



## FY2009-FY2012 STRATEGIC PLAN

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## I. INTRODUCTION

The American Health Lawyers Association (Health Lawyers or the Association) is an association organized exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986.<sup>i</sup> The purpose of the Association is to provide an educational medium for lawyers practicing health law and health professionals involved in the healthcare field.<sup>ii</sup> The Bylaws list seven general purposes of the organization:

1. To provide an opportunity for lawyers and health professionals to meet and exchange information and ideas;
2. To conduct seminars of interest to such lawyers and health professionals;
3. To encourage the exchange of information of a legal nature in the health field;
4. To publish newsletters and other publications of interest in the field of health law;
5. To conduct legal and other research and to publish or offer for publication the results of such research;
6. To further the development of health law as a recognized legal discipline and to promote health law curricula and careers; and
7. To promote the administration of health law and resolution of disputes in the healthcare industry through alternative dispute resolution services.<sup>iii</sup>

In order to accomplish these purposes, Health Lawyers uses a systematic planning process that moves from the general to the specific. In 1998, the Association drafted and adopted a Mission Statement, a Vision Statement, an Environmental Scan, and a Strategic Plan. In 2001 and 2005, the Association revisited the Mission and Vision Statements, redrafted the Environmental Scan, and revised its Strategic Plan. Annually, the Board adopts an activity plan and a budget to accomplish the specific goals identified in the Strategic Plan. In 2007, the Association began the current process of redrafting the Strategic Plan that will become effective in Fiscal Year 2009.

## II. HEALTH LAWYERS' STRATEGIC PLANNING PROCESS

In revising the 2005 Strategic Plan, Health Lawyers has used leadership and membership surveys, phone interviews with the Board of Directors, a day-long retreat of the Board of Directors, a focused meeting of the Fellows, and senior staff meetings to analyze the environment and brainstorm ideas related to strategic goals for the next Strategic Plan. In addition to its normal processes, the Association's FY 2008 President, Elisabeth Belmont, recommended using an American Society of Association Executives' book, the *Seven Measures of Success: What Remarkable Associations Do That Others Don't (Seven Measures)*, as a central organizational tool in the FY2009–FY2012 Strategic Plan.

Health Lawyers sent surveys both to the membership and to the leadership of the Association, defined as members of the Board, program planning committees, and practice group leadership teams. The response rate from members was 5.6%. The response rate from leaders was 40.5%. Health Lawyers used the survey data, in addition to individualized interviews of each Board member, as its principal tool to craft an *Environmental Scan*, which analyzes the organization's core strengths and its competitive challenges in order to identify the core competencies and strategic action plans that will lead to success over the next four years.

The structure of this plan differs slightly from its 2005 predecessor. This Strategic Plan states the Mission and Vision of the Association; analyzes the competitive environment; discusses the Association's core strengths and competitive challenges; defines its core competencies; and then outlines its organizational commitments and organizes its primary strategic action plans around the three central tenets of association success identified in the *Seven Measures*:

- Commitment to Purpose
- Commitment to Analysis and Feedback
- Commitment to Action

This Strategic Plan is a flexible four-year plan. It is limited to four years because lengthier plans cannot accurately take into account the changes that will inevitably occur in healthcare's turbulent environment. A strategically adept organization develops a shared understanding about its core strengths and competitive challenges, its strategic direction, and a set of operating parameters to steer the organization through changing times. The following is Health Lawyers' FY2009 Strategic Plan, as adopted by the Board of Directors of the Association.

### III. MISSION

The Mission Statement received strong support from both the membership and the leadership in the 2007 surveys as well as in the Board of Directors interviews. Only two percent of members and one percent of leaders had any suggested changes to the mission statement. Thus, the existing mission statement has overwhelming support from those surveyed. In interviews with the Board, one concept, “collegiality,” arose again and again in describing why people continue their membership in the Association. A Board member then suggested the addition of the word “collegial” as reflected below. In adopting this Strategic Plan, the Board has approved this one minor improvement to the mission statement:

***The mission of the American Health Lawyers Association is to provide a collegial forum for interaction and information exchange to enable its members to serve their clients more effectively; to produce the highest quality non-partisan educational programs, products and services concerning health law issues; and to serve as a public resource on selected healthcare legal issues.***

### IV. VISION

Health Lawyers recognizes that the Mission Statement is comprehensive and sets forth the broad goals and purposes of the Association. It believes that there is also a need to state an inspirational focus for the organization—a succinct “vision” of the achievement of the mission. The Vision Statement is intended to be readily identifiable with our organization and communicate to a broad audience of members and non-members who we are and what we stand for:

