

Syllabus: Public Health Law

Course:

EOH 713-1001 & LAW 790-1006 (cross-listed)

Fall 2016

3 credits

Tuesdays & Thursdays 4-5:15 pm

Classroom: BSL (Boyd School of Law), Room 316 (for regular and make-up classes)

Scheduling Note: This is a graduate-level, interdisciplinary course open to students from the UNLV School of Community Health Sciences and the Boyd School of Law. This course will follow the central UNLV calendar. Boyd students in particular should note this information and plan accordingly. In addition, please note the scheduled make-up classes.

Office Hours:

- Mondays from 1:30 pm to 3:30 pm (except holidays and as otherwise announced);
- Thursdays from 10:00 am to Noon (except holidays and as otherwise announced);
- By appointment.

Course Description

Law is an essential tool for furthering the public's health. Central to public health law are government attempts to address the health needs of communities. This interdisciplinary course explores the tension between the needs of the community and the rights of the individual, a dynamic present in most major law-based public health interventions, from water fluoridation to vaccination mandates to quarantine and isolation.

In this course, students will examine law and policy applied to public health. Students will learn about the government's authority to address public health problems and legal protections from government action. They will learn about laws that create government entities and infrastructure to solve public health problems, laws that target specific health problems, and laws with collateral consequences for health. Additionally, students will use case studies on gun control, food safety, and tobacco to explore how legislation, regulation, and litigation can be deployed to improve the public's health.

Through course readings and assignments, students will bridge theory and practice by exercising some of the analytical and communication skills critical to the field. For example, students will have opportunities to draft comments on pending regulations, write policy analyses for a legislator, analyze implications of litigation, and work in groups to research and propose a legal intervention to a current public health challenge.

Learning Outcomes

Through this course, students will explore public health law and policy and how they can advance (and hinder) the public's health. By the end of the semester, students should be able to:

- Explain the role of law in public health practice;
- Discuss key legal principles relevant to public health;
- Describe the health policy process;
- Describe and analyze some contemporary public health challenges that involve law;
- Discuss the connection between legal interventions and empirical evidence;
- Compare legislation, regulation, and litigation as public health tools;
- Explain the relationship between the Affordable Care Act and prevention; and
- Discuss how laws affect the social determinants of health.

Students will also practice some of the skills critical for professionals who work at the intersection of public health and law and policy. Throughout the semester, students will exercise the following skills:

- Advocating for legal solutions to public health problems;
- Explaining legal and public health concepts to lay audiences;
- Researching and analyzing legislation, regulation, and litigation;
- Integrating empirical evidence into legal and policy analysis;
- Advising policymakers;
- Engaging in the policy process; and
- Collaborating across disciplines.

School of Community Health Sciences Competencies

This course will address the following UNLV School of Community Health Sciences Competencies:

MPH Core	
MPH 002	Gather, process, and present information to different audiences in-person, through information technologies, or through media channels.
MPH 006	Champion solutions to organizational and community challenges.
MPH 009	Consider the effect of choices on community stewardship, equity, social justice and accountability.
MPH 011	Plan for the design, development, implementation, and evaluation of strategies to improve individual and community health.
MPH 013	Recognize system level properties that result from dynamic interactions among human and social systems and how they affect the relationships among individuals, groups, organizations, communities, and environments.

By Specialty Area	
EOH 002	Understand the effects of environmental contaminants and infectious diseases on the human body and apply knowledge of these factors in developing prevention and management strategies and making policy recommendations.
EOH 004	Organize data and information, prepare technical reports, and give oral presentations on recognition, evaluation, management, and control of environmental health hazards.
EOH 005	Identify current regulatory problems and legislative authorities directed at managing contamination in water, air, soil, and food.
EAB 007	Explain the importance of epidemiology and biostatistics for informing scientific, ethical, economic, and political discussion of health issues.
SBH 002	Identify the causes of social and behavioral factors that affect health of individuals and populations.
SBH 006	Describe the role of social and community factors in both the onset and solution of public health problems.
SBH 007	Describe the merits of social and behavioral science interventions and policies.
SBH 010	Specify multiple targets and levels of intervention for social and behavioral science programs and/or policies.
HCA 002	Describe the legal and ethical bases for public health and health services.
HCA 003	Explain methods of ensuring community health safety and preparedness.
HCA 004	Discuss the policy process for improving the health status of populations.

Course Materials

Materials for the course will consist of selected readings available online through UNLV WebCampus. There is no required textbook for this course. Students who do not have a WebCampus account should set one up and can contact the Office of Information Technology at 702-895-0777 for assistance. Please contact the instructor with any related, unresolved issues.

Over the course of the semester, students will read primary (e.g. court cases, regulations, statutes, pending legislation, pending regulations) and secondary sources. Most secondary sources will come from public health literature, law literature, and “grey literature” (reports and white papers produced by government agencies and non-profit organizations). Throughout the semester, students will also be exposed to resources relevant to public health law and policy work.

