

American Academy of Child and Adolescent Psychiatry



# State Government Advocacy Manual

This publication has been written for members of the American Academy of Child and Adolescent Psychiatry (AACAP) and is intended to serve as a guide for members who would like to get involved in the legislative and regulatory process at the state and local levels.

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## **INTRODUCTION**

### **Closing the Loop: Child Psychiatry and Politics**

As a child and adolescent psychiatrist, you play an important role in the lives of countless youth and their families across the country. Whether it's diagnosing and treating a child with behavioral issues, providing solutions to complex family issues, or facilitating group or individual therapy, on a daily basis you are called upon to resolve some of the most pressing issues affecting the family and societal dynamics in this country.

With all these responsibilities, it is understandable why many child and adolescent psychiatrists are not interested in getting involved in state and local level government advocacy. However, to fulfill their role to protect and serve the public's health and safety, psychiatrists should involve themselves in the legislative and regulatory process.

Even for those that do take an interest in helping to shape public policy, the thought of working with lawmakers or engaging in the political arena can be an intimidating endeavor. However, it is important to remember that you have helped to put them in office and they are working for you. Legislators are there to make laws and rules that govern all of us and they often welcome and solicit input and advice from others. This is where you can be of great importance. Most state legislatures are dominated by professions such as lawyers, business persons, or educators, among others. Due to the absence of individuals who practice psychiatry, from many state capitals it is keenly important that child and adolescent psychiatrists let their voices and issues be known to those drafting, debating and implementing the laws and regulations that will govern them.

Hopefully this has motivated you to cast aside your old notations of what government advocacy is and has highlighted the importance of your voice and perspective in the process and why you should become advocates for your profession.

This manual will serve as a guide for all those that desire to get involved in state and local advocacy. Keep in mind that you are not in this process alone, AACAP's state advocacy department is here to help you with this endeavor by providing you with resources, materials, advice and experience.

## **WHAT IS ADVOCACY?**

### **Advocating It's Your Right.**

In the aftermath of high profile scandals, many citizens have a negative perception of what it means to advocate. They should not; advocating is every American's inherited right. Advocating is nothing more than expressing your views as a citizen to your elected or appointed officials, hoping to achieve a desired result. In fact you may advocate everyday and not even realize it. When you inform your local government about a pothole on your street that needs repair, when you write a letter to the editor expressing your viewpoint on an issue, or when you have spirited debates with others about political or social issues, you are advocating. All of these things are advocating in their own way because you are trying to achieve a certain outcome, or persuasively trying to sway others to see things from your perspective.

Advocacy should not be viewed with a dirty lens of contempt and disdain as advocating is fundamental to the functioning and operation of our system of democracy. Every citizen has the expressed right to influence the course and destiny of their government. The founding fathers so cherished this right they enshrined it in the First Amendment to the Constitution which states "The Congress shall make no law...abridging ...the right of the people peaceably to assemble, and to petition for redress of grievances."

Advocating has gotten a bad name because of its perception that it is done in the dark, after hours, in smoke-filled back rooms. That may have been the advocating of the past but the new breed of advocating or activism is done in the light of day and is open for all to see. Not only is it done openly but legislators welcome input from others in highly specialized areas, such as child and adolescent psychiatry. Most state legislators don't have the time nor staff to research and hone their knowledge on every issue that comes before them. It is estimated that state legislatures consider over 100,000 bills a year. With that vast number, no legislator can become an expert on every bill that crosses their desk. This is where advocates for child and adolescent psychiatry can be a valuable tool. Many of the issues that legislators face in this arena are highly specialized and technical. Legislators look for individuals with expertise in the field that can articulate in a concise way the complexities of the issue and the impact their vote could have on those they govern.

**You, as a leader in your regional organization, must convey the message to your colleagues and friends that it is appropriate and essential to attempt to influence their legislators.**

## **STATE ADVOCACY COMMITTEE (SAC)**

### **Don't Go It Alone.**

The first and most important lesson in being a state government advocacy leader is to not do it alone.