***Leading Health Law to Excellence through Education, Information, and Dialogue***

### V. ENVIRONMENTAL SCAN

An environmental scan electronic survey was sent to past presidents, the Board, the leadership of Program Planning Committees, and the leadership of the Association’s Practice Groups. The same survey was sent to two-thirds of the members of the Association. The other one-third received a longer survey, which included additional questions on the activities of Health Lawyers’ main competitors. The Fellows met at the Annual Meeting in 2007, and broke into two breakout sessions entitled “Future of the Health Law Profession” and the “Future of the Health Care Industry” respectively. The Executive Vice President also conducted in-depth phone interviews with

members of the Board of Directors to drill down into their observations about significant trends in health law, the Association's core strengths, and its competitive challenges. The environmental scan discusses five significant trends and mentions several others that emerged out of the surveys and interviews as being significant for the Association over the next five years.

A. **Significant Trends in the Health Law Environment Over the Next Five Years**

1. **A Renewed Effort to Cover America's Uninsured.** When asked to identify the most important trends in healthcare over the next five years, Board members identified covering the uninsured as the most significant one. One subgroup of Fellows stated that the Democratic candidate in the 2008 election will bring healthcare reform to the forefront again. This observation has been borne out in the campaign that followed the Fellows' prediction. The candidates have repeatedly emphasized the need for healthcare reform to address the almost 50 million Americans who are without health insurance for some or all of each year.

The Board and Fellows were not unanimous about the leading actors in this effort at reform. Some believed that states would act as the laboratories for reform, led by the effort in Massachusetts, while others believed that the federal government would be the leader in promoting a revamped system. This emphasis on healthcare reform will dominate the advocacy efforts of numerous clients, provide significant analysis and advocacy representation for AHLA members, and, if enacted, make fundamental changes to the practice of health law in this country.

2. **Continuing Focus on Quality.** In a reprise of a theme from the last Strategic Plan, the Board and Fellows both agreed that the focus on quality that has characterized the last three years may become even more intense in the next five years. The Board identified this focus second in its list of significant themes, behind expanded health insurance coverage. The Fellows group that focused on the future of the healthcare industry identified quality as one of the five "driving forces" in healthcare over the next five years.

Increased efforts to improve quality, including continued experimentation with pay for performance programs and payment reforms that emphasize quality improvement, will have a significant impact on the practice of health law. Substantial regulatory analysis will occur in the creation, promotion, and approval of these programs for healthcare provider, manufacturer, plan and healthcare professional clients.

- 3. The Re-emergence of Health Information and Technology.** Leaders and members felt strongly that health information and technology (HIT) would grow in importance over the next five years. Four hundred and twenty five respondents to the member survey thought HIT would grow in importance while nine thought it would decline. This differential between “growth in importance” and “decline in importance” was the most significant of any of the health law areas included in the survey. The leaders agreed on its importance and HIT placed second to fraud and abuse enforcement for the area thought most likely to grow and least likely to contract. The Fellows observed that the healthcare community would put more focus on electronic data for reasons of quality as well as efficiency.

This emphasis on HIT will certainly impact significantly on the practice of health law. Our members will be asked to analyze numerous emerging HIT issues, including the myriad topics related to electronic health records, the use of data and its impact on patients’ right to privacy, the use of comparative data in an electronic form to help improve the quality of care, and the liability issues associated with telemedicine.

- 4. Continued Emphasis on Fraud and Abuse Enforcement.** Member survey respondents ranked fraud and abuse enforcement as the second most significant issue to their clients currently (behind federal and state compliance) and the second most likely area to grow over the next five years (behind Health Information and Technology). As stated above, leader respondents to the survey ranked it as the most likely area to grow in importance. The fierce competition between hospitals, the downward pressure on physician reimbursement, the federal reimbursement of life science companies under Part D, the incentives to States to pass their own False Claims Acts, and the potential for federal budget deficits for the foreseeable future lend credence to the claim that this area of health law will only grow over the next five years.

This continued emphasis on fraud and abuse enforcement will provide steady legal and regulatory work for in-house and outside counsel and indicates that the Association should continue to direct resources to providing education and information in this area of the law.