Course Policies & Expectations

Students are expected to attend class, be punctual, prepared, engaged, and courteous to their colleagues and the instructor. Please respect the learning environment by adhering to the following policies:

- A. Attendance, Preparation, & Participation.** Attending class is mandatory. At the end of each class, students will submit a notecard with their names and at least one of the following: (1) an unanswered question about the material or (2) a key take-away from that day's class discussion. The notecards will be used to gauge engagement with the material and determine what may need clarification.

Daily, thoughtful class preparation and participation are critical for success in this course. Students will be graded on both the quality and quantity of participation.

As outlined in greater detail in the "Course Evaluation" section of this syllabus, attendance, preparation, and participation make up 20% of the final grade. Students are permitted two unexcused absences before absences will impact the final grade; students with more than three unexcused absences may be administratively disenrolled from the course. Notwithstanding an emergency, if a student believes an absence should be excused, the student should notify the instructor with the reason for the absence before the absence occurs. It is within the instructor's discretion to determine whether to excuse an absence.

- B. Reading assignments.** A tentative schedule of assigned readings for each class is included below. Students should complete the assignment for that day prior to class and should come to class prepared to discuss the readings. On average, students will be assigned 25 pages of reading per class. The instructor reserves the right to make changes to the readings but will provide at least one week of advance notice.
- C. Timeliness.** Class will start on time. As a professional courtesy to the instructor and to colleagues, students are expected to be on time. Excessive tardiness will be factored in to the participation grade.

In addition, students are expected to turn in all assignments on time. Assignment due dates are listed in this syllabus. Written assignments are due via WebCampus.

- D. Documents.** All written work product should be word processed, double-spaced, and in 12-point font.
- E. Technology Policy.** Students are expected to use technology in a professional, productive, and courteous manner. Students may use laptops and tablets only to take notes and further learning of the materials. In addition, students may not record classroom lectures.

Students should also silence any cell phones, tablets, laptops, or other noise-making devices before class begins. **Using smartphones or cellphones in class is prohibited.**

Disregarding this technology policy will be factored into a student's grade. Furthermore, if students persistently disregard this policy, the instructor will prohibit all use of all technology, including laptops and tablets, in the classroom.

F. UNLV-required Disclosures:

Academic Misconduct—Acceptance to the William S. Boyd School of Law (the Law School) represents much more than admission to the study of an intellectual discipline. The privilege of admission comes with a unique set of responsibilities, not only to fellow students, but to the Law School, to the legal profession, and to the public. The legal profession demands the highest degree of trustworthiness, honesty and public integrity. As future members of that profession, students of the Law School are bound to observe principles that reflect the same high standards that govern the practice of law. This Student Honor Code (the Honor Code) sets forth conduct that is prohibited, and it establishes minimum standards for student professional responsibility. The standards of conduct in the Honor Code are in addition to the standards set forth in the UNLV Student Conduct Code and the Law School Student Policy Handbook. Violations of the Honor Code will be subject to the procedures and sanctions of the Honor Code, as set forth below.

<https://portal.law.unlv.edu/files/portal/Student%20Handbook.12-13.Honor%20Code.pdf>

Academic integrity is a legitimate concern for every member of the campus community; all share in upholding the fundamental values of honesty, trust, respect, fairness, responsibility and professionalism. By choosing to join the UNLV community, students accept the expectations of the Student Academic Misconduct Policy and are encouraged when faced with choices to always take the ethical path. Students enrolling in UNLV assume the obligation to conduct themselves in a manner compatible with UNLV's function as an educational institution.

An example of academic misconduct is plagiarism. Plagiarism is using the words or ideas of another, from the Internet or any source, without proper citation of the sources. See the *Student Academic Misconduct Policy* (approved December 9, 2005) located at: <https://www.unlv.edu/studentconduct/student-conduct>.

Academic Success Program/CASE—The Academic Success Program assists students in removing barriers to academic success. This includes reviewing past exams, giving sample exams or hypotheticals, evaluating study habits, and assisting with time and stress management issues.

The Academic Success Program also provides a series of pre-bar exam lectures to assist in preparing to take the bar, as well as opportunities for thoughtful feedback and individualized assistance in bar preparation through the bar prep period. More information can be found here: <https://law.unlv.edu/academics/asp/current-students>

Copyright—The University requires all members of the University Community to familiarize themselves with and to follow copyright and fair use requirements. You are individually and solely responsible for violations of copyright and fair use laws. The University will neither protect nor defend you nor assume any responsibility for employee or student violations of fair use laws. Violations of copyright laws could subject you to federal and state civil penalties and criminal liability, as well as disciplinary action under University policies. Additional information can be found at: <http://www.unlv.edu/provost/copyright>.

