



REHAB REPORT™

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LEGAL MATTERS

Make A Difference: Write A Dynamite Letter To Lawmakers

► *Myth: I have to write a really long letter to argue a good case to my senator.*

Every time a bill goes through Congress or a proposed rule appears in the Federal Register, you have the opportunity to comment — but have you ever really done it? Overcome your writer's block with these three tips, and send a message that policymakers won't forget.

1. Know your audience. Don't confuse your representatives in Congress with the government agencies that write the Federal Register's rules. Congress passes big-picture laws that authorize government agencies to write more specific provisions. When this happens, you'll see notices of proposed rulemaking (NPRM) in the Federal Register.

For example, Congress passed the Social Security Act, which requires the **Centers for Medicare and Medicaid Services (CMS)** to update the fiscal year's prospective payment system (PPS) rates for inpatient rehabilitation facilities (IRFs). So if you want to comment on the proposed payment policies for FY 2007 in the Federal Register, direct your comments to policymakers at CMS.

Important: This does not mean that Congress isn't interested in what you're telling the Federal Register authors — if you're concerned about an NPRM, Congress should know about it. But keep in mind that congressional representatives deal with the bigger picture and need a general

background of your discipline so they can understand the impact on you and your patients, reminds **Tim Nanof, MSW**, lobbyist for the **American Occupational Therapy Association (AOTA)** in Bethesda, MD.

2. Be conscious of length and content. When writing Congress, keep your letters short and to the point — one page or less, recommends **Jerome Connolly, PT, CAE**, president of **Connolly Strategies & Initiatives** and lobbyist for **PTPN**, in Washington, DC. And make the letter's voice individual, not general, Nanof stresses. "For example, don't just write that the ther-

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apy cap is a bad policy that is detrimental to patients; give a personal story of one of your patients who had a hip replacement and used up their therapy dollars for the year.”

When responding to NPRMs, also be as specific as possible, describing how the proposed rule might affect you and/or your patients, Connolly recommends. But unlike a one-page letter to your senator or representative, flesh out your argument with additional facts when you respond to the appropriate agency. Because the responsible agency deals with technicalities of broader laws, adding more details and statistics from your facility will help argue your case, Nanof says.

Another way: If you simply don't have time to draft a letter from scratch, your professional organizations usually have pre-drafted letters that you can use, Nanof suggests. “But be sure to modify it because you don't want lawmakers to read it as just another form letter.”

Try this: “Our organization offers ‘talking points’ on regulatory issues,” says **Jim Potter**, director of government relations and public policy for the **American Speech-Language-Hearing Association (ASHA)** in Rockville, MD. This gives you a good starting point for your arguments but allows you to shape your letter into a more personalized form that lawmakers will notice over a basic form letter.

3. Follow up. If you send one letter and call it quits, all your hard work could go to waste. “Writing one letter is only the beginning, and the response rate is considerably higher after follow-up,” Potter attests. Plus you make a greater investment in your relationship with policymakers, he adds. The more your lawmakers get to know you and your sector, the more likely they'll address your concerns.

To add further weight to your letter, try getting a write-up in the local newspaper's community section about your letter and the response you received with pictures of you and the letters, suggests an article on **essortment.com** on writing your representa-

tives. “This can bring greater awareness to the issues and encourage still others to write as well.”

Free tool In the last issue of *Eli's Rehab Report*, you read about the proposed Inpatient Rehab Facility FY 2007 payment rule — and the erroneous conclusions lawmakers have drawn about comorbidity tiers, which could hurt your reimbursement. Email the editor, **Lindsey Rushmore** at lindseyr@eliresearch.com for a letter you can send to CMS, and with modifications, to your lawmakers in Congress to address this issue.

If you don't work for an IRF, use this as an example letter you could send to a government agency. ■



Quick Tips

Make Sure Your Message Goes Through

Don't let the technical details keep you from getting your message in the right hands.

To contact Congress, visit www.congress.org/congressorg/home/ and click on the “write your officials” link. You can reach your lawmakers several ways, but email is the quickest. “Postal mail has slowed considerably due to the anthrax scare a couple years ago,” notes **Jerome Connolly, PT, CAE**, president of **Connolly Strategies & Initiatives** and lobbyist for **PTPN** in Washington, DC.

Use proper salutations in your letterhead such as “The Honorable (full name).” Also, identify yourself as a constituent, and make clear the issue you're addressing. For example, “I write in sup-

port of HR 4033,” Connolly explains.

Quick trick: When you send comments to a government agency, the front page of its rule in the Federal Register has detailed instructions. Because the Federal Register is thousands of pages in length, the rule will usually refer you to a “file code” and ask that you specify which issue you're commenting on. Remember to include your name, discipline, facility/organization and the date.

If you're submitting comments electronically to CMS, go to www.cms.hhs.gov/eRulemaking, and click on the link at the bottom of the page that says “Submit electronic comments on CMS regulations with an open comment period.” Any attachments should be in Word or Excel. ■