NAADAC 2017 Annual Conference
September 22-26, 2017

• Presenter: The Reverend Dr. Reo Leslie, Jr., LMFT, LPC, MAC, CAC III, RPT-S
• CEO, Founder, and School Director, The Colorado School for Family Therapy and
• Founder/President, The Colorado Mental Health Professionals Association
• 720-253-4831, Leslieinstitute@cs.com
2:00- 3:30pm Sunday
September 24, 2017

HOW CLINICIANS CAN INFLUENCE PUBLIC POLICY INSTEAD OF BEING A VICTIM OF IT
Dr. Reo Leslie has 5 mental health licenses in 3 States (Colorado, Hawaii, and Louisiana). He has 40 years of experience in consulting, teaching, religious ministry, supervision and counseling. In 2005 Governor Owens appointed Dr. Leslie to the Colorado LPC Examiners Board. In 2007 Governor Ritter appointed Dr. Leslie as the Mental Health and Substance Abuse Representative on the State of Colorado Commission for Criminal and Juvenile Justice. Dr. Leslie orchestrated unanimous passage of bills he authored; HB14-1271 and HB17-1011, through the Colorado Senate and House with his own professional organization: The Colorado Mental Health Professionals Association. In July 2017 Dr. Leslie was appointed to the Mental Advisory Council of the Denver District Attorney’s Office.
Introduction and Structure

1. State Government- Executive, Legislative, and Judicial
2. The Executive Branch- State Regulatory Boards, Protecting Your Practice, and Responding to a Regulatory Board Complaint
3. Becoming a Regulator, an Advisor, or a Commissioner in Your State
Introduction and Structure

4. Influencing Legislation
5. Political, Social, and Economic Alliances for Appropriate Advocacy
6. Creating Legislation
7. Political Action Committees (PACs)
Introduction and Structure

8. Success (and Semi-Success) Stories
From our Colorado School for Family Therapy Family

9. Reflections on What I Have Learned
on This Journey

10. Remaining Questions and
(Hopefully) Answers
State Boards and Commissions

- Appointed by the Governor of the State
- Regulatory Boards - legal authority to issue, regulate, and remove licensure (ability to practice) for professionals
- Advisory Boards - provide study, insight, and advise on an issue for government action
- Commissions - provide recommendations on legislation to the State General Assembly
Risk Management for Regulation

• Document, Document, and Document Some More
• Documented Consultation and Supervision
• Actual Knowledge of State Mental Health Law not Graduate School Speculation
• Attorneys with a Specialization in Mental Health Law
• A STRONG Professional Liability Insurance Policy
• Attendance at Regulatory Board Meetings and Hearings for Observation and Education
• Relevant Examples of Above- Cases
No Responsibility to Share Information- Your lawyer does that

- “I Do Not Remember (No Recall).”
- “I Do Not Know (No Direct Knowledge).”
- “I Do Not Have Anything To Say (No Comment).”
Responding to a Regulatory Complaint

• Calm Down and Power Up
• Review the complaint
• Summarize the point by point response
• Contact your professional liability insurance and lawyer specializing in state mental health law
• Let your lawyer do all talking and writing
• Do not talk or correspond with investigators
• If possible: Initiate a legislative inquiry
• Relevant Examples- Cases
Becoming a Board Member or a Commissioner

• Research your entity of interest – decide between an Advisory Board, a Regulatory Board, or a Commission appointment

• Apply to the Governor’s Office for appointment

• Seek what political or social support you can muster to help your appointment

• Be patient and stay in there for the long haul

• Relevant examples- Cases
Influencing State Legislation—Exercising Your Constitutional Rights

- Letters to the Editor
- Blogs
- Email Lists
- Phone Trees
- Social Media Lists
- Develop Fact Sheets and Talking Points
- Organize Friends, Colleagues, and Other Supporters
- Relevant examples- Cases
Influencing State Legislation

- “Adopt” Your State Senator or State Representative
- “Be Adopted” By Your Legislator- Prayer at the Colorado Democratic Annual Dinners
- Concerned Citizen vs. Lobbyist
- Attend District Coffees
- Attend Town Hall Meetings
- Attend Campaign Fund Raisers
- Make an Appointment to Discuss the Legislation
- Testify at the House and Senate Hearings
- Organize a Rapid Response Team or a Task Force
- Relevant examples- Cases
Political, Social, and Economic Alliances for Legislative Advocacy

