

Public Health Attorneys: Key Leaders in Building and Maintaining Successful Health Departments





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2023 PUBLIC HEALTH LAW CONFERENCE




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Four Overarching Goals

Provide opportunities for you to—

- Learn about information regarding CDC's work to support the field of public health law
- Learn about NACCHO's efforts to define and address issues related to local health department legal capacity and access to counsel
- Learn about unique experiences working in LHD
- Share insights on workforce development and technical assistance needs in the field

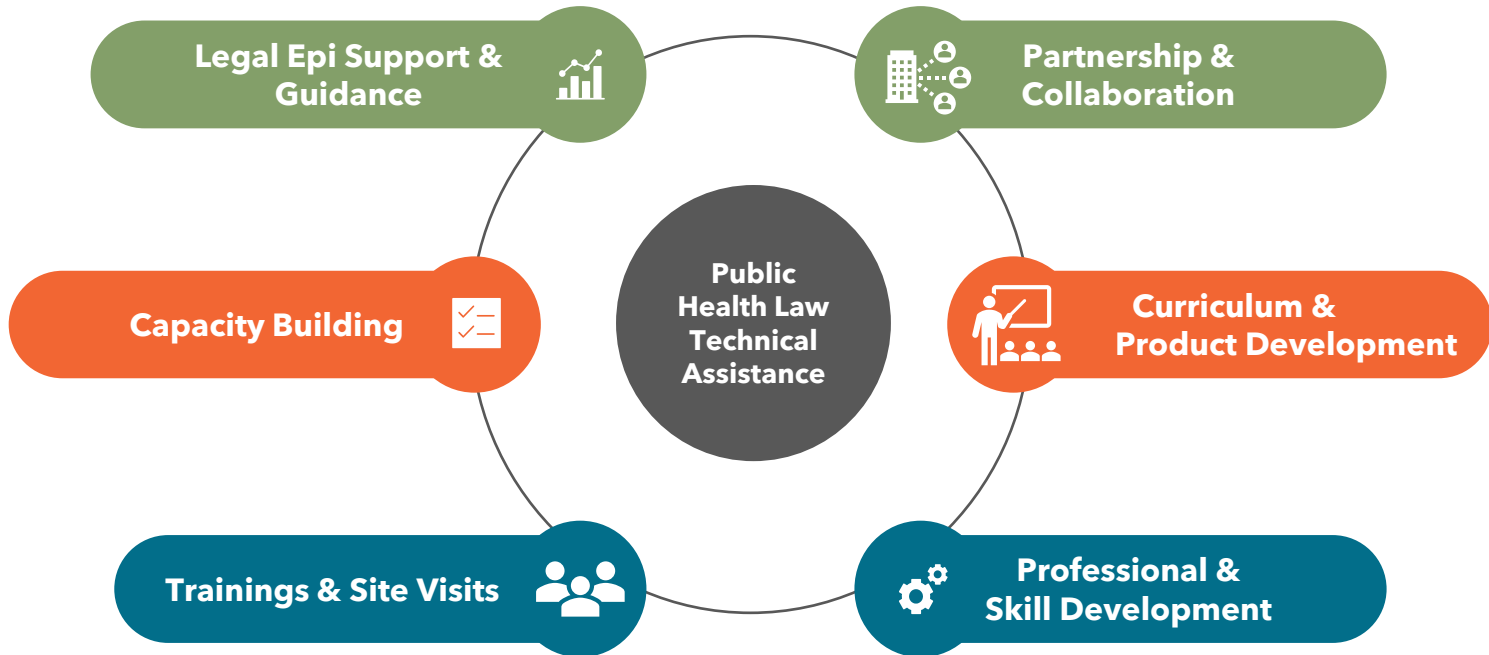
Introductions



Office of Public Health Law Services (OPHLS)

OPHLS - Scope of Work

Meet an ever-increasing demand from the public health system for:



Legal Epi Support & Guidance

- **Legal epidemiology:** Scientific study of law as a factor in the cause, distribution, and prevention of disease and injury in a population
 - Legal mapping
 - Advance legal epidemiology methods
 - Research innovation



Public Health Law Portfolio

- Legal Epidemiology
- Public health emergency law
- Health equity
- Public health data
- Vaccination/immunization laws
- Healthcare quality
- Tribal public health law

- And more!