Disability Resource Center (DRC)—The UNLV Disability Resource Center (SSC-A 143, <http://drc.unlv.edu/>, 702-895-0866) provides resources for students with disabilities. If you feel that you have a disability, please make an appointment with a Disabilities Specialist at the DRC to discuss what options may be available to you. If you are registered with the UNLV Disability Resource Center, bring your Academic Accommodation Plan from the DRC to the law school Registrar's office to develop strategies for implementing the accommodations to meet both your needs and the requirements of the course.

Law Library—The Wiener-Rogers Law Library provides resources to support students' access to information. Reference librarians are available for consultation in person or by phone or email. For library services and resources, see <https://law.unlv.edu/law-library> and <https://law.unlv.edu/academics/law-library/student>.

Religious Holidays Policy—Any student missing class quizzes, examinations, or any other class or lab work because of observance of religious holidays shall be given an opportunity during that semester to make up missed work. The make-up will apply to the religious holiday absence only. It shall be the responsibility of the student to notify the instructor **within the first 14 calendar days of the course for fall and spring courses (excepting intersession courses), or within the first 7 calendar days of the course for summer and modular courses**, of his or her intention to participate in religious holidays which do not fall on state holidays or periods of class recess. For additional information, please visit: <http://catalog.unlv.edu/content.php?catoid=6&navoid=531>.

Rebelmail—Rebelmail is UNLV's official email system for students. It is one of the primary ways students receive official university communication such as information about deadlines, major campus events, and announcements. All UNLV students receive a Rebelmail account after they have been admitted to the

university. Students' email prefixes are listed on class rosters. The suffix is always @unlv.nevada.edu. The law school has two general email lists for students: INFO and ADMIN-MSGs. Some faculty will use TWEN or personal gmail groups to send specific class messages.

Course Evaluation

Students will be evaluated based on (1) class participation, (2) four, equally weighted written assignments; and (3) a group presentation. The relative value of each is listed below:

Class Participation	20%
4 Written Assignments (each weighted equally)	50%
Group Presentation	30%

- 1. Class Participation (20%).** All students are expected to regularly and actively participate in class. Students will be graded on quantity and quality of participation. The following criteria will be considered in evaluating class participation:
 - Demonstrating careful completion of reading assignments;
 - Exhibiting critical analysis of class materials;
 - Participating actively in class discussions and activities;
 - Respecting colleagues and the learning environment; and
 - Attending class and reflecting on the material.
- 2. Written Assignments (50%).** Over the course of the semester, students will complete four written assignments, each weighted equally. The assignments are designed to familiarize students with critical public health law and policy issues, tools, and processes as well as to provide an opportunity to practice skills critical for professionals using law and policy to improve the public's health.

Students must complete all writing assignments independently.

The assignments are outlined below; additional guidance will be provided for each assignment.

- a. Bench memorandum.** Students will write an objective bench memorandum to a judge presiding over a case with public health ramifications. The memorandum will address the legal issues in the case and analyze potential public health implications.

Due date: September 25, 2016 by 11:59 pm via WebCampus

- b. **Regulatory comments.** Each student will draft substantive comments on proposed public health regulations that could be presented to the agency considering the regulations. Comments will analyze how the proposed regulations could impact the public's health and argue a specific position.

Due date: **October 23, 2016** by 11:59 pm via WebCampus

- c. **Legislative analysis.** Each student will identify a public health problem that a state has attempted to address with legislation. In order to advise a state legislator in a different state on whether to pursue similar legislation, students will explain key provisions of the selected statute and analyze the legal and public health questions it may raise.

Due date: **November 13, 2016** by 11:59 pm via WebCampus

- d. **Policy-in-Action assignment.** Each student will observe a government hearing in which a public health issue is being discussed and write a paper describing what the student observed in the hearing as well as analyzing how the hearing relates to the materials covered in class and how the experience compared with the student's expectations.

Students can expect public meetings during and after business hours; information on which public meetings qualify for this assignment will be provided. Although this assignment is due at the end of the semester, students are **strongly encouraged** to attend the hearing and complete the assignment during the first part of the semester because public hearings are sometimes canceled and other conflicts arise.

Due date: **December 4, 2016** by 11:59 pm via WebCampus

3. **Final Group Project (30%).** Students will work in groups to research public health issues affecting Nevada and possible law-based interventions. Students will need to coordinate meeting times outside of class to work on the presentations. At the end of the semester, each group will present its research and ideas to the class and answer questions.

Presentations: **November 22, 2016**

Schedule

Below is a schedule of topics covered and readings to be completed before each class. The schedule also includes dates on which assignments are due and indicates when the class will follow a make-up schedule. Students should mark their calendars accordingly.

Please note that, with notice, readings are subject to change.

