

**ASCs 2008**  
***CELEBRATING OUR SUCCESSES***

**PAY NOW OR PAY LATER:  
HOW STATE ADVOCACY EFFORTS  
PROTECT YOUR BOTTOM LINE**

**DEBBIE MACK, PETER LOHRENGEL & MARK MAYO**

**PRESENTATION OUTLINE**

**OVERVIEW OF DEVELOPMENT OF STATE SOCIETIES**

**MARK MAYO                      STRENGTH FROM BANDING TOGETHER**

**PAST EFFORTS AT ADVOCACY IN THREE STATES**

**PETER LOHRENGEL      MEMBER DRIVEN ORGANIZATION**

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**DEBBIE MACK              STATE ISSUES**

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**THE VALUE OF STATE ADVOCACY**

**DEBBIE MACK              A STATE PERSPECTIVE**

**PETER LOHRENGEL      COMMONALITIES AMONG STATES**

**MARK MAYO                STRONG STATES / STRONG NATIONAL**

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## **State Associations**

**For a Listing of State Associations go to:**

**<http://www.ascassociation.org/about/state>**

The ASC Association encourages all of our members to contact their state associations and get involved in strengthening the ASC industry at the state and local level.

If your state does not have an association and you are interested in organizing one for your state, please contact the ASC Association at [ASC@ascassociation.org](mailto:ASC@ascassociation.org), or 703.836.8808. We will be more than happy to help you with organizing efforts, providing sample association by-laws, and any other services that the ASC Association can provide in assisting with setting up your association.

## **OVERVIEW / STRENGTH TOGETHER**

**THERE WERE STATE ASSOCIATIONS FORMED IN THE 1980'S AND THERE ARE STATES TODAY THAT DO NOT HAVE A STATE SOCIETY**

**AT ONE TIME CALIFORNIA HAD TWO STATE SOCIETIES; ONE MAINLY FOR OWNERS/DOCS AND ONE FOR ADMINISTRATORS**

**MOST STATE GROUPS STARTED BY BANDING TOGETHER OR CIRCLING THE WAGONS WHEN AN ATTACK ISSUE CAME AFTER THEM**

**ISSUES WERE RESTRICTIVE CON OR LICENSE RULES, BEING LOCKED OUT OF INSURANCE CONTRACTS, DOCS BEING TOLD THEY WOULD LOSE HOSPITAL PRIVILEGES IF THEY JOINED THAT ASC DOWN THE STREET, CHARITY TAX OR OTHER CONSTRAINT OF TRADE**

**THESE GROUPS FOUND THAT THEY COULD COME TOGETHER, THEY FIGURED OUT THAT THE CENTER DOWNSTATE FROM THEM ACTUALLY WAS NOT THEIR COMPETITION (THEY NEVER SHARED THE SAME DOCS OR PATIENTS ANYWAY)**

**THEY FOUND THAT THERE WAS STRENGTH IN NUMBERS. THEY COULD EXERT SOME POLITICAL INFLUENCE (ESPECIALLY IF THEIR DOC TREATED OR PLAYED GOLF WITH A LOCAL, REGIONAL OR STATE POLITICIAN**

**THEY LEARNED THAT THEY COULD GET INVOLVED IN THE LOCAL OR STATE RULEMAKING PROCESS. THAT SOME OF THEIR MEMBERS COULD SIT ON TASK FORCES, ADVISORY GROUPS AND BOARDS. STATES SOMEWHAT WELCOMED ASCS AS THEY KNEW THAT ASCS HAD A PRETTY GOOD TRACK RECORD FOR QUALITY AND HIGH PATIENT SATISFACTION**

**THEY ALSO LEARNED THAT THEIR GROUP POWER COULD HELP WITH PURCHASING AND SOME OF THE VENDORS HERE TODAY TOOK NOTICE AND STARTED TO OFFER VOLUME DISCOUNTS TO ASCS**

## **PAST EFFORTS**

**IN ILLINOIS WE WERE ABLE TO NEGOTIATE A GROUP DISCOUNT ON MEDICAL MALPRACTICE INSURANCE**

**WE SAVED OUR MEMBERS 10% ON THEIR MEDICAL MAL PREMIUM AND HELPED ADD SOME QUALITY INDICATORS AND RISK MANAGEMENT TRAINING INTO THE PACKAGE. THOSE PREMIUM SAVINGS WERE AT LEAST 10 TIMES THE ANNUAL ASC ASSOCIATION DUES**

**IN ILLINOIS, WE WERE ONE OF THE FIRST STATE ASSOCIATIONS TO NEGOTIATE A CONTRACT WITH A NATIONAL GROUP PURCHASING ORGANIZATION (AMERINET). CALIFORNIA WAS ANOTHER EARLY STATE TO WORK WITH A GPO. OUR MEMBERS SAVED NOT ONLY ON THE MEMBERSHIP FEE GPOS THEN CHARGED, BUT THEY GOT ACCESS TO BETTER PRICING THAT SAVED THEM BETWEEN \$30,000 AND \$100,000 EACH YEAR**