Partnerships & Collaboration

- Develop and maintain relationships
 - STLT health departments, ASTHO, NACCHO, CSTE, CLS, NPHL, and more
- Partnerships through the cooperative agreement
 - OT18-1802: Strengthening Public Health Systems and Services Through National Partnerships to Improve and Protect the Nation's Health

Capacity Building

- Public Health Competency Model for Attorneys Version 1.0
- Legal History of Structural Racism (PHLA module)
- PH Law Certificate Curriculum
- Partnerships through the cooperative agreement (OT18-1802)
 - Legal epidemiology cohort
 - Attorney Return on Investment Project
 - STLT Attorney Institute
 - Public Health Law Practitioners Convening: Spring 2024, New Orleans, LA

Curriculum & Product Development

- Partnerships through the cooperative agreement (OT18-1802)
 - Training development
 - Public health law academy
 - Public health law certificate program
- Existing need for a public health law Bar

Trainings & Site Visits

- Fellowship program
- Training development & delivery
 - Public Health Law 101
 - Legal Epidemiology
 - Public Health Emergency Law (PHEL)
 - Law and Epidemic Emergency Preparedness (LEEP)
 - Tribal Public Health Law
 - Tribal Emergency Preparedness Law
 - STLT Attorney Institute



**Professional
& Skill
Development**

- Public Health Law News and Announcements
- Public health law curriculum and trainings
- Listserv and legal workgroups
- Technical assistance

NACCHO



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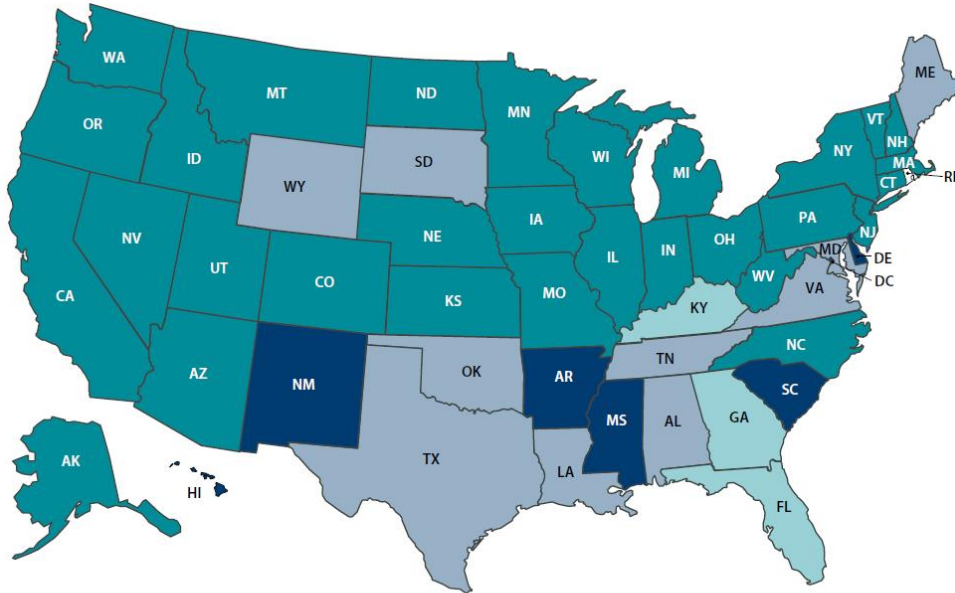
Who is NACCHO?

The National Association of County and City Health Officials (NACCHO) is comprised of nearly **3,000 local health departments** across the United States.

Our mission is to serve as a **leader**, **partner**, **catalyst**, and **voice** with local health departments.

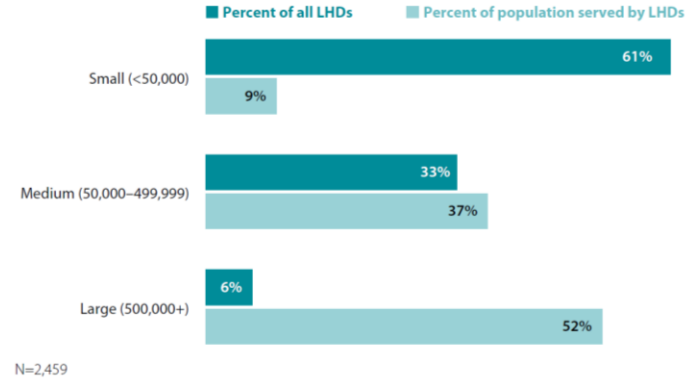
Figure 2.4 | Type of LHD governance, by state

