

The Community Public Health Legal Preparedness Initiative

Building Effective Public Health-Health Care Legal Partnerships



A Critical Gap in “Legal Preparedness” for Public Health Emergencies

Law plays a critical role in protecting Americans from public health emergencies—such as the anthrax attacks of October 2001, the SARS epidemic, and potential pandemic influenza and other infectious disease outbreaks. Law makes equally important contributions to chronic disease prevention, environmental health protection, and prevention of injury and disability.

Since 2001, public health attorneys have worked intensively to assess and update health agencies’ “legal preparedness” for public health emergencies. Health care attorneys, however, have had few opportunities to learn about the legal framework in which their clients—private and public hospitals and other health care organizations—would operate during an acute public health emergency. True community-wide legal preparedness hinges critically on close coordination between public health and health care organizations—e.g., in quarantine, vaccination, treatment of victims, etc.

Key Initiative Goals

To help address this gap, the U.S. Centers for Disease Control and Prevention (CDC) Health Law Section of the American Bar Association (ABA), and the non-profit Public Health Law Association (PHLA) have partnered to develop the Community Public Health Legal Preparedness Initiative. The goals of the Initiative are:

- As the first priority, to give health care attorneys and public health attorneys thorough, shared understanding of their clients’ legal roles and responsibilities during acute public health emergencies, and
- Strategically, to build vibrant, enduring partnerships between health care and public health attorneys who will enhance the use of law as a tool for better community health through prevention and health promotion

Workshops in Community Public Health Legal Preparedness

CDC, the ABA, and PHLA have developed a template for intensive, one-day workshops where health care attorneys and public health attorneys in a given community can jointly learn about the laws that define the roles and responsibilities of health care organizations and public health agencies in public health emergencies.

The template was designed and refined through three actual workshops—attended by a total of more than 400 participants—held in Atlanta, Houston, and Tulsa, in 2003-2004, all with co-sponsorship by the state or local bar association, the counterpart public health agency, or local schools of law and public health. Co-sponsorship has proven highly successful both for the workshops as such and to lay a strong foundation for on-going partnership between health care attorneys and public health attorneys.

Planning Your Workshop

A complete Workshop Director's Guide has been prepared with guidance for planning and conducting workshops, learning materials on specific topics, and suggestions for ways to customize the template to address the laws relevant to a specific community. The guide reflects lessons learned from the three initial workshops as well as comments from the members of the ABA's Health Law Section and the Public Health Law Association.

A key lesson learned is that workshop planning is best conducted by a multidisciplinary committee with representatives from health care law, public health law, health care providers, and other groups critical to emergency preparedness in the community.

If you are interested in serving as a workshop director, please visit the CDC Public Health Law Program website to request a Workshop Director's Resource Guide (available Fall 2004): www.phppo.cdc.gov/phlp. In addition to assistance in identifying target audiences, deciding learning objectives and content, the guide includes information on securing Continuing Legal Education credits. It also includes samples of agendas, presentations, and task lists.

Guide's Table of Contents

Below is an abbreviated table of contents for the Workshop Director's Resource Guide:

I: Introduction

The Context:
 New and Emerging Health Threats
The Initiative
The Workshops
The Workshop Director's Guide
Testimonials from Participants

II: Designing Your Workshop

Getting Started
Workshop Format
Ten Essential Steps

SAMPLE ONE-DAY WORKSHOP FORMAT

Morning	A. Participants convene for a series of concise presentations to establish common understanding of the legal and public health context: <ul style="list-style-type: none">• The Role of Attorneys in Public Health• Overview of the State Public Health System• State Emergency Health Powers• Public Health Law and Individual Liberties
Afternoon	B. Breakout sessions on focused topics (or address through tabletop exercises), for example: <ul style="list-style-type: none">• Privacy• Management of people• Control of property• Liability and indemnification
	C. Participants return to plenary session to crystallize lessons learned, address unresolved issues, and identify follow-up action steps.

III: Key Resources and Workshop Samples

Sample Agendas
Task Lists
Slide Sets/Presentation Examples
Letters of Invitation and Confirmation
Broadcast Emails

IV: Appendix

Internet Resources
Continuing Legal Education Considerations
Directory of State Public Health Legal Counsel



For more information about the Community Public Health Legal Preparedness Initiative and the Workshop Director's Guide, please visit www.phppo.cdc.gov/phlp or contact the CDC Public Health Law Program (Tel 770-488-2886, Fax 770-488-2420; e-mail dreid@cdc.gov).