitation or case management. *One of* your most important roles as a member of IARP is to help *educate* your legislators.

For now, though, your first letter will be a simple, one-page letter like the following:

Senator Joseph M. Haynes
5 Legislative Plaza
Nashville, TN 37912

Dear Senator Haynes:

I am writing to introduce myself and to let you know of some of my concerns. I have lived in Goodlettsville for 15 years, where I and my husband, John, have been raising our two boys, Kevin (14) and Paul (11), and one girl, Rachel (8).

I am a registered nurse and rehabilitation professional. I have been working as a medical case manager in disability settings for over twelve years, and am a member of the Tennessee Chapter of the National Association of Rehabilitation Professionals in the Private Sector (IARP) and the Association of Rehabilitation Nurses (ARN). In addition to my nursing license, I possess national certification as a Certified Case Manager (CCM) and Certified Rehabilitation Registered Nurse (CRRN).

As a case manager, my objective is to contain costs while ensuring the quality of care. I review and coordinate the proposed plan of treatment and rehabilitation of the ill or injured worker covered under workers compensation and the rehabilitation plan for other persons with disabilities. The rehabilitation plan is designed to restore or maintain the ability of the person to perform usual activities of daily living and, insofar as is practicable return them to work and a productive role in society.

I would appreciate any information you could send me about any pending state legislation or proposed state rules or regulation that affect workers' compensation, case management, vocational rehabilitation, or disability issues. If I can be helpful in answering any questions you may have about my profession, please feel free to call me any time. I can be reached at 000-OW-0000 (office) or 000-000-M (home).

Sincerely

Jane Doe, RN, CRRN, CCM

Send the same letter *simultaneously* to each of your national and state legislators. If every IARP member sent such a letter, we would have a very good start through the grassroots to educate state legislators about our profession. That will -- in the long run -- help us forestall negative legislation mid help us pass positive legislation.

WRITE YOUR LEGISLATORS -- ABOUT A BILL!

At some point, you will want to write a letter to your state legislators asking them to take a specific position on a piece of legislation that affects you. If you follow the legislative process, and if there are a number of such bills, you may need to write such letters fairly often. How do you get a copy of a bill? Call the Document Room! House of Representatives (202) 225-3456. US Senate (202) 224-7860. All state legislatures also have a document room.

Letters from constituents -- from you -- have a great influence on what a legislator does. As little as five letters can change a vote and get your legislator over to your side. Here is a sample letter:

Representative Mary Jeanette Murray
State House -- Room 134
Boston, MA 02133

Dear Representative Murray:

I am writing to ask your support for S-668, "AN ACT TO IMPROVE ACCESS TO REHABILITATIVE SERVICES", also known as the "vendorship" bill, which was passed by the Senate last week and should be up for a vote on the House floor soon.

This bill would require that the services of a licensed rehabilitation counselor be provided in group health insurance policies, up to a maximum of \$500 over a 12-month period. Rehabilitation services are needed in many cases to help an injured person resume either normal activities of daily living or to be restored to gainful employment, depending on the extent of the injury.

I am a licensed rehabilitation counselor, currently in private practice. I can give you many examples the value of rehabilitation services for injured persons from the many cases I have handled in my ten years practice. I would welcome an opportunity to further discuss this issue with you and to provide you with more information, if you would like. If you have any questions, please call me at XXX-XXX-XXXX.

I would appreciate hearing about your position on this bill. Could you or your staff please also let me know when this bill comes up for a vote in the House? Thank you.

Sincerely,

John Doe

This type of letter has the following key components:

SPECIFIC REQUEST. Ask for exactly what you want the legislator to do. This is no time to beat around the bush.

USE THE BILL NUMBER & TITLE Show you know what you're talking about by giving the bill number, using the proper nomenclature. Also give the full title of the bill, so there is no question what you are talking about. Its also OK, in addition, to use whatever label has been given to the bill ("vendorship"), because that is probably how many people refer to it.

SUMMARIZE THE BILL. Give a 1-2 sentence summary of the bill, and why you support/oppose it. This both explains the bill and your position to the legislator, and show the legislator you know what you are talking about.

SAY WHO YOU ARE. Explain what you do for a living and give an example, if possible, of how the bill may benefit/harm you and/or your clientele. Don't appear self-serving -- talk primarily about how the bill will affect your client base, not necessarily how it will directly affect you.

ASK FOR A RESPONSE. Always. You want to know what position the legislator takes on this issue and when the vote will take place. Then, you can follow up and see how the legislator actually votes, and they will then know that someone is watching them -- which can make all the difference.

CALLING YOUR LEGISLATORS

Here are some helpful tips for telephone calls to your legislators or other government officials:

CALLING IS MORE TIMELY. Save your calls for an urgent issue when timeliness is a critical factor. Otherwise, letters are usually more effective. Also, don't call "just to chat" -- it's more useful to save your calls to make a request for a specific action.

TALK TO THE STAFF. Don't be put off if a staff person answers the call. Talking to a staff person, especially the one who is working on the issue for the legislator, can often be just as effective than talking to the legislator. However, in some cases you may get the legislator him/herself.

KEEP IT SHORT. Try to keep the call to no more than 5-10 minutes. Legislators and their staff are busy, and will deal with many other calls and issues besides yours. They will appreciate your brevity.

STATE YOUR ISSUE UP FRONT. Then, the receptionist will be able to refer you to the appropriate person in the office to best handle the call. "Hi. My name is John Doe, from Anytown. I'm calling about the workers' compensation bill being considered by the legislature."

