

# Position Statement 61: Affiliate and National Office Participation in Policy Development and Legislative Activity

## Policy

Mental Health America (MHA) develops policy priorities and positions through its Public Policy Committee and Board of Directors, with the goal of benefiting children and adults with mental health and substance use conditions by (1) influencing federal and state legislation, regulations, and agency policies and (2) securing funding of appropriate services and research. Responsibility for achieving federal policy goals is shared by MHA's national office and the MHA affiliates in accordance with this policy. Grassroots support is an essential part of our work to ensure that Congress and the executive branch support and implement MHA's policy and advocacy positions. MHA affiliates develop policy initiatives at the state and local levels, with the national office providing inspiration and technical assistance. The Internal Revenue Code, 26 USC §§501(c)(3) and (h), limit lobbying by non-profits and apply to both local and national activities, which requires constant and careful monitoring.<sup>1</sup>

*MHA's national office is responsible for –*

- Initiating federal legislation and regulation and other national policy proposals;
- Presenting MHA's positions to the White House, members of Congress, federal agency officials, congressional staff and committees, and federal agency staff;
- Coordinating broad efforts to influence federal and state policy consistent with MHA's purposes and policies; and
- Monitoring the adoption and implementation of federal legislation and regulation.

*MHA affiliates are responsible for –*

- Alerting the MHA national office to policy needs and concerns that are not adequately addressed by MHA's existing policies and legislative positions;
- Participating in setting federal legislative priorities and lobbying at the grassroots level for MHA influence on proposed federal legislation;
- Proposing development of new MHA policies and the refinement of existing policies;
- Maintaining familiarity with MHA policies;
- Endeavoring to comply with MHA standards and policies in accordance with MHA's Standard for Affiliates Number 2 (2010);
- Alerting the MHA national office directly, or through a representative of the Regional Policy Council, to potential conflicts of proposed state legislation with MHA policies whenever it is practical to do so; and
- Developing affiliate policies.

MHA is committed to harmonizing national and affiliate policy positions through collaboration, dialogue, and compromise. To ensure that MHA speaks with one voice, affiliates with differing or opposing policy priorities will yield to the national office in managing national office and grassroots interactions with federal legislators and officials, with the exception of asking for federal assistance on matters of purely state or local concern.

## Background

As a national organization, MHA will consider affiliate policy concerns thoroughly and carefully, particularly when they challenge an existing MHA policy position. As part of its national role and responsibilities, MHA will weigh affiliate positions while also promoting policy dialogue with the broader mental health movement. MHA will endeavor to make thoughtful and reasoned recommendations, informed by the affiliates and by solid research.

## Call To Action

### Collaborate

MHA will promote dialogue and collaboration with affiliates in developing position statements and policy positions. When a policy position is due for re adoption and/or revision (as shown by its expiration date), affiliates are encouraged to send in suggestions for consideration by the Public Policy Committee. MHA will endeavor to remind affiliates of these opportunities, but the process is often rushed. The Public Policy Committee and the Board of Directors will make the final decision.

### Lobby and Educate Policymakers

MHA and its affiliates will take a unified position in supporting or opposing relevant federal legislative and regulatory proposals. It cannot be emphasized too strongly that effective lobbying by affiliates at the grassroots level all across the United States is tremendously powerful. When MHA endorses or opposes specific federal legislative or regulatory proposals, affiliates are expected to assist in lobbying members of the U.S. Congress by taking the same position in support of or opposition to the proposal. MHA national office staff will provide affiliates with the information they need to effectively advocate on specific federal issues. In addition to direct lobbying, MHA encourages indirect lobbying by using media outlets and other tools to educate and influence policymakers. Federal lobbying limitations must be scrupulously observed.

### Communicate

MHA and its affiliates will promptly exchange and report on communications with members of Congress and federal officials. MHA's effectiveness as an advocacy organization depends on communication to and from its affiliates. MHA will continue to enhance its communication tools and reports to affiliates regarding its legislative and agency contacts. Affiliate staff and volunteers will communicate in a timely manner with MHA's national office regarding their contacts and communications with members of Congress, congressional staff, congressional committees, and federal agency officials. Affiliates will also inform the national office if they want to initiate, or have already initiated, federal legislative proposals on their own. Prompt communication is essential if we are to coordinate and strengthen our advocacy network and effectively influence national mental health policy.

### Network

MHA and its affiliates will work together to build a strong legislative advocacy network. In addition to lobbying under their own name, MHA affiliates will assist the national office whenever practical by recruiting and identifying key legislative advocacy network volunteers – individuals who are not formally affiliated with MHA but who have relationships or access to members of Congress and are willing to contact legislators when requested. Once the advocacy "networkers" are recruited, MHA's national office coordinates further contacts and information. This national legislative advocacy network supplements the lobbying and policymaker education activities conducted by affiliates under their own name.

## Respect Conflicting Positions

MHA and its affiliates will respect differences of opinion on policy positions. When an affiliate does not agree with a position on a federal legislative or regulatory proposal, it will notify MHA's national office and request reconsideration of MHA's position. If the national office does not subsequently alter MHA's position and the affiliate still feels that it cannot in good conscience support the position, it may withhold its support. However, affiliates will not actively work to oppose MHA's position on federal legislation or federal regulatory changes or support federal legislation that contradicts MHA's national legislative agenda.

MHA continues to encourage affiliates to seek assistance from federal officials, including members of the U.S. Congress, in matters of purely state or local concern, and nothing in this position statement is intended to discourage such activity.

## Effective Period

The Mental Health America (MHA) Board of Directors approved this policy on September 8, 2018. It is reviewed as required by the Mental Health America (MHA) Public Policy Committee.

Expiration: December 31, 203

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1. <https://www.councilofnonprofits.org/taking-the-501h-election>; Bolder Advocacy Election Checklist for 501c3 Public Charities