We recommend that each regional organization form a state advocacy committee (SAC). The committee is a network of grassroots level volunteers that support AACAP initiatives advocates for children's mental health issues, and serves as a liaison to the AACAP's Government Affairs Department on state and local issues.

Before creating your SAC, here are some key points to always remember:

- The committee is always active, not just appointed for crises, and communicates regularly.
  - The committee will function better if it is in a state of constant motion and not just reactionary. This will allow the SAC to be trained and equipped and ready to spring into action when called upon to do so.
- The committee has clearly defined and articulated legislative and regulatory goals.
  - Before the start of each legislative session the SAC should determine its legislative and regulatory goals. This should not only include what it hopes to achieve but the process it will use in reaching that goal. Having a clear plan of action allows the SAC to be more effective and efficient.
- The SAC should monitor and track state and local legislation of importance to child and adolescent psychiatry and keep members informed.
  - The SAC should serve as the early warning system on state government laws and regulations impacting child and mental health.
- Arrange meetings between state and local legislators, consumer groups and child and adolescent psychiatrists.
  - The SAC should have a working knowledge of their state legislature and its leadership. It should maintain some contact with legislators, their staff (if they have any), and the governor's office. The SAC should also take the lead on coordinating liaison activity with legislative, regulatory, and consumer leaders.
- Provide input on state and local legislation.
  - The SAC has the most information on state laws, regulations, and policies that affect child mental health professionals. It also should have the most current information on state health care reform topics and state public health initiatives. For this reason, the

SAC should take the lead in suggesting potential changes to laws or regulations that can impact professions that practice in the area or child mental health.

## **DEVELOP A LEGISLATIVE PLAN OF ACTION**

### **Undertaking a Legislative Project**

Before engaging in a legislative project you should ask yourself one question: What is the problem? You should be able to pinpoint the problem and articulate it to others with a solution to the problem. You should be able to discuss your problem so those that are not experts in the field understand.

### **Develop Resource Materials**

The key to your success will be your ability to disseminate information on the issue and your position on it. This will include facts sheets, educational materials, and brochures among others. These materials will be one of your primary means of educating legislators, the public and the media, and possible supporters.

As an advocate in your state for children, and in particular the profession of child and adolescent psychiatry, you should be a source of information for the legislator. You should be able to articulate why your position on a piece of legislation is in the best interest of the public. Legislators will not and should not pass legislation just because you say it is good. You should be able to lay out well-reasoned arguments for your case with supporting documentation. At first glance this may sound like an enormous task, but be assured you have all the tools you need: keen understanding of the issues facing children and adolescents, passion for your cause, and a knowledgeable and willing partner in AACAP's state advocacy staff.

### **Know Your Supporters and Opponents**

Before undertaking any legislative project you should assess your political strengths and weaknesses. This will give you a better understanding of where you should focus your energies and resources. Your voice alone will never be enough to achieve your legislative goal. You will need to educate and persuade others to support your cause.

You should look to partner with other state and national organizations that advocate on behalf of mental health. If the majority of the mental health community supports your issue, it will add credibility to your cause. For instance you should approach the state chapter of the American Psychiatric Association in your state and other organizations that advocate around mental health. Not only will this help your issue, but it will start to develop relationships with these key players, and you may be called on to use these relationships at a later date. You also don't want to duplicate the same efforts. By communicating with these groups you can coordinate your efforts and develop a more productive legislative strategy.

Mental health groups should not be the only groups you reach out to. Try reaching out to other health care and health care provider groups. As a rule of thumb you should evaluate which groups may have an interest in your campaign and solicit their involvement.

Just as important as identifying your supporters is determining your opponents and the tactics and information they will be utilizing. Often times your legislation may have an obvious opponent, but you should also research and determine possible other opponents to your legislation or groups that may have concerns. The most successful legislative strategies are not those that are reactive but rather those that are proactive. If you are able to calculate what your opponents will say regarding your bill or the legislators they will target, then you can develop a course of action that counters their efforts and increases your chances of a legislative victory. Remember that most sources of opposition have been faced in other states, so don't hesitate to reach out to other regional organizations and the AACAP state advocacy staff for help and guidance.

