



# Injury Prevention Legislation and Advocacy

Presented by:  
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**CAPITOL**

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# Objectives

- Examples of successful child health/safety legislative advocacy
- Understanding the legislative process
- The Do's and Don'ts of lobbying





# Physical Education/Nutrition Standards

- Law established nutritional standards for certain foods and beverages sold in schools; requires periodic body mass measurements; and requires daily physical activity
- Created by SB 210 of the 128<sup>th</sup> General Assembly – Senator Kevin Coughlin (R) was sponsor
- Passed Republican controlled Senate 24-7
  - 7 Senators in opposition were Republican
- Passed Democratic controlled House 77-21
  - 19 Republicans and 2 Democrats in opposition
- Law goes into effect on September 17, 2010





# What Went Right

- Outstanding coalition of supporters
- Broad media support
- Good bipartisan sponsors
- Tied into business community





# Lessons Learned

- Needed individual outreach to schools
- Timing of school mandate in poor economic climate
- School administrators never on board
- Teacher's union late in expressing opposition
- Negotiated concessions didn't lead to unequivocal support





# Booster Seat Requirement

- Law requires certain children who are between four and eight years of age to be secured in a booster seat
- Created by HB 320 of the 127<sup>th</sup> General Assembly – Rep Shannon Jones (R) was sponsor
- Passed Republican controlled House 85-10
  - 8 Republicans and 2 Democrats in opposition
- Passed Republican controlled Senate 27-5
  - 5 Republicans in opposition
- Law went into effect on April 7, 2009





# What Went Right

- Great sponsor in the House
- Saved by the Chairman of Senate Committee who allowed vote for passage
- Compromise of mandatory vs. secondary enforcement was only option





# Lessons Learned

- Didn't have a strong champion in Republican leadership
- Lost available federal funds for lack of primary enforcement
- Conservative legislators carried animosity from stem cell research battle





# Chicken Pox Vaccination

- Law requires students to be immunized against chicken pox with certain exceptions
- Created by HB 463 of the 125<sup>th</sup> General Assembly – Rep Courtney Combs (R) was sponsor
- Passed Republican controlled House 70-28
  - 27 Republicans and 1 Democrat in opposition
- Passed Republican controlled Senate 32-1
- Law went into effect on May 6, 2005





# What Went Right

- Had a hand picked sponsor in the House
- Great testimony from physician specialists
- Used personal tours and interaction with infectious disease teams across Ohio





# Lessons Learned

- Need personal stories from district or legislators
- Underestimated the efforts of the anti-vaccine groups
- Underestimated the Right to Life groups interest in the issue





# Universal Newborn Hearing Screening

- Law requires universal hearing screening for newborns and infants
- Created by HB 150 of the 124<sup>th</sup> General Assembly – Rep Kirk Schuring (R) was sponsor
- Law went into effect on August 1, 2002





# What Went Right

- Had a strong committee chairman supporting bill
- Chairman negotiated with hospitals
- Chairman had conservative credentials and routinely defended hospitals





# Lessons Learned

- Legislators listen to their local hospital administrators
- Philosophical objections by parents are difficult to overcome





# Maternity Minimum Length of Stay

- Law went into effect in 1997
- ORC 3923.63 (A)(1) - The policy shall cover a minimum of forty-eight hours of inpatient care following a normal vaginal delivery and a minimum of ninety-six hours of inpatient care following a cesarean delivery.





# What Went Right

- Negative image of HMO's
- Media was providing broad coverage
- Tough to be against a popular issue





# Lessons Learned

- Watch for poison pill amendments
- What your opponents say publicly doesn't always mirror what they are doing behind the scenes





# Legislative Process

- Bill introductions
- Committee deliberations
- Passage or defeat





# Ohio Legislature

- Each citizen is represented by a state representative and a state senator
  - 99 House districts
  - 33 Senate districts
- State representatives listen to the concerns of their constituents and speak for them.
  - They develop solutions to the needs of their districts through legislative action
  - These elected officials work together, balancing the best interests of each district
  - Voting constituents matter





# Legislative Process

- The legislative process starts with an idea: “There ought to be a law that ...”
- That idea can come from a legislator, lobbyist, non-profit, corporation, community leader or a citizen





# Legislative Sponsors

- A bill must have a sponsor, a member of the House or Senate
- They serve as chief authors of legislation
- Choose your sponsor wisely
- Not all sponsors are effective
- Majority party members are key





# Committees

- Each member is assigned to several standing committees which meet weekly while the legislature is in session
- In committee meetings, they hear testimony from individuals interested in specific legislative issues
- Committees meet during session to hear bills and act upon them





# Committees

- Appointed by the leaders in each house.
- Each legislator submits a prioritized list of committees on which he or she wishes to serve.
- Committee Chairman are key to winning issues





# How a Bill Becomes a Law

The Ohio Constitution requires that each bill receive consideration at least three times by each house before enactment:

- The *first consideration* is reading of the bill's title during House or Senate floor session (introduction)
- The *second consideration* of a bill occurs when referred to a standing committee (referral)
- The *third consideration* is a floor vote by the full chamber (floor vote)

When a bill is passed by the first house, it is forwarded to the second house where it undergoes the same process





# An Idea Becomes a Bill

- Introduced in either the House or the Senate
  - Sometimes the same bill is introduced in both simultaneously
- Clerk assigns and number
- Sent to Committee