- Local (all LHDs in state are units of local government)
- State (all LHDs in state are units of state government)
- Shared (all LHDs in state governed by both state and local authorities)
- Mixed (LHDs in state have more than one governance type)

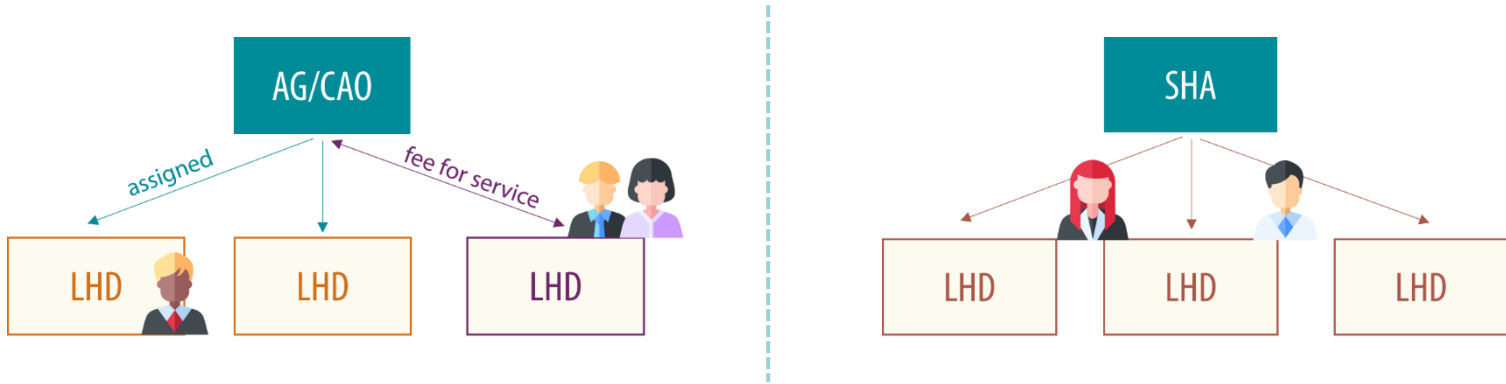


RI was excluded from the study
N=2,459

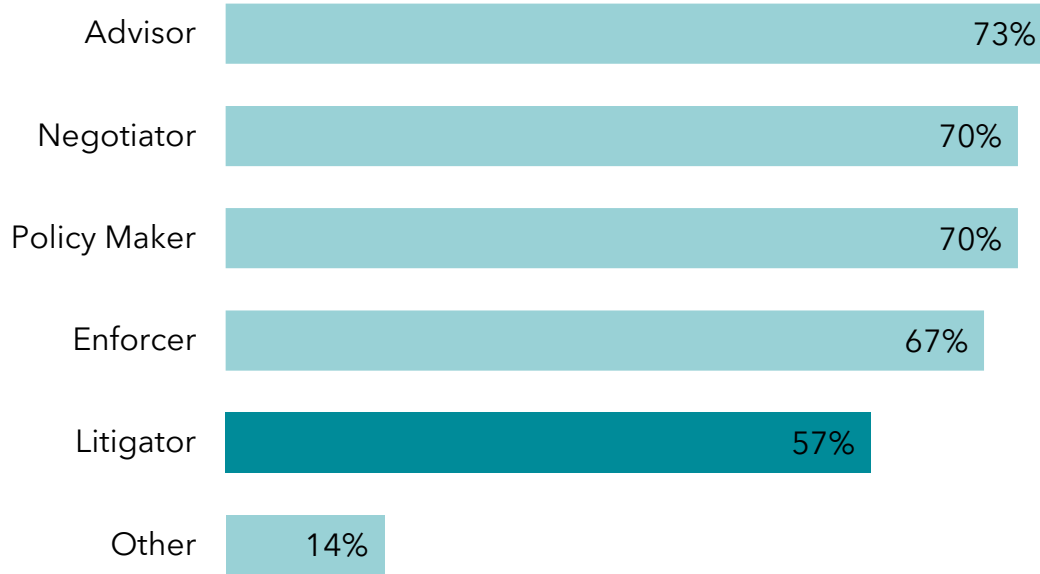
Figure 2.2 | Percent of United States population served by LHDs



Models of Attorney Engagement



Roles Attorneys Fill within LHDs



Barriers to Leveraging PH Attorneys



Lack of Understanding of the LHD hiring process for attorneys



Inability to identify a funding mechanisms to offer competitive salaries (to ensure consistent counsel by recruiting and retaining quality attorneys)



Available attorney has competing priorities (county vs city, state vs city/county, or Board of Health vs. Local authority)



Issues are not addressed in a timely manner for the LHD or attorneys are not available for counsel



Attorneys can be perceived as inaccessible by LHDs (e.g., available only to the executive team, not a trusted resource, too costly, attorney hesitancy, etc.)