## COALITION BUILDING

### Strength In Numbers

A time tested and proven legislative strategy is coalition building. When an organization wants to increase its political muscle, it will often form coalitions with other groups with similar interests. In other words, coalitions are a loose collection of groups that come together to accomplish a certain mission or set of goals. Coalitions are excellent at grabbing a legislator's attention because not only do you have the support and numbers of your specific organization behind them, it allows a legislator to feel secure that they are receiving accurate and credible information from the experts on that particular issue.

Coalitions also make sense from a financial perspective. When organizations pool their resources and expertise's they dramatically increase the chances of achieving a legislative success. Whether you want to hold a conference, place ads, or hire a lobbyist by pooling resources in the coalition everyone is sure to obtain more for their money.

Coalitions break down into two basic types: short-term and long-term coalitions. Short-term coalitions are normally constructed around a specific issue or cause and once that matter has been resolved the coalition will disband. Short-term coalitions often can bring together groups that may not have very much in common except the certain issue they are working on.

Long-term coalitions can be a completely different creation; they tend to last for longer durations and normally bring together groups with similar interests and they have a great deal in common. Long-term coalitions are where you may want to reach out and work with state chapters of national organizations. Because of their national affiliation state chapters normally have clearly defined interests and they traditionally have the staff and infrastructure to sustain building lasting relationships.

Organizations can have different types of relationships. The type is often determined by the amount and degree of shared interests and goals. To have a sustained relationship some key components are required:

- **Mutual Understanding:** Each organization in the coalition should understand and respect the others' mission, goals, and purpose. The coalition should have a clearly defined set of goals and plan of action to achieve those goals.
- **Appreciation of Differences:** Coalitions by their nature are made up of groups with varying interests and viewpoints. The goal of a coalition is to bring likeminded organizations together; however, that does not mean, and nor should you expect, unanimity on all decisions.

- **Organizational Flexibility:** Every organization in the coalition has its own operational structure; you should not expect or impose your organizational structure on the coalition. Every coalition is a completely different entity and should be allowed the latitude to develop and promulgate its own operating system.

Often coalitions are birthed out of crisis, why sometimes that is unavoidable it is more productive to form a coalition in smooth seas. This allows the group to not have to be reactive and thus can be more creative and proactive in its efforts.

## **STATE LEGISLATORS**

### **Working With Your State Officials**

One of your regional organization's first steps should be identifying and working with state legislators that have shown or indicated an interest in child and adolescent psychiatry. This approach can help your regional organization discover unexpected allies and foes. You should collect some background information on the legislators with whom you have decided to work. Most state legislators now have websites, which are linked through the state legislature's website. Their website normally provides information on their educational and career backgrounds and may list issues they have expressed a vested interest in. In addition, many legislators now publish newsletters that will describe their legislative priorities.

Once you have identified your allies (and possible foes), it is time to start developing relationships with them. The relationships that you build with legislators cannot be understated. Having relationships with legislators will give you the ability to educate them on your issues, and if needed, they can often carry your legislative water in the form of sponsoring bills for you or taking the lead on killing a bill.

### **Visiting Legislators**

There is no voice greater in the legislative process than that of a legislator's constituent. For many people meeting with a legislator is the most intimidating part of advocacy. You should not be scared to meet with a legislator; legislators look forward to communicating with the voting public, in fact they relish it. Legislators often go into public service to make a difference and accomplish what they believe to be the people's will. By communicating with legislators you supply them with feedback on how they are doing and what you as a member of the public desire.

