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Legislative Guide for Grassroots Advocacy



WEST VIRGINIA
HOSPITAL ASSOCIATION

Dear WVHA Advocacy and Grassroots participant:

The West Virginia Hospital Association (WVHA) is a dynamic force at the State Capitol in Charleston. The WVHA continues to solidify its rich tradition of having policymakers respond to its legislative agenda and its effort to protect health care for all of West Virginia. This would not be accomplished without guidance and support from you - on the grassroots level.

Enactment of legislation that supports health care in West Virginia depends upon the ability of hospitals to effectively communicate their needs to legislators and policymakers.

It is critical that legislators and policymakers have the information they need to understand issues facing the health care field as well as to understand the impact those issues have on communities and the jobs people hold in those communities. It is likewise important for constituents to understand the legislative process to effectively educate legislators about health care.

Those associated with hospitals - employees, medical staff, trustees - have the information legislators need to effectively design policy that will shape the state's health care delivery and financing system.

Because grassroots lobbying is the key to any successful legislative effort, the WVHA has developed this manual, **The Legislative Guide for Grassroots Advocacy**. The information is designed to provide a better understanding of how the political process works. It's also intended to provide the basic tools needed to participate on the grassroots level.

We hope you will find this guide useful in answering questions you may have about the political process and the important part you can play.

If you have any questions, please do not hesitate to contact me. I can be reached at the Association by dialing (304) 353-9719 or by email at tgregory@wvha.org.

Sincerely,



Tony Gregory
Vice President Legislative Affairs
West Virginia Hospital Association

2025 Legislative Guide for Grassroots Advocacy

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I. Grassroots Lobbying and the Legislature

What is lobbying? Who are lobbyists? Lobbying is an American tradition, which found its roots in the United States Constitution. Every American, every West Virginian is guaranteed the right to petition our government. That is exactly what lobbying is.

We lobby when we express our views on public issues, so our elected representatives know what we as voters are thinking. Thus, in an abstract sense, every WVHA member is a “lobbyist.” Of course, WVHA has a staff of lobbyists to monitor legislation at the Capitol and to keep you informed about what’s happening. But as voters and as concerned members of the community, you are WVHA’s best lobbyists. You live and work and vote for – or against – your own elected officials, and they must be responsive to your views.

When WVHA’s membership mobilizes fully, we are a formidable team – a team that has demonstrated its effectiveness on issue after issue throughout the State.

Composition of the Legislature

The primary focus of WVHA’s lobbying effort is within the legislative branch of government – commonly referred to as the Legislature. Quite simply, this is a group of individual men and women elected to represent the rest of us and who meet to vote on laws that affect our communities, our jobs, and our families. Each of us has representatives in the State Senate and in the House of Delegates.

A “Citizen Legislature” represents West Virginia. While lawmakers are elected by the people to serve as their representative voice in government, they are also professionals in other occupations. This is known as a part-time Legislature.

It is a bicameral Legislature, meaning that it consists of two bodies, which are the Senate and the House of Delegates.

Thirty-four senators and 100 delegates represent state citizens who live in specific areas called districts. These districts are divided according to population and may change if census figures show a growth or loss of population. Presently, West Virginia has 17 senatorial districts and 100 delegate districts. Each citizen in the state has representatives in both the Senate and the House.

Terms of Office and Eligibility

Senators are elected to four-year terms with half of the seats up for election every two years. All members of the House of Delegates are up for election every two years. State lawmakers must be United States citizens and eligible to vote. A delegate must be at least 18 years old and a resident of his/her district for one year, while a senator must be at least 25 years old and a resident of the state for five years. If a legislator moves out of his/her district, the seat becomes vacant.

If a vacancy occurs in either house of the Legislature, the governor appoints an individual of the same political party as the departing member to fill the seat until the next general election.

Sessions of the Legislature

Each Legislature is comprised of two sessions, the 86th Legislature, for example, consisting of the 2023 and 2024 sessions.

Regular sessions of the Legislature begin on the second Wednesday in January of each year and last for 60 consecutive days. However, in the year a governor is inaugurated a 30-day recess is taken after the first day of the session to allow the governor time to prepare his legislative agenda, including a proposed state budget, for the coming year. In this case, the legislators return on the second Wednesday in February to meet for 60 consecutive days.

