

# 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

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- **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

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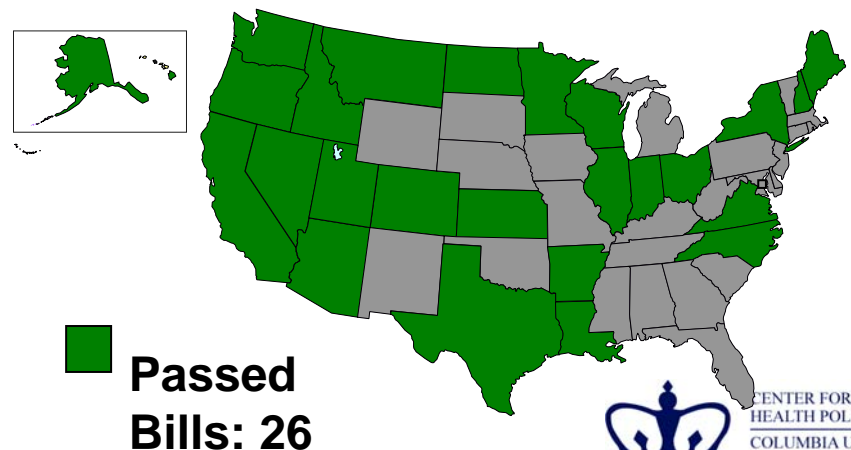
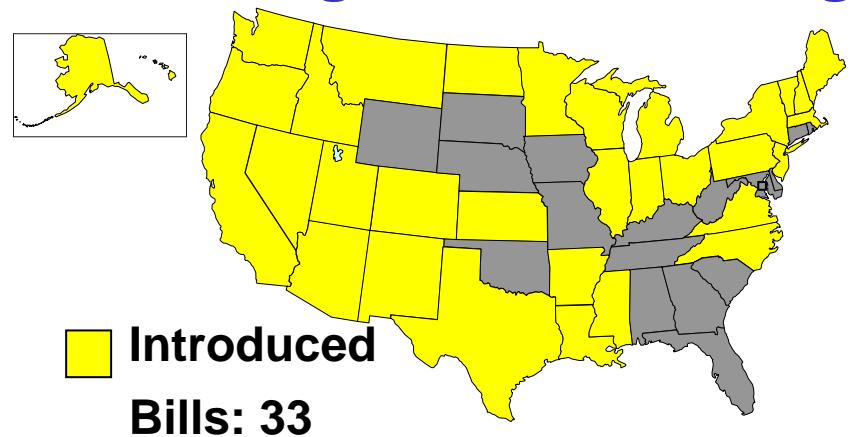
- Mission – To transform and strengthen the legal framework for the state public health system through a collaborative process to develop a model state public health law.
- The Turning Point Model State Public Health Act
  - Phase I: State Public Health Law Assessment
  - Phase II: Development of a Model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

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- 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

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- 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

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- 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](http://www.publichealthlaw.net/Resources/Modellaws.htm)
  - Center for Health Policy:  
[http://www.nursing.columbia.edu/chphsr/projects/law/public\\_health.html](http://www.nursing.columbia.edu/chphsr/projects/law/public_health.html).