STATE YOUR NAME AND TOWN. That clearly identifies you as a constituent, which will help ensure (hat you get their attention.

BE CLEAR AND CONCISE. Try to keep to one point, one issue, or one bill. Give your position, what you would like the legislator to do (vote for/against a bill), and have at least one concise reason for your position. They may ask you some questions -- they are not challenging you, but are just trying to get a clear idea not only of where you stand, but what led you to take that position. Avoid zealous extremism. stick to facts or reasoned opinion.

BE REASONABLE. Merely give your position, request the action you'd Me the legislator to take, and give your reasons. Don't be threatening, challenging, or negative. Be ready to concede, if necessary, that there may be areas of your argument that may not hold up under scrutiny. If any such question is asked that you don't feel you can answer, just say that you expect to look into it and will get back to them with a response.

OFFER TO SEND THEM MATERIAL. If they express interest in a study or article or other materials you have mentioned or referred to, offer to send it to them. This will serve to help the long-range educational process that is needed.

LEAVE YOUR PHONE NUMBER. Make sure they know how to get back to you. Often, constituents who call can be helpful in providing information that the legislator may not ordinarily been able to get. Be ready to serve as a resource if asked.

FOLLOW-UP WITH A LETTER. Immediately after the call, write a letter to the legislator. Mention that you spoke to the staff person (and state his/her name), that you appreciated the opportunity for the call, and that you'd appreciate a response concerning what action the legislator took on your request.

It is OK to call a few times about the same issue -- especially when the issue comes up one or more times. If you are courteous, brief, and are merely following up to see what your legislator did, such follow-up calls can be effective in letting your legislator know you are keeping track of the issue, and can be effective in getting the result you desired.

MEETING WITH YOUR LEGISLATORS

By far, the most effective method to influence your legislator is a face-to-face meeting.

BE ON TIME FOR THE MEETING. Before the day of the meeting, call ahead to confirm the date, time, and place, and try to find out roughly how much time you may have. If you are going in as a group, have a pre-meeting of the group to decide on your strategy.

YOU DON'T HAVE TO BE AN EXPERT. You are there as a constituent, resident, and voter in the legislators' district. If you don't know the answer to a question, or some specific bit of information, or the best argument, you can merely say you'll look into it and get back to the legislator with the information. *However, if you offer to provide information, you must follow through and provide it, or you may lose some credibility.*

BRING A FACT SHEET OR LETTER. It's always good to leave something tangible, on paper, that clearly states your issue. The fact sheet should include the name of a contact person and a phone number.

BE PREPARED WITH SPECIFIC INFORMATION. Bring whatever backup information you may have, or may be able to get from the state chapter of IARP office. You don't need to bring Teams of paper; just enough to give some explanation or discussion of your issue. This is not mandatory; in most cases your personal explanation of what you do for a living and your background may be enough.

BE BRIEF. Be prepared to state your position in 5-10 minutes, and then let the legislator or staff person ask questions. Be available to stay for a reasonable period to answer whatever questions he or she may have, but be alert for clues that the meeting may be about to end. This meeting is not necessarily the only one you may have; you can always ask for another one later on if necessary.

DON'T IGNORE THE STAFF. While talking to the legislator himself is, of course, valuable, don't discount the value of talking to the staff. Often, legislators themselves are so busy with a myriad of issues, hearings, meetings, etc. that the staff takes on the responsibility to research the issues and brief the legislators. So many times talking to a staff person - especially the one who is working on your issue -- can be more productive than talking to the legislator.

OFFER TO SUPPLY FOLLOW-UP INFORMATION. Be a resource to the legislator. If he or she asks for backup information that you don't have, you should be able to get it from your state chapter of the IARP national office.

INVITE THE LEGISLATOR TO A MEETING OF YOUR CHAPTER. Involving a legislator in your organization's events is a sure way to involve him further in your issues, and to help bring him to a better understanding of your issues. Generally speaking, the more legislators you have who have actually met and spoken with an IARP member, the better our opportunities would be in the legislature.

ASK FOR THE SPECIFIC ACTION YOU WANT. Ask the legislator to "Vote for Senate Bill 919," or to "Oppose any reduction in the rehabilitation benefit." Simply espousing opinions or general policy statements will not necessarily tell the legislator exactly what you want him to do, and will simply waste your time and theirs.

WRITE A FOLLOW-UP LETTER. Thank the legislator for taking the time to listen to your concerns. If the legislator expressed support for your position, thank him/her for that also. If the

legislator did not support your position, or did not state his/her opinion, thank him or her for the time and offer to be available to discuss it further.

Your key to success: Effective relationships with legislators.

THE LEGISLATIVE PROCESS

The legislative process is confusing, and hard to follow from outside the legislative chamber. This page is a brief description of some of the key factors you need to keep in mind when following or trying to influence legislation.

KNOW THE BILL NUMBER. You can't follow or educate on a bill until you know its number - such as SB 1126, or H-3455 (or AB-3455).

KNOW WHO THE SPONSOR IS. Every bill has a sponsor, the legislator who filed it, who is usually the first name listed on the bill. Who the sponsor is can have a dramatic effect on what happens to the bill. Also, the sponsor is usually the principal person who can help you keep track of the bill and its status.

THE COMMITTEE SYSTEM. Legislatures operate by Committee. A bill is referred first to a Committee that deals with the subject matter of the bill. For example, most of the bills we would be concerned with would be referred to committees with names like "Commerce and Labor," "Health Care," "Human Services," or "Insurance." Many legislatures have "joint" committees, made up of both Senators and Representatives (or Assemblypersons), although some have separate House and Senate committees.