On the first day of the 60-day session, members of both the Senate and the House hold a joint session in the House Chamber at which time the governor presents his legislative program along with the state's budget bill. Speaking before the full body in what is called the "State of the State Address," the governor proposes suggestions as to what key issues he believes the Legislature should act on during the session.

Any regular session may be extended by concurrent resolution adopted by a two-thirds vote of members elected to each house. If the session is extended, legislators cannot act on any measures except business stated in the concurrent resolution. The governor must by proclamation extend the session if the budget bill shall not have been acted upon three days prior to the constitutional expiration of the session.

There are instances when it is necessary for the Legislature to meet between regular sessions. These are termed "Extraordinary," or Special Sessions. Special Sessions are convened at the discretion of the governor or when the governor receives a written request from three-fifths of the members elected to each house.

The governor announces the convening of a special session through a written proclamation that lists the issues the Legislature may address. This proclamation is referred to as the "call" because it calls the Legislature into session. No items outside of the call may be taken up by the Legislature during an extraordinary session.

Presiding Officers

The Senate and the House of Delegates each elect a leader, or a presiding officer. The leader in the Senate is the President and the House leader is the Speaker.

In managing the work and efficient operations of their chambers, both leaders choose the chair and members for each house's standing committees, refer legislation to committees and maintain effective communications among their members.

In addition to duties as the presiding officer of the Senate, the President of the Senate is the Lieutenant Governor and the second ranking constitutional officer in West Virginia and

succeeds to the office of Governor in the event of a vacancy. The Speaker in the House is next in the line of succession.

Floor Leaders

West Virginia has a two-party political system and membership of both houses includes Democrats and Republicans. Both parties have floor leaders within each house who are the Majority and Minority Leaders and the Majority and Minority Whips. These leaders serve as spokesmen for their party's political position and, as such, act as liaisons for the leadership with full membership and the members of their party.

Because of the nature of the presiding officers' responsibilities, the President and the Speaker appoint a Majority Leader and Majority Whip for their respective chambers. While both floor leaders act to communicate and promote the party's position, the Majority Leader takes the more visible role during a floor session.

The Majority Leader moves to delay or hasten the consideration of a bill, comments on legislation from the majority party perspective, and moves to recess or adjourn.

A Minority Leader is selected by the minority members of each body, who in turn appoints the party's Minority Whip. Like their majority counterparts, they serve as spokesmen for their party and act to coordinate the minority party members' platform. Both the Majority and Minority Leaders move to caucus. During this informal meeting party members outline party policies and develop floor strategies. Members of the opposite party, the press and public are excluded from this closed meeting. Although all these floor leaders may attempt to influence a member's vote, legislators take their own stance when speaking or voting on issues.

Two additional members of the leadership team are the President pro Tempora and the Speaker pro Tempore. These individuals are appointed by the President and the Speaker to assume the chair should either of the presiding officers be absent or leave their post to address the members from the floor.

Grassroots Lobbying with Knowledge

Familiarizing yourself with our "Citizen Legislature" is critical if we are to collectively build relationships with lawmakers and ultimately hold them accountable for their decisions.

In fact, it is during the long transition of a bill to the final vote that WVHA members influence the decisions being made and the final form of the law.

When a bill is introduced, a multitude of conflicting political forces are brought to bear on legislators by various interests. The law that emerges is usually quite different from the original bill.

During the journey of a bill, critical decision points occur during which your efforts as a political activist can make a big difference. It is the job of WVHA's Legislative Affairs Department to keep track of this process and to identify the points at which we can all work to the best effect.

Political activists know that the progress of a bill is often less than orderly. Long periods of inactivity may alternate with sudden legislative emergencies. In such situations, it is the willingness and ability to act quickly and decisively that gives WVHA its best chance to influence legislation. You are the voters. It is what you say that ultimately counts.

Does Grassroots Lobbying Work?