While e-mails, faxes and letters are all acceptable forms of communication with your legislator the most effective form of advocacy is the face to face visit. A personal visit not only allows you to convey the information on your issue, but the emotional investment you have in it. That conviction for your cause is what the legislator will remember when they head to the floor to cast their vote. Often people think they have to travel to the state capital to schedule a visit with their legislators. This is not true. Many legislators have "home district offices" and for those that don't, most legislators will be willing to set up a time they can meet with you back home in their district. In fact, the argument can be made that home district visits make a more lasting impression than those scheduled on a busy legislative day at the capital.

With the exception of rare cases, it is not appropriate to drop by a legislator's office unannounced. You should schedule a time to meet with the legislator and inform them or their staff about the issue you are concerned about beforehand and if possible the bill number. Please, do your homework before the meeting. You should come prepared with all the relevant

information the legislator or their staff may ask for and answers to possible questions. However, be honest if you are asked a question and you don't know the answer, say you don't. The only thing you have when dealing with legislators is your credibility, you should not tarnish it for the sake of trying to save face. At the conclusion of the meeting thank the legislator for their time.

On your first visit it is advised that you not try to squeeze a commitment out of your legislator. The legislator may want some time to think and reflect on the issue and gather more information on the subject. At the end of your visit you should tell the legislator you would like their support, but don't demand it, and offer to support the legislator with any additional resources they may need to help formulate their opinion.

Also it is important to remember that not every legislator is going to be supportive of your issue. You should not become defensive or argumentative; merely explain your position on the issue while being respectful of the legislator's viewpoint. Remember there are always two sides to every issue.

## **ENGAGE YOUR GRASSROOTS ACTIVIST**

### **Use Your Grassroots Supporters**

Even if the merits of your legislative activity are completely virtuous a legislator will not support your efforts unless it can be proven that it will benefit their constituents back home. Remember a legislator's sole goal is to represent and act in the best interest of their voters back home. The success or failure of your legislative activities will depend on your ability to activate your grassroots networks to contact the legislator.

As mentioned, state legislators are besieged with enormous amount of bills. Nothing will motivate a state legislator to support your legislative efforts like feedback from their constituents. Knowing how the voters back home feel about an issue is an extremely powerful motivator for a legislator to vote a certain way.

### **Key Contact Program**

Most legislators will never always support or oppose your issues. Most legislators will determine their support or opposition of your issue on a case-by-case basis. Thus, it is extremely important that you help tip the scales in your favor by having voters contact the legislator. Your first line of contact should be your key contacts. These are the first individuals you reach out to in order to distribute information and in turn they will reach out to their network to pass on information. They should be engaged whenever an issue of importance to child and adolescent psychiatry comes up for debate in your state legislature. The key contact program will help facilitate timely and effective communication between AACAP members and their elected officials.

In a nutshell a key contact program is nothing more than a database of AACAP members in your state and their contact information. This information is used to provide members with information about legislation and give them the direction they need to contact legislators and express their views on pending legislation. It is suggested you use e-mail to communicate with your key contacts because of its effectiveness, quick delivery and low cost. The key contact program can be used as much as you feel is needed for your state regional organization.

### **Selling the Importance of the State Advocacy Program to Your Members**

In order for your state advocacy to work it must have the support and backing of your state regional organization's members. As a leader in your state this is where your involvement will be key. The regional organization leaderships have a responsibility to articulate the importance of the state advocacy program and solicit involvement.

You can use a variety of methods to accomplish this goal. You can prepare and dispense a monthly legislative newsletter that will keep members informed of your state assemblies legislative activities and pending legislation. You may opt to use a weekly or monthly e-mail

serving the same purpose. Invite a state legislator to speak to your state assembly on the importance of becoming involved, in the political arena. It is important to remember that most people don't become involved not because they choose not to, but rather because they were never asked to become involved.

## **HOW CAN AACAP HELP?**

After reading this manual you may either feel like you can take on any state legislative problem that comes your way, or you feel completely overwhelmed.

Try to avoid the latter. AACAP is here to help you, more specifically our state advocacy program and a host of volunteer leadership all dedicated to supply you with the resources to be successful with your state level advocacy efforts.

