

Public Health Law Network

Useful Strategies for State Policymakers in Guiding Responses to Community Health Needs

Kathleen Hoke Dachille

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A national initiative of the Robert Wood Johnson Foundation® with direction and technical assistance by the Public Health Law Center at William Mitchell College of Law.

www.publichealthlawnetwork.org



Robert Wood Johnson Foundation

WHO?

Funded by [Robert Wood Johnson Foundation](#)

The mission of the Foundation is to improve the health and health care of all Americans. Our goal is clear: To help our society transform itself for the better.

One National Coordinating Center

Dan Stier, Executive Director

Five Regional Offices

Northern, Western, Mid-States, Southeastern, Eastern

Significant Partners

[Public Health Law Research Program](#); [National Policy and Legal Analysis Network to Prevent Childhood Obesity \(NPLAN\)](#); [Tobacco Control Legal Consortium \(TCLC\)](#)—**and The Hilltop Institute!**

AND



WHO?

Everyone working in public health who joins the Network, including

- 🍎 National, state, tribal, and local public health officials, their staff and their attorneys;
- 🍎 Advocacy and educational organizations;
- 🍎 Public health, medical and social science researchers; AND

YOU!!!

Go here to join: <http://www.publichealthlawnetwork.org/join/>



WHAT?

The Public Health Law Network connects and serves individuals and organizations committed to applying the law to improve public health.

An interconnected web



WHERE?

National Coordinating Center and Northern Region

- 🍓 Iowa, Idaho, Minnesota, Montana, North Dakota, South Dakota, Wisconsin, Wyoming
- 🍓 Cross-Border; Tobacco

Western Region

- 🍓 Alaska, Arizona, California, Colorado, Hawaii, Nevada, New Mexico, Oregon, Texas, Utah, Washington
- 🍓 Emergency Preparedness; Tribal Law

Mid-States Region

- 🍓 Illinois, Indiana, Kansas, Kentucky, Michigan, Missouri, Nebraska, Ohio, Pennsylvania
- 🍓 Health Information Data Sharing; Public Health Statutes and Regulatory Power

WHERE?

Southeastern Region

- 🌍 Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Oklahoma, Puerto Rico, South Carolina, Tennessee, Virginia
- 🌍 Health Care Reform; Accreditation; Regionalization (Shared Service Delivery)

Eastern Region

- 🌍 Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Jersey, New York, New Hampshire, Rhode Island, Vermont, West Virginia
- 🌍 Injury Prevention; Food Safety; Environmental Health
- 🌍 Partnerships: Johns Hopkins Bloomberg School of Public Health; University of Maryland School of Law (Environmental Law Program; Health Law Program)

WHY?

The purpose of the Public Health Law Network is to increase the use and the effectiveness of public health laws in protecting, promoting and improving public health.

HOW?

3 PRIMARY SERVICES/FUNCTIONS

🍌 Technical Assistance

🍌 Proactive Deliverables:

- 🍊 Training sessions (in-person, online);

- 🍊 Fact Sheets, Issue Briefs, Webinars, Model Laws;

- 🍊 Blog; Updates; Alerts.

🍌 Creation of a Network of Experts

TECHNICAL ASSISTANCE V. LEGAL ADVICE

Legal Advice:

Legal advice is typically defined as giving a formal or informal legal opinion by a licensed attorney. It tends to be more narrow and particular in focus and usually involves applying or interpreting law to a factual situation presented by a client. Only a licensed attorney can provide legal advice within any jurisdiction.

Who is your legal counsel?

Attorney General, County Attorney

Technical Legal Assistance:

Technical assistance is defined as the act of strategizing with individuals on potential legal options not in an attorney/client situation. Generally, technical assistance provided on a particular topic may be useful in a variety of jurisdictions or factual circumstances while legal advice answers a specific question for a particular client or jurisdiction and may or may not be useful in other situations or jurisdictions.

Megan's Examples



LOBBYING RESTRICTION

The Network does not directly communicate its positions on specific public health legislation. The Network strives to inform and improve public health; it does not “lobby.” However, technical legal assistance is available to legislators and others interested in developing and pursuing sound public health policy through the passage of statutes or ordinances or development of regulations. That assistance includes:



sharing relevant data and research,



analyzing potential legal hurdles,



providing expert testimony at legislative hearings, and



other supportive action.



ACA, CHN and the Network

What role might the Network play in assisting in the development of state or local policy instigated by the ACA's CHN requirement?

Network Assistance

A Budding Relationship . . .



. . . working collaboratively with The Hilltop
Institute

Network Assistance

With Hilltop, we hope to create products that will serve to guide legislators and other policymakers through the process of devising a law that addresses the CHN issue using Hilltop's two Issue Briefs to give direction.

Network Assistance

For example, a decision tree that analyzes:

- ✓ How to define “community”;
- ✓ Who should be involved in mandatory community involvement;
- ✓ What entities are entitled to state-level non-profit status;
- ✓ What agency will enforce and how;
- ✓ Should this be a local or state law; statute or regulation or executive order or guidance document.



Network Assistance

With Hilltop, we will continue to monitor federal, state and local law in the area and keep Network members apprised of emerging issues through newsletters, factsheets, blog posts, and more.

Network Assistance

In addition to the affirmative products, we can provide one-on-one assistance to a policymaker during the policy development process through the technical assistance process.

There is no one-size-fits-all approach; the availability of technical assistance acknowledges that.

QUESTIONS?