Yes! Grassroots lobbying probably works better today than it did in the past, partly because the West Virginia Legislature has changed. For example, technology has made it even easier to communicate with legislators and stay current on legislative activity. Internet accessibility has become a mainstay in the legislative process because it brings a level of direct and convenient contact unmatched by any other medium. The Legislature's website at www.wvlegislature.gov is an effective, and user-friendly tool in staying informed on the status of bills, committee activity and floor sessions, as well as a host of other legislative information. Legislators appreciate and acknowledge those constituents who are aware of the issues and the legislative activity surrounding them.

The Sum of the Findings

Communications from constituents are by far the most influential means of getting a message to a legislator.

There is a large difference in the attention paid to personal non-form communications, such as individual personal letters, as opposed to canned communications, such as form letters, postcards, or petitions. Legislators pay more attention and are more responsive to the concerns of their constituents if they believe that the lobbying being done is personal, as opposed to be an organized effort that is being controlled by a few individuals or an organization.

The bottom line reaffirms everything this Guide is based on – democracy works – providing one takes the time to be a part of the system. For elected officials who are sympathetic, but not particularly strong supporters of West Virginia hospital issues, grassroots activity can help increase their commitment to become more supportive and active on behalf of WVHA legislation. For those who are sympathetic, grassroots lobbying is a way of reaffirming their support of WVHA issues. The relationships built through this type of effort will pay enormous dividends for years to come.

II. Communicating with Legislators

There are a variety of ways to communicate with legislators. Membership contact information is available on the Legislature's website at www.wvlegislature.gov. Here, citizens can search to find their Senate and House lawmakers by name or district, by utilizing interactive district maps, or by typing in their zip code. You may also contact the WVHA for this information. The following section identifies the variety of effective ways you can communicate with your legislators:

The Face-to-Face Meeting

Face-to-face meetings as a way of grassroots lobbying are the most effective method of communicating with legislators and their staffs, particularly during the legislative session.

Below is a suggested checklist for communicating with legislators:

- When requesting a meeting, contact the legislator's Capitol office and ask to speak with the appointment secretary/scheduler.
- Explain whom you represent – your hospital – and the reason you want a meeting. Ask the scheduler how you can arrange a meeting.
- Decide in advance who will lead the discussion and what points you want to make.
- At the meeting, introduce yourself and any others in your group.
- Keep your meeting short. Say why you've come and outline the case for your position on a particular piece of legislation or the issues that prompted the meeting.
- Give examples of how the issue affects your hospital and legislator's constituents.
- Stay focused on two or three key messages you want to leave with the legislator.
- Answer any questions asked of you, but if you don't know the answer – don't bluff. Tell the legislator you don't know but you'll promptly get back to him or her with an answer.
- Leave behind any documents on your issues to remind the legislators and staff of the purpose of your visit.
- Offer yourself as a resource to the legislator and the staff in responding to health care questions.
- Be prompt but be patient. Legislators may be late for meetings due to their full schedules, or they may get interrupted during the meeting.
- Send a thank you note, thanking your legislator for his or her time and briefly restating your issue. Include any follow-up information that was promised.

The Telephone Call

Contacting legislators directly at their Capitol office (during the legislative session) or home district office (during the interim) is an effective way to communicate. When you call, be prepared to leave your name and address, the bill number about which you are calling, a short description of the issue about which you are calling and if you are for or against the bill.

In phoning their Capitol offices directly, please note that all legislators have voice mail, so you can leave your message if no one answers. Leave the same information as above.

The Letter

Letters are excellent lobbying tools if time permits. Write legibly. Handwritten letters are fine if they are readable. Personal typewritten letters are also acceptable. Cover only one subject. Clearly identify the bill, using the proper number if possible. Be specific. Regardless of what you are writing about, be as specific as you can. Be brief. Keep it short. A brief letter is more likely to be read. Use the following format:

The Honorable (member's name)
West Virginia Senate/House of Delegates
Room _____, Building 1
State Capitol Complex
Charleston, WV 25305

Other Means of Electronic Communication

Legislators have their own email addresses. Please visit the Legislature's website for information on communicating electronically with your legislator - www.wvlegislature.gov.