### **Model Legislation**

AACAP has developed model legislation on a variety of issues. You should avoid reinventing the wheel by consulting with AACAP on drafting legislation in your state.

### **Rapid Response Consultation**

We are generally able to supply you with legislative and political advice very quickly. We understand that sometimes legislation moves at lightning speed and we will make every attempt to help you quickly.

### **Site Visits**

It sometimes helps if someone from the national office comes to your regional organization to conduct advocacy training, testify at a hearing, and develop strategy. Call us. We are available to come and help at your request.

### **Draft Testimony, Letters, Fact Sheets, etc.**

Many regional organizations have discovered they sometimes need additional information to make their point. We can draft testimony, letters, op-eds, alerts and a wide array of materials for your legislative project. Or, we can provide you with examples other regional organizations have used.

### **Networking**

AACAP state and elected leadership network with a wide of policy and legislative leaders including the AMA, National Conference of State Legislatures, mental health consumer groups. We may have a contact that could help you in your state or we could put you in contact with another regional organization's leadership that has previously addressed the same problem you are facing in your state.

### **Legal Language Review**

You have a bill you want to introduce or one that has been introduced that someone else wrote and you want an explanation of how the bill will affect the child and adolescent profession in your state. Call us and let us review the bill for you.

### **Research and Background Information**

Sometime the right information can be the tipping point in a debate. If you need some background information, please contact us and we can assist you.

### **Legislative Action Alerts**

Need to get a message to your state membership? AACAP provides such a service through our legislative action alerts. The key with legislative action alerts is to make them brief and concise and provide your members with SPECIFIC instructions on the action that is needed. AACAP staff will tailor each alert to the needs of your regional organization and particular issue and the alert will be sent to all AACAP members in your state.

### **AACAP State Advocacy Program**

Remember, you are not treading these legislative waters alone, AACAP's state advocacy program is here and ready to assist you. We can provide you with help drafting and distributing action alerts, bill analysis, political advisement, drafting and placement of op-eds, writing testimony and in-state lobbying/grassroots training. Contact AACAP's state advocacy program, Ramon Gardenhire, J.D., Assistant Director, State Advocacy at 202.966.7300 /Ext. 107 or by e-mail at [rgardenhire@aacap.org](mailto:rgardenhire@aacap.org).

### **MOST IMPORTANT THING TO REMEMBER**

The most important thing to remember is to have fun. Advocacy should not be viewed as a task, instead you should view it as an opportunity to articulate the values and benefits of child and adolescent psychiatry.

## Appendix A

### **LEGISLATION**

#### **How a Bill Becomes a Law.**

How does the legislative process work? What is the process by which a bill becomes law? These are very important questions and for someone that is interested in getting involved in the political process, it is important to have an understanding of how it works. What follows is a description of the legislative process.

#### **State Legislature Structure**

All state legislatures, with the exception of Nebraska (which has a unicameral “one chamber” legislature), consist of two groups of lawmakers and two legislative chambers. The Senate is one chamber or “Upper House;” its members are called Senators. The House, Assembly or “Lower House” is the other chamber members are called Representatives, Delegates or Assembly members. Senators serve longer tenures than House members.

#### **Presiding Officers**

Each chamber of the state legislature has a presiding officer. This person appoints the chairs, vice-chairs and members of committees, establishes the legislative calendar, refers bills to committee, and chairs the chamber’s sessions.

In the Senate, the leading officer is called the President. The presiding officer in the House is referred to as the Speaker, and is elected by the chamber.

#### **How Bills are Introduced**

With the exception of revenue or the appropriation of money, which must be introduced in the House, a bill can be introduced in either the House or the Senate, or in both chambers simultaneously. Due to the constraint on a legislator’s time, the language of bills rarely originates with them, and often comes from other sources. However, a bill must be sponsored by a legislator for it to be considered.

