

The Virginia Public Health Association presents



The 2014 Virginia General Assembly Session (thus far): Lessons for VAPHA

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What follows

- ▶ The calendar to date
- ▶ Bills with implications for the public's health and how they fared
- ▶ What's next?
- ▶ Thoughts on VAPHA advocacy

Advocacy

“Never be afraid to raise your voice for honesty and truth and compassion against injustice and lying and greed. If people all over the world...would do this, it would change the earth.” — William Faulkner

The General Assembly calendar

- ▶ The first year of the biennium
- ▶ Began January 8; sine die (sort of) March 8
- ▶ Bills passed and killed; no budget bill
- ▶ The politics of both houses
- ▶ When will it end? Reconvened session April 23 or what?

Bills that passed

<p><u>HB 206</u> - <u>Hope</u> - Higher educational institutions, 4-year; mental health resources available to students on website.</p>	<p>Requires each four-year public institution of higher education to create and feature on its website a page with information dedicated solely to the mental health resources available to students at the institution.</p>
<p><u>HB 218</u> - <u>Albo</u> – and <u>SB 96</u> - <u>Reeves</u> - Tobacco products; purchase, etc., of nicotine vapor products by minors, penalty.</p>	<p>Adds nicotine vapor products and alternative nicotine products to the list of tobacco products that cannot be sold to or purchased or possessed by a minor.</p>
<p><u>HB 305</u> - <u>O'Bannon</u> - Immunizations; Department of Health to seek reimbursement for cost in certain cases.</p>	<p>Requires the Department of Health to provide certain vaccines for children free of charge to the parent of the child if the child is eligible. In cases in which a child is covered by a health carrier, Medicare, Medicaid, CHIP, or CHAMPUS, the Department shall seek reimbursement.</p>
<p><u>HB 387</u> - <u>Comstock</u> – and <u>SB 183</u> - <u>McWaters</u> Newborns; critical congenital heart defect screening.</p>	<p>Requires every hospital in the Commonwealth having a newborn nursery to perform a critical congenital heart defect screening test on every newborn in its care when the child is at least 24 hours old but no more than 48 hours old.</p>

More bills that passed

<p><u>HB 410</u> - <u>Anderson</u> – and <u>SB 172</u> - <u>Stuart</u> - Student-athletes; effects of concussions on academic performance.</p>	<p>Requires each non-interscholastic youth sports program utilizing public school property to use or establish policies and procedures regarding the identification and handling of suspected concussions in student-athletes.</p>
<p><u>HB 484</u> - <u>Kory</u> - Electronic cigarettes; prohibited in public elementary and secondary schools.</p>	<p>Requires each school board to (i) develop and implement a policy to prohibit the use of electronic cigarettes on a school bus, on school property, or at a school-sponsored activity.</p>
<p><u>HB 720</u> - <u>McClellan</u> - School board policy, local; employee lactation support.</p>	<p>Requires each local school board to adopt a policy to set aside an area in which any mother who is employed by the local school board or enrolled as a student may take breaks of reasonable length during the school day to express milk to feed her child until the child reaches the age of one.</p>
<p><u>HB 771</u> - <u>Hugo</u> - Mature driver motor vehicle crash prevention course; license renewal, reduction in rates.</p>	<p>Provides for a course in mature driver motor vehicle crash prevention and provides that such course is an option for the court in adjudicating defendants.</p>



More bills that passed

<u>HB 1031 - Orrock</u> - Immunizations; updates provisions for children.	
<u>HB 1096 - Filler-Corn</u> - Student-athletes; Board of Education shall amend its guidelines for policies on concussions.	Requires the Board of Education to amend its guidelines for school division policies and procedures on concussions in student-athletes to include a "Return to Learn Protocol" with requirements that school personnel.
<u>SB 97 - Reeves</u> - Bicycles, etc.; minimum clearance for passing.	Increases from two to three feet the minimum clearance between a passing vehicle and a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, moped, animal, or animal-drawn vehicle.
<u>SB 572 - Barker</u> – and <u>HB 240 – O’Bannon</u> - Long-Term Care Ombudsman, Office of State; access to clients, patients, individuals, etc., records.	Provides that the entity designated by the DARS to operate the programs of the Office of the State Long-Term Care Ombudsman shall have access to facilities, clients, patients, individuals receiving services, and the records of such clients, patients, and individuals in ALFs, adult day care centers, home care organizations, hospice facilities, nursing facilities, state hospitals operated by the DBHDS, and providers of services by an AAAs .
HB134 and SB532 – Diabetes; certain students permitted to self-check blood glucose levels on school property, etc	Requires school boards to permit students who are diagnosed with diabetes to (i) carry with him and use supplies, including a reasonable and appropriate short-term supply of carbohydrates, an insulin pump, and equipment for immediate treatment of high and low blood glucose levels, and (ii) self-check his own blood glucose levels on a school bus, on school property, and at a school-sponsored activity.