NACCHO Resources Supporting Health Departments and Attorneys

- NACCHO Profile Study (<https://www.naccho.org/resources/lhd-research/national-profile-of-local-health-departments>)
- Lawyer Up to Level Up: Engaging Legal Counsel to Bolster Public Health (<https://www.naccho.org/blog/articles/lawyer-up-to-level-up-engaging-legal-counsel-to-bolster-public-health>)
- Public Health Law and Policy Website (<https://www.naccho.org/programs/public-health-infrastructure/law>)
- Upcoming
 - Public Health Enforcement Strategies Toolkit
 - Continued discussion and resources regarding on the Benefits of working with Public Health Attorneys

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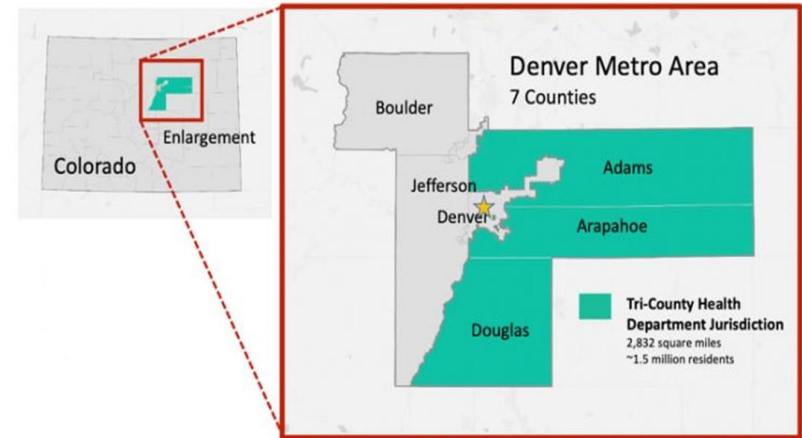
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Adams County

Tri-County Health Department: Adams, Arapahoe, & Douglas Counties

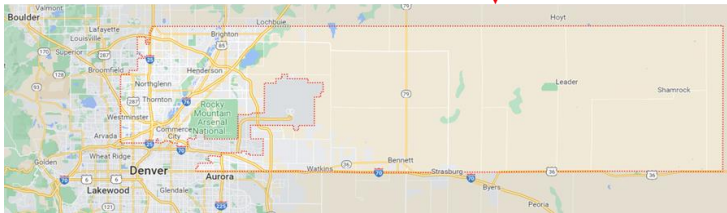
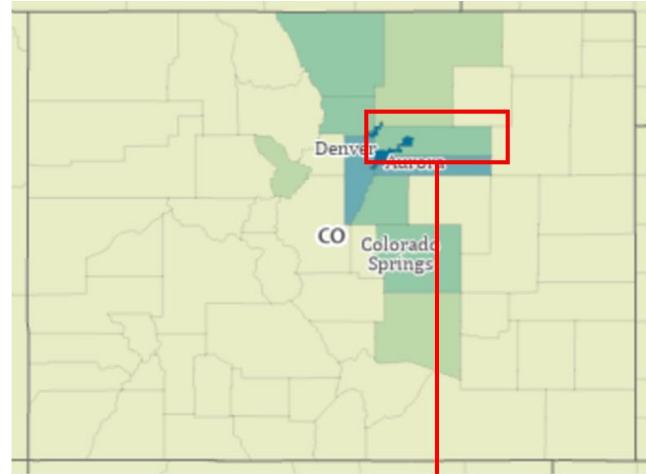
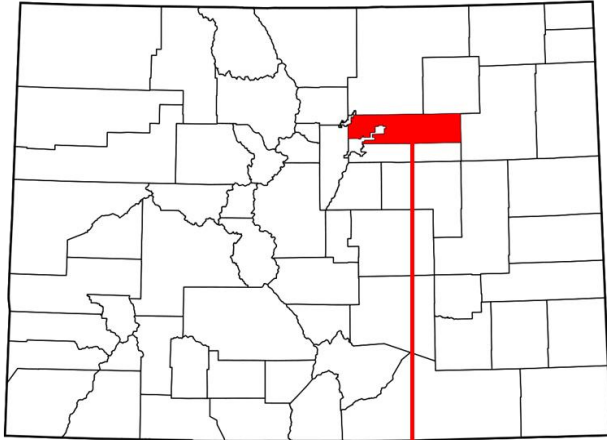
- Tri-County Health Department - District Health Department representing three counties since 1948. Adams, Arapahoe, and Douglas Counties.
- Hugely diverse counties regarding population, public health service need, funding limitations, etc.



