

# **Working With Your State Legislature**

## ***A Guide for Substance Use Disorder and Mental Health Stakeholders***

### **Introduction**

Your State legislature plays an important role in shaping how the Affordable Care Act (ACA) will look “on the ground.” In most States, the legislature has a part in:

- Developing and implementing the health insurance marketplace;
- Determining whether or not to move forward with expanding the Medicaid program;
- Ensuring your State can enforce the requirements of the ACA; and
- Deciding whether or not to pursue strategies to better integrate mental, substance use, and physical health care.

This Guide offers specific strategies to help you effectively collaborate with your State legislature to raise awareness of issues impacting persons with substance use or mental health needs, to stay informed about legislative developments in your State, and to design successful strategies for mental health and substance use disorder (MH and SUD) prevention, treatment, rehabilitation and recovery.

### **State Legislature Roles and Responsibilities**

State legislatures pass, amend, and repeal State laws the same way that the U.S. Congress enacts federal laws. Legislators create State budgets, appropriate money to fund activities in that budget, and raise funds by levying taxes. They also pass laws that govern health policy, including policies related to mental health and substance use disorders. States have the same system of checks and balances that exists at the federal level –with a legislative body, State executive officer (governor), and State judiciary.

Each State’s legislative session schedule is different. When they are in session, they consider bills and proposals introduced by individual legislators or submitted by the governor. Legislatures consider and approve a State's operating and capital budgets.

### **The Role of Legislative Staff**

Since State legislators come and go, particularly in States with term limits, long-serving legislative staff are important resources. In addition to setting agendas for committee meetings and doing research on issues, they stay on top of the performance of State programs, including mental and substance use disorder policies and programs. In most cases, legislators rely heavily on their staff to keep them informed about the issues, because of their knowledge and institutional memory. By educating and informing staff members, you are influencing and informing legislators.

One important job of legislative staff is to "drill down on issues," becoming as expert as possible and sharing that information with legislators. Staff also serve as gatekeepers for legislators, letting them

know what's important, which data are most useful and the various interests and positions on issues. They are also a great resource in understanding how best to communicate information and resources to legislators. In some States, staff members have worked on mental health and substance use disorder policy issues for decades, so they are the experts and the “go to” people for legislators. Staff members manage committee hearings and other meetings and are a great resource for finding out about activities that you should know about and participate in.

To find out who the staff members in your State are who are most interested or involved in mental health and substance use disorder issues, find out what committees there are. Your State legislature may have a web site that lists this information. For example, health, judiciary, insurance, appropriations and budget committees will probably have staff interested in these issues. In many States, individual legislators also have personal staff. These people may also be helpful in developing opportunities for collaboration and advocacy.

## **Communicating Effectively with your Elected Officials**

- **Identify key stakeholders to engage and work with in coalition**

Effective collaborations involve a broad range of partners, and it is more powerful when you work together, using a common message. Because legislators represent their constituents (and need to get re-elected), engaging with a diverse group of stakeholders, including allied health, disability, social welfare and criminal justice organizations, that speak with one voice will strengthen the organized constituency advocating on substance use and mental health issues.

- **Identify effective legislators as partners**

It is important to find champions who are in the legislature. Do your homework as you're looking to identify your champion. Learn about their background, expertise, and interests so that you can tailor your messages effectively. For example, in many States there are legislators who work in the field – as treatment providers or counselors or health care professionals. In some States, champions are legislators who are in recovery or who have family members in recovery or struggling with addiction and/or mental illness. Legislators whose districts have been hard hit by drug overdoses, suicides, or other problems are also potential champions.

- **Get to the point and prioritize your ideas when you meet**

Keep in mind that legislators have a lot on their plates and that they likely will have limited time to devote to your interests. That's why it's important to identify a few, specific goals before you meet with her or him. One tip is to prepare a concise goal statement and talking points to help provide focus and direction to your meeting. Remember, you're building a relationship and you don't want to overwhelm them. A rule of thumb is to pick no more than three ideas and present them well with some specific “asks” and develop a concrete plan for action going forward with your legislator.

- **Create user-friendly materials**

The principles of short, concise and readable apply to all written materials. Legislators are unlikely to read a 100-page report, so a 1 or 2 page executive summary is essential. List bullet points of important findings. Use the “USA Today” format (color, graphics, visually appealing, etc.) to make your information as easy to read as possible.

- **Think about where you're going to be speaking and prepare**  
Whether you're invited to speak at a meeting, give testimony at a hearing, or attend a meeting, be sure to prepare for the format. Ask about how long you can speak, who the other speakers will be, if there's going to be AV equipment (i.e., PPT projector and screen), the number of handouts you need to bring, and whether it is open to public.
- **Highlight cost-effective approaches**  
When it comes to talking about substance use and mental health disorders, there is significant data on the problems and ample effectiveness data, but little or no cost-effectiveness data. Cost-effectiveness is important, especially in these tight budgetary times. Because legislators must balance a broad range of interests and priorities to create a State's budget, it is very important to show cost-effectiveness, cost offsets, and cost savings when possible.
- **Make your data personal by using real life stories**  
Legislators, like everyone, respond to real-life examples. They bring data to life and personalize why it's important to act. Make sure to use personalized stories that help to illustrate the real-world implications of abstract policies and connect issues directly to the constituents whom legislators represent.
- **Follow-through is very important**  
Whether you're giving a talk, attending a meeting, or run into an elected official in your community and they listen to what you have to say, follow up with a thank you and build a relationship for the future. You can send follow-up information, invite them to an event and keep in touch with legislative staff about next steps and to keep the ball rolling.

## **Summary**

Your State legislators can be important allies in helping to make sure that people with substance use disorders and mental illness can get the help and support they need to recover and live full lives in the community. Citizens, organized constituency groups, businesses and other special interest organizations that understand the State legislative process use it to advance policies that support their goals.

## **For More Information**

The website of the **National Conference of State Legislatures (NCSL)** includes information about ACA implementation activities: <http://www.ncsl.org>

The website of the **National Academy for State Health Policy (NASHP)** includes information about ACA implementation activities: <http://www.nashp.org/>

NASHP operates the **State Refor(u)m**, which is an online network for health reform implementation: <http://www.statereforum.org/>

The **Substance Abuse and Mental Health Services Administration (SAMHSA)** website details information about how health reform affects people living with mental health and substance use disorders. It also includes an archive of health-reform related webinars: <http://www.samhsa.gov/healthReform/>

The **Kaiser State Health Facts** website includes links to State specific facts on health insurance, managed care, and other health information: <http://Statehealthfacts.org/>

**Healthcare.gov** is a Federal government website dedicated to health reform issues managed by the U.S. Department of Health and Human Services. Site includes information about key features of the ACA, an interactive timeline of implementation dates for key provisions, and tools to help people locate insurance: <http://www.healthcare.gov/>