<i>Date</i>	<i>Topics</i>
UNIT I: An Introduction to public health and law	
Tues. 8/30	<p>Course information</p> <p>Introduction to public health law</p> <p><u>Required Reading:</u></p> <p>Gostin LO, Thompson FE, Grad FP. The law and the public's health: the foundations. In: Goodman RE, Hoffman RE, Lopez W, Matthews GW, Rothstein MA, Foster KL, eds. <i>Law in Public Health Practice</i>. 2nd ed. New York, NY: Oxford; 2007: 25-45.</p> <p><u>Peruse and consider signing up for updates:</u></p> <p>Network for Public Health Law website. https://www.networkforphl.org/.</p> <p>CDC Public Health Law Program website. http://www.cdc.gov/phlp/.</p>
Thurs. 9/1	<p>Fundamentals of public health and law</p> <p><u>Required Reading:</u></p> <p>Farnsworth A. <i>An Introduction to the Legal System of the United States</i>. New York, NY: Oxford, 2010, p. 163-172.</p> <p>Fielding JE, Teutsch S, Breslow L. A Framework for Public Health in the United States. <i>Public Health Rev.</i> 2010; 32(1): 174-189.</p>
UNIT II: Legal authority to address the public's health and its limitations	
Tues. 9/6	<p><i>Exercising public health powers: public health legal authority & police powers</i></p> <p><u>Required Reading:</u></p> <p><i>Jacobson v. Massachusetts</i>, 197 U.S. 11 (1905).</p> <p>Mariner WK, Annas JA, Glantz LH, <i>Jacobson v. Massachusetts: it's not your great-great-grandfather's public health law</i>, <i>Am J Public Health</i> 2005 Apr; 95(4): 581-590.</p> <p>Gostin LO, <i>Jacobson v Massachusetts at 100 years: police power and civil liberties in tension</i>. <i>Am J Public Health</i> 2005 Apr; 95(4): 576-581.</p> <p>Mello MM, Studdert DM, Parmet WE. <i>Shifting vaccination politics – the end of</i></p>

	<p>personal belief exemptions in California. <i>N Engl J Med</i> 2015 Jul. 22; (epub).</p>
<p>Thurs. 9/8</p>	<p><i>Exercising public health powers: federalism & preemption</i></p> <p><u>Required Reading:</u></p> <p>Hodge JG. Role of new federalism and public health law, <i>J Law Health</i> 1997; 12(2): 309-357. <u>Read pages 310-318.</u></p> <p>Rutkow L, Vernick JS. The U.S. Constitution's commerce clause, the supreme court, and public health. <i>Public Health Reports</i> 2011 Sept. – Oct.; 126(5): 750-753.</p> <p>Pertschuk M, Pomeranz JL, Aoki JR, Larkin MA, & Paloma, M. Assessing the impact of federal and state preemption in public health: a framework for decision makers. <i>J Public Health Manag Pract</i> 2013 May-Jun; 19(3): 213-219.</p> <p>Mello MM, Cohen G. The taxing power and the public's health. <i>N Engl J Medicine</i> 2012; 367: 1777-79.</p>
<p>Tues. 9/13</p>	<p><i>Exercising public health powers: autonomy & bodily integrity (immunizations)</i></p> <p><u>Required Reading:</u></p> <p><i>Zucht v. King</i>, 260 U.S. 174 (1922).</p> <p><i>Maricopa County Health Dept v. Harmon</i>, 750 P.2d. 1364 (Ariz. Ct. App. 1987).</p> <p>Silverman RD. No more kidding around: restructuring non-medical childhood immunization exemptions to ensure public health protection, <i>Ann Health L.</i> 2003 Sum.; 12(2): 277-94.</p> <p>Mello MM, Studdert DM, Parmet WE. Shifting vaccination politics – the end of personal-belief exemptions in California. <i>N Engl J Med</i> 2015 Jul. 22; (epub)</p>
<p>Thurs. 9/15</p>	<p><i>Exercising public health powers: privacy (patient privacy and public health)</i></p> <p><u>Guest lecture:</u> Professor Stacey Tovino, JD, PhD Lehman Professor of Law Director, Health Law Program UNLV William S. Boyd School of Law</p> <p><u>Required Reading:</u></p> <p>Burris S. Disease stigma in US public health law. <i>J Law Med Ethics</i> 2002; 30(2): 179-190.</p>

