



# What is Public Health Law Research?

Scott Burris, Temple University Beasley School of Law



# This Presentation

- Goals of the Public Health Law Research Program
- Definition of “Public Health Law Research”
- Three kinds of public health law
- The range of PHLR studies

# PHLR Program Goals

Public Health Law Research:  
Making the Case for Laws that Improve Health



# Definition

“Public Health Law Research”

→ *the scientific study of the relation of law and legal practices to population health.*

# Definition

- “Scientific” connotes that PHLR deploys recognized research methodologies within an explicit theoretical framework to collect and analyze data
- “Population health,” not individual outcomes, is the focus
- Law is not just what’s on the books, but what happens “on the streets”
  - Implementation practices and regulatory techniques
  - How people think about and respond to law

# Health laws

“Interventional  
Public Health  
Law”

→ laws intended  
to influence  
health  
outcomes or  
mediators



E.g.: Drexel University, *Has the Philadelphia Lead Court reduced exposure to environmental lead?*  
(Carla Campbell, M.D., M.S., Curtis Cummings, M.D., M.P.H. )

# And more than health laws

Public Health Law Research:  
Making the Case for Laws that Improve Health

“Infrastructural  
Public Health  
Law”

→ laws  
establishing the  
powers, duties,  
and structure of  
public health  
agencies



E.g.: Public Health Alliance of Colorado and Colorado School of Public Health, *How can state law encourage regional collaboration?* (Lee Thielen, M.P.A., Julie Marshall, Ph.D )

# And more than health laws

Public Health Law Research:  
Making the Case for Laws that Improve Health

“Incidental Public Health Law”

→ laws, regardless of topic or purpose, that are studied for their impact on public health



E.g.: Pacific Institute for Research and Evaluation, *Do mixed land use zones improve public health?* (Sue Thomas, M.Ed., Ph.D., Carol L. Cannon, M.A )

PHLR does not encompass all *scholarship* on public health law

- Commentary on legal, ethical or doctrinal issues
- Development of new doctrinal theories
- Analysis of law and practice against normative standards (e.g., compliance with human rights norms)
- Treatises like Gostin's "Public Health Law: Power, Duty, Restraint"