- Develop a broad coalition to influence legislation
- Who are the stakeholders and what is their influence?
- Who is an ally for the legislation?
- Who is an enemy of the legislation?
- Is the support or opposition temporary or permanent?
- Can you at least negotiate opposition into neutrality or at least a less adversarial relationship?
- Are you a Democrat, a Republican, or an other?
- Assign interns to support the effort (if possible)
- Relevant examples - Cases
Creating Legislation - Concerned Citizen vs. Lobbyist

• Drafting a Bill out of your idea
• Start early as possible before the legislative session begins
• Carrying a Bill- Find a Legislator to carry your bill
• “Sausage Making”- The Legislative Process
• Tracking Your Bill
• Testifying in the House and Senate Hearings
• Relevant examples- Cases
Tips for Testimony – Your Constitutional Right

• Be Clear- Who do you represent?
• Be Focused- Make Logical Talking Points and Do Not Ramble
• Be Brief- Develop a Three Minute “Elevator Speech”
• Be Polite and Respectful- Use Legislative Titles
• Be Patient- It is Intentionally Hard to Change the Law
• Be Non-Emotional and Realize the Bill May Take Years to Pass
• Be Factual- Bring Fact Sheets or Handouts
• Relevant examples- Cases
Political Action Committees (PACs)

• State and Federal Level
• Check out the Law in your state
• Can be organized by individuals, groups, businesses, or organizations
• Periodic reports and public transparency
PACs Continued

- Increases your voice, power, and influence in the legislative process multiple times
- Our Small Donor Committee: “Mental Health Professionals United”
- Lawmakers seek us out for donations, advise, consultation, and expert witness testimony in the Colorado Senate and Colorado House
- Reward your friends and punish your enemies
- “$400.00 Friends for Life”
- “Money Talks So Your Bills Can Walk”
- Relevant examples: Cases
Success Stories from our Colorado School for Family Therapy Family

• Appointments by the Governor (Executive)
• 1.) LPC Board- Dr. Reo Leslie
• 2.) Registered Psychotherapist Board- Dr. Evelyn Leslie; Clarice Byrd; and Debbie Stafford
• 3.) LMFT Board- Marilyn Cook and Dr. Marjorie Laird
• Addiction Counselors Examiners Board- Eliselda Bustillos and Dr. James Saunders
Appointments By The Governor (Executive) Continued

- Colorado Commission on Criminal and Juvenile Justice (CCJJ)- Dr. Reo Leslie (2007-12) and Dr. Evelyn Leslie (2012-Present)
- Governor’s Advisory Board on Physical Fitness- Katie Osborn
- Governor’s Advisory Board on Mental Health Issues- Leonard McWilliams
The City and County of Denver District Attorney’s Office (Executive)

- Mental Health Advisory Council

1.) Dr. Reo Leslie
2.) Dr. Evelyn Leslie
General Assembly Success Stories (Legislative)

• HB14-1271 signed by the Governor on April 7, 2014: Mandatory Reporting by Mental Health Professionals for Threats against locations (schools, malls, churches, workplaces, etc)- Sponsors- State Representative Jovan Melton (D) and State Senator Linda Newell (D)

• Required time for unanimous passage- 3 months

• Relevant example- Cases
General Assembly Success Stories (Legislative)

• HB17-1011 signed by the Governor on March 16, 2017: Statute of Limitations for Regulatory Board Complaints Against Mental Health Professionals (7 year limitation on grievances and 2 year limit on how long the regulators have to adjudicate the case: no limit either way before)

• Required time for unanimous passage- 3 years

• Sponsors- State Representative Jovan Melton (D) and State Senator Jack Tate (R)

• Relevant examples- Cases
General Assembly Success Story
(Legislative and a Little Executive)

• The formation of my multidisciplinary Colorado Mental Health Professionals Association (COMHPA) professional organization

• Increased respect and recognition for the 6 regulated MH disciplines in Colorado and our interests in the Legislature and DORA

• Creation of a broad coalition to advocate for our own protection and safety in the workplace from vindictive consumers and overreaching bureaucrats