	<p>Hodge JG. Health Information Privacy and Public Health. <i>J Law Med Ethics</i> 2003 Winter; 31(4): 663–671.</p> <p>Rothstein MA. HIPAA Privacy Rule 2.0. <i>J Law Med Ethics</i> 2013; 41(2): 525-528.</p> <p>O'Connor, J., & Matthews, G. Informational privacy, public health, and state laws. <i>Am J Public Health</i> 2011 Oct.; 101(10): 1845-1850.</p>
Tues. 9/20	<p><i>Exercising public health powers: freedom of expression</i></p> <p><u>Required Reading:</u></p> <p>Elisa P. Laird-Mertke, Tobacco Control Legal Consortium. Regulating tobacco marketing: a “commercial speech” factsheet for state and local government (2010).</p> <p>Bayer R, Kelly M. Tobacco control and free speech—an American dilemma. <i>N Engl J Med</i> 2010 Jan. 28; 362: 281-283.</p> <p>Bayer R, Johns D, Colgrove J. The FDA and graphic cigarette-pack warnings—thwarted by the courts. <i>N Engl J Med</i> 2013 Jul. 18; 369(3): 206-208.</p> <p>Mermin SE, Graff SK. The First Amendment and public health, at odds. <i>Am J Law Med</i> 2013; 39(2-3): 298-307.</p> <p><u>Suggested reading:</u></p> <p>Orentlicher D. Commercial speech doctrine in health regulation: the clash between the public interest in a robust first amendment and the public interest in effective protection from harm, <i>Am. J Law Med.</i> 2011; 37(2-3): 299-314.</p> <p>Harris JL, Graff SK. Protecting young people from junk food advertising: implications of psychological research for First Amendment law. <i>Am J Public Health</i>, 2012 Feb; 102(2), 214-222.</p>
Thurs. 9/22	No Regular Class Meeting
Sun. 9/25 by 11:59 PM: Bench Memorandum due via WebCampus	
Tues. 9/27	<p><i>Exercising public health powers: criminalizing behaviors that undermine the public’s health (HIV exposure)</i></p> <p><u>Required Reading:</u></p>

	<p>Lazzarini Z, Galletly CL, Mykhalovskiy E, Harsono D, O’Keefe E, Singer M, Levine RJ. Criminalization of HIV transmission and exposure: research and policy agenda. <i>Am J Public Health</i>: 2013 Aug.; 103(8): 1350-1353.</p> <p>Lehman JS, Carr MH, Nichol AJ, Ruisanchez, A, Knight DW, Langford AE, Gray SC and Mermin JH. Prevalence and public health implications of state laws that criminalize potential HIV exposure in the United States. <i>AIDS and Behavior</i>: 2014 Jun: 18(6): 997-1006.</p> <p><i>Rhoades v. State</i>, 848 N.W.2d 22, 27–28 (Iowa 2014).</p>
<p>Thurs. 9/29</p>	<p><i>Exercising public health powers: public health emergencies</i></p> <p><u>Required Reading:</u></p> <p>The Model State Health Emergency Powers Act. <u>Read Articles IV – VI</u> (p. 18-34).</p> <p>Annas GJ. Bioterrorism, public health, and civil liberties. <i>N Engl J Med</i> 2002 Apr. 25; 346(17):1337-42.</p> <p>Gostin LO, Hodge JG. Is the United States Prepared for a Major Zika Virus Outbreak?. <i>JAMA</i>. 2016 Apr 13.</p>
<p>UNIT III: Legal tools and policy considerations</p>	
<p>Fri. 9/30</p> <p>10:00- 12:40 pm</p>	<p>**Make-up class**</p> <p>Regulation</p> <p>Group Project Workshop</p> <p><u>Required Reading:</u></p> <p>Jacobson PD, Hoffman RE, Lopez W. Regulating public health: principles and application of administrative law. In: Goodman RE, Hoffman RE, Lopez W, Matthews GW, Rothstein MA, Foster KL, eds. <i>Law in Public Health Practice</i>. 2nd ed. New York, NY: Oxford; 2007: 69-88.</p> <p><u>Suggested Reading:</u></p> <p>Richards EP. Public health law as administrative law: example lessons. <i>J. Health Care Law Policy</i> 2007; 10: 61-88.</p> <p>Farber DA, O’Connell AJ. The lost world of administrative law. <i>Texas Law Review</i>, 2014; 92:1137-89.</p>

