2010 ACA Institute for Leadership Training: Lobbying Visit Preparation
Conference calls – July 1st and 7th

ACA Office of Public Policy and Legislation
Goals of this call

• Show why grassroots advocacy is an absolute necessity for achieving our policy goals
• Provide background on the TRICARE legislation you’ll be talking about in your lobbying visits
• Walk through what’s going to happen July 23rd
• **Show you how to identify your Representative, so you can let us know who it is, and**
• **Walk you through requesting a meeting with your Representative**
• Q&A
Advocacy is like baseball

- Legislative change happens s-l-o-w-l-y. It’s supposed to! Congress was not devised by our founding fathers to pass laws, it was devised specifically to make it difficult to pass laws.
- Most of the time when a batter steps up to the plate, nothing happens.
- VERY successful baseball players hit around .300.
- Wayne Gretzky: “You miss 100% of the shots you don’t take.”
The Camel Analogy

- On most issues, a certain number of calls or letters will convince a legislator to take action.
- Your call or letter may not be the 10th or 20th contact that convinces a staffer or legislator to take action, but it makes that 10th or 20th contact possible!
Life In Congress: Changes since the 1970’s

Workload has shot up...

- US Population increased 50% (+100 million)
- District Populations: +183,000
- Casework: Barely existed
- Internet, E-mail, Blogs, cell phones, and faxes didn’t exist
- No 24-Hour news cycle
- Advocacy campaigns: Rudimentary

...but Congressional staff sizes have stayed virtually the same!
Contacts to Congress have exploded

source: Congressional Management Foundation, 2008
Constituents are listened to MUCH more than lobbyists

“If your Member/Senator has not already arrived at a firm decision on an issue, how much influence might the following advocacy strategies directed to the Washington office have on his/her decision?”

source: “Communicating With Congress,” Congressional Management Foundation, 2005
Quotes from House staff

–“One hundred form letters have less direct value than a single thoughtful letter generated by a constituent of the Member’s district.”

–“Form letters are a waste of everyone’s time.”

CMF report: “Quality is more persuasive than quantity.... The content matters. The operating assumption of many congressional staff is that the more time and effort constituents take to communicate, the more passionately they care about the issue.”

source: “Communicating With Congress,” Congressional Management Foundation, 2005
Without grassroots activity, lobbying is ineffective!
DISCLAIMER:

You don’t need to memorize, or even completely understand, the details of TRICARE’s history with respect to counselors. All you need to know is that:

A) Servicemembers and their families need better access to mental health care

B) There are more than 115,000 professional counselors fully licensed by their state for independent practice, with qualifications at least as strong as those of other providers practicing independently under TRICARE

C) Congress needs to fix this
TRICARE – The basics

• Provides healthcare services to ~9.5 million members of the armed forces (including National Guard and Reserve), retirees, and their families

• TRICARE comes in four different flavors: TRICARE Prime (managed care), TRICARE Extra (preferred provider option), TRICARE Standard (fee for service), and TRICARE for Life (supplemental coverage for those over 65 and in Medicare)

• Law stipulates that “services of pastoral counselors, family and child counselors, or marital counselors (other than certified marriage and family therapists) may not be provided unless the patient has been referred to the counselor by a medical doctor for treatment,” and with the “results of that treatment” reported back to doctor
### TRICARE – DoD Regulations (32 CFR 199.6)

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<th>Licensed Marriage and Family Therapist</th>
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<td><strong>Education:</strong></td>
<td>Master's degree in mental health counseling or allied mental health field from a regionally accredited institution</td>
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<td>Master's degree in social work from a graduate school of social work accredited by CSWE</td>
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<td><strong>Experience:</strong></td>
<td>Two years of post-masters experience which includes 3,000 hours of clinical work and 100 hours of face-to-face supervision</td>
<td><em>Either</em> 200 hours of approved supervision and 1,000 hours of clinical experience in marriage and family counseling <em>Or</em> 150 hours of approved supervision and 750 hours of clinical experience in practice of psychotherapy</td>
<td>Has 2 years/3,000 hours of post-master's supervised clinical social work practice</td>
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<td><strong>Licensure requirement:</strong></td>
<td>Licensed or certified to practice as a mental health counselor by the jurisdiction where practicing</td>
<td>Licensed or certified to practice as a marriage and family therapist by the jurisdiction where practicing</td>
<td>Licensed as a clinical social worker or, if the jurisdiction does not provide for licensure, is certified by a national professional organization</td>
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Missouri LPCs and Mental Health Professional Shortage Areas

Scale Legend
- Mile(s)

Sources: Missouri Division of Professional Regulation, Committee for Professional Counselors (2009); U.S. Dept. of Health and Human Services: Centers for Medicare & Medicaid Services, Health Resources and Services Administration (2010)
DoD – The reliable opposition

DoD opposed independent practice authority for both clinical social workers and marriage and family therapists. As much—or more—than most bureaucracies, DoD likes control.