**ON THE POLITICAL FRONT, OUR ILLINOIS GROUP WAS ABLE TO INFLUENCE THE STATE LICENSING BOARD AND EVENTUALLY WE GOT SEVERAL OF OUR MEMBERS SEATED ON THAT BOARD. THE LICENSING BOARD PROCESS WENT FROM OBSCURITY TO BEING AN IMPORTANT FORUM FOR MAKING AND MODIFYING RULES THAT MAKES SENSE FOR ASCs. THERE HAS NEVER BEEN A MEETING OF THAT BOARD THAT HAS NOT BEEN WELL ATTENDED AND MONITORED BY THE ASCs SINCE 1988**

**WE WERE ABLE TO HELP CRAFT CHANGES IN STATE REGULATIONS. WE WERE ABLE TO ACTUALLY GET A SEAT ON THE STATE CON BOARD**

**SHARE COST SAVING IDEAS**

**SHARE INFORMATION AND GROUP PROBLEM SOLVE**

**INCREASE EXPERTISE AND KNOWLEDGE**

**DO NOT NEED TO REINVENT THE WHEEL – SHARE EXPERIENCES**

## **CURRENT ISSUES**

**WITH STRONG SUPPORT AND COMMUNICATION BETWEEN THE NATIONAL ASC ASSOCIATION AND OUR ILLINOIS GROUP, WE RECENTLY NEGOTIATED REVISED WORKERS' COMP RATES DIRECTLY WITH THE STATE COMMISSIONER AND HIS CONSULTANT. ASCs WILL BE PAID AT 84% OF THE HOSPITAL RATE FOR THE SAME SERVICES AND WE CAN BILL AND BE PAID FOR IMPLANTS AT COST.**

**WE HAVE ACTIVE MEMBERS WHO SIT ON STATE TASK FORCES AND ADVISORY PANELS COVERING NEW DATA REPORTING REQUIREMENTS. OUR STATE WILL SOON BE PUBLISHING "CONSUMER GUIDES" WHICH ARE REALLY WAYS FOR HOSPITALS TO GET OUR CHARGE AND UTILIZATION DATA.**

**WE HAVE A VOICE AT THE TABLE ON THE FUTURE OF CERTIFICATE OF NEED AND OUR TESTIMONY WAS WELL RECEIVED.**

**WE ARE AT THE TABLE IN HELPING TO SHAPE THE NEW ADVERSE REPORTING REQUIREMENTS IN ILLINOIS**

**NEED TO BE INVOLVED AND SUPPORT YOUR LOCAL SHERIFF**

## **CIVICS vs POLITICS**

**WE ALL LEARNED HOW GOVERNMENT WORKS AND HOW GOOD IDEAS BECOME BILLS AND BILLS BECOME LAWS**

**AS A STATE ASSOCIATION WE QUICKLY LEARNED HOW THE REAL PROCESS WORKS. YOU NEED TO BE THERE WHEN A BILL HAS BEEN INTRODUCED (BETTER IF YOU ARE THERE BEFORE THE BILL IS ACTUALLY DRAFTED) SO YOU CAN HELP SHAPE WHAT IT SAYS.**

**YOU NEED TO KNOW THE POLITICAL PROCESS FOR INTRODUCING A BILL, GETTING CO-SPONSORS YOU WANT TO HELP PASS YOUR BILL OR MAKING SURE SOMEONE HELPS YOU BURY A BAD BILL IN COMMITTEE**

**YOU CAN FIND WAYS TO HELP POLITICIANS WHO YOU FAVOR. YOU CAN ALWAYS MAKE FINANCIAL CONTRIBUTIONS TO THEIR CAMPAIGN OR TO THEIR PARTY'S COMMITTEE. YOU CAN VOLUNTEER FOR THEM, HOST A FUND-RAISER (LIKE A COFFEE). YOU CAN DISTRIBUTE LITERATURE DOOR-TO-DOOR, PUT UP CAMPAIGN SIGNS OR WRITE LETTERS TO THE EDITOR.**

**PLEASE REALIZE THAT WHEN YOU MAKE A POLITICAL CONTRIBUTION THIS DOES NOT MEAN THAT YOU “OWN” THAT POLITICIAN OR THAT THEY MUST ALWAYS VOTE THE WAY YOU WANT THEM TO. YOU MAY GAIN ACCESS AND HAVE YOUR VOICE HEARD BUT YOU DO NOT CONTROL THE POLITICAL PROCESS. BE REASONABLE, FACTUAL AND CONCISE WITH YOUR ISSUE, STATE YOUR CONCERN AND OFFER A SOLUTION. HELP FIND WAYS FOR YOUR FAVORITE POLITICIAN TO SHOW LEADERSHIP. AND REMEMBER TO REMAIN LOYAL TO YOUR POLITICIAN.**