Important Legislative Telephone Numbers

Governor's Office 304-558-2000

Legislative Reference and Information Center, 304-347-4836

Senate President's Office, 304-357-7801

Senate Clerk's Office, 304-357-7800

House Speaker's Office, 304-340-3210

House Clerk's Office, 304-340-3200

III. Raising Awareness of WVHA's Legislative Agenda

WVHA embarks on an extensive journey to develop a comprehensive legislative agenda and to raise awareness among legislators and other key policymakers about that agenda.

Each year, several months prior to session, WVHA request feedback from members on issues that WVHA may consider as part of its legislative agenda for the upcoming session. To further gather the issues important to members, WVHA also takes into consideration the day-to-day feedback from members as well as input from the various WVHA committees that meet on a regular and consistent basis.

The Legislative Committee meets to discuss issues that might become part of the agenda for the coming year and then the WVHA Board of Trustees later reviews and approves the agenda. The Association holds several advocacy and grassroots activities during the 60-day Regular Session. Including our premier event "Hospital Advocacy Week."

These activities provide an important opportunity for WVHA members to personally visit with legislators at the State Capitol and to help influence the political process on issues of concern.

IV. Legislative Activity and Subsequent Process

Bill Development and Introduction

A piece of legislation, a bill, can be introduced in either or both houses of the Legislature. Quite simply, bills are ideas or ways to correct or address problems in the state. Sponsors of the bill are those who sign on to have it introduced. While special interest groups can advocate for a bill, only a senator or a delegate can sponsor a bill. Choice of sponsors is critical. These are the individuals who will shepherd the bill through the legislative process to passage.

After sponsors are obtained in the Senate and in the House of Delegates, an initial draft of the idea may be sent to the Office of Legislative Services for final drafting in proper and consistent bill form. To draft a bill on a particular subject the appropriate portions of the West Virginia law are combined with the proposed changes.

A bill, with its own unique number, is formally introduced on the floor of the Senate or House when the Clerk reads its title and the President, or the Speaker announces the committee reference. The presiding officer of each house determines the committee reference for a bill. A bill may have more than one committee reference based on its subject matter and its fiscal implications. It is at the introduction stage that you will probably first be made aware of a bill through WVHA communications if it has health care or hospital implications.

Whenever that bill is acted upon during the legislative process you will be informed and often requested to take action. This action will usually be in the form of a phone call, a letter to a legislator or perhaps even an email. **Please act immediately upon receipt of any CALL TO ACTION.** Time is of the essence with legislation and getting immediate constituent feedback to legislators can often spell the success or failure of a piece of legislation.

The Committee Process

After legislation is referred to a committee, the first and perhaps major battle is to get the bill placed on a committee agenda for consideration. Committee chairmen decide what goes on the committee's agenda.

Constituent interaction is important at the committee level—sometimes to get the legislation placed on the agenda, and sometimes to prevent unwanted amendments from being included in it. It is at the committee level that response to action requests must be particularly prompt. They are usually limited to making phone calls or writing letters but may include visiting the Capitol to personally talk to legislators, or at the request of WVHA, offer testimony before a committee, or to answer questions posed by committee members.

Passage Stage

After proposed legislation has been through the committee process, it is reported to the full body of either the Senate or the House. While there is an opportunity to amend the proposed legislation when it is before the entire body, such amendments are seldom successful because the necessary action has already been taken in committee. Amendments that are offered and successful on the floor are generally amendments needed to clean up the proposed legislation, or they are an attempt to defeat it by changing it so drastically it no longer does what the sponsors originally intended.

Constituent interaction at this stage generally involves making phone calls to support the passage (or failure, but usually passage at this stage) of a bill.

Passage by Both Houses, Conference Committees

Once a piece of proposed legislation passes one house, the process begins again in the other house. If differing versions pass, they go to a conference committee where a committee of members from each house meet to work out the differences in the two versions. Once this committee makes its report, the report must be accepted or rejected by each house; it can't be amended.

Conference committees require close monitoring and often up-to-the minute involvement by both lobbyists and constituents because of last-minute changes that can and do happen.