Arguments used against letting counselor practice independently:

• TRICARE policy follows Medicare policy, and you’re not covered under Medicare yet

• Lack of national or uniform standards of accreditation for mental health counselors relating to educational requirements

• Lack of single national exam

• Differences in requirements, titles in state licensure

• Counselors being ‘further removed’ from the medical model than other providers
TRICARE and counselors: A chronology


2005 – RAND report on demonstration project completed. RAND finds that beneficiaries in demonstration area had better access to care, with no adverse affects on treatment. In cover letter sending report to Congress, DoD reiterates opposition to independent practice authority

2005 – House NDAA for FY 2006 includes independent practice authority, Senate version allows independent practice in mental health professional shortage areas; final law asks DoD to report on improvements in referral & supervision

2006 – House NDAA for FY 2007 includes independent practice authority, Senate version doesn’t; no provision in final law

2007 – House NDAA for FY 2008 includes independent practice authority, Senate version calls for Institute of Medicine audit of profession; final law includes IOM study

2009 – IOM issues report, recommends 1) independent practice for counselors with mental health counseling degree from CACREP-accredited program, having passed NCMHCE; 2) comprehensive quality-management system for all mental health professionals
TRICARE Legislation – House

H.R. 3839 – Allows TRICARE-participating counselors to practice independently.

H.R. 5136 (NDAA) – Sense of Congress that DoD should implement IOM recommendations, “because such implementation will increase the urgently needed mental health staff of the Department of Defense and ensure that members of the Armed Forces will receive timely and confidential post-deployment screenings with a mental health professional.”
TRICARE Legislation - Senate

S. 3371 – Allows counselors to practice independently if they:
1) Have a master’s degree from a program in mental health counseling accredited by CACREP; 2) Pass the NCMHCE

S. 3454 (NDAA) – Allows counselors to practice independently if they:
1) Have a master’s degree from a program in mental health counseling accredited by CACREP “or a similar accreditation program”; 2) Pass the NCMHCE;
3) Have at least 2 years/3,000 hours of supervised experience, including 100 hours of face-to-face supervision, with supervision provided by a mental health counselor and conducted in a manner consistent with the guidelines for supervision of the American Mental Health Counselors Association.

Transition provision: DoD shall issue regulations under which, for a period of time, mental health counselors may continue to practice through physician referral and supervision.
# Members of the Senate Armed Services Committee

**DEMOCRATS**
- Carl Levin (MI) *Chairman*
- Robert C. Byrd (WV)
- Joseph I. Lieberman (CT)
- Jack Reed (RI)
- Daniel K. Akaka (HI)
- Bill Nelson (FL)
- Ben Nelson (NE)
- Evan Bayh (IN)
- Jim Webb (VA)
- Claire McCaskill (MO)
- Mark Udall (CO)
- Kay R. Hagan (NC)
- Mark Begich (AK)
- Roland W. Burris (IL)
- Jeff Bingaman (NM)
- Edward E. Kaufman (DE)

**REPUBLICANS**
- John McCain (AZ) *Ranking Member*
- James M. Inhofe (OK)
- Jeff Sessions (AL)
- Saxby Chambliss (GA)
- Lindsey Graham (SC)
- John Thune (SD)
- Roger F. Wicker (MS)
- George S. LeMieux (FL)
- Scott Brown (MA)
- Richard Burr (NC)
- David Vitter (LA)
- Susan M. Collins (ME)
What happens between now and July 24th

- **ASAP:** Let Christie know who your Representative is
- **ASAP:** Schedule your own meeting with your Representative!
- Collect state, local anecdotes about the need for counselor independent practice authority, better access to MH care for servicemembers
- July 7th – second conference call
- Week of July 19th – we’ll send out an e-mail with late-breaking news, if any, on TRICARE developments
- July 22nd – training on visits, distribution of briefing papers to give staff, talking points, etc.
- July 23rd – more training on visits in morning, and then...
  - 9:30am – group photo on Capitol Hill
  - 10:00-11:15am – Senate lobbying visits
  - 12:00 noon-ish – House lobbying visits
  - ~1:00pm – Lunch on Capitol Hill
Call to Action!

Take Action!