Upon introduction, the bill undergoes the first of three “readings,” which serves to formally present the bill for consideration. After the first reading, the bill is referred to a committee that has jurisdiction over the subject matter contained in the bill. Sometimes bills are sent to two committees that may share jurisdiction over a bill’s matter. The second reading occurs when the chamber considers the committee’s report. The third and final reading happens just before the final vote.

When a bill is introduced, it is assigned a number. This number can be used to track the bill through its migration of the legislative process. Bills starting in the House carry the designation “House Bill” (H.B.), while bills introduced in the Senate carry “Senate Bill” (S.B.). Numbers are assigned chronologically during the life of each legislature.

### **Committee Consideration**

When a committee is given a bill, it assumes full jurisdiction over it. Oftentimes a committee will assign a bill to a sub-committee. This is normally the most critical phase in the legislative process. With limited time and an abundance of bills to consider, very meritorious bills can get lost in the shuffle or unpopular bills can be killed. It is important to remember that committee chairs and members are susceptible to influence at this stage of the process as well.

### **Public Hearings**

Public hearings are conducted by the committee or the sub-committee. This is where you and your opponents may present your views on the bill. This can be in either oral or written testimony, and other members of the legislature not serving on the committee also can present testimony at this time.

After testimony is taken, the committee “mark-up” takes place. This is where the committee discusses the ramifications of the bill (sometimes in private), and where possible changes or amendments may be added to the bill.

### **Action by the Committee**

Once a sub-committee considers a bill and approves it, then the bill is referred back to the full committee, which considers the sub-committees recommendations and moves either to accept or decline them.

Once the full committee has approved the bill, it is “reported out” and up for consideration by the full body. It should be noted that legislators give considerable weight to their colleague’s recommendations on the committee. If a bill has any chance of survival or defeat it is during the committee process.

### **Rules Committee**

Before a bill is considered by the full chamber, its legality is reviewed by the designated office, and then it is given to the Rules Committee. This committee determines the scheduling of the bill, what amendments may be offered, and the length of debate. Note, some bills get delayed in this process indefinitely, thus killing a bill. It is important to anticipate any roadblocks that may spring up in the Rules Committee and be ready to act appropriately.

### **Floor Debate and Votes**

This is the stage of the legislative process that most citizens are familiar with. It is where legislators publicly debate and consider the pros and cons of pending legislation. During floor debate, a bill's sponsor sensing defeat can withdraw the bill from consideration, and refer it back to the committee for more consideration. This is where your grassroots and advocacy campaign can be most effective. You should seek out sympathetic legislators to your cause and enlist their support. This can be achieved by requesting these legislators cast a simple "yes" or "no" vote, offer amendments to a bill, or clarify certain provisions of a bill.

### **Other Chamber's Consideration of a Bill**

Once a bill has completed its legislative development in one chamber, it repeats the process in the other chamber of the legislature. In the rare occasion when both bodies pass identical bills, the bill then moves to the Governor for their signature. However, in cases when there are differences in the two versions of a bill, the bill then returns to the first body for possible adoption of the second chamber's version.

### **Conference Committee**

If the two chamber's bills are vastly different from the one another, they are given to a conference committee to settle the differences. Each body selects a few members to represent them in the committee and a compromised version of the two bills is drafted. The new version is then sent back to the two chambers for their approval, which is not open to further amendment.

### **Final Approval**

Once a bill has been agreed upon by both chambers, it is sent to the executive branch for the Governor's signature. If the Governor signs the bill it becomes a law, if vetoed, it goes back to the legislature. If the Governor chooses to take no action, depending upon the state, the law may still become law in a certain number of days without the Governor's signature.

If the Governor vetoes the measure it requires a supermajority by the legislature to override the veto. Most bills rarely garner enough votes for a supermajority and a veto normally signs defeat for a bill.

### **The Next Stage**

Once a bill clears the legislature and executive branch it then goes over to the regulatory branch, which through rules and regulations will determine how the new law will be administered. You should be active in this process as well offering testimony and comments on the new law.

