



The Public's Health and the Law in the 21<sup>st</sup> Century  
5<sup>th</sup> Annual Partnership Conference  
8:30 a.m. –10:00 a.m., Tuesday, June 13, 2006

**“The Public Health Law Year in Review”**  
**PLENARY SESSION OUTLINE**

**Presenters:**

Wendy Parmet, JD, George J. and Kathleen Waters Matthews Distinguished  
University Professor of Law, Northeastern University, Boston, MA

Rick D. Hogan, JD, MPH, General Counsel, Division of Health, Arkansas  
Department of Health and Human Services, Little Rock, AR

**Moderator:**

Gene W. Matthews, JD, Director, Institute of Public Health Law, CDC  
Foundation, Atlanta, GA

**Resource Expert:**

Karen L. McKie, JD, MLS, CDC Public Health Law Program, and Editor, “*CDC  
Public Health Law News.*”

**INTRODUCTION & OVERVIEW (Matthews)**

**1. Pandemic Influenza Preparation & the Law (Hogan)**

- State Law Changes
- Flu Vaccine Issues
- Stockpiling Antivirals
- National Strategy for Pandemic Influenza
- CDC's New NPRM on Federal Quarantine Authority
- WHO's Role and the International Health Regulations

**2. Health Insurance & Public Health Law (Parmet)**

- Health Insurance is a Public Health Law Problem
- Increase in Uninsured Populations
- State Legislative Responses
  - Massachusetts
  - Vermont
  - Maryland
- Retail Industry Files Court Challenge
- Medicare D Roll Out
- Current Implications on Public Health Practitioners



**3. Hurricane Katrina Aftermath: Lessons Learned the Hard Way (Hogan)**

- Impact on States
- ABA Subcommittee Report of February 2006
- Private Sector Integration
- The Federal Government and Need for Legislative Changes?
- U.S. House of Representatives Report

**4. Prevention, Environmental, & Chronic Disease Developments (Parmet & Hogan)**

- The Tobacco Wars (Parmet)
  - Regulating Indoor Air
  - Other Tobacco Developments
- The Obesity Epidemic Becomes a Legal Issue (Parmet)
- Methamphetamine Developments (Hogan)
- Lead Litigation (Hogan)

**5. Federalism – The Continuing Saga (Parmet)**

- The Commerce Clause and Recent Federal Authority Cases
- The Power to Tax & Spend and the No Commandeering Rule
- State Immunity and the 11<sup>th</sup> Amendment
- Developments Regarding Preemption

**6. Additional Miscellaneous Developments (Hogan / Parmet)**

- Update on State Laws Regarding Injuries (Hogan)
- Public Health Surveillance (Parmet)
- HIV Reporting (Parmet)
- Due Process & Rights to Life-Saving Medication (Parmet)

**FEARLESS FORECASTS (Hogan, Parmet, & Matthews)**

**QUESTIONS & COMMENTS: “Stump the Lawyers”**

Hogan, Parmet, Matthews, & McKie will entertain questions & comments from the audience