- 5. Continued Growth in the Health Law Field.** Both leaders and members believe that the number of individuals practicing health law and its affiliated specialty areas, like compliance officers, will grow over the next five years. At the same time many respondents believe that the number of law firms will stay the same or contract. Thus, the consolidation that the industry has seen over the last five years will

continue apace. Most respondents believe that health law practice areas will remain distinct within firms and that law firms and healthcare organizations will continue to budget roughly the same amount for education, training and professional memberships.

Other trends that did not rise to the level of being included in the top five, but are significant for the Association's future include:

- **Growing Overlap of Life Sciences and Health Law.** In the interview process, Board members believed that life sciences growth would be in the top three most significant health law trends over the next five years.
- **Medicare/Medicaid Reimbursement.** Both members and leaders identified reimbursement issues as growing in significance over the next five years.
- **Clinical Research.** The results of the surveys also identified clinical research issues as a significant area of interest for health lawyers.

## B. Core Strengths

Core strengths are those foundational assets relied upon by the Association to implement its strategic initiatives effectively.

### 1. **Collegial Culture**

In the environmental scan, especially in the interviews with Board members, Health Lawyers' ability to foster collegiality among its members was identified as one of its most significant core strengths. Unprompted, ten Board members identified the Association's collegial atmosphere as its very essence. One survey respondent said, "The collegiality and willingness to share among AHLA lawyers is a refreshing and warm contrast to the culture in many legal environments and practitioners." This collegiality, and the good will it generates about the Association and its activities, is a foundational asset that fosters loyalty and helps the organization carry out its strategic initiatives.

### 2. **Identity as the Health Law Association**

Board members also stated that a core strength of the Association was members' strong conviction that membership is essential to being considered a "true" health lawyer. Seven Board members identified the notion that AHLA is the health law bar as the organization's central identity. This core strength makes it easier to recruit new health lawyers and retain existing members.

### 3. **Volunteer/Staff Partnership**

Health Lawyers' strong partnership between paid staff members and current and former volunteer leaders creates a strong foundation from which it creates its products and services. The Association's success is created by a complementary blend of tremendous loyalty and productivity by volunteers and a strong association infrastructure created by a committed staff. This combination of volunteer energy and staff commitment enables the Association to create more robust products and services than competitors that do not have the same level of volunteer and organizational strength.

#### **4. Commitment to Quality**

Over the forty years of its existence, Health Lawyers has secured the deserved reputation of producing high quality products and services. Members know that the most talented in health law give their time and their resources to the Association, and the Association holds them to a high standard for quality. Health Lawyers' educational programs, cited by many respondents as its most important activity, has for years demanded more of its speakers in terms of content, and as a result, delivered more for attendees. The Association's commitment to quality is certainly one of the core strengths upon which it has and will continue to achieve success.

### **C. Competitive Challenges**

Competitive challenges are those tensions that, if not balanced well, could impede the Association's achievement of its strategic initiatives.

#### **1. Fostering Loyalty and Volunteerism among New Members**

Both Board members and Fellows expressed concern about the Association's ability to foster the same kind of volunteerism and loyalty in new members that the Association has achieved among its most experienced members. In interviews, the Board identified "being relevant to younger members" as its most significant concern about the Association. The Fellows do not believe that younger members view volunteer associations in the same way as their more experienced colleagues and believe that firms do not facilitate participation as much as in the past. As one Fellow put it,

*Getting the next generation to participate in AHLA will be tough, due to this technological isolation and other issues. Associates are billing billable hours and firms aren't supporting the participation in professional associations like AHLA like they should be. In 20 years, how do we ensure participation?*

The Association's continued strength depends upon fostering gratitude and commitment among newer members and demonstrating to them that participation in the Association is essential to success and an ideal way to give back to the profession.

## **2. Balancing Quality and Opportunity**

In promoting quality the Association often relies on individuals with established reputations in their areas of expertise. This reliance enhances the quality of products and services, but can limit opportunities for new individuals to present or write for the Association. Survey respondents identified the difficulty of "breaking in" to the Association as one of its weaknesses. As one survey respondent said, "Sometimes AHLA seems a bit 'clique-ish' – it is difficult to get involved." Another said, "I am tired of hearing the same people on the same topics over and over at the AHLA conferences. It appears that there is an 'in' crowd that just keeps on speaking." The Association must continue to work hard to maintain its "culture of quality" while being open to the contributions of those who have not yet had the opportunity to establish their reputations. This is an extremely difficult balance to achieve.