Work with the Tri-County Health Department

- Staff Training
- Project Management
- Trust and Relationship Building
- Serving as a Resource to Diverse Groups of Stakeholders
- Pulling Traditional Public Health Work into Innovative Spaces with Diverse Stakeholders

Adams County Health Department



Adams County Health Department

Adams County Quick Facts

Population*	552,515	Median Household Income**	\$81,258
White Non-Hispanic*	48.1%	No High School Education**	16%
Hispanic*	41.6%	Families Below Poverty**	7.1%
African-American*	3.3%	Unemployment***	3.8%
Asian*	4.2%	Median Rent (monthly)**	\$1,581
Median Age**	34.8		

*Source: Colorado Department of Local Affairs, July 2021
Estimates, released Aug 2022

**Source: American Community Survey 2021 (Dec 2022 release)

***Source: Bureau of Labor Statistics, Nov 2022

Prevalence of Adult Health Risk Issues

Poor Mental Health	14.1%	Current Marijuana Use	19.2%
No Physical Activity	22.4%	Current Smoking	14.7%
Obesity	30.2%	Current Vaping	7.3%
Binge Drinking	17.9%		

Source: BRFSS 2020 Places, except vaping from
2018 - 2020 on COHD

Prevalence of Youth Health Risk Issues

Poor Mental Health	40.7%	Binge Drinking	12.0%
Considered Suicide	16.9%	Current Marijuana Use	13.4%
No Physical Activity	57.1%	Current Smoking	3.0%
Overweight/Obesity	26.5%	Current Vaping	17.7%
Electronically Bullied	8.2%	3+ hrs Daily Screenshot	76.5%

Source: Healthy Kids Colorado Survey 2021, except
overweight/obesity from 2019

Leading Causes of Death (2021)

Cause of Death (all ages)	Rate
1. Cancers	151.8
2. Heart Disease	142.3
3. COVID-19	106.7
4. Unintentional Injuries	86.9
Chronic Lower Respiratory Diseases	48.0
5. Stroke	46.1
6. Alzheimer's Disease	38.2
7. Chronic Liver Disease/Cirrhosis	30.8
8. Suicide	22.0
9. Diabetes Mellitus	21.8
Injury by Firearm	19.1
Drug-Induced Deaths	45.4
Alcohol-Induced Deaths	33.8

Cause of Death (Age 65+)	Rate
1. Cancers	820
2. Heart Disease	730
3. COVID-19	510

Ranked on Age-Adjusted Mortality Rates /100,000
Source: Colorado Department of Public Health and Environment, Vital Records
Program 2021

Work at the Adams County Health Department

Building the New Agency

- Transactional
- Using Law as a Design Element
 - Equity
 - Human Centered
- Using Law to Support the Work
- Internal and External Policy and Government Relations
- Establishing and Operating a New Board of Health

Current and Future Work

- Migrant Sheltering Public Health Order
- Paying Community for Their Time
- Use and Content of Consents Agencywide
- New Countywide Paid Leave Program
- Performance Management, Quality Improvement, Tech
- HIPAA

Resources

Used

- Attorney Listservs (local, state, and national)
- NACCHO/CDC Public Health Law Attorney Group
- NACCHO/CDC Public Health Law Practitioners Convening
- Network for PHL HIPAA Guidance, Officer Meetings/Listsers, Trainings

Needed

- Public Health Law Sections – State & National Bar Associations
- Public Health Focused Sessions at Government and Government Attorney Conferences
- Public Health Law Resources and Trainings that Policy/Decision Makers Use Meaningfully

THANK YOU

Q&A



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Thank you!



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For more information, contact CDC

1-800-CDC-INFO (232-4636)

TTY: 1-888-232-6348. | www.cdc.gov

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