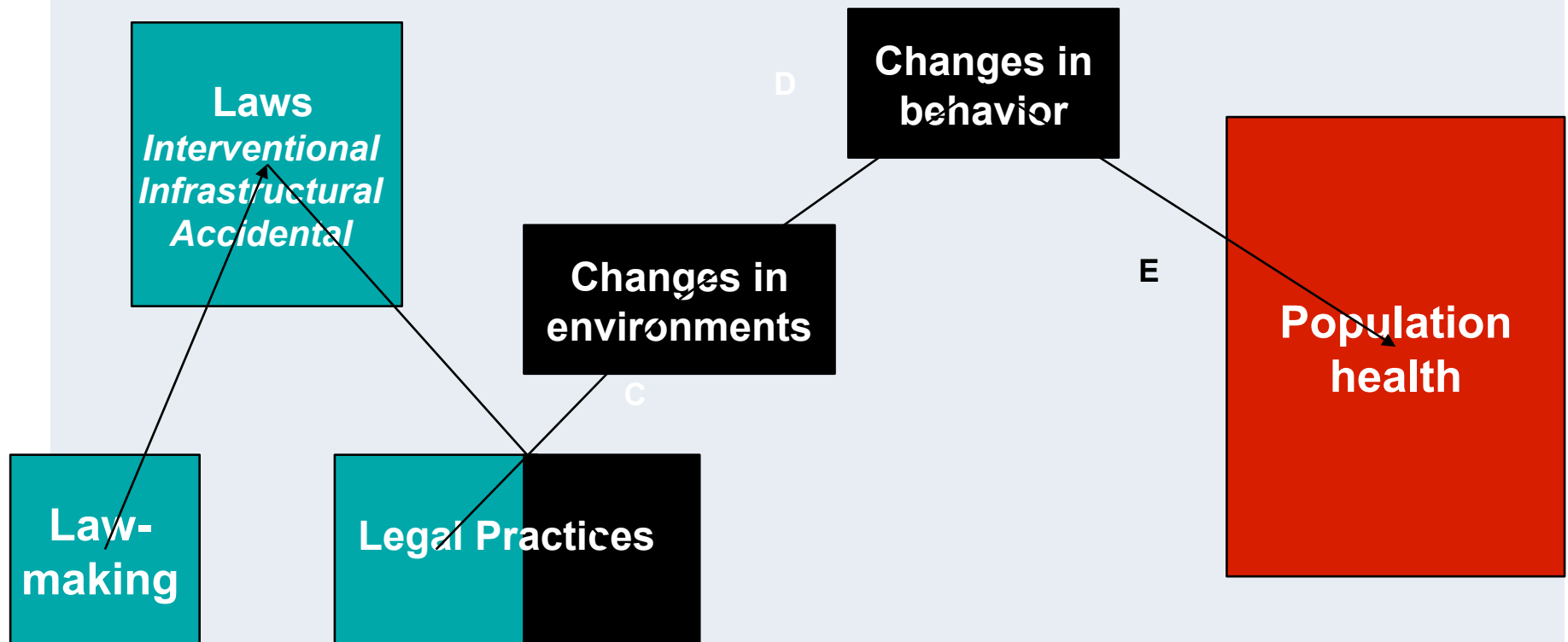
# Logic model of PHLR

Public Health Law Research:  
Making the Case for Laws that Improve Health

## Inputs

## Mediators

## Outcomes



# Some PHLR directly tests law's impact on health

Public Health Law Research:  
Making the Case for Laws that Improve Health

**Inputs**

**Mediators**

**Outcomes**

Non-medical  
vaccine  
exemptions



Rates of  
vaccine-  
targeted  
diseases

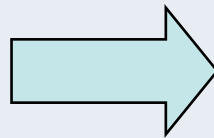
George Mason University, *What effect do non-medical exemptions to school immunization laws have on public health?* (Y. Tony Yang, Sc.D., M.P.H., Vicky Debold, Ph.D. R.N.)

# Or a well-established mediator of health outcomes

Public Health Law Research:  
Making the Case for Laws that Improve Health

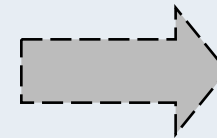
## Inputs

Patent Law



## Mediators

Antibiotic resistance



## Outcomes

Infection morbidity and mortality

Boston University, *How does antibiotic regulation affect public health?* (Kevin Outterson, LL.M., J.D., Rosa Rodriguez-Monguio, Ph.D.)

