

***PHSSR Research-In-Progress Series:***

***Public Health Cost, Quality, Value – Workforce Enhancement***

***Wednesday, August 12, 2015***

***12-1pm ET***

***Building Access & Understanding of  
Law in Public Health Practice in  
Nebraska***

***To download today's presentation & speaker bios, see the 'Resources' box  
in the top right corner of the screen.***

***PHSSR NATIONAL COORDINATING CENTER AT THE UNIVERSITY OF KENTUCKY COLLEGE OF PUBLIC HEALTH***

# Agenda

## Welcome:

**Rick Ingram, DrPH**, National Coordinating Center for PHSSR, Assistant Professor, U. of Kentucky College of Public Health

***“Building Access & Understanding of Law in Public Health Practice in Nebraska”***

## Presenters:

**Jennifer K. Ibrahim, PhD, MPH**, Associate Dean for Academic Affairs, College of Public Health, Temple University [jennifer.ibrahim@temple.edu](mailto:jennifer.ibrahim@temple.edu)

**Elizabeth Platt, JD**, Senior Legal Analyst, Legal Science Partners [lizzy@legalscience.io](mailto:lizzy@legalscience.io)

## Commentary:

**Darrell D. Klein, JD**, Assistant Agency Counsel, Legal Services

Nebraska Department of Health & Human Services [darrell.klein@nebraska.gov](mailto:darrell.klein@nebraska.gov)

## Questions and Discussion

# Presenters



## **Jennifer Ibrahim, PhD, MPH**

Associate Professor & Associate Dean for Academic Affairs, College of Public Health  
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Associate Director, Public Health Law Research

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# Building Access and Understanding of Public Health Law in Nebraska

**Jennifer Ibrahim, PhD, MPH**

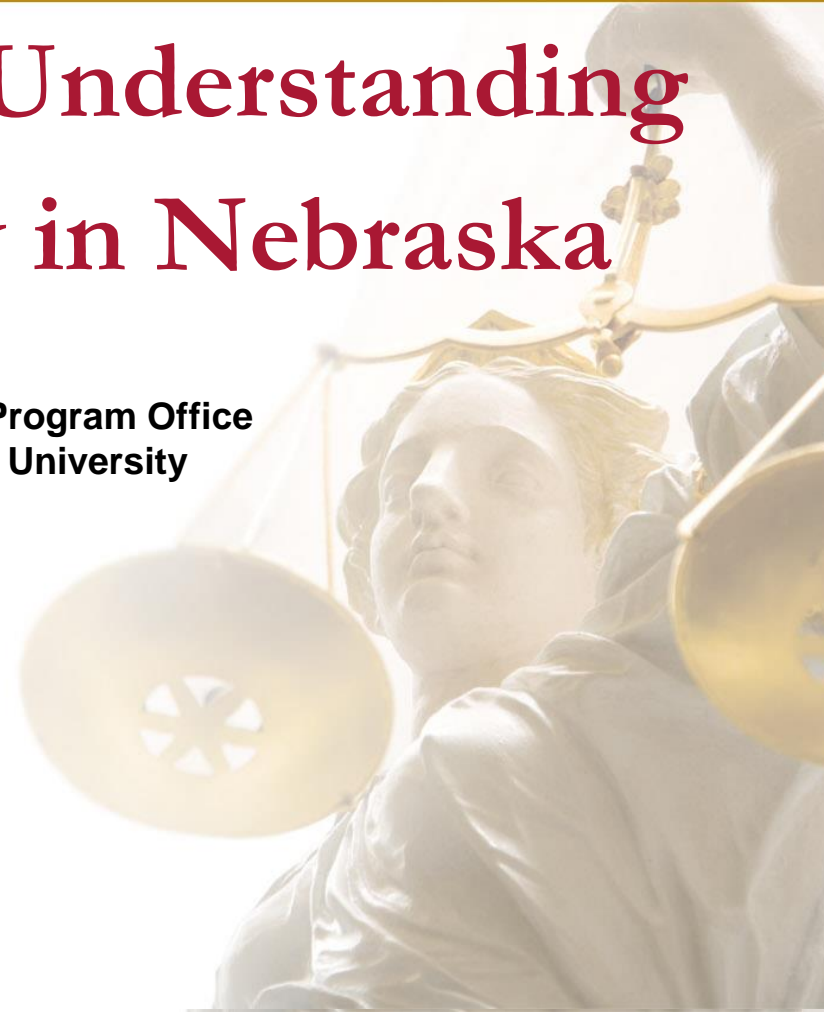
**Associate Director, Public Health Law Research National Program Office  
Associate Professor, Department of Public Health, Temple University**

**Darrell Klein, JD**

**Public Health Attorney  
Nebraska Department of Health**

**Elizabeth Platt, JD**

**Senior Legal Analyst  
Legal Science Partners**





# Acknowledgments

- Research Team

- Jennifer