COMMITTEE STAFF. The staff of a committee do the analysis, identify questions, and provide recommendations to the Chairman and members, and often are the best source to turn to for making your recommendations about changes in a bill, or just to find out what is going on.

THE HEARING. Committees have a public hearing on legislation referred to it. However, while most legislatures give some form of public notice for public hearings, the only way to be sure you know when a bill has a hearing is to call the Committee the bill is in. If you want to be sure you know in advance when the hearing is, you may have to call repeatedly until they are able to tell you.

WAYS AND MEANS COMMITTEE. Most legislatures have one or two Ways and Means Committees, who review and amend proposed state budgets, and also review any legislation which involves state expenditures. After a bill goes through the subject-matter committee, it can then be referred to Ways and Means. Since most Ways and Means committees have a large amount of bills referred to them, this committee can often be a "graveyard" for many bills, merely because of the bottleneck created by the large number of bills.

THE FIRST HOUSE. After Committee, or Ways and Means, a bill usually is considered first by the House. (that is, the House or Senate) the sponsor is from. After passage by the first house, the bill can then be considered by the other one.

READINGS OR CONSIDERATIONS. Most legislatures require that each House consider every bill on three separate occasions, usually called "reading" or "considerations." The "first reading" is usually when the bill is referred to Committee. The "second reading" is when the bill is referred from Committee to the floor, where it can be debated, amended, and then defeated or voted to "third reading." The bill is then reviewed for legal consistency with other laws, etc. by the "Committee on Bills in Third Reading," or something similar. However, in some legislatures this committee can become another "graveyard," if there is no time limit for consideration of the bill by this committee. If the bill survives Third Reading, it goes to the floor for debate, amendment, etc. and then can be "passed to be engrossed." Then, it goes over to the other House to go through the same procedure.

THE CALENDAR. This is the agenda, or list of items to be considered for a session of the House or Senate. Calendars usually tell you where in the process the bill is - whether it's on "third consideration" or whether the bill is being considered for "second reading." Calendars are sometimes

in legislative shorthand that they understand, but that you can learn to read through just a little trial and error.

THE CLERKS. Don't despair. Every legislature has a House Clerk and Senate Clerk office. who are the experts on the process. They can be very helpful to you in tracking down a bill. helping you understand where in the process your bill is in. and in answering any question you might have. Call them; they can help demystify the whole process and save you time and aggravation.

HOW TO FIND THE STATUS OF A BILL

To influence legislation, you of course need to find out "where" in the process the bill is. At any point in time, you need to find out "what is the status of my bill?" These are tips for doing so:

KNOW THE BILL NUMBER. This is also your tracking number. Then, get a copy of the bill, once it is printed.

CALL THE CLERK. With the bill number, the House of Senate Clerk can usually quickly tell you where in the process the bill is, or what committee the bill is in and when the bill was referred to that committee. The Clerk can often be helpful in explaining also what that means.

CALL THE SPONSOR. The sponsor, or more likely a staff person for the sponsor, often can be relied on to closely follow the progress of their own bill. They can also tell you whether the bill is in good shape or bad, and what, if anything, might need to be done.

CALL THE COMMITTEE. The subject-matter committee that originally got the bill usually follows all of their bills, especially if they gave it a "favorable" recommendation. So, find the appropriate staff person who is handling your bill and keep in touch with him or her.

RESEARCH IT YOURSELF. Go to the State House or Capitol Building yourself, if you can. Visit the House and Senate clerk's office, and see how you can look it up yourself. Most legislatures have computerized their Clerk's offices, so in many you can go through a computer printout or even look it up yourself on the computer screen.

GET A "PRINTOUT." If you really want to understand and keep track of what has happened to your bill, a Clerk's office that is computerized can sometimes give you a hard-copy printout of everything that happened to your bill since it was filed. Looking through that record can help you understand how well the bill is doing, and help you understand how the process works.

CALL SUPPORTERS OF THE BILL. Especially if you support the bill also; an organization that supports a bill usually will be following it closely and trying to get it passed with as few amendments as possible. Find a contact person at this organization and keep in touch. They should be able to tell you quickly the status of the bill, how well it is doing, and what you could do, if anything, to help.

CALL OPPONENTS OF THE BILL. Especially if you oppose the bill also; an organization that opposes a bill usually will be following it closely and trying to get it defeated or will try to amend the bill to eviscerate it. Find a contact person at this organization and keep in touch. They should be able to tell you quickly the status of the bill, how well it is doing, and what you could do, if anything, to help.

DON'T BELIEVE EVERYTHING YOU READ. Newspaper reporters often have a poor understanding of the legislative process. News articles rarely give bill numbers, or the precise status of the bill, or any of the information you can get yourself. Newspapers can be a good source of some information, but not what you really need to know in most cases.

KEEP AT IT. Things can happen very fast in legislatures. Of course, sometimes they can drag out for months and months. Check on your bill on a regular basis, and increase your checks when it looks like something is going to happen. The more calls you make, the more you will be able to understand the process and what is happening to your bill.

HOW TO "EDUCATE" LEGISLATORS BY YOURSELF

What we are talking about here is for every **IARP** member, as an individual, to influence the legislative process on his/her own behalf (and IARP through contacts, education and communications *with your own legislators*). Broadly speaking, many will call it lobbying, but since you won't be paid for it, and because you'll be dealing only with your own elected legislators, you shouldn't be considered a "lobbyist" under state lobbying laws.

YOUR OWN LEGISLATORS. That is your objective. Know who they are. Make sure they know you. Write to them. Meet with them. Build a relationship over time so that when you need their vote on a IARP issue, they will be most receptive to your requests, and won't wonder who you or IARP are.