More passed bills

HB 580 - Stolle - Active duty military health care providers; practice at public and private health care facilities.

Clarifies that the exemption from licensure requirements for active duty military health care providers applies to active duty health care providers providing health services at any public or private health care facilities in accordance with their official military orders. This bill includes an emergency clause.

HB 612 - Robinson – and SB 330 – Howell. Genetic counseling; regulation of practice, licensure, advisory board established. (under the Board of Medicine)

Provides that no person shall practice or hold himself out as practicing genetic counseling without a valid, unrevoked license as a genetic counselor from the Board of Medicine. The bill establishes requirements and a process for licensure as a genetic counselor, and sets forth exemptions from the requirements for a license.

HB 1129 - Garrett - Physician assistants; possession and administration of topical fluoride varnish.

Allows physician assistants to possess and administer topical fluoride varnish to the teeth of children aged six months to three years pursuant to an oral or written order or a standing protocol that conforms to standards adopted by the Department of Health.



More passed bills

HB 1217 - Morris - Chesapeake Bay Preservation Areas; documentation in lieu of proof of septic tank pump-out.

Directs the State Water Control Board to adopt certain criteria for use by local governments in evaluating development in Chesapeake Bay Preservation Areas.

HB 1249 - Hodges – and SB 294 – Puckett - Prescription Monitoring Program; registration with Program for prescriber treating human patients.

Requires prescribers to be registered with the Prescription Monitoring Program by the Department of Health Professions upon filing an application for licensure or renewal of a license, if the prescriber has not already registered. Also requires prescribers to request information from the Director of the DHP what, if any, other covered substances are currently being prescribed to any patient for whom the prescriber is initiating a new course of treatment that includes the prescribing of benzodiazepine or an opiate, when such course of treatment is anticipated to last more than 90 consecutive days.



Bills that failed

<u>HB 21</u> - <u>Marshall, R.G.</u> - School boards, local; employee firearms training.	Requires every school board to designate at least one qualified person for every school in the district who may carry a concealed handgun on school property.
<u>HB 135</u> - <u>Bell, Robert B.</u> and <u>SB 176</u> - <u>Black</u> - Home-produced or farm-produced products; sale of products by certain farm operations.	Allows the sale of food products made from any fruit, grain, herbs, honey, meat, milk, mushrooms, nuts, poultry, seafood, or vegetables by a farm operation employing 10 or fewer people or by a private home, so long as the sale is made directly to consumers and the product is labeled with the producer's name and address.
<u>HB 212</u> - <u>Marshall, D.W.</u> - Driving while holding pet; prohibited.	
<u>HB 277</u> - <u>Krupicka</u> - Pedestrians; crossing highways.	Clarifies the duties of vehicles to stop to allow pedestrians to cross highways at marked crosswalks.
<u>HB 352</u> - <u>O'Bannon</u> - Epinephrine; possession and administration.	Authorizes any employee of a licensed restaurant to possess and administer epinephrine, provided such employee is authorized by a prescriber and trained in the administration of epinephrine. The bill also requires the Department of Health, in conjunction with the Department of Health Professions, to develop policies and guidelines for the recognition and treatment of anaphylaxis in restaurants.