Finding Out More about the Legislative and Committee Process

The information above is an abbreviated version of the action taken by the Legislature during a legislative session. For more specific information on the legislative process, a detailed description of the committee process, and a review of what may happen to the bill on the floor of either the Senate or House, please visit the legislature's website [here](#).

Action by the Executive

When both houses pass legislation, it is then either signed into law by the governor or vetoed. There may be only a handful of bills each year the governor vetoes, however, constituents should make their thoughts known to the governor on whether or not a bill should become law.

To contact the governor's office, visit www.governor.wv.gov or dial (304) 558-2000.

More specifically, while the Legislature is in session, the governor has five days to approve or veto a bill he receives. After the Legislature adjourns, the governor has 15 days to act on most bills before him. However, the budget bill and supplemental appropriations bills must be acted on by the governor within five days of adjournment, regardless of when he receives them. If the governor does not act within these time limits, the bill automatically becomes law.

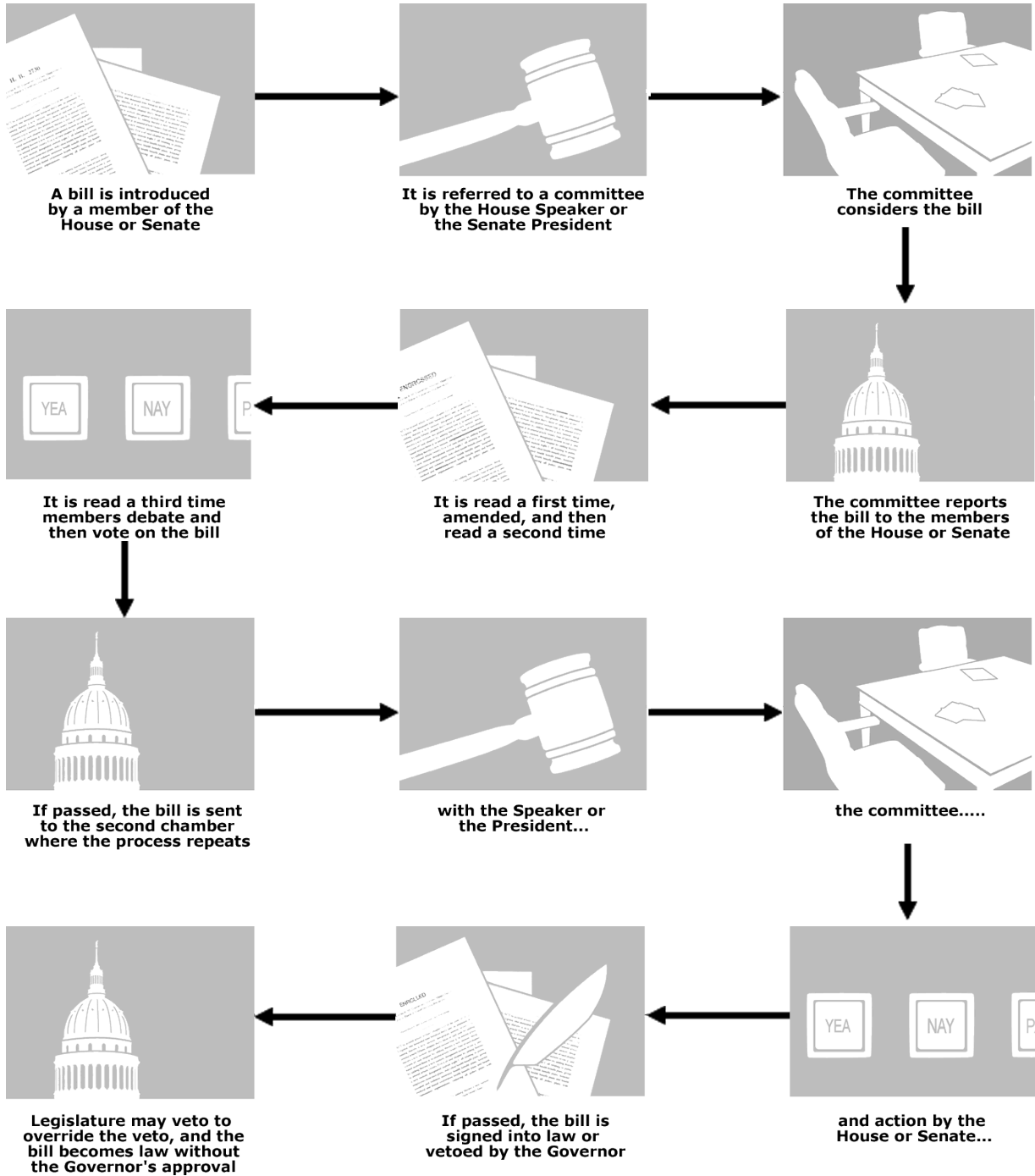
If the governor vetoes a bill, the Legislature can override the veto with a majority vote of both houses. The exceptions to this exist with the budget bill or a supplemental appropriations bill. A two-thirds vote of both houses is needed to override a governor's veto in these instances.