THE LEGISLATIVE PROCESS. Know at least the basics about how a bill is passed into law. Know how to find the status of a bill. Know *exactly what action* you want your legislator to take on a bill.

KNOW THE STAFF. Get to know the staff of your legislators. Be nice to them. Help them out. If they want information, get it and send it to them.

TESTIFY AT HEARINGS. You can testify at hearings, representing either "just yourself" or along with other IARP members from your local Chapter. Testifying can have a triple impact; (1) committee members are usually impressed when citizens take the time to testify; (2) it will help the efforts of your IARP chapter, and (3) your legislators, whether they are on the committee or not, will give you greater credibility.

KEEP TRACK OF A KEY IARP BILL. For a few minutes each week, you can keep track of one bill, over time learn the legislative process, and by tracking the bill learn when the best time is to call you legislator for help - and know exactly what to ask for.

KNOW WHEN TO ASK YOU LEGISLATOR FOR HELP. If the bill is up for a vote in the Senate, call your Senator - and ask them to "vote in favor of ordering the bill to a third reading," or whatever the specific vote actually is. Don't call your Representative until the bill comes up in the House, then make the same type of call.

DON'T OVERUSE YOUR LEGISLATORS. After your introductory letters and meetings, hold off until something important really comes up. Then, don't bug them unnecessarily - wait until the bill comes up for a vote the particular legislator can help with. Then, make your specific request for action.

GET FOUR OTHERS TO-MAKE SIMILAR CALLS. For a legislator, five phone calls from constituents is practically a landslide. So, find at least four other people in your same profession, in the legislator's district, and coach them in what to do - and double-check to make sure they called. This greatly magnifies the impact of your call, and by itself can change a legislator's vote.

FOLLOW UP. Always. The day after the vote you requested, call the legislator to see how he/she actually voted. If they voted the "right" way, thank them. If they voted the "wrong" way, be courteous - say you are disappointed. Is there anything I could tell the legislator that might change their mind if this issue is voted on again? Could you explain why they voted that way?

LETTERS TO THE EDITOR. Use letters to the editor to inform the public and to indirectly, through the newspaper and the public, educate the legislator. Write a letter asking readers to call their legislator and ask for them to vote for/against the bill. Write a letter thanking your legislator for a

good vote. Don't write a letter castigating a legislator for a bad vote - those backfire. Be factual, brief, and to the point.

EDUCATING DO'S

KNOW YOUR FACTS. Be prepared with sufficient background information to substantiate your position.

BE ACCURATE. Double check your facts. Correct errors immediately. Don't use any "facts" you are unable to verify, and never say anything you think may not be true.

KNOW THE LEGISLATIVE PROCESS. Know where your bill is. Understand the next part of the process, so you know exactly what action you'd like your legislators to take.

BE REASONABLE. Allow for the possibility that there could be honest differences of opinion. Listen to the other side, they may have a point you should consider. Don't abandon your legislator if he doesn't vote 100% the way you want.

BE REALISTIC. Compromise is usually needed to pass legislation; it is a normal part of the process. Recognize that politics is the "art of the possible," and that some times half a loaf is better than none.

FIGHT ISSUES - NOT PERSONS. Stay away from personalities. Discuss issues, and be prepared to offer constructive alternatives and compromise language when needed.

WIN. Educating is not an academic exercise, you must be in it to win. Be serious about your issues, but be sensitive to the feelings of people, especially the opposition.

DON'T BURN ANY BRIDGES. Your efforts are most valuable over the long-term, where your growing relationship with your legislators enables you to be the representative of your profession and IARP on many different bills and issues over the years.

DON'T BREAK A PROMISE. This is a cardinal rule. If you tell a legislator you'll do something, you are committed to it. So, think hard before you make a promise.

NO QUID-PRO-QUO. It's OK to return a favor for a favor, but never make a "deal" where you promise something for a vote. Recognize that, to a legislator, fulfilling even the smallest of your "requests" probably is considered a favor he/she has done for you. Generally, legislators expect that people they help will at least vote for them, or make contributions or campaign for them. Decide for yourself how you would like to reward a legislator who has been helpful. but make sure it is your decision, and not something you think you "owe" because a legislator has done the right thing. On the other hand, don't obviously attack or show a lack of support for a legislator who has been helpful – that could easily turn a friend into an enemy!

EDUCATING DON'TS

HOW TO TESTIFY AT A HEARING.

Testifying at a hearing on a pending legislative bill or administrative regulation is certain place in the legislative process where one person CAN make a difference. Often legislators feel that the most effective testimony is not that from the "experts" or from interest groups. but, from ordinary citizens. They are often impressed when a citizen, with no obvious ax to grind, prepares sufficiently to offer informed testimony at a hearing on an issue that affects them.

IDENTIFY YOURSELF. Simply give your name, town of residence, what you do for a living. .Good morning. My name is John Doe. I live in Anytown, and am a self-employed vocational rehabilitation counselor. I am a member of the Ohio Chapter of IARP."

STATE YOUR POSITION. Simply give your position. "I am OPPOSED to passage of Senate Bill 919" or "I am IN FAVOR of these proposed new **regulations.**"

GIVE YOUR REASONS. In one or two summary sentences, explain your position: "I am opposed to Senate Bill 919 because it would impose onerous and unnecessary requirements for the certification of case managers." or "I am in favor of these regulations because they will improve the delivery of vocational rehabilitation services to ill or injured workers covered under workers' compensation." Stick to known facts. preferably from personal experience.