Ask Congress to cosponsor Medicare coverage of counselors legislation!
S. 671 introduced in Senate, H.R. 1693 in House

Urge Congress to Fund Loan Forgiveness Program for School Counselors (4/09)

New Bill Would Improve Mental Health Services on College Campuses (4/09)

Legislation Introduced to Increase Counselors in Low Income Schools (3/09)

Find Your Elected Officials

Elected Officials

Enter your ZIP Code and click "Go" or click here for other searches.
Electoral Officials - Virginia (22314)

ZIP Code 22314 splits legislative districts (represented by *). Please enter your full 9-digit ZIP code (ZIP+4) below.

President & Congress
- Barack Obama (D)
- Senators
  - Jim Webb (D)
  - Mark Warner (D)
- Representatives
  - James Moran (D-8)

Governor & State Legislators
- Governor
  - Timothy Kaine (D)
- Senate
  - Patricia Ticer (D-30)
- House of Delegates
  - David Englin (D-45)
  - Charniele Herring (D-46)

Eliminate split districts by entering your 9-digit ZIP+4

22314

If you don’t know your ZIP+4, enter your address below and click “GO”.

Address: 
City: 
State: 
ZIP Code: 

powered by Capitol Advantage ©2009
Scheduling a meeting with your Rep’s office

1. Find out who your Representative is by visiting http://www.house.gov, or http://capwiz.com/counseling

2. Call the U.S. Capitol Switchboard at 202-225-3121, and when the operator answers, ask to be connected to your member’s office (“Could I get Congressman Jim Moran’s office, please?”)

3. When the Representative’s receptionist answers, tell him or her who you are, that you’re a constituent of the Congressman’s /woman’s, that you’ll be in D.C. making visits on Capitol Hill on Friday, July 23rd in conjunction with a leadership meeting of the American Counseling Association, and that you’d like to meet with the Representative or a staffer to discuss TRICARE coverage of licensed professional counselors

4. Tell the receptionist that given your Senate visit schedule, you need the meeting to occur as close to 12:00 noon as possible

5. If possible, get the name and e-mail address of the person you’ll be meeting with

6. When you get a meeting, e-mail Christie (clum@counseling.org) with the office, time, and staff person’s name
Who you’ll be meeting with: How Representatives’ D.C. offices are structured

- REPRESENTATIVE
  - Chief of Staff
  - Legislative Director
    - Legislative Assistant
    - Legislative Assistant
    - Legislative Assistant
  - Legislative Correspondent
  - Legislative Correspondent
  - Executive Assistant
- Communications Director
- Scheduler
Lobbying visits are simple!

- Enter the office and introduce yourself to the receptionist. Tell the receptionist who you have an appointment with.
- When the staff person comes out, introduce yourself, make small talk, ask if they’re from the state, etc.
- **Explain who licensed professional counselors are**
- Make the “ask”: Say what you want their boss to do
- Ask if you can follow up with the staff person in ~2 weeks
- Get their card, and contact them again from back home

You won’t be expected to know all the answers! If you’re asked something you don’t know, just say “I don’t know, I’ll check and get back to you.”
The “Ask”

Ask your **Representative** to cosponsor H.R. 3839. It’s very easy to check the [http://thomas.loc.gov](http://thomas.loc.gov) website to see who is cosponsoring

Ask your **Senators** to contact the Senate Armed Services Committee to let counselors meeting current TRICARE requirements to practice independently, just like their peers do.
Bill Summary & Status

11th Congress (2009 - 2010)
H.R. 3839

**H.R. 3839**

**Title:** To amend title 10, United States Code, to authorize the reimbursement of mental health counselors under TRICARE, and for other purposes.

**Sponsor:** Rep. Rooney, Thomas J. [FL-15] [introduced 10/15/2009]  **Cosponsors** (15)

Leadership, Organizational, Personal Development

H.R. 3839
Cosponsors

Item 1 of 1

ABOUT COSPONSORS
PREVIOUS: COSPONSORS | NEXT: COSPONSORS
NEW SEARCH | HOME | HELP |

Back to Bill Summary and Status

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Title: To amend title 10, United States Code, to authorize the reimbursement of mental health counselors under TRICARE, and for other purposes.
Cosponsors (15)

COSPONSORS (15), ALPHABETICAL [followed by Cosponsors withdrawn]: (Sort: by date)

Rep Bordallo, Madeleine Z. [GU] - 3/19/2010
Rep McIntyre, Mike [NC-7] - 6/17/2010
You’ll probably be walking about 1.5 miles over the course of the day on Friday (although not all at once!) during your lobbying visits. You may want to practice!

