

LEGISLATIVE UPDATE

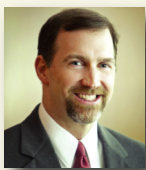
Policy Success Comes through Political Success

BY MICHAEL C. STINSON

While many congressional races are still developing this year—potential candidates are still deciding whether or not to run, and primaries have yet to be held in many states—that doesn't mean that things are not heating up, politically. After a 2016 election season that defied all predictions, those candidates who have announced their intention to run are getting a head start on campaigning. That means funds are being raised, policy positions are being staked out, and battle lines are being drawn. The end result of all these efforts could be a dramatically different playing field for PIAA in Washington, D.C., when 2019 begins. So, what can we do, now, to ensure we have a fighting chance on policy matters that will develop in the coming years? The answer is to engage politically by utilizing PIAAPAC to the fullest extent possible.

Following the rules

Before PIAAPAC can take any action, however, we need to confront a series of hurdles that make it especially difficult for PIAA to become involved in political contests—hurdles that do not apply to many of our political



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opponents. As a trade association made up of companies (rather than of individual members), we cannot reach out directly to individuals to ask for their support. Nor can we seek contributions from the general public (and, like all entities, we can't accept corporate funds for political purposes). To raise money, we have to contact each of our member companies annually, to (1) get their permission to ask for contributions from individuals associated with the company, or (2) confirm the names of the persons we are allowed to solicit if the company has given us permission to do so in the past. Under federal campaign law, the list of individuals who may legally be solicited is limited, and is known as

the “restricted class” or “eligible class.” This group consists of salaried executive and administrative personnel, paid board members, and “shareholders” of our member companies.

If a member company does grant us permission, we still have to go back to those companies to get the contact information for every individual in the eligible class for that company. It is illegal for us to seek a contribution from anyone until both of these conditions have been met. Clearly, these are onerous requirements, but PIAAPAC is determined that they will not hinder our efforts to represent PIAA members in the political arena.

Where to commit resources

For the past several months, PIAAPAC has been carefully reviewing all of the significant congressional races, looking for opportunities to support our friends and oppose those who would side with our adversaries. As part of this process, PIAAPAC has analyzed the records of congressional candidates closely to find out who shares the PIAA's views on issues such as reform of the legal system and regulation of the insurance industry.

While tort reform is clearly an important issue in considering who to support, a candidate's views on issues such as patient safety and antitrust reform also influence the PAC's decisions on providing financial support. Other factors that we consider are the candidate's commitment to the long-term financial health of the insurance industry, his ability to influence the legislative process if elected (or re-elected), and his relative viability as a candidate.

After compiling this information, PIAAPAC takes its analysis to the PIAAPAC Board of Directors (comprising seven individuals who represent a diverse array of PIAA's membership), which then reviews the information and decides how it will allocate the PAC's limited campaign dollars. It is important to note

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that in so doing, the Board adheres closely to PIAAPAC policy to remain a nonpartisan political organization. As such, the PAC Board makes every effort to support a bipartisan slate of candidates.

Once the candidates who will receive contributions have been selected, PIAA's government relations team uses those contributions to gain access to political fundraising events, where we can engage, generally one-on-one, with the candidate, in the all-important discussions about our issues.

Does the PAC help?

The fundraising process is difficult—but is it worth it? The answer is a resounding, “Yes!” While we don't always like to admit it, let's be honest: money generates access. The political fundraising process is a key tool for ensuring that can make elected officials (or those wishing to become elected officials) aware of who we are and what we do. Furthermore, PIAAPAC is the only political entity in Washington, D.C., that is committed solely to the interests

of the medical professional liability community. Without it, our message would more than likely get lost amid all of the other health-related groups that utilize the political process to advocate on other issues.

So, how do we make a small PAC, and one that faces a complex bureaucratic system, effective? By selectively targeting our political contributions, we leverage the limited funds we are able to raise in a way that magnifies their impact beyond what many might assume. While we can't donate to every candidate who may agree with us on the issues, we can focus on those incumbents on key committees, or in formal or informal leadership roles, where they may be able to exert considerable influence on their fellow lawmakers. Conversely, we may also target challengers taking on candidates we deem to be working against our interests. Getting the attention of certain specific members may be all we need to get our message across, and thereby dramatically increase our likelihood of success.

Without PIAAPAC, our opportunities to achieve positive results would be significantly diminished.

Especially at a time when politics is so much less predictable, and with so many competitive races for the U.S. House and Senate underway (see the map of Senate races here), maintaining a viable and effective PAC is essential to any organization's lobbying efforts. With the help of PIAAPAC, PIAA remains committed to playing a significant role in the legislative process, for our members as well as the healthcare providers and institutions they insure. [PIAA](#)