• Relevant Examples- Cases
COMHPA Benefits

• Discounted legal services
• Networking opportunities
• Consulting on complaints, lawsuits, and State government actions
• Advise on career and small business development in the mental health field
• Political, legal, and social support for the interests of hard working mental health professionals
• Small Donor Committee- Lawmakers call us for donations, opinions, consultation, and expert witness legislative testimony

Relevant examples- Cases
General Assembly Semi-Success Stories (Legislative)

- Three of students decided to run for The Colorado House
- Tim Allport- HD 27
- Eric Nelson- HD42
- Antionette B. Dow - HD 42
- Unfortunately neither won their House Races
- However, Allport was elected to the Arvada Fire District Board and Nelson was elected to the Aurora School Board
- Several students are in future candidate training with classes with the National Democratic Party
What I Learned on the Journey: Partnerships and Relationships

• The political world like the career world follows the 80/20 Rule...20% what you know and 80% who you know.

• Legislative change is a process, not an event.

• Maintain friendships and alliances understanding that such relationships may shift over time.
Partnerships and Relationships Continued

• Particularly helpful to us- Senator Morgan Carroll (D); Senate President; State Representative Jovan Melton (D); our primary Bill Sponsor; and Senator John Cooke (R); Helper in the Senate on HB17-1011

• “The enemy of my enemy is my friend” – Chanakya (Kautilya); Arthashastra; Book VI; “The Source of Sovereign States”
Persistence, Prioritizing, Perspective, Power, and Proper Planning

- Persistence- You will need to hang in
- Prioritizing- Focus on what is most important
- Perspective- Reptilian brain (Fear and Anxiety) vs. the Mammalian brain (Logic, Reason, and Moral Judgement)
- Power- Utilize the ability to get things done
- Proper Planning- Plan your work and work your plan
Four Basic Principles from Sun Tzu’s The Art of War

• Know the Terrain
• Have Good Intelligence
• Know Yourself and Know Your Enemy
• Access to Information
Know the Terrain

• What are the in’s and out’s of the landscape?
• What has happened so far?
• What is happening now?
• What is likely to happen?
Have Good Intelligence

- Who are the players and stakeholders?
- Who is for me? – Allies
- Who is against me? – Enemies?
- Who is behind the curtain pulling the strings?
- How are things changing or may change?
Know Yourself and Know Your Enemy

• What are your strengths?
• What are your weaknesses? Vulnerabilities
• “How are they going to come at you?”
• What are the strengths of your enemy?
• What are the weaknesses of your enemy?
• What is a constant? (Static)
• What is changing (Dynamic)
• Is there arrested development (Stuckness?)
Access to Information

• What needs to be known?
• Who needs to know?
• What needs to be shared?
• Who does it need to be shared with?
• What needs to be protected?
Achieving Your Goals

• Whether you work in another’s business, create your own, or seek to change the law: remember the constants in life that will consistently challenge your pilgrimage.

• There will always be adversaries and critics.

• There will always be naysayers and doomsayers.

• There always be haters and regulators.
Seek Balance in Life as You Journey

• Joel Olsteen- 4 Groups in Life
• 25% - who like you... no matter what you do
• 25%- who do not like....no matter what you do
• 25%- who like you....but could easily be persuaded otherwise
• 25%- who do not like you...but could possibly be persuaded otherwise
• Enjoy the 25% instead of seeking to please the 75%
Balance the Negative with the Positive

• Balance the enemies with allies
• Balance the doomsayers and naysayers with supporters.
• Balance the haters with those who love and adore you.
• Balance the regulators with your lawyers and legislators
Psychological Math

• Do a cost-benefit analysis with psychological math:
  • Who adds to be your life?
  • Who subtracts from your life?
  • Who brings division to your life?
  • Who multiplies in your life?
Conclusion

• “Your mission is to change the world is what God said to me.

• I want you to use your gifts to make it a better place to be.”

• “But, I said to God: What can I do, the world is so big and I am so small. There is so much that must be done, and I have no great gifts at all.”
Conclusion continued

• But, God then said to me: “You still have much to do...and to say you have no gifts is simply just not true. You can start to build a better world by building a better you.”

• Our mission is build a better world by building a better you. God bless you all. God bless America and our political process.

• Questions?