In all cases, once both houses pass the same version of a bill, it becomes an enrolled bill and is sent to the governor for his consideration.

After a bill becomes a law, it is called an act. The "Acts of the Legislature" are published annually and reflect all the measures that become law in a given year. The acts are inserted into the appropriate portions of the West Virginia Code, which is a series of books containing the laws of the state.

V. How a Bill Becomes Law

Following is a basic diagram of how a bill reaches the Executive through the legislative process and either becomes law or is vetoed.



Graphics courtesy of "WV Legislature's Office of Reference & Information."

Rule-making

After a bill passes the Legislature and is signed by the governor, in some cases, it is implemented when a state agency or board promulgates rules. A rule is every regulation or policy interpretation to enforce a specific law. There are three types of rules: procedural, interpretive and legislative. Most of the rules with which we deal are legislative and are filed with the Secretary of State's Office (www.sos.wv.gov; 304-558-6000). The rules define the "nuts and bolts" of legislation, maybe almost as important as the enacting of legislation, and they have the force of law when approved by the Legislature.

In order to control these rules, the Legislative Rule-Making Review Committee (LRMRC) considers the rules promulgated by agencies throughout the year to ensure the rules do not exceed the scope of its statutory authority, legislative intent, and does not conflict with another rule.

The LRMRC also determines if the rule is necessary and reasonable and if it can be less complex. Because it is an executive rule the legislative committee is dealing with, and there is always a separation of power question, the committee may authorize the rule without modifications, suggest the agency modify the rules or suggest the agency withdraw the rule.

After the rule-making process, the committee drafts authorization legislation encompassing a brief description of all the rules. These authorizing bills are generally passed during the final days of the Legislature, and it is only after their passage that the rule becomes effective.

It is not uncommon for rules to be passed a year or more after the original bill has passed.

Regulatory Agencies

Once proposed legislation has become law, it is enforced by state regulatory agencies. The following are some of the major agencies with which we deal. These agencies often have citizen advisory boards, which may exert a great deal of power or very little power, depending upon the agency.

Statutory Boards

Legislation often creates citizen boards to advise on law or to administer the statutes for the protection of the public. Membership requirements on these boards vary, as does the commitment of time required for serving on them. If you are interested in serving as a member of such a board, you should first determine whether or not you can make the time commitment required. If you can make the required commitment, you should then contact WVHA about serving. WVHA is often asked formally and informally to make recommendations for such boards. You may also want to have other elected government officials write letters endorsing you for the board.

Many of these boards promulgate rules that affect health care facilities and WVHA monitors these proposals for their impact on hospitals. We may ask members to assist with

preparing comments on proposed rules. Board members generally license and discipline members.

Non-statutory Boards and Committees

These boards and committees are often convened at the request of agency heads to provide advice and counsel on policy decisions. While their actions may require some intense commitment of time, they are usually neither as formalized as a statutory board or as lengthy in their term.

For more information on WVHA's participation with various boards, commissions, and councils, please contact Tony Gregory at (304) 344-9719 or by email at tgregory@wvha.org.

VI. The Interim Process

During the Interims

Approximately once a month during the period between regular sessions – the interim – the Legislature gathers in Charleston (or another location in the state) for three days of committee meetings.