HOW DOES IT AFFECT YOU? Mention how it may affect you -- if it does -- directly. "S-919 would effectively put me out of business, a business I have been successfully engaged in for over 30 years," or "These regulations will streamline the process for determining whether additional rehabilitation benefits should be granted, and will enable me to provide my services more effectively to (he injured worker." Or, "while this bill would not affect me directly, I am concerned about the overall effect it will have on the rehabilitation profession."

HAND OUT WRITTEN TESTIMONY. Have enough copies to hand out to all legislators, staff, and others. Since most legislative committees in state legislatures do not keep written transcripts of testimony, your written testimony may serve as the only record of what you had to say.

DO NOT READ YOUR TESTIMONY. Never read it verbatim, unless it is one page. However, be prepared to give a 5-10 minute summary of the high points of your statement. For other details, you can then easily refer them to your written testimony. Always talk, don't read!

ANSWER QUESTIONS. This is often more valuable than your prepared testimony. From the questions, you can see what the remaining issues are, and what areas require more education. If you don't know the answer to a question, that's OK -- then you can volunteer to look it up and provide it at a later date. *However, if you offer to provide information, you must then deliver, or you risk losing credibility for you and your issue.*

BE CLEAR. Do not use technical or obscure language. Short, concise sentences are best.

BE REASONABLE. Stick to your issues. Never cast aspersions on other organizations or individuals. Be respectful of those who oppose your position. While you can -- and should -- be forceful in presenting your points, avoid hyperbole and embellishments.

SUM UP YOUR POSITION AT THE END. Follow the rule; "Tell 'em you're going to tell 'em; tell 'em; tell 'em you told them." When the questions and answers are over, and the Chair thanks you for your testimony, thank him/her for their time and say that you hope the committee will vote for/against the bill/regulation. This helps make it abundantly clear to the committee what your position is, just in case they lost the thread of your argument during the questions.

YOU CAN FILE A BILL - THIS IS HOW!

In one state, Massachusetts, all citizens have the "right of free petition," a right by custom to file legislation through their state Representative or Senator. While a legislator in Massachusetts is obliged to file a bill for a constituent, they are not obliged to support. In such cases the bill is marked that it was filed "by request,"

Even though the other 49 states do *not* have such an explicit requirement, in most cases a legislator will routinely file a bill for a constituent. All you usually have to do is ask. So, if you want to file a bill, what do you need to know?

1. **RESEARCH & PREPARATION.** Make no mistake about it, drafting and filing a bill is a lot of work. Luckily, most legislatures provide assistance in doing so, so you won't be entirely on your own. You should put together a file with:
the state law you are trying to amend or add to
legislation from one or more other states similar to what you are trying to do (if there is any)
background information about the issue
2. **HAVE A CLEAR, LIMITED OBJECTIVE.** Don't try to do too much in one bill. Consider whether the bill would require the expenditure of state funds -- that adds an additional complication. Make sure the bill is closely tailored to achieve **ONLY** your objective; you ask for unnecessary trouble if the bill unintentionally brings in extraneous issues that prompts opposition having nothing to do with your main issue.
3. **PREPARE A FACT SHEET.** When you put together your background material and draft your proposal for a bill, you should also write a one page fact sheet about the bill, with;
a summary of the bill
a discussion of what the bill would do and why that is needed
4. **IF YOU CAN DRAFT IT YOURSELF.** Are bills drafted only by lawyers? Not necessarily. It is possible to write the initial draft of a bill yourself, and then expect that the Counsel's Office at the legislature will be able to put it into proper legislative form as a redraft. Some states, like Massachusetts, allow you to initially file a general bill that starts with the words "Notwithstanding any general or special law to the contrary..." and then describes what the bill is designed to accomplish. Check on that first; that is not acceptable in many states. At least four states -- Arizona, Massachusetts, Montana, Tennessee -- have bill drafting manuals available, other states may also have one.

HAVE THE LEGISLATOR GET IT DRAFTED FOR YOU. Many states have a legislative service that drafts bills for legislator. Ask your legislator if your state has such a service. Then, if they do, all you need is to describe what you want the legislation to accomplish, provide some background information, and then ask your legislator to request the service to draft it.

SAMPLE BILL

(A Massachusetts bill, NOT necessarily applicable in other states.)

AN ACT TO IMPROVE ACCESS TO REHABILITATIVE SERVICES

Be it enacted by the Senate and House of Representatives in General Court Assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 176B of the General Laws is hereby amended by inserting after section 4G, the following new section:

Section 4131/2. Any subscription certificate under an individual or group medical service agreement which shall be delivered or issued or renewed in this Commonwealth shall provide as benefits to all individual subscribers and members within the Commonwealth and to all group members having a principal place of employment in the Commonwealth, in the case of outpatient benefits, the services of a rehabilitation counselor licensed under the provisions of chapter one hundred and twelve to the extent of five hundred dollars over a twelve month period.

CAUTION: Do not file a bill unless you are prepared to work hard to pass it, unless you have the fact sheets prepared to document the reasons to pass it, unless you have a number of IARP members or others lined up to help you push for it. The danger is, unless you are ready to defend your bill, it could be used by other to attack, rather than to promote, your interests. While filing a good bill does create an opportunity to improve your situation, recognize that the same bill could be amended to actually harm your interests.

