Public Health Law 301:

Using Law to Protect the Public’s Health

Wednesday, July 31, 2019, 11:00 a.m.-3:00 p.m.

Calhoun County Health Department

190 E. Michigan Avenue

Battle Creek, MI

Welcome!

**Workshop description:**

The Public Health Law 301 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, Deputy Director, 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:**

11am – 11:45am Overview of public health legal framework in Michigan (including local public health roles and responsibilities)

Working with legal counsel

Introduction to public health decision-making tool

11:45-12:30pm Case scenario 1: Measles Outbreak at a Day Care Facility

12:30 – 1:15pm *Lunch*

1:15pm – 2:00pm Case scenario 2: Role of Public Health in Addressing Uninhabitable Housing Conditions

2:00 – 2:15pm *Break*

2:15-3:00pm Case Scenario 3: Role of Public Health in Addressing an Environmental Threat involving uncertain or low-grade risk

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 Public Health Decision making
11. Michigan court-approved forms for use in commitment or testing for infectious disease:
    1. Petition and Ex Parte Order for Transport and/or Temporary Detention and Supporting Affidavit
    2. Petition for Treatment of Infectious Disease
    3. Petition for Continued Commitment for Treatment of Infectious Disease and Order to Reconvene Commitment Review Panel

**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/>.
* State Court Administrative Office (SCAO) Approved Forms for Use in Commitment or Testing for Infectious Disease, available at <https://courts.michigan.gov/Administration/SCAO/Forms/Pages/Infectious-Disease.aspx>.
* 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)