## Appendix B

### **Regulatory Process**

#### **How the Law is Applied**

Once a bill is passed and becomes law, emphasis switches to the regulatory agencies. State administrative agencies meet their responsibility to citizens by promulgating rules, and they can be lobbied to affect the rules they make. Having a good understanding of the regulatory process will be key in the achievement of your legislative goals.

#### **Model Administrative Procedure Act**

Rule can't be put into effect by an agency without passing through a specific process. The steps that must be followed are laid out in the state's Administrative Procedures Act. Knowledge of this process will help you understand and affect the promulgation of rules of importance to child and adolescent psychiatrists.

#### **Public Notice**

Agencies must give notice to interested parties when contemplating rule making. The notice must include the text of the proposed action and invite interested parties to submit testimony on the proposed action. Notices for meetings are normally placed on the agencies websites and in a newspaper with statewide circulation.

#### **Public Hearings**

Public hearings are an important step in the regulatory process. They are designed to allow citizens like you to give voice to your concerns regarding proposed rules and how implementation of those rules will affect you. If your regional organization has suggestions for change or support on a proposed regulation, plan to testify at the hearing. A good first start is to contact AACAP's state advocacy staff. We will be able to help you with facts, arguments, or substitute language.

## Appendix C

### Sample Legislative Action Alert

#### Psychologists Prescribing Bills Being Considered by Senate

**Dear Illinois AACAP Member:**

In the Illinois legislature, Senate Bills 648 and 1355 are being considered. These bills would grant psychologists prescriptive authority. **You Must Act Now!** Both Senate Bills 648 and 1355 are currently in the Senate Rules Committee.

It is extremely urgent that you contact the Rules Committee and urge them to vote **“NO” on SB 648 and SB 1355.**

Both SB 648 and SB 1355 would grant PhD level psychologists prescriptive authority. They would need to complete only 300 training hours and have treated 100 patients.

AACAP and our coalition partners are concerned that allowing psychologists to prescribe medications will expose children and adolescents to inadequate care. Medical training is necessary to prescribe appropriate medications at a safe dosage level and avoid potentially fatal drug interactions. This is especially true when prescribing for children and adolescents.

We encouraged you to contact your state legislators to educate them on this issue.

#### **Instructions**

Ask for the legislator by name. Once you are connected, leave your name, along with our suggested message.

#### **Suggested Message**

“I am calling to ask Senator \_\_\_\_\_ to vote “NO” on SB 648 and SB 1355. Prescribing psychotropic medications for children and adolescents requires the judgment of a physician with training and qualifications in the use of these medications. Psychologists do not have the medical and clinical training to prescribe these medications safely. As a child and adolescent psychiatrist, I am asking you to please vote “NO” on SB 648 and SB 1355.”

#### **Members of the Committee on Rules**

Debbie DeFrancesco Halvorson (Chair) - (217) 782-7419

Christine Radogno (Ranking Minority) - (217) 782-9407

Rickey R. Hendon - (217) 782-0054

Louis S. Viverito - (217) 782-6252

Dale A. Righter - (217) 782-6674

Defeat of these bills depends on you taking action today! Once you have made contact with your legislator please contact Ramon Gardenhire, AACAP Assistant Director, State Advocacy at 202.966.7300 Ext. 107 or by e-mail at [rgardenhire@aacap.org](mailto:rgardenhire@aacap.org)

## Appendix D

### Sample Letter to Legislator

April 2, 2007

Senator Delbert Scott  
Chairperson Financial and Government Organizations and Elections Committee  
State Capitol Building  
Room 416  
Jefferson City, Missouri 65101

Dear Senator Delbert Scott, Chair, Financial and Governmental Organizations and Elections Committee:

I write to you as the President of the Greater St. Louis Council of Child Psychiatry. In that capacity, I represent over 90 child and adolescent psychiatrists in Missouri. We write to express our opposition to Missouri Senate Bill 701. This legislation would grant psychologists the right to prescribe psychotropic medications, and threatens to jeopardize the health and well-being of Missouri's children, youth and families.