LETTERS TO THE EDITOR

Letters to the editor of local or metropolitan newspapers are an effective way for one person to affect the state legislative and regulatory process. While letters to the editor are of course a way to influence public opinion and to call attention to an issue, they are also an effective way to influence your legislators. Writing a letter to the editor, or, preferably, a campaign of writing many letters from members of a group to the newspapers, calls attention to an issue in a matter that a legislator cannot fail to miss. Tips on writing a letter to the editor:

1. **KEEP IT SHORT.** One page is usually enough. Any letter longer than that almost require for the newspaper to edit them, in which case you lose control over what will be printed. Address it "To the Editor." At the bottom, after your name, put a phone number where you can be reached - many newspapers do not publish letters unless they can identify who wrote it.
2. **WRITE CLEARLY.** Use short, concise sentences, and short, one or two sentence paragraphs. Avoid technical language or jargon. Use declarative sentences in the active voice.
3. **STICK TO JUST ONE POINT.** Have one objective in mind, and stick to that objective. Talking about more than one point will confuse the readers and dilute the effectiveness of the letter.
4. **REMEMBER YOUR AUDIENCE.** You are writing to the general public, to inform them of a pending issue and perhaps to call for action.
5. **CALL FOR ACTION.** After giving your position, ask the readers to DO SOMETHING: "Write your state legislators and urge them to vote AGAINST S-919."
6. **AVOID PERSONALITIES.** Don't attack anyone-, stick to the issues. Fight issues -- not people. If you are calling to rebut or contradict something that was in the newspaper, be respectful and give facts or objective reasons for your position.
7. **GIVE ONE GOOD REASON.** Don't try to give a dissertation or a professional paper. It's OK if you use your opinion -- that is what letters to the editor are for.
8. **CITE FACTS.** Your credibility is enhanced if you supplement your position and your opinion with at least one clear fact that supports your position or gives needed background about the issue.
9. **SEND TO MORE THAN ONE PAPER.** Send the same letter to all of local daily and weekly papers -not just one. Send the same letter to every daily paper in the state. Repetition helps get your message through, and increases the chance that someone will hear what you have to say.
10. **WRITE IT NOW.** Don't wait. Lead times for printing letters in newspapers can be very long.

SAMPLE LETTER:

To the Editor:

The workers' compensation reform bill, S-92 1. now being considered at the state capital, would severely restrict the vocational rehabilitation benefits available to injured workers.

As a vocational rehabilitation professional, I am concerned that passage of this bill would prevent many injured workers from returning to work, and will end up costing the state millions of dollars in additional payments for workers' compensation.

I urge readers of this newspaper to write their state legislators today and ask them to amend this bill to restore the vocational rehabilitation benefit. Thank you.

Sincerely,

Phone number: xxx-xxx-xxxx

POLITICAL CAMPAIGNS & CONTRIBUTIONS

Do you *have to* contribute to a legislator or work on their campaign to have them respond positively to your requests? No, you **DO NOT**. You should expect your legislator to respond to your questions, concerns, and requests *solely on the basis* that he or she represents you, that you are one of his or her constituents, and that you are sincere about your concerns and have the facts to back them up. Anything you do beyond that to help their reelection efforts should be *your decision* alone, and *not* an explicit quid-pro-quo for any assistance the legislator may give you on your issues. However, if a legislator **IS** helpful, does vote in a positive way to help promote and protect your interests, and responds positively to your concerns, questions, and requests, it is certainly in order to consider making a contribution or working on their campaign. *Here are some key points to keep in mind about campaign-related activities:*

CONTRIBUTING MONEY. Fundraising is the bane of political campaigning. Legislators always appreciate a contribution, no matter how small. Note, however, that most states require candidates to keep records -which are public at some point -- of who makes contributions, so yours will be public.

FUNDRAISING. If you have an especially good legislator, the one thing he or she would appreciate the most is if you could raise money as well as make a contribution yourself. For interest groups, such as IARP, this could be an advantage. As a IARP member, you could contact other IARP members in the legislator's district, or elsewhere in the state (that's OK) and raise money from IARP -after all, it's to support a legislator who supports IARP issues! This has the added value of not only raising money, but showing the legislator that he or she has the support of IARP and the rehabilitation community.

STUFFING ENVELOPES. This is one of the most painless, although often time-consuming, campaign activities. Campaigns are always doing mailings, and usually try to save money by using volunteers to fold, stuff, and stamp mailings. You could do this yourself, and perhaps recruit other IARP members to help a particularly helpful legislator.

PHONE CALLING. Some people love phone calling; others hate it. Since campaigns usually need lots of phone calling, you could be very valuable if you are willing and able to do so. The most usual type of phone calling is the "voter ID" call, where all the voters in an area are called to see if they are supporters of the candidate. Then, on election day, the known supporters (usually called "1's" and "2's") are called to make sure they vote.

SIGNS AND SIGN HOLDING. Virtually all campaigns use signs. You could put one on your lawn or house, depending on local regulations. Campaigns also do "visibility" events, where they will recruit some people to hold signs at frequently traveled places, such as an intersection or rotary. And, on election day, campaigns always need people to hold signs at a polling place during the day if permitted by the local laws.

DEAR FRIEND CARDS. A useful technique is for the campaign to supply you with preprinted postcards, that you address to friends and sign, which ask for their support for the candidate. This would be another way of soliciting support from other IARP members and others in the rehabilitation community.

POLL CHECKING. One of the more important election day activities. If a campaign has done the "voter ID" phone calls mentioned above, the poll checkers are given a copy of the voting list with the "1's" and "2's" marked. As people go into vote, their names are checked off. Every few hours or so, the lists are collected so that phone calls can be made to the supporters who have not yet voted.