	<p>Gakh M, Vernick JS, Rutkow L. Using gubernatorial executive orders to advance public health. <i>Public Health Reports</i>, 2013 Mar.-Apr.; 128(2): 127-130.</p>
<p>Tues. 10/4</p>	<p>Regulation case study: food safety</p> <p><u>Required Reading:</u></p> <p>Kux L, Sobel J, Fain KM. Control of foodborne diseases. In: Goodman RE, Hoffman RE, Lopez W, Matthews GW, Rothstein MA, Foster KL, eds. <i>Law in Public Health Practice</i>. 2nd ed. New York, NY: Oxford; 2007: 361-84.</p> <p>David SD, Katz RL. Navigating the legal framework for state foodborne illness surveillance and outbreak response: observations and challenges. <i>J Law Med Ethics</i> , 2013 Mar.; 41(S1): 28-32.</p> <p>Gostin LO, Stewart KF. Food and Drug Administration regulation of food safety. <i>JAMA</i>, 2011 Jul. 6; 306(1): 88-89.</p> <p><u>Peruse:</u></p> <p>Southern Nevada Health District Food Establishment Regulations:</p> <ul style="list-style-type: none"> • Table of contents: https://www.southernnevadahealthdistrict.org/food-regulations/table-contents.php • Chapter 3: https://www.southernnevadahealthdistrict.org/food-regulations/chapter3.php. <p><u>Suggested Reading:</u></p> <p>Ho DE. Fudging the nudge: Information disclosure and restaurant grading. <i>Yale Law J</i>, 2012; 122: 574-668.</p>
<p>Thurs. 10/6</p>	<p>Health Law Program Speaker Series</p> <p><i>Protecting Health Privacy Is Harder Than You Think</i> (Noon) Professor Mark Rothstein, JD Herbert F. Boehl Chair of Law and Medicine & Founding Director, Institute for Bioethics, Health Policy and Law University of Louisville School of Medicine Professor of Law University of Louisville Louis D. Brandeis School of Law Louisville, Kentucky</p> <p>Second Annual Health Law Lecture: <i>Changing Standards for Health Care Professional Programs for Individuals with Disabilities: Southeastern Community College Revisited</i> (4 pm) Professor Laura Rothstein, JD</p>

	Distinguished University Scholar and Professor of Law University of Louisville Louis D. Brandeis School of Law Louisville, Kentucky
Tues. 10/11	<p>Legislation</p> <p><u>Required Reading:</u></p> <p>Farnsworth A. <i>An Introduction to the Legal System of the United States</i>. New York, NY: Oxford, 2010, pg. 69-90. Read pages 69-76; 81-88.</p> <p>The Legislature in Action: A Bill Becomes a Law. Nevada State Legislature website. https://www.leg.state.nv.us/General/AboutLeg/Detail/index.html</p> <p>How a bill becomes a law. New York State Senate website. http://www.nysenate.gov/How_a-Bill_Becomes_a_Law</p>
Thurs. 10/13	<p>Legislation case study: gun control</p> <p><u>Required Reading:</u></p> <p>Webster D, Vernick JS, Vittes K, McGinty E, Teret SP, Frattarolli, S. The case for gun policy reform in America. The Johns Hopkins Center for Gun Policy and Research. 2014 Feb 5. http://www.jhsph.edu/research/centers-and-institutes/johns-hopkins-center-for-gun-policy-and-research/publications/WhitePaper020514_CaseforGunPolicyReforms.pdf</p> <p>State gun laws enacted in the year since Newtown. <i>New York Times</i> website. http://www.nytimes.com/interactive/2013/12/10/us/state-gun-laws-enacted-in-the-year-since-newtown.html?_r=0</p> <p>Delaware H.B. 35 (147th General Assembly): http://legis.delaware.gov/LIS/lis147.nsf/vwLegislation/HB+35/\$file/legis.html?open</p>
Tues. 10/18	<p>Litigation case study: tobacco</p> <p><u>Required Reading:</u></p> <p>Kelder GE, Daynard RA. The role of litigation in the effective control of the sale and use of tobacco. <i>Stanford Law Policy Rev.</i> 1997; 8:63-98. Read pg. 70-87.</p> <p>Daynard R, Parmet W, Kelder G, Davidson P. Implications for tobacco control of the multistate tobacco settlement. <i>Am J Public Health.</i> 2001 Dec.; 91(12): 1967-1971.</p>

	<p><u>Suggested Reading:</u></p> <p>Teret SP. Litigating for the public's health. <i>Am J Public Health</i> 1986 Aug.; 76(8): 1027-29.</p> <p>Rutkow L, Teret, SP. Role of state attorneys general in health policy. <i>JAMA</i> 2010 Sep. 22; 304(12): 1377-78.</p>
<p>Thurs. 10/20</p>	<p>Public health policy</p> <p><u>Required Reading:</u></p> <p>Oliver TR. The politics of public health policy. <i>Annu Rev Public Health</i> 2006; 27: 195-225.</p> <p><u>Suggested Reading:</u></p> <p>Brown LD. The political face of public health. <i>Public Health Rev</i> 2010; 32:155-173.</p>
<p>Sun. 10/23 by 11:59 PM: Regulatory Comments due via WebCampus</p>	
<p>Tues. 10/25</p>	<p>The role of evidence: community water fluoridation and oral health</p> <p><u>Required Reading:</u></p> <p>N.R.S §§ 445A.020 - 445A.055, 445A.840</p> <p>Truman BI, Gooch BF, Sulemana I, et al. Reviews of evidence on interventions to prevent dental caries, oral and pharyngeal cancers, and sports-related craniofacial injuries. <i>Am J Prev Med</i> 2002; 23(1S):21-54. <u>Read pages 21-28.</u></p> <p>Fielding JE, Marks JS, Meyers MW, Nolan PA, Rawson RD, Toomey KE. How do we translate science into public health policy and law. <i>J Law Med Ethics</i> 2002 Fall; 30(3 Supp): 22-32.</p> <p>Burris S, Wagenaar AC, Swanson J, Ibrahim JK, Wood J, and Mello M. Making the case for laws that improve health: a framework for public health law research. <i>Millbank Quarterly</i> 2010; 88(2):169-210. <u>Read pages 169-179.</u></p> <p><u>Peruse:</u></p> <p>Public Health Law Research, www.phlr.org</p> <p>"All Findings of the Community Preventative Services Task Force," http://www.thecommunityguide.org/about/conclusionreport.html.</p>