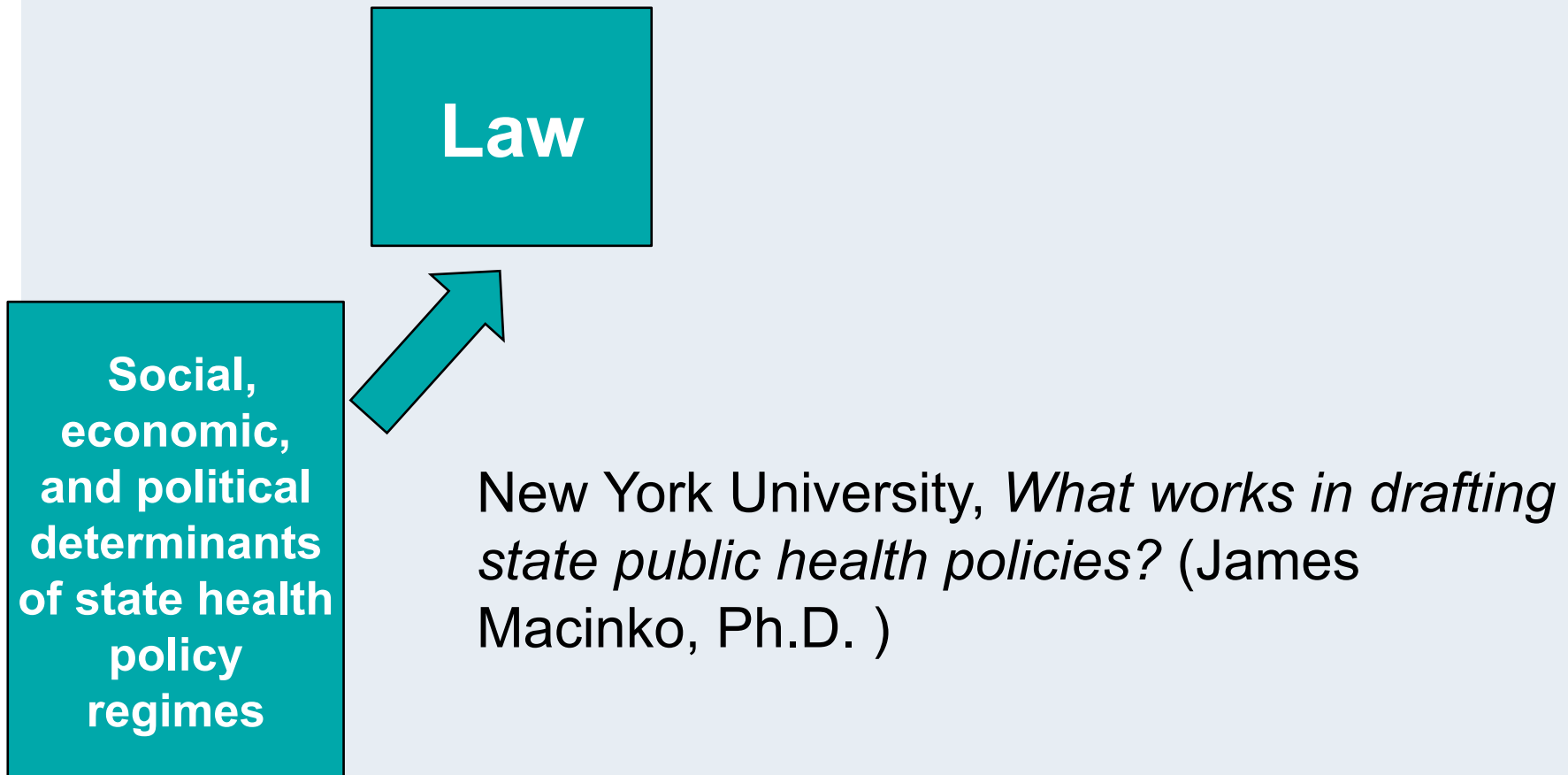
# Some PHLR investigates how law is developed

Public Health Law Research:  
Making the Case for Laws that Improve Health

## Inputs

## Mediators

## Outcomes



# Or put into practice

## Inputs

## Mediators

## Outcomes

Virginia  
Health  
Care  
Decisions  
Act



Implementation

University of Virginia, *Will the new Health Care Decisions Act in Virginia improve public health?* (Richard Bonnie, LL.B.)

# Some PHLR looks at how implementation affects outcomes

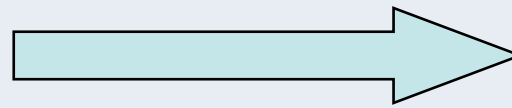
Public Health Law Research:  
Making the Case for Laws that Improve Health

## Inputs

## Mediators

## Outcomes

Implementation  
of unified family  
courts



Domestic  
violence cases,  
school absences,  
hospitalizations

Duke University, *Can family courts reduce domestic violence and improve public health?* (Frank Sloan, Ph.D., Elizabeth Gifford, Ph.D.)

# Some research focuses on how to make law work better

Public Health Law Research:  
Making the Case for Laws that Improve Health

## Inputs

University of San Diego,  
*Making healthy choices: What works?* (Orly Lobel, LL.B., LL.M., S.J.D., On Amir, Ph.D )

Arizona State University,  
*What is effective "legal triage" in a public health emergency?* (Timothy Lant, Ph.D., M.A.S., James G. Hodge, Jr. J.D., LL.M.)

## Mediators

How can regulation influence health choices?

How can regulation incentivize safer technologies?

How can we improve legal decision-making in health agencies?

## Outcomes

UCLA, *Does "risk management" result in safer alternatives to the use of lead?* (Timothy F. Malloy, J.D., Peter J. Sinsheimer )

We can help

**Public Health Law Research:**  
Making the Case for Laws that Improve Health

*Sign-up for news and check the resources available at:*

[www.PublicHealthLawResearch.org](http://www.PublicHealthLawResearch.org)



Contact: [phlr@temple.edu](mailto:phlr@temple.edu)