Psychotropic medications used to treat mental illness are among the most powerful in modern medicine. Used properly, they can offer remarkable benefits to patients struggling with severe mental illness. With these benefits come real risks. These medications have potential side effects if improperly prescribed by anyone other than a proper trained health care profession, and can cause convulsions, epilepsy, heart arrhythmia, blood disease, seizures, coma, stroke and death. Psychologists do not have adequate medical training and exposure to a variety of medical conditions to prescribe psychotropic medications safely.

Half of all patients taking psychotropic medications have another major illness that also requires medication. While the potential for drug interactions alone is cause for concern, it is important to note that all of these medications are broken down by the liver and kidneys and flow through the same blood stream. Psychologists are not trained to understand, assess and monitor a patient's medical condition as a whole, and this legislation does nothing to address that fact.

The proponents of SB 701 have asserted that its passage is an access to care issue. Allowing psychologists to prescribe medications will not improve access to mental health care. Rather, it will expose more people to inadequate care, particularly people with serious mental illness. Adequate funding for the mental health system is the key health issue. A law that grants psychologists prescriptive authority, but may risk patient care, will not address this greater public health issue.

For the reasons listed above, we strongly believe that the prescribing of medications should not be based on anything less than medical education and training, and we ask that you prevent SB 701 from enactment into law.

Thank you for all you do on behalf of the citizens of Missouri. If you have questions or concerns, please feel free to contact me at 314/628-6550 or by e-mail at [lecusn@stlo.mercy.net](mailto:lecusn@stlo.mercy.net).

Sincerely,

Suzanne L'Ecuyer  
President, Greater St. Louis Council of Child Psychiatry

## Appendix E

### Draft Op-Ed

#### **ONLY MEDICAL DOCTORS SHOULD PRESCRIBE DRUGS**

Individuals with mental illnesses battle complicated, brain-based diseases. If they require medication, they should receive it from a physician, not a psychologist.

Physicians, not psychologists, are trained to know when and when not to prescribe. Often, physical illnesses mimic psychiatric illnesses. For example, a person complaining of lethargy and weight gain may suffer from hypothyroidism, not depression. Will a psychologist identify this, or will the patient be given an antidepressant?

Physicians, not psychologists, are trained to identify side effects. Psychoactive medications are powerful substances that can sometimes cause adverse reactions. Some side effects are merely irritating, but some can be fatal. Can a psychologist discern the difference? How can the Legislature take that risk? Would they take that risk personally or with their own families?

Psychiatric medications can have interactions with other medications. Physicians are trained to consider this issue and to order and analyze lab work. Psychologists cannot obtain this knowledge in a 15-week course.

I urge those who wish to prescribe to obtain an education for the breadth and depth of prescribing's challenges. I encourage them to attend medical school.

*Alfred M. Arensdorf, M.D.  
Kahului, Maui*

## Appendix F

### Tips On Working With Legislators

1. **Be honest, accurate, helpful, polite, and reasonable.** Good manners go a long way. Legislators deal with many people that do not have these qualities, they will remember and appreciate you for doing so.
2. **Assume the legislator has no knowledge of your issue.** Legislators live in a whirlwind of meetings, hearings, briefings, etc. they don't have the time to become an expert on every issue before them. Your job is to fill the informational void.
3. **Never threaten.** Don't burn your bridges. You may never know when you will need a legislator's help in the future.
4. **Remember in state government, big fish often move on to become bigger fish.** The junior member you support today may someday go on to become the speaker. Or the freshman legislator you alienate may one day become the chair of a committee that you need.
5. **Be flexible.** Don't take a scorched earth position on every bill. Sometimes you will need to compromise on a bill. Make an attempt to come to legislators with proposals that all stakeholders in the matter can be happy with.
6. **Remember for the ask.** Never leave a meeting, message, or e-mail without asking something of the legislator. If you want a certain action on a bill (yes or no vote), be certain to make sure you make your request known to the legislator.
7. **Remember: it's all politics.**

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