<p>Thurs. 10/27</p>	<p>Public health policy guest panel</p> <p><u>Required Reading:</u></p> <p>Pacula RL, Kilmer B, Wagenaar AC, Chaloupka FJ, Caulkins JP. Developing public health regulations for marijuana: lessons from alcohol and tobacco. <i>Am J Public Health</i> 2014 Apr. 17: e1-e8.</p> <p>Abiola SE, Colgrove J, Mello MM. The politics of HPV vaccination policy formation in the United States. <i>J of Health Politics, Policy, and Law</i> 2013 38(4):645-681. <u>Read pages 645-676.</u></p> <p><u>Suggested Reading:</u></p> <p>Fell JC, Voa RB. Mothers against drunk driving (MADD): the first 25 years. <i>Traffic Injury Prevention</i> 2007; 7(3): 195-212.</p>
<p>Tues. 11/1</p>	<p>No Regular Class Meeting – Students encouraged to meet with groups</p>
<p>UNIT IV: New directions in public health law¹</p>	
<p>Thurs. 11/3</p>	<p>Infrastructural laws: agency organization & duties</p> <p><u>Required Reading:</u></p> <p>NRS §§ 439.010 – 439.270 (Division of public and behavioral health)</p> <p>NRS §§ 439.361 – 439.3685 (District board of health and district health officer in counties whose population is 700,000 or more)</p> <p>Mays GP, Smith SA, Ingram RC, Racster LJ, Lamberth CD, Lovely ES. Public health delivery systems: evidence, uncertainty, and emerging research needs. <i>Am J Prev Med</i>, 2009 Mar.; 36(3): 256-265.</p> <p><u>Peruse:</u></p> <p>2013 national profile of local health departments. National Association of County & City Health Officials website. http://www.naccho.org/topics/infrastructure/profile/upload/2013-National-Profile-of-Local-Health-Departments-report.pdf</p>

¹ For additional information on this framework of public health law, see Burris S, Wagenaar AC, Swanson J, Ibrahim JK, Wood J, Mello MM. Making the case for laws that improve health: a framework for public health law research. *Milbank Quarterly* 2010; 88(2): 169-210. Moulton AD, Mercier SL, Popovic T, Briss PA, Goodman RA, Thornbly ML, Hahn RA, Fox DM. The scientific basis for law as a public health tool. *Am J Public Health* 2009 Jan; 99(1): 17-24.

	<p>ASTHO profile of state public health. Association of State and Territorial Health Officials website. http://www.astho.org/Profile/</p>
Tue. 11/8	<p>Interventional laws: obesity prevention</p> <p><u>Required Reading:</u></p> <p>Pomeranz JL, Teret SP, Sugarman SD, Rutkow L, Brownell KL. Innovative legal approaches to address obesity. <i>Milbank Quarterly</i>. 2009; 87(1):185-213.</p> <p>Bleich SN, Rutkow L. Improving obesity prevention at the local level—emerging opportunities. <i>N Engl J Med</i> 2013 May 9; 368(19):1761-1763.</p> <p>Studdert DM, Flanders J, Mello MM. Searching for public health law’s sweet spot: the regulation of sugar-sweetened beverages. <i>PLoS Med</i>. 2015 Jul 7;12(7):e1001848.</p> <p>Donaldson EA, Cohen JE, Villanti AC, Kanarek NF, Barry CL, Rutkow L. Patterns and predictors of state adult obesity prevention legislation enactment in US states: 2010–2013. <i>Preventive Medicine</i>. 2015 May 31;74:117-22.</p> <p><u>Suggested Reading:</u></p> <p>Mello MM, Studdert DM, Brennan TA. Obesity—the new frontier of public health law. <i>N Engl J Med</i>. 2006 Jun. 15; 354(24): 2601-10.</p> <p>Wiley LF. Shame, blame, and the emerging law of obesity control. <i>U California Davis L. Rev</i> 2013 Nov.; 47: 121- 88.</p>
Thurs. 11/10	<p>Incidental laws: improving conditions in which we live, learn, work, & play</p> <p><u>Required Reading:</u></p> <p>Burriss S. Law in a social determinants strategy: a public health law research perspective. <i>Public Health Rep</i> 2011 Sep.-Oct.; 26(S3): 22-27.</p> <p>Frieden TR. A framework for public health action: the health impact pyramid. <i>Am J Public Health</i>. 2010 Apr.; 100(4): 590-595.</p> <p>Mayes R, Oliver TR. Chronic disease and the shifting focus of public health: is prevention still a political lightweight. <i>J Health Polit, Policy Law</i> 2012 Apr; 37(2): 181-200. Read pages 191-96.</p>
<p>Sun. 11/13 by 11:59 PM: Legislative Analysis due via WebCampus</p>	
Tues. 11/15	<p>Prevention and health reform</p>

