

State Public Health Law Modernization: Assessing the Impact of the Turning Point Model State Public Health Act

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Public Health Law Reform

- **Public Health Law Reform in the 21st Century**
 - “Public health law in the United States is ripe for reform”
- **Assessment of State Public Health Laws**
- **Benefits and Risks in Law Reform**
- **Healthy People 2010**
 - “...the Nation’s public health infrastructure would be strengthened if jurisdictions had a model law and could use it regularly for improvements.”



The Turning Point Statute Modernization Project

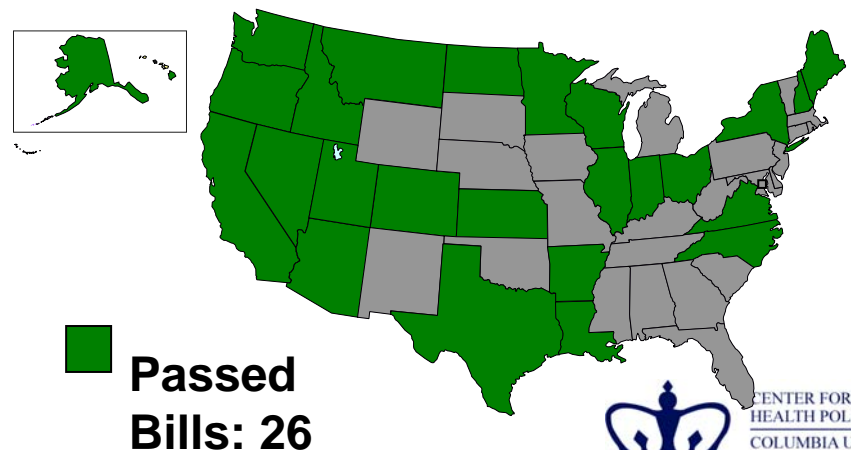
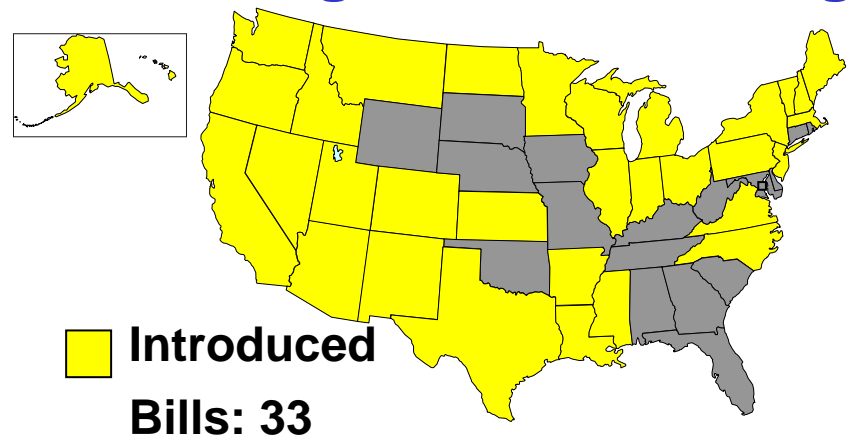
- Mission – To transform and strengthen the legal framework for the state public health system through a collaborative process to develop a model state public health law.
- The Turning Point Model State Public Health Act
 - Phase I: State Public Health Law Assessment
 - Phase II: Development of a Model Law
 - Turning Point Model State Public Health Act - released September 16, 2003
 - Phase III: Dissemination & Education



The Turning Point Act - States That Have **Introduced** And **Passed** Bills Or Resolutions

- States have used or are using the Act to assess their existing state public health laws
- Alaska HB 95, “An Act relating to the duties of the Dept of Health & Social Services,” passed in June 2005, is directly based on multiple provisions of the Act.

■ Legislative Tracking



Transforming National Collaboration into State Legislation—Assessing the Impact of the Turning Point Act

- Comparative Case Study
 - Justification – Assess how the Turning Point Act is currently being used by state and local law- and policy-makers in legislative and regulatory reform initiatives
 - Scope – Describe the effectiveness of the Turning Point Act as a means to promote public health through legal reforms at the state and local levels
 - Implications – Apply lessons learned from the Turning Point Act experience to future state legislative reform efforts

Public Health Law Reform Pursuant to the Turning Point Act

- Case Study Method
 - Cases Selected - Successes and failures
 - Interviewees - Legislators, Bureaucrats, Advocates
 - Semi-Structured Interviews
 - Role of the informant
 - Public health problems addressed by the changes
 - Obstacles to changes in state law and the strategies used to overcome these obstacles
 - Subsequent changes in public health regulation, organization or programs based on legal reforms
 - Expected changes in public health outcomes



Preliminary Conclusions—State Political and Policy Efforts Matter

ALASKA

- *The Turning Point Experience*
- *Politicization of Public Health*
- *Top-Down Reform*

SOUTH CAROLINA

- *Lack of an External Galvanizing Force*
- *Bureaucratic Expansiveness and the Risk of Backsliding*

WISCONSIN

- *The Turning Point Experience*
- *Stakeholder Collaboration*
- *Bottom-Up Reform*
- *Strong Legislative Champion*

NEBRASKA

- *Stakeholder Collaboration*
 - *Lack of Executive Support*
 - *Risk of Backsliding*
 - *Selective Incorporation*
- * *Preliminary Results*

Example—A Process Model of Successful State Public Health Law Reform: Alaska

Stage I: The Emergence and Utilization of the Turning Point Act

- ***Dominant Actors***
 - Turning Point Collaboration
 - Division of Public Health
- ***Key Forces***
 - Agenda Setting
- ***Result***
 - Model Developed for Discussion of Issue

Stage II: The Development of Draft Law

- ***Dominant Actors***
 - Division of Public Health
 - Office of the Attorney General
- ***Key Forces***
 - Public Health Necessities
 - Political Efforts
- ***Result***
 - State Law Developed to Pursuant to Turning Point Act

Stage III: Legislative Action

- ***Dominant Actors***
 - Legislators
 - Division of Public Health
 - Executive Branch
 - Advocacy Groups
- ***Key Forces***
 - The Turning Point Experience
 - Politicization of Public Health
 - Executive Prerogative
- ***Result***
 - Reform of State Public Health Law



Conclusions

- States selectively incorporate provisions of the Turning Point Act into law based upon individual, political, and institutional factors.
- This project provides resources to support future state modernization efforts
- For more information on legislative tracking and comparative case studies, see:
 - Center for Law and the Public's Health:
www.publichealthlaw.net/Resources/Modellaws.htm
 - Center for Health Policy:
http://www.nursing.columbia.edu/chphsr/projects/law/public_health.html.