"COFFEES." Hold a little house party. sometimes called "coffees," where you invite friends and neighbors to your house to hear the candidate speak and to ask him or her questions. For local campaigns, this is often the most effective way for the candidate to actually meet voters. and is sometimes the only way many voters can actually meet and talk to the candidate. Setting up a coffee usually involves sending out written invitations and then following up by calling each of the invitees.

NOMINATION PAPERS. The first step of any election campaign is to get the required number of signatures on nomination papers. Aside from signing them yourself. you could show support by helping collect signatures, perhaps from other nearby, IARP members in the legislator's district.

ELECTION DAY. The final stage of an election campaign and the most important day of the campaign. Candidates always appreciate whatever you can do on election day. Also, doing any chore on election day guarantees you an invitation to the "victory party" (it's always called that, even if they lose). where you can see the candidate and get to know his or her other supporters.

WHO REGULATES YOUR PROFESSION?

On a day-to-day basis, the activities of state agencies and the impact of state regulations may have more of an effect on your profession, your practice, and your livelihood than what may happen at the state legislature. In addition to knowing who your legislators are, and making contact with them, it is also important to know who *state government officials are* who regulate your business and professional activities.

PRACTICE AREAS. Most IARP members work in providing case management and vocational rehabilitation services to ill or injured workers covered under state-regulated workers' compensation insurance policies. The return-to-work component of most states' workers' comp regulations also involves job placement specialists, vocational evaluators, and similar titles. Others provide case management and rehabilitation services to ill or injured persons covered under automobile insurance or group health insurance programs -- both also regulated by state law and regulation.

LICENSURE & CERTIFICATION. A number of states have licensure requirements for vocational rehabilitation counselors, rehabilitation counselors, or for licensed professional counselors, or have similar licensure requirements for related professional titles and areas of practice. Many states have **certification requirements** for various counselor and rehabilitation professional titles. All states, of course, have a licensing board for registered nurses, licensed professional nurse, and other nursing titles. These state licensing and certification requirements should be distinguished from the major national certification programs -- CRRN, CRS, RN, CRC, CCM, CVE, etc. which may or may not be recognized in the state regulations.

1. **ASK YOUR STATE LEGISLATOR.** This is the easiest way. State legislators act as "ombudsmen" for their constituents, and help them get answers from and deal with problems with state agencies. Write or call your legislator with specific questions about the state agencies and officials you are interested in, and they should be able to provide you with that information. Of course, this works best if you have already made initial contact with your legislator as outlined in this handbook.
2. **SECRETARY OF STATE'S OFFICE.** Some state Secretary of State offices have "voter information" hotlines or information services. Call information at your state capitol to get the State Secretary's number and see if they have such a hotline. (Hotline)
3. **LEAGUE OF WOMEN VOTERS.** Many states have an active state League of Women Voters, who provide information services to citizens. Call information in your state capitol to get their number.
4. **GET A DIRECTORY.** Many states compile "blue books" or directories of state agencies and officials. They are usually compiled and distributed by the Secretary of State's office, where you should check first. Having a directory, obviously, should give you the information -- agency names, names of officials, addresses, phone numbers -- that you need.
5. **WORKERS' COMPENSATION.** Many states have a "workers' compensation board" (New York) or a workers' compensation commission" (Arkansas, Mississippi) or something with "workers' compensation" in the title. Other states include workers' compensation regulation under the state department of labor, the industrial commission, or an industrial accident board.
6. **REHABILITATION SERVICES.** Many states have a "vocational rehabilitation services" (New Jersey), "rehabilitation services" (Georgia, Minnesota), "social and rehabilitation services" (Kansas), "rehabilitation commission" (Massachusetts), "rehabilitation division" (Nevada), "vocational rehabilitation division" (Delaware), or "social services" department or division. Others may have a "disability determination division" (Idaho), or a "disability evaluation division."
7. **PROFESSIONAL REGULATION.** Licensing and certification are usually handled by a state department or division with a title like "professional licensing division" (Iowa), "professional registration" (Missouri), professional regulation" (Illinois), "business and professional regulation department" (Florida), or occupational and professional licensing division" (Maryland).

STATE REGULATIONS - KEEP TRACK OF THEM

Once you find out what state agencies regulate your profession, you need to find out *how to keel) track of their regulatory process*. You want to know -- in advance -- of any proposals for new regulations or for amendments from these agencies.

By keeping track of pending regulations, you will hopefully (1) avoid being blindsided by changes in regulations that affect you, (2) gain the opportunity to change regulatory proposals that affect you. and (3) be part of the regulatory process. rather than just affected by it.

There's not much to this. Here are some things **YOU** could do:

1. **WRITE TO EVERY STATE AGENCY** that regulates your profession. Ask to be notified about any proposed changes in regulations, and to be put on a mailing list of such proposals. if they have one.
2. **CONTACT THE SECRETARY OF STATE** or legislative services bureau. and ask to be put on the mailing list for proposed changes in regulations. Many states have a central office which coordinates the regulatory amendment process.
3. **ASK YOUR LEGISLATORS** to let you know of any proposed changes in regulations, and to help you find out how you could get on the appropriate mailing list or lists.
4. **DO SOMETHING** about them. Testify at hearings on proposed regulations that will affect you.
5. **NOTIFY YOUR CHAPTER.** Don't keep this information to yourself -- tell your chapter and other IARP members of how to keep track of regulations and about any pending regulations you may hear about.

WORKING WITH Your IARP CHAPTER

Alone, you can do a lot by getting to know your state legislators and by educating them about rehabilitation issues. However, your efforts become more valuable combined with the efforts of other IARP members and your state **IARP** chapter.