	<p><u>Required Reading:</u></p> <p>Koh HK, Sebelius KG. Promoting prevention through the Affordable Care Act. <i>N Engl J Med</i> 2010 Sep. 30; 363(14): 1296-1299.</p> <p>Rosenbaum S. The Patient Protection and Affordable Care Act: implications for public health policy and practice. 2011 Jan-Feb; <i>Public Health Rep</i> 126(1): 130-135.</p> <p>Shaw, F.E., Asomugha, C.N., Conway, P.H. and Rein, A.S., 2014. The Patient Protection and Affordable Care Act: opportunities for prevention and public health. <i>The Lancet</i>, 384(9937): 75-82.</p> <p>Jost TS. An affordable care act at year 5: key issues for improvement. <i>JAMA</i>. 2015 May 5;313(17):1709-10.</p> <p>Jost TS. A Critical Year For The Affordable Care Act. <i>Health Affairs</i> (Project Hope). 2016 Jan 1;35(1):8.</p>
Thurs. 11/17	No Regular Class Meeting – Students encouraged to meet with groups
Tue. 11/22	<p align="center">**Extended class (4-6 pm)**</p> <p align="center">Student Group Presentations</p>
Thurs. 11/24	No Class Meeting – Thanksgiving
Tues. 11/29	<p>A public health attorney's perspective</p> <p><i>Guest Lecture</i> Annette Bradley, Esq. Legal Department Southern Nevada Health District</p>
Thurs. 12/1 (Friday schedule at Boyd)	<p>**Make-up class**</p> <p>Today's (and tomorrow's?) public health law</p> <p><u>Required Reading:</u></p> <p>Mello MM, Wood J, Burris S, Wagenaar AC, Ibrahim JK, Swanson JW. Critical opportunities for public health law: a call for action. <i>Am J Public Health</i> 2013 Nov; 103(11): 1979-88.</p>

<p>Parment WE, Jacobson PD. The courts and public health: caught in a pincer movement. <i>Am J Public Health</i>: 2014 Mar; 104(3): 392-97.</p> <p>Burris, S., Ashe, M., Levin, D., Penn, M.S. and Larkin, M., 2016. A transdisciplinary approach to public health law: the emerging practice of legal epidemiology. <i>Annual Review of Public Health, Online</i>, 37.</p> <p><u>Suggested Reading:</u></p> <p>Hall MA. The scope and limits of public health law. <i>Perspect Biol Med</i> 2003 Sum; 46(S3) S199-S209.</p> <p>Wiley LF, Berman ML, Blanke D. Who's your nanny? choice, paternalism and public health in the age of personal responsibility. <i>J Law Med Ethics</i> 2013 Mar; 41(S1): 88-91.</p> <p>Fairchild AL, Rosner D, Colgrove J, Bayer R, Fried LP. The EXODUS of public health what history can tell us about the future. <i>Am J Public Health</i> 2010 Jan; 100(1): 54-63.</p> <p>Edgely M. Why do mental health courts work? A confluence of treatment, support, and adroit judicial supervision. <i>Int J Law Psychiatry</i> 2014 Mar. 20; pii: S0160-2527(14)00042-9.</p>	
<p>Sun. 12/4 by 11:59 PM: Policy-in-Action Assignment due via WebCampus</p>	
<p>Tue. 12/6</p>	<p>TBD</p>
<p>Thur. 12/8</p>	<p>TBD</p>

Helpful Resources

The following resources contain practical, hands-on tools and information relevant to public health law.

- **Network for Public Health Law:** <https://www.networkforphl.org/>
- **CDC Public Health Law Program:** <http://www.cdc.gov/PHLP/>
- **ChangeLab Solutions:** <http://changelabsolutions.org/>
- **Public Health Law Center:** <http://publichealthlawcenter.org/about/staff>
- **ASTHO:** <http://www.astho.org/Public-Policy/Public-Health-Law/Resources/>
- **NACCHO:** <http://www.naccho.org/topics/infrastructure/PHLaw/index.cfm>
- **Johns Hopkins Center for Law & the Public's Health:** <http://www.jhsph.edu/research/centers-and-institutes/center-for-law-and-the->

- [publics-health/](#)
- **Public Health Law Research:** <http://phlr.org/>
 - **The Community Guide:** <http://www.thecommunityguide.org/index.html>