Wear comfortable shoes. Taxis are an option, if you need one.
Our contact info:

Scott Barstow – ph: 800-347-6647 x234
e-mail: sbarstow@counseling.org

Christie Lum – ph: 800-347-6647 x354
e-mail: clum@counseling.org
COUNCIL OF LEADERS REPORT

Office/Committee: Conference Committee
Date: June 16, 2011
Officer/Committee Chair: Heather Tustison/Amy Curtis-Schaeffer

Type of Committee Report:
- ✔️ Report for Board Meeting
- ❌ Recommending Board Action
- ❌ Recommending Policy Change

Current Conference Report:

- **Total Profit: $15,763.00**
  - Total Income: $53,504.37
  - Total Expenses: $37,741.37

  - Dr. Scott Miller – Keynote Speaker Friday
  - Dr. Marcheta Evans – Keynote Speaker Saturday
  - Pre-Conference Learning Institutes - January 19 & 20 – **86 Registrants**
    - Steve Moody & Rebecca Pender – Clinical Supervision – **15 Registrants**
    - Lori Fairgrieve and Karin Watson – Play Therapy – **27 Registrants**
    - Janet Allen – Sexual Addiction – **19 Registrants**
    - Scott Miller – Effectiveness in Counseling – **25 Registrants**
  - Social Events & Entertainment
    - Thursday Night Beach Blast Social – **32 Registrants**
    - Friday Night Salsa, Swing and Slide Social – **31 Registrants**
    - Friday Lunch with Keynotes for Graduate Students – **18 Registrants**
    - Saturday Koffee with Keynotes
  - Wellness Room – Vendors - massage therapy, vitamins, yoga and wellness info
  - Silent Auction – **Generated $1,826**
  - Bookstore – **Loss of $437.67**
  - Scholarships – **9 given**
  - Sponsors/Exhibitors
    - 1 - $1,000 Sponsor – Bannock Youth Foundation
    - 1 - $500 Sponsor – Intermountain Hospital
    - 20 Exhibitors
    - 5 Divisions
  - Program
    - 44 Program Proposals Submitted
    - 30 Interest Sessions composed Program
  - Registrations – Total Registered: **308 – 16 Single Day Registrants**
    - Super Duper Early Bird: **30**
    - Early Bird/Regular/Onsite Students: **94**
    - Early Bird/Regular/Onsite Professional: **140**
    - Early Bird/Regular/Onsite Members: **195**
    - Early Bird/Regular/Onsite Non-Members: **39**
Future Conferences:
- “Revolutionary Counseling – Innovations in Transformation”
  - Friday Keynote Speaker – Lynn Stadler, MFT
  - Saturday Keynote Speaker – ACA President Dr. Don Locke
- Conference Chair: Amy Curti

Please check which section of the action plan your work was tied to:
- Programs & Services
- Personnel
- Policies & Procedures
- Planning & Evaluation
- Physical Plant & Other Resources
- Public Relations & Communications

Recommendations for Board Action:
Funds generated from the Silent Auction above and beyond what is designated for Conference Registration Scholarships, will be ear-marked for Scholarships to attend the ACA Conference and/or the ACA Leadership Development Institute.

Recommendations for Policy Change:
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  - Saturday Keynote Speaker – ACA President Dr. Don Locke
- Pre-Conference Learning Institutes
  - Clinical Supervision
  - Gestalt Play Therapy
  - Advocacy, Counseling Refugees and Trauma
  - ?
- Conference Chair: Amy Curtis-Schaeffer

Please check which section of the action plan your work was tied to:

- Programs & Services
- ☒ Personnel
- ☒ Policies & Procedures
- ☒ Planning & Evaluation
- ☒ Physical Plant & Other Resources
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COUNCIL OF LEADERS REPORT

Office/Committee: President-Elect
Date: January 14, 2011
Officer/Committee Chair: Heather Tustison

Type of Committee Report:
☑ Report for Board Meeting
☐ Recommending Board Action
☐ Recommending Policy Change

President-Elect Report:
• Policies and Procedures Manual to be overhauled
  ○ Request to form a committee to create uniform policies and bring to date
• Guidelines and Expectations to be generated for each ICA Leadership Position
  ○ Request to form a committee to detail Job Descriptions
  ○ Request to have each COL member create their own Job Description
• Revision of the Leadership Funding Policy from 061010 to include a $30 per diem for food for the ACA Conference and ACA LDI.
• Recruitment of President-Elect-Elect

Recommendations for Board Action:
• Revised Leadership Funding Policy to include $30 per diem for food for ACA and ACA LDI.

Recommendations for Policy Change:
• Revised Leadership Funding Policy to include $30 per diem for food for ACA and ACA LDI.