Some suggestions:

1. **EDUCATE** yourself about the legislative process. Learn at least enough to be able to talk to your legislators on a regular basis.
2. **GET TO KNOW** your legislators, and start the process of educating them about rehabilitation issues and concerns.
3. **CONTACT** your state **IARP** chapter. Call the chapter president, or the legislative chair, if there is one. Offer to help them keep track of relevant legislative and regulatory issues in your state, and ask them to keep in contact with you about issues they want followed.
4. **NETWORK** with other IARP members and the rehabilitation community. Recruit others to educate their legislators. Share information.
5. **ORGANIZE** in your legislative districts. Line up five other IARP members or others in your profession in your town or your legislator's district -- so you can call them into action when needed.
6. **KEEP TRACK** of legislation and regulations. Notify your chapter when you hear anything.
7. **BE READY** to act when requested by your state chapter. When they call to ask for your help on a pending legislative issue, you should be able to call your legislators and ask for their help.
8. **VOLUNTEER** to serve on the legislative committee, to form a legislative committee, or to chair the legislative committee, of your state IARP chapter. If no one else is doing it, be the one person who makes a difference and coordinates the chapter legislative effort.
9. **TEACH** other IARP members what you have learned about the legislative process and how to work with legislators. In this way, you extend the value of what you have learned and magnify the positive effects of your efforts.
10. **KEEP AT IT.** The legislative/regulatory process never stops. If there isn't something happening that you're hearing about, there is probably something happening behind the scenes. Try to find out what's going on, and stay on top of the issues on a regular basis.

HOW TO HIRE A LOBBYIST

How to Avoid Dropping the Ball

Many IARP chapters hire a lobbyist to help them deal with state legislation. A lobbyist can be your eyes and ears at the state legislature, an invaluable source of information that is not usually available from any other source. A lobbyist can help pass bills that positively affect you, and to amend or defeat legislation that would adversely affect you.

WHAT IS A LOBBYIST? A "lobbyist" is someone who is knowledgeable and experienced in drafting legislation and amendments to legislation, negotiating wording changes in legislation, and tracking the progress of legislation. There are no professional licensing or certification requirements for lobbyists, except to the extent that many states require lobbyists to register annually and to list their clients, the legislation they work on, and to report their sources of income and the amounts they spend for their lobbying efforts. A law degree is NOT essential -- while many lobbyists are lawyers, many successful mid effective lobbyists are not.

WHY HIRE A LOBBYIST? Hiring a lobbyist is not an "expense," it is an investment. Your chapter may already have a lobbyist or be thinking of doing so if there is major rehabilitation-related legislation currently pending in your state because major legislation, such as an overhaul of your state's workers' compensation law, involves a very complicated and controversial process, having a lobbyist is essential if your group is to have a fighting chance in preserving and protecting your interests.

However, your chapter should consider having some lobbying presence *all the time*, even when it seems like "nothing is going on." It often pays to keep a lobbyist on retainer all the time, if only to keep an eye on the legislature and to hopefully find out about "minor" legislation that may affect you. It can be a mistake to hire a lobbyist only on a project basis, or when you realize you are in the midst of a crisis -because, then, you lose the advantages of developing a long term positive relationship with your lobbyist and of your lobbyist being able to help you out before a crisis actually develops.

SELECTING YOUR LOBBYIST. How do you find a lobbyist? Call your state legislature or, in some states, your Secretary of State, and ask for a copy of their directory of registered lobbyists (almost all states have such a list). Go through the list and see how many, if any, deal with rehabilitation issues. Failing that, see who deals with health care, workers' compensation, or social services. Before you call any of them, see if they have any obvious conflicts of interests -- whether they represent, say, insurance companies, business associations, etc. (the conflicts will vary from state to state).

Call 3-4 of the most likely candidates and invite them to submit a proposal for services, and to meet with your chapter's legislative committee. Review their materials and interview each of them. What to look for, effectiveness in representing their clients' interests, understanding and commitment to your interests, any problems they may see in representing your interests, any possible conflicts they may see, whether your chapter would be a major client or just one of many, and any specific suggestions about what he or she should be doing on your behalf.

CONTRACTING WITH A LOBBYIST. It is important to formalize your business arrangement with the lobbyist, either through a formal contract or a letter of agreement. This agreement should contain the following:

1. DESCRIPTION OF SERVICES. List and describe the services you want delivered -- only to monitor bills, educate on a specific bill, etc.
2. FEES & EXPENSES. Usual procedure is for an annual fee paid on a monthly basis, with certain agreed upon expenses stated in the agreement.
3. TERMINATION. Specify the grounds and procedure for either party to terminate the agreement, within a reasonable notice period.
4. EXCLUSIVITY. State whether the lobbyist may have other clients (the usual arrangement) or just represent your organization.
5. CONFLICT OF INTEREST. Require full disclosure of any conflict that may arise on any specific matter and how it shall be resolved.
6. CONTRACTOR STATUS. State that the services of the lobbyist are provided as an independent contractor, not as an employee.
7. SOLE AGREEMENT. State that the agreement is the sole agreement between the parties for this purpose, unless amended in writing and appended to the agreement.

WORKING WITH YOUR LOBBYIST. Once you hire a lobbyist, they will need your assistance and support. He or she will need to call on you to help analyze the effect of potential legislation on your chapter members. and will need one contact in the chapter to consult with about decisions on strategy. Since legislative machinations can often move at the speed of light, they will need a contact for the chapter who has the authority to make decisions on very short notice about the text of proposed amendment and to give the lobbyist direction about what to do. While the lobbyist acts as your professional representative and can give his or her advice about what you should do, the decisions are ultimately up to you, the client.