**YOU NEED THE NUMBERS AND VOICE AND STRENGTH OF YOUR STATE ASC MEMBERSHIP TO CALL, WRITE OR GO TO THE STATE CAPITAL TO MEET WITH LEGISLATORS DIRECTLY. IN OUR STATE MANY OF THE LEGISLATORS MEET DIRECTLY WITH THEIR CONSTITUENTS. IN SOME CASES YOU NEED TO KNOW KEY COMMITTEE STAFF MEMBERS WHO CAN HELP DIRECT YOU ALONG YOUR WAY.**

**YOU HAVE ARRIVED WHEN A LEGISLATOR CALLS YOU TO ASK YOUR GROUP’S OPINION ON A BILL THEY ARE ABOUT TO VOTE ON.**

**YOU NEED TO GATHER TRUST AND SUPPORT FROM REGULATORS. STATE AGENCIES ARE OFTEN ASKED THEIR OPINION ON A BILL THAT WILL AFFECT THEIR BUDGET OR STAFF RESPONSIBILITIES.**

**YOU NEED TO MAKE YOUR MESSAGE VERY CLEAR.**

**YOU NEED TO FIND OUT HOW TO REACH SOME  
LEGISLATORS (GOES TO CHURCH WITH YOUR  
NEIGHBOR, IS A PATIENT OF YOUR DOC, ETC)**

**YOU NEED TO KNOW HOW TO GET SUPPORT FROM  
YOUR STATE MEDICAL SOCIETY WITH DOCS HELPING  
DOCS**

**YOU NEED TO KNOW WHAT BUTTONS TO PUSH AND  
HOW TO THREATEN (BUT ONLY WHEN YOU CAN  
DELIVER). MOST OF ALL YOU NEED TO KNOW HOW  
TO BE REASONABLE, WHEN TO COMPROMISE AND  
WHEN TO GRACEFULLY WIN OR LOOSE**

## **STRONG STATES / STRONG NATIONAL**

**I HAVE BEEN AN ADVOCATE OF A STRONG RELATIONSHIP BETWEEN STATE SOCIETIES AND THE NATIONAL ORGANIZATIONS EVEN MORE SO NOW THAT WE HAVE ONE COMBINED NATIONAL ORGANIZATION**

**WE FOUND THAT WHEN SOME ISSUES PUSHED IN WASHINGTON DC BY OUR COMPETITORS DID NOT GET TRACTION THERE, THEY MOVED THE FIGHT TO THE STATEHOUSE.**

**YOU MAY NOT BE THE FIRST STATE TO FIGHT AN ISSUE. LINKS BETWEEN STATE SOCIETIES SUCH AS THE FORUM HELD YESTERDAY HELP STATES SHARE EXPERIENCES, ISSUES, CONCERNS AND APPROACHES (THINGS THAT WORK AND THINGS THAT FAILED).**

**THE NATIONAL ASSOCIATION CAN BE BOTH A REPOSITORY OF INFORMATION AND A STRONG ADVOCATE. HAVING KATHY BRYANT OR SARA SILBERSTEIN OR A NATIONAL BOARD MEMBER FLY IN TO MEET WITH YOUR GROUP OR TO TESTIFY BEFORE A STATE COMMISSION OR LEGISLATIVE COMMITTEE GIVES GREATER WEIGHT TO YOU, YOUR MESSAGE AND YOUR POSITION**

**YOU MAY NOT BE AWARE BUT THE NATIONAL ASSOCIATION REGULARLY HOLDS CONFERENCE CALLS WITH STATE ASSOCIATION LEADERS AND WITH STATE ASSOCIATION LOBBYISTS. THEY TRACK BILLS AND ISSUES AS WE HAVE FOUND THAT A LOCAL ISSUE IN OREGON MAY SOON BE THE SAME ISSUE IN SOUTH CAROLINA**

**YOU NEED TO GO TO WASHINGTON OR WRITE THOSE LETTERS OR MAKE PHONE CALLS TO HELP ALL OF US WITH THE ASC LEGISLATION. IF YOU CAN'T GET TO DC, YOU CAN GET TO THE LOCAL DISTRICT OFFICE OF YOUR CONGRESSMEN, YOU CAN WRITE A LETTER**

**YOUR STATE SOCIETY AND THIS NATIONAL ORGANIZATION CANNOT DO ANY OF THIS WITHOUT DEDICATED PAID STAFF AND THEY CANNOT DO ANY OF IT WITHOUT YOUR MEMBERSHIP FEES, YOUR ACTIVE INVOLVEMENT AND JUST A LITTLE BIT OF YOUR TIME AND EFFORT – AFTER ALL, THEY ARE WORKING FOR US AND WE ARE WORKING FOR IMPROVEMENTS FOR ALL OF US**

**PLEASE JOIN, SUPPORT AND WORK FOR YOUR STATE SOCIETY AND FOR THIS NATIONAL ORGANIZATION**