# Committee Process

- The sponsor stands before the committee it is assigned and presents an overview
- Hearings are scheduled to better understand the proposal
- Individuals and interested parties will testify on bills because of their specific expertise in support or opposition of the bill
- Advance public notice of the hearings are usually given





# Committee Process

- Committee Action:
  - Recommend passage
  - Amend the bill and pass it
  - Defeat it
  - Or ... do nothing!
- Few bills escape amendment and some can emerge totally different than the original





# Amendments

- Any committee member may offer an amendment
- Use the amendment process to win votes on the committee
- Not all amendments are friendly





# Floor Action

- Learn to count votes
- Work with leaders
- All bills must pass through both houses before they become law
  - Most bills passed by the House and Senate are in different forms
  - A Conference Committee will be organized to work out these differences between the two chambers





# Conference Committee

- When bills are passed in widely different versions and the differences, sometimes the differences between the two chambers cannot be easily resolved.
- The Speaker of the House and the Senate President will appoint a *Conference Committee* (consisting of 3 members from each body) to meet and resolve the differences.
- A Conference Committee Report stating the final version that has been approved by the conference committee is sent back to both the House and Senate for approval





# Action by the Governor

- Once a bill has passed both the House and Senate, it is sent to the governor for final action
- The governor can approve or veto the legislation – he also may choose to let the bill become law without his signature, a tacit endorsement





# Regulatory Process

- This is the process of governmental agencies developing regulations (rules) to implement and comply with laws
- As an advocacy organization, we have an opportunity to influence the content of the proposed rule
- Key players are agency officials, staffers and JCARR (the Joint Committee on Agency Rule Review), a committee of legislators who review agency rule processes





# Regulatory Process

1. Formation of a proposed rule
  - In response to a new law, the agency sees it necessary to amend existing regs, or is a five-year rule review (mandate)
2. Publication of the proposed regulation
3. Invitation for public comment
  - Essential time to respond to a proposed rule
4. Public hearing
5. Legislative review before Joint Committee on Agency Rule Review (legislative body)
6. Final rule is published





## 128<sup>th</sup> Ohio General Assembly Overview

- Democrats control the House for first time in 14 years (53-46)
- More than 40 House Members are serving their first elected term
- Republicans maintain 21-12 margin in Senate
- 17 member serving first elected terms





# How Often Do Bills Become Laws?

- In the current 128<sup>th</sup> General Assembly (2009-2010), 31 bills have become law (7 of those were budgets mandated by the Ohio Constitution). To date, 260 Senate Bills and 510 House Bills have been introduced
- In 2008, 126 bills became law
- In 2007, 45 bills became law
- In 2006, 143 bills became law
- In 2005, 64 bills became law





# Public Policy and Politics

- Public policy impacts just about everything in our lives, both directly and indirectly.
- But public policy is not made in a vacuum. Policy is made by elected officials and administration agencies who are political.
- It is impossible to not look at public policy without thinking about politics.





# Assessing Your Organizations' Political Strengths

1. Consensus on policy priorities in your organization
2. Membership motivation
  - Members or staff willingness to get involved
3. Relationships
  - Capitalize on already established relationships
4. Constituents
  - You are a voter!
5. Shared characteristics with legislators
  - Shared gender, professional background, political party or social views





# Political Strengths

6. Membership size
  - Larger is better (value of coalitions, see below)
7. Reputation
  - Do others think favorably or unfavorably of the organization, profession or association?
8. Technical lobbying and negotiation skills
  - Specialized training or skill
9. Ability to form alliances/coalitions
  - Building relationships with other associations
  - What other associations do your members belong to?





# Things to do

- Get to know your legislator
- Be an asset to your legislator
- Get to know the staff
- Tell both sides of an issue
- Understand the politics
- Be patient
- Work as a team





# How to be an asset

- Contributions
- Public praise
- Awards
- Letters to the editor
- Introductions
- Recognition
- Become an information resource
- Volunteer on campaign
- Make it easy





# Things not to do

- Never lie
- Avoid surprises
- Waste time
- Threaten
- Avoid your opponents





# 2010 Elections – A Look Ahead

- A Challenge for Incumbent Governor Ted Strickland: former Congressman John Kasich





# 2010 Elections – A Look Ahead

- Outcome of Statewide Elected Officials will control the Apportionment Board (the group that draws district lines)
- Governor (Strickland v. Kasich)
- Auditor (Yost v. Pepper)
- Secretary of State (Husted v. O'Shaughnessy)
- Reps for majority parties in the House and Senate





# 2010 Elections – A Look Ahead

- The majority party controls the shots in the Ohio House and the Ohio Senate
- Ohio Senate – 21-12 Republican majority (no worries!)
- Ohio House – 53-46 Democrat majority (some worries!)





# Ohio House Speaker



**Armond Budish**  
**D-Beachwood**





# Ohio House Minority Leader



**Bill Batchelder**  
**R-Medina**





# President of the Senate



**Bill Harris**  
**R-Ashland**





# Ohio Senate Minority Leader



**Capri Cafaro**  
**D-Hubbard**





# Who are my Elected Officials?

## ***State Elected Officials***

- Using your nine-digit home zip code, this web site will identify your State Representative and your State Senator.
- <http://www.legislature.state.oh.us/>

## ***Federal Elected Officials***

- This website will help you identify your federal elected officials:
- [www.congress.org](http://www.congress.org)





# Summary

- Public policy affect all of us in many areas of life and in our work.
- Having an understanding of the legislative process is important.
- And thanks for participating today – your involvement is a great step in making a difference in critical public policy decisions!





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