The interim committees usually are joint committees, with members of both the Senate and House of Delegates working together as single groups. For example, the Joint Government Organization Committee is made up of members of both the Senate's Government Organization Committee and its House of Delegates counterpart.

The interim committees' primary purpose is to provide a forum for the continuing study of issues relevant to the future of the state. During each interim gathering, members discuss and hear public comment on issues, which may be addressed during an upcoming regular session. The joint nature of these interim committees allows members of the Senate and House of Delegates to consider issues and legislation which may affect both bodies in a similar manner.

Many times, bills to be introduced during the next regular session are drafted, studied, and rewritten long before the session begins. Also, bills that did not pass during the previous session may be revisited during the interim period for reworking. Some bills previously rejected by the Legislature still need some fine-tuning before the Legislature passes them into law. Hence, the interims allow for reconsideration, reworking and possible reintroduction at the next formal gathering of the Legislature.

The interim meetings also allow the Legislature to monitor the effects of current and recently passed legislation. For example, if a bill has passed which alters the state's environmental policies, an interim committee may be assigned to study its continuing effects on the state's economy, our citizens' health, and other related issues.

Besides the joint standing committees, the Legislature has two other types of interim committees: oversight and investigative.

- **Oversight committees** oversee the general operations of certain state agencies. Officials from those agencies and other invited guests update the interim committee members on the progress of programs, fiscal responsibilities and other issues.
- **Investigative committees** are formed during the regular session by the adoption of resolutions or by specific language included within a piece of legislation passed during the session. Their purpose is to study specific issues as required by those resolutions or bills and report their findings back to the Legislature.

Citizen Members

Legislators are not the only citizens to serve on interim committees. State agency officials and private citizens with specific knowledge and experience in areas of concern often are appointed to serve on committees relevant to their field of expertise. These citizen members are appointed to serve by either the Governor, the President of the Senate or the Speaker of the House.

Public Access

Other than executive sessions – designated closed meetings – all committee meetings and hearings are open to the public.

In addition, citizens may request to speak at scheduled public hearings, as well as request that public hearings be held on particular issues and bills.

VII. HOSPAC

One of the ways to actively participate in the political process is through a political action committee. The WVHA has established HOSPAC as its political action committee that jointly participates with the American Hospital Association Political Action Committee (AHAPAC).

What is HOSPAC?

HOSPAC is a voluntary, non-profit, non-partisan organization whose purpose is to provide financial support to candidates for election in West Virginia, and to support issues and measures that improve health care in West Virginia. Contributions are voluntary and have no impact on job status, performance review, compensation, or employment. Contributions to HOSPAC are not deductible as charitable contributions for federal or state income tax purposes.

Your contribution to HOSPAC is shared between the state and federal levels. HOSPAC partners with the American Hospital Association Federal PAC (AHAPAC) through an annual joint fundraiser. HOSPAC transfers 50 percent of Chairman's Circle (\$500 contributions) and above to AHAPAC to support West Virginia candidates at the federal level unless the contributor designates otherwise.

How much may a person contribute to HOSPAC?

The maximum contribution is \$5,000 for the primary election and \$5,000 for the general election.

Why should hospital officers, executives, administrators, and professionals contribute to HOSPAC?

HOSPAC participation allows health care providers to actively participate in the political process by electing candidates who will support health care issues. Contributions to HOSPAC are an excellent way for members of the hospital community to make informed choices in supporting candidates and to demonstrate to policymakers their commitment to health care.

How Can I Inform Hospital Employees about HOSPAC Contributed Candidates?

Many hospitals are exempt from taxation and therefore are prohibited from contributing to or working on behalf of specific political candidates. However, tax-exempt hospitals can undertake political education activities that encourage voting, educate voters on issues of importance to hospitals, and inform voters of candidates positions on the issues. HOSPAC may provide lists of candidates who support health issues that you can make available to employees.

While public and non-profit hospital corporations face additional restrictions in their political activities, individual hospital officers, directors, and employees may, on their own time, support candidates of their choice.

For more information on how you can become involved, contact Whitney Cherry by calling (304) 353-9717 or by email at wcherry@wvha.org.



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