More failed bills

<p><u>HB 482</u> - <u>Villanueva</u> - Motor vehicle safety belts; failure to wear enforceable as a primary offense.</p>	
<p><u>HB 773</u> - <u>Yost</u> - Tanning facilities; use of tanning devices by persons under age 18.</p>	
<p><u>HB 1023</u> - <u>Kilgore</u> - Smoking in motor vehicles; presence of minor under age eight, civil penalty.</p>	<p>Provides that any person who smokes in a motor vehicle, whether in motion or at rest, when a minor under the age of eight is in the motor vehicle is subject to a civil penalty of \$100.</p>
<p><u>HJ 34</u> - <u>Lingamfelter</u> - School buses; JLARC to study effectiveness of requiring seat belts.</p>	<p>Directs the Joint Legislative Audit and Review Commission to study the effectiveness of requiring seat belts on every school bus in the Commonwealth.</p>
<p><u>SB 155</u> - <u>Miller</u> - Public schools; physical activity requirement.</p>	<p>Requires at least 20 minutes of physical activity per day or an average of 100 minutes per week during the regular school year for students in grades kindergarten through five. This requirement becomes effective beginning with the 2016-2017 school year.</p>



More failed bills

<p><u>SB 479 - Barker</u> - Tanning facilities; age limit, parental consent.</p>	<p>Prohibits minors younger than 15 years of age from using tanning devices at tanning facilities. The measure also prohibits unemancipated minors age 15, 16, or 17 years from using tanning devices at tanning facilities unless a parent or legal guardian has consented in writing. The written consent form is required to include information developed or approved by the Department of Health.</p>
<p><u>HB 329</u> – Krupicka - Crohn's disease, colitis, and irritable bowel syndrome; identification cards and information.</p>	<p>Directs the VDH to develop a process for issuing ID cards to individuals diagnosed as having Crohn's disease, ulcerative colitis, irritable bowel syndrome, or any other medical condition that requires immediate access to a toilet facility.</p>
<p><u>HB 1056 (Ward) and SB 617 (Locke)</u> -Abortion; removes requirement that woman undergo trans-abdominal ultrasound.</p>	<p>Would have removed the requirements (enacted in 2012) requiring a woman to undergo an ultrasound prior to abortion, as part of the informed consent requirements.</p>
<p><u>HB 546 (Filler-Corn)</u> – Abortion; optional ultrasound</p>	<p>Would have eliminated the requirement that a woman undergo a mandatory ultrasound prior to an abortion but provide that the pregnant woman shall be offered the opportunity to have an ultrasound performed.</p>



And the budget?

- ▶ What budget?
- ▶ McDonnell bill will serve as the basis for the special session.
- ▶ The big issue: expansion of Medicaid or “closing the coverage gap”



Preparing for advocacy

- ▶ Guiding vision for VAPHA drives the advocacy agenda
- ▶ Individual advocacy ingredients
 - ▶ Personal email address
 - ▶ Contact legislators on unofficial time and as unofficial constituent
 - ▶ Develop a sustaining relationship
 - ▶ Be seen as the expert on public health



We must take sides and do it the right way

- ▶ Fight for the policy or problem to fix – not for ideology or party platforms
- ▶ Do not take “it” personally.
- ▶ Never burn a bridge; you may need to walk across that same stretch of water later.
- ▶ Understand the “other” side and address why your position is better.
- ▶ Speak the “truth.”
- ▶ You can always “educate” about the issue, and that’s not lobbying.

What advocacy consultants see as success in meeting with your legislator

- ◆ Get to know them before you need them.
- ▶ Be polite. Get to know the legislative aide. Learn the issue you are advocating for.
 - ▶ Pros and cons. What the opposition believes.
 - ◆ Back up your facts with a compelling story.
- ▶ Respect others' views. No trash talking.
- ▶ Be mindful of the time.
- ▶ Stay focused.
- ▶ Use a one-pager.
- ▶ Ask for their support and listen for their answer.

Where is VAPHA on the advocacy journey?

- ▶ Concern over where you work and how you advocate.
- ▶ Where does advocacy “fit” in the organization’s priorities?
 - ▶ People join professional associations for networking, professional development, and advocacy.
- ▶ Time to step up your game! Go for it.

An individual has not started living until he can rise above the narrow confines of his individualistic concerns to the broader concerns of all humanity.

▶ **Martin Luther King, Jr.**

