Public Health Law 201

Public Health Decision-making: Can I? Must I? Should I?

Thursday, August 30, 2018, 10:00 a.m.-2:00 p.m.

Calhoun County Health Department

190 E. Michigan Avenue

Battle Creek, MI 49014

Welcome!

**Workshop description:**

The Public Health Law 201 trainings are 3-hour workshops regarding the powers and responsibilities (authority) of Michigan’s Local Health Departments to protect and improve the public’s health. The trainings will provide attendees with a framework for public health decision-making and then will use case scenarios to explore how legal, ethical, and other considerations apply in different public health contexts.

The workshops will be conducted by the Network for Public Health Law – Mid-States Region, located at the University of Michigan School of Public Health. Denise Chrysler, JD, Director of the Mid-States Region, will lead the workshops with assistance from Jennifer Bernstein, JD, MPH, Deputy Director, and Colleen Healy Boufides, JD, Senior Attorney for Mid-States. The workshops are primarily developed for Health Officers, Environmental Health Directors, Nursing Directors, Emergency Preparedness Coordinators, local Board of Health members, local commissioners and corporate counsel.

**Learning objectives:**

* Describe the powers and responsibilities of Michigan’s local public health departments to identify, investigate, and respond to public health threats.
* Employ a systematic process to navigate situations involving complex legal or ethical decisions.
* Explore the parameters of legal and ethical decision-making using public health case studies.
* Define the bounds of legally acceptable professional judgment and distinguish from instances involving an abuse of discretion.

**Workshop Agenda:**

10am – 11:45am Overview of public health legal framework in Michigan

Working with legal counsel

Introduction to public health decision-making tool

Case scenarios

* Unsanitary housing conditions
* Exclusion of children from school during communicable disease outbreak
* Statewide septic code proposal and preemption

11:45pm – 12:30pm *Lunch*

12:30pm – 2:00pm Case scenarios, continued

* Vapor intrusion investigation and response
* Contaminated strawberries and Hepatitis A outbreak

Wrap-up

**Handouts (in folder):**

1. PowerPoint
2. Evaluation
3. Network for Public Health Law Bookmark
4. Welcome, Agenda & Resources
5. Speaker Biographies
6. Public Health Core Functions and 10 Essential Services + Five Essential Public Health Law Services
7. Summary of Authority and Actions Regarding Public Health Emergencies
8. Legal Interventions for Environmental Hazards and Other Public Health Threats
9. Federal and Michigan Laws Protecting Individuals from Tort Liability
10. Tool for Executive Decision making
11. Petition for Treatment of Communicable Disease

**Resources:**

* Public Health Code, available at [www.legislature.michigan.gov](http://www.legislature.michigan.gov) (select “Chapter Index,” then Chapter 333).
* State Administrative Rules (select department), available at <http://www.michigan.gov/opt/0,5880,7-338-35738_5698-118524--,00.html>
  + The Michigan Food Code (administrative rules for food service establishments) available at <http://www.michigan.gov/documents/mdard/MI_Modified_2009_Food_Code_396675_7.pdf>.
* Commentary on the Michigan Public Health Code, available at <http://www.miphcommentary.org/>.
* Michigan’s Guide to Public Health for Local Governing Entities (County Commissioners, Boards of Health, and City Councils) (2006), available at <http://www.michigan.gov/documents/mdch/LGE_GuideBooklet__November2006_180010_7.pdf>.
* Network for Public Health Law fact sheets and issue briefs specific to Michigan, available at [www.networkforphl.org/michigan](http://www.networkforphl.org/michigan)
* Public Health Law Bench Book for Michigan Courts, available at <http://www.michigan.gov/documents/ag/PHLBB_2016_Edition_532659_7.pdf>.
* Michigan’s Social Distancing Law Project report and materials, available at <http://www.cdc.gov/phlp/publications/social_distancing.html>.
* Toolkit, “Public Health & Information Sharing Toolkit.” Created for the Association of State and Territorial Health Officials, November 2012. Posted at <http://www.astho.org/Programs/Preparedness/Public-Health-Emergency-Law/Public-Health-and-Information-Sharing-Toolkit/>. (*See especially,* Authorities and Limitations in Sharing Information Between Public Health Agencies and Law Enforcement posted at <http://www.astho.org/Programs/Preparedness/Public-Health-Emergency-Law/Public-Health-and-Information-Sharing-Toolkit/Authorities-and-Limitations/>).
* Public health & housing resource, See, Michigan Manual for the Prevention and Control of Bed Bugs for discussion of public health threats and regulation of housing, residences, and facilities available at <https://www.michigan.gov/documents/emergingdiseases/Bed_Bug_Manual_v1_full_reduce_326605_7.pdf>, Page 15-20 and 85-88 (Appendix A)