## **3. Balancing Free and Discounted Benefits with Fiscal Success**

In the comments section of the environmental scan, several members articulated their desire that the Association provide the Archive as a free member benefit and that the Association work to keep its price increases limited. In the interviews with Board members, four Board members identified the "price to benefits ratio" as their most serious concern about AHLA and its service to members. Over the past three years, the Association has increased the number and quality of benefits provided to members free of charge and improved its fiscal health at the same time. This has required discipline and creativity and has been buoyed by an extremely successful reserves portfolio. The organization will have to continue to balance benefits, value and cost in what could be a more difficult economic environment over the next four years.

# **VI. CORE COMPETENCIES**

Core competencies are the Association's essential products and services provided to members and non-member customers. They are the means by which the Association accomplishes its mission and vision. These core competencies are not considered in isolation, but rather are fully integrated across all activities and strategic initiatives of the Association. Health Lawyers' core competencies are as follows:

1. **Education:** Health Lawyers offers high quality, in-person and distance education programs on cutting edge health law issues for the benefit of its members and non-member customers.
2. **Intellectual Content:** Health Lawyers produces practice guides, monographs, toolkits, books, outlines, member briefings, and useful electronic content to provide its members and non-member customers with health law information important to their practices.
3. **News Source:** Health Lawyers has become a trusted source of breaking news and initial analysis about new developments for its members through the *Health and Life Sciences Law Daily*, Practice Group E-Alerts, and *Health Lawyers Weekly*.
4. **Public Information:** Health Lawyers provides useful information on significant health law issues through periodic, free guides and pamphlets that are written for the benefit of members, their clients and the public.
5. **Alternative Dispute Resolution:** Health Lawyers offers an alternative dispute resolution service to members and their clients that helps to reduce the cost and increase the speed of resolving disputes within the healthcare community.

## VII. ORGANIZATIONAL COMMITMENTS

*Seven Measures*, published by the American Society of Association Executives, uses a control group methodology to distinguish extraordinary associations from merely good associations. The research identifies three commitments made by extraordinary associations; Health Lawyers will make these commitments in this Strategic Plan:

- A Commitment to Purpose
- A Commitment to Analysis and Feedback
- A Commitment to Action

1. **Commitment to Purpose.** Extraordinary associations commit themselves to serve members both in their organizational structures and in their employees' individual encounters with members. Superior associations also consistently align their products and services with their mission statements. Therefore, these associations will not offer a potentially lucrative service line if it is not consistent with their respective missions.

Over the next four years, Health Lawyers commits to putting members first. The Association will make sure that member need and member

benefit are its compass in determining whether to offer a new benefit. As it has done over the last three years, Health Lawyers will continue to reexamine its benefit structure, including the recently released Archive, to determine if it is financially prudent to convert fee-based services to member benefits. Staff will make a serious commitment to serving member needs and putting members first in delivering Health Lawyers' benefits.

Health Lawyers will consciously align the proposed actions in the Strategic Plan and in the Annual Budget Assumptions with the mission statement to ensure that Health Lawyers remains true to mission.

2. **Commitment to Analysis and Feedback.** Remarkable associations gather information, analyze it, and use it continually to improve their services and benefits. According to the *Seven Measures*, superior associations "continually track member needs and issues as well as the wider environment, then collectively analyze the data to reach a shared understanding through asking, 'What do we now know? What are we going to do about it?' These associations then incorporate the findings into their strategic and operational planning." In addition to using data, outstanding associations foster a culture that promotes constant dialogue and engagement by volunteers and staff. The association discourages departmental silos and encourages consistent focus on the overall needs of the members. The organization's CEO also acts as a broker of good ideas that emerge from many different sources rather than as a sole visionary. According to the authors' research, the CEO's role is "gathering consensus around a member-generated vision rather than forcing buy-in into a personal vision."

In this Strategic Plan, Health Lawyers commits to continue its efforts to be data driven. This pursuit of data will consist mostly of electronic surveys, similar to the environmental scan used to draft this plan. Over the course of this plan, the Association will survey members on their satisfaction with all three of the major member benefits: *Health Lawyers News*, *Health Lawyers Weekly*, and the *Health and Life Sciences Law Daily*. The Association will survey members consistently on preferred geographic locations and content for in-person meetings. Health Lawyers will also use focus groups to test out proposed new benefits as well as different methods for developing and implementing those benefits. The organization will not only collect the data, but will use it to generate and modify member benefits as needed.

Health Lawyers also will work continually to break down departmental silos and focus on the member. This is always a challenge because departments are held accountable for budgets, as they should be. But, the Association will continue its cross-departmental groups that will work to

communicate on issues affecting multiple departments, and these groups will be reminded continually that our obligation is to the member and not to individual departments within the organization. The organization's CEO will be open to ideas and will make every effort to forge consensus on new activities.

### 3. Commitment to Action

The *Seven Measures* emphasizes that extraordinary associations act strategically. "They consistently implement their priorities." This means that these associations craft strategic plans, but also remain adaptable so that they can act in the face of a crisis or an opportunity – even if that crisis or opportunity was not foreseen in drafting the plan. Extraordinary associations also emphasize alliance building and seek to link with groups who can help them serve member need.

The remainder of this Strategic Plan will outline Health Lawyers' commitment to action over the next four years. The plan will outline four strategic goals and the general actions now envisioned to achieve those goals. However, the Plan will guide, but not ultimately control, the Association's actions. Meeting member needs will be Health Lawyers' touchstone. If the Association's data indicates that a change of course is required, Health Lawyers will not hesitate to make mid-course corrections if there is a consensus among leaders and staff that doing so will more effectively serve member need.

## VIII. Health Lawyers' Commitments to Action - FY 2009 – FY 2012

<b>A. HEALTH LAWYERS WILL CONTINUE TO CREATE A COLLEGIAL COMMUNITY FOR NEW AND EXPERIENCED MEMBERS</b>
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### ***Four – Year Goal***

*Health Lawyers' goal with respect to building a collegial community is that both senior and newer members will believe that Health Lawyers is highly effective in meeting their needs for networking and relationship building.*

*Members will see Health Lawyers as a source of great professional friendships that transcend their day-to-day work and their need to compete for healthcare business.*

In the research conducted for the Strategic Plan, two themes emerged from the senior members interviewed and from the surveys. First, members value the Association greatly because of its collegiality. "Collegial community" ranked first in defining the very essence of Health Lawyers for Board members. Second, respondents are concerned that the newer generation of Health Lawyers may have different ways of establishing a collegial community and that the

Association must be flexible enough to meet those needs. “Being relevant to younger members” ranked first among Board members as their most serious concern about AHLA over the next five years. As a means of accomplishing the ambitious goal of building a collegial community, Health Lawyers will collect data on the following proposed initiatives and when persuaded that an activity makes sense for the Association, take action to implement it.

**1. Explore the Costs and Benefits of a Mentorship Program**

Mentorship is a means to connect lawyers at the beginning of their health law career with those who have achieved professional success and have had a variety of experiences. Mentors can communicate in-person, on the telephone or online. If done correctly, a mentorship program builds community and collegiality. Board members stated that reaching out to younger lawyers through a mentor-type program held the most promise for growing both membership and membership satisfaction. Health Lawyers will conduct some pilot mentorship programs in order to analyze their effectiveness and will look for cost-effective, efficient ways to create an association mentorship program that will further its objective to be a collegial community for our members.

**2. Explore the Costs and Benefits of Creating Online Communities**

The new generation of health lawyers will have communicated with their friends and colleagues in a radically different fashion than the generations before them. They will have used online social communities like Facebook and My Space to connect with people from all over the country and the world. Online communities enable individuals to stay in touch with their friends and colleagues at the touch of a button, which can be much more effective than relying on in-person contact, the telephone, or letters. Health Lawyers must establish a process to collect data on whether and how to create the most effective online communities for our members, especially those new to health law. The process must analyze whether members would use the communication technology, how to structure the social network, and what data would be permitted on the system. If the data (including a survey of newer members) indicates that online communities make sense as a means of creating a collegial community, especially among newer members, Health Lawyers will explore cost-effective, efficient ways to create a new Health Lawyers Online Community.

**3. Consistent with Health Lawyers’ Reputation for Excellent Quality, Incorporate Up and Comers and Diverse Members into the Activities of the Association**

Leadership has made it a priority for the Association to collect data from its biggest supporters on the “up and comers” and the diverse members within their ranks in order to create the next generation of Health Lawyers’ leaders. This is an important initiative that must be incorporated systematically into the processes

by which the Association chooses leaders, speakers and writers for programs, practice groups and publications. Over the next four years, Health Lawyers will work with its technology experts to craft a system by which volunteers and staff can easily access an Association list of up-and-comers and diverse individuals with particular areas of expertise in order to include the newer generation of health lawyers more effectively in the activities of the Association. The Association will also continue and enhance its outreach to students. This inclusivity will make great strides in creating a diverse, collegial community for the next generation of health lawyers.

***Four-Year Measures of Success***

- *In surveys and interviews, members of varying experience levels will continue to rank collegiality high on the list of reasons that they value the Association.*
- *In surveys and interviews, members will recognize, appreciate and rank highly the new initiatives designed to further the creation of a collegial community, including up and comers and diverse members.*
- *If data demonstrates that Health Lawyers should move forward on the community initiatives, a significant percentage of the target audience will make use of these new benefits and tools.*
- *Develop a survey question and a baseline to measure the value of networking at AHLA programs and then show improvement over that baseline during this Strategic Plan period.*

**B. HEALTH LAWYERS WILL REACH OUT AGGRESSIVELY TO ALIGNED AUDIENCES TO CREATE NEW MARKETS FOR HEALTH LAWYERS' PRODUCTS AND SERVICES AND TO INCREASE THE ASSOCIATION'S VISIBILITY**

***Four –Year Goal***

*Health Lawyers' goal with respect to reaching out to aligned audiences is to increase distribution of the Association's products and services to professional colleagues in compatible industries and professions and to increase distribution of the public information series in an effort to expand visibility and membership and contribute to the public good.*

In surveys and interviews, "education and in-person programs" ranked first as Health Lawyers' most valuable resource. "Quality information and analysis" ranked second. The content provided at programs and through the Association's publications is highly valued by members and has a potential market that is far broader than the Association's members or even the entire universe of health lawyers. Financial officers, risk managers, compliance officers, venture capital and investment managers, chief executive officers and coders are just a few "aligned" professionals in the healthcare industry who would derive great benefit from the organization's content. The Association's second commitment to action involves deriving visibility, revenue and ultimately membership from distributing our content to audiences outside the traditional health lawyer community. This effort will not only diversify and strengthen the Association's fiscal position, but

also should increase membership over the long run as individuals see the benefit of belonging to Health Lawyers even if they do not practice law. In addition, over the last several years, Health Lawyers has created public information documents that provide enormous community and public benefit to health lawyers, their clients, aligned professionals, and the entire healthcare community. These documents have ranged from checklists related to emergency preparedness to a Medicaid Basics Guide. As a means of expanding visibility and increasing membership and revenue, Health Lawyers will collect data on the following proposed initiatives and, when persuaded that an activity makes sense for the Association, take action to implement it.

### **1. Extend Further Outreach to the Life Sciences Community**

In the interviews of Board members conducted to gather research for the Strategic Plan, members ranked “Life Sciences” and “affiliated professions” as the second and third strategy respectively holding the most promise for sought after growth in membership. Seventeen Board members expressed the view that Life Sciences and Health Law are becoming more complementary and overlapping in subject areas. “Growth in Life Sciences issues” tied for second as the most significant trend in healthcare over the next five years. In FY 2007 and 2008, Health Lawyers has begun providing significant benefits to those working on behalf of life sciences companies. These include a Life Sciences Law Institute, a Life Sciences Practice Group, a daily e-newsletter that focuses on Life Sciences topics as well as other benefits. The Board has asked that the Association continually study the data as to whether our life sciences efforts have proven successful. We will continue to work at developing metrics to do so.

### **2. Create Co-marketing and Content Agreements with Aligned Associations**

In FY 2008, the Association expended significant effort to form joint ventures with aligned groups in order to market and sell different products and services. These have included co-marketing agreements with the Regulatory Affairs Professional Society, joint book projects with the American Medical Association, joint teleconferences with the Food and Drug Law Institute and Healthcare Financial Management Association, joint resources on the revised IRS Form 990 with the Catholic Health Association, to name a few. At the Board’s Strategic Planning meeting in January 2008, a subgroup of the Board strongly endorsed outreach to affiliated groups as a strategic initiative. The subgroup advocated for Health Lawyers to focus its energy on joint ventures with non-lawyer audiences interested in the content of health law. If data demonstrates the potential for success, Health Lawyers will continue to pursue co-marketing and content agreements with aligned associations and groups.

### **3. Distribute Public Information Series Documents to the Health Care Community by Demonstrating the Documents' Potential to Benefit the Community**

Health Lawyers is deeply committed to serving “as a public resource on selected healthcare legal issues.” The Association has served in this capacity in a variety of ways, and over the last four years, has written and distributed ten publications designed to address health law issues that are significant to our members, their clients and the public. These publications, known together as AHLA’s Public Information Series, have become the Association’s most significant effort to serve as a public resource. Our goal over the next four years is to continue to produce public information documents that will provide value to our members and consumers and be a source of community benefit for many of our members’ clients, thereby enhancing and increasing Health Lawyers’ visibility.

#### ***Four–Year Measures of Success***

- Health Lawyers will increase by 33% the number of members from the Life Sciences community or who report that they practice predominantly in the Life Sciences area over the next four years.
- Health Lawyers will increase by 33% the number of joint ventures or affiliations (co-sponsorships) with aligned organizations and the amount of revenue derived from these joint ventures over the next four years.
- Health Lawyers will produce at least four Public Information Series documents over the next four years and will show an increase in hits on the relevant portion of the AHLA website as well as an increase in the number of organizations to whom they are distributed.

### **C. HEALTH LAWYERS WILL IDENTIFY AND RESPOND TO MEMBERS’ TECHNOLOGICAL NEEDS**

#### ***Four –Year Goal***

*Health Lawyers’ goal with respect to identifying and responding to members’ technological needs is that members will find that the menu of technological tools provided by the Association meet or exceed their professional, research and networking needs. Health Lawyers will be the most successful association to which each member belongs in providing him or her with valuable technological tools.*

The Board’s strategic planning breakout group at its 2008 mid-year meeting recommended that identifying and responding to members’ technological needs be one of the four key strategic areas for the Association. The group made this recommendation not only because technological capacity is essential to the Association’s competitive edge, but also because technology will be necessary to successfully reach out to newer members. When asked in the environmental scan how they would rank contemplated new benefits, leaders and members selected a searchable archive and electronic access to

program materials as two of their top three desired benefits. Both of these are made available through advances in technology.

The Association will continually research and evaluate the membership's desire for new technological tools that will help them to meet their professional, research, and networking needs. As a means of accomplishing this goal, Health Lawyers will collect data on the following initiatives suggested and supported by selected members and leaders and, if persuaded that an activity makes strategic and economic sense for the Association, take action to implement it:

- Electronic access to Program content rather than printed materials in binders;
- Enhanced webinar technology that increases the value of Health Lawyers' distance learning educational sessions;
- The adoption of social networking technology;
- Electronic member suggestion box on the website;
- Blog forums for Practice Groups, students, and young lawyers;
- Podcasts of health law content;
- RSS technology to push content to members;
- A Health Lawyers' wikipedia; and
- Personalized libraries on Health Lawyers' website.

This list is not meant to be exhaustive, and inclusion on this list does not mean that Health Lawyers will create the benefit described. This list contains ideas that have been suggested by leaders or members, and the Association will collect data on them to determine their desirability for members and their economic feasibility. The list is intended to be illustrative of an action and innovation agenda for Health Lawyers regarding the creation of technology tools for the benefit of members.

***Four-Year Measures of Success***

- Newer members will express appreciation for the organization's commitment to create technological benefits that enhance their experience of the Association.
- Health Lawyers will continue to be rated by its members as the "go to" organization for information and networking.
- New technology will be tried and evaluated, and data will establish an increase in the types of technology used for Health Lawyers activities.
- Staff will monitor website hits, and the number of hits will grow by 20% over the term of the Strategic Plan.

**D. HEALTH LAWYERS WILL EMPHASIZE ITS QUALITATIVE EDGE AND BUILD ON ITS STATUS AS THE PREEMINENT HEALTH LAW EDUCATIONAL PROVIDER**

***Four-Year Goal***

*Health Lawyers' goal with respect to remaining the preeminent health law educational provider will be that members continue to rate the Association's educational programming as the best available anywhere for those interested in health law.*

Educating health lawyers and others interested in health law is at the core of Health Lawyers' mission and vision. The mission statement says specifically that Health Lawyers should "produce the highest quality non-partisan educational programs ... concerning health law issues." The vision statement states that Health Lawyers will lead "health law to excellence through *education*, information, and dialogue." In the Environmental Scan survey sent to Health Lawyers' members, "education at in-person programs" was most often selected as the primary reason that respondents remained members. Leaders ranked it third. By significant margins, both leaders and members stated that in-person programs will be the most crucial activity to Health Lawyers' success over the next five years. The strategic planning subgroup of the Board supported the inclusion of quality education as one of the four main strategic initiatives in the Strategic Plan. If supported by data, research and resources, the Association will pursue the action items listed below.

### **1. Enhance Health Lawyers' Reputation for Quality**

As a means of maintaining its position as the preeminent health law educational provider, Health Lawyers will continue to require detailed outlines by speakers as well as suggest that speakers provide practical take-aways for attendees at its in-person programs. Program planning committees will continue to push for 100% of the outlines to be delivered to the Association in a timely manner and be included in the materials before the first date of the program. High expectations of speakers and the content that they provide to program attendees may be Health Lawyers' most significant advantage over its competitors. Health Lawyers must maintain those high standards.

Additionally, Health Lawyers will develop superior methods of delivering program content electronically. These methods may include CDs, the web, thumb drives, or any other technology that will provide the highest quality content to members in the most effective manner. The Association will also continually look for ways to improve the technology used to develop post-program compilations of content as well as to provide visibility for this content to aligned audiences.

### **2. Be on the Cutting Edge with Respect to Delivery Methods**

Health Lawyers has begun to use webinar technology to enhance the educational experience of distance learning registrants. The Association will continue the transition to this superior technology and will constantly monitor the technology available so that the Association provides members with the most optimal distance learning experience available. Distance learning has become a

central service provided by Health Lawyers, and it is essential that the organization remain on the cutting edge of this technology so that members have the most valuable experience possible on Health Lawyers' distance learning programs.

### 3. Inclusion of Up-and-Comers and Diverse Speakers

Health Lawyers constantly experiences the tension between delivering quality through experienced and tested speakers and being open to new and diverse talent. As stated earlier, some survey respondents have a perception of the Association's speakers as "cliquish." The staff and planning committees will consistently ask themselves if they have included new participants and diverse members among those being asked to give presentations. The Association will improve its data gathering and retrieval methods to facilitate the identity of repeat speakers and the search for new and diverse speakers.

#### ***Four-Year Measures of Success***

- In surveys and interviews, Health Lawyers' members will rate the Association's programs as the best health law programs available. The Association will average 4 or more on a 5 point scale in the overall quality scores for its programs.
- The Association will increase the number of new and diverse speakers at in-person and distance learning conferences with no measurable diminution in quality scores.
- The Association will begin the Strategic Plan period by achieving 80% receipt of conference materials and papers prior to the date of the in-person or distance learning conference and end the Strategic Plan period by increasing its success rate to 85%.

## IX. OVERALL MEASURES OF SUCCESS AND ACCOUNTABILITY

Each of the four action initiatives described above include individualized measures of success. However, when asked in the interview process, the Board overwhelmingly stated that the most important measures of success for the Association in meeting the goals of this Strategic Plan will be the traditional metrics used to measure organizational performance generally:

- Membership Growth
- Revenue Growth
- Service Growth
- Product Purchases; and
- Attendance at Programs and Distance Learning Events

Ultimately, these will be the measures by which the Board and Staff will hold themselves accountable for achieving the goals of the FY2009 – FY2012 Strategic Plan.

## X. CONCLUSION

Health Lawyers has consciously adopted the commitments described in the ASAE-published *Seven Measures* as structural guidance for the FY2009 –

FY2012 Strategic Plan. Over the four years of this Strategic Plan, the Association will re-commit itself to its purpose, to being data driven, and to action. The plan articulates four action items that if supported by survey data and economically feasible will be undertaken by the Association between FY2009 and FY2012.

Each year, the Board should use its Mid-Year Board meeting to achieve two fundamentally important goals: (1) a review of the strategic, action commitments contained in the Strategic Plan to make any updates or adjustments deemed necessary; and (2) a discussion and adoption of specific strategies to be included in the annual activity plan in order to achieve the goals of the Strategic Plan.

This said, Health Lawyers recognizes that a cookie-cutter template for strategic analysis cannot work in all of the circumstances encountered by a nimble and flexible organization. In fact, the *Seven Measures* book makes clear that remarkable associations often adjust in mid-stream to more effectively serve members. Member need is the touchstone of any great association, and it will remain so for Health Lawyers. Strategic plans and activity plans are not binding contracts, nor should they be. A dynamic and adept organization needs to analyze the challenges posed by the environment and the competition in real time, and at times, alter its plans and its tactics to meet those challenges. Thus, strategic planning is an ongoing process. Undoubtedly, the action items identified in this Strategic Plan and the annual activity plans designed to achieve the goals in this plan will require updating and adjustment as the environment changes and new information is gathered.

The FY2009 Strategic Plan of the American Health Lawyers Association represents the Board's best thinking on how to accomplish its mission and vision over the FY2009-FY2012 period.

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<sup>i</sup> Amended and Restated Bylaws of American Health Lawyers Association, Article II (June 17, 2000).

<sup>ii</sup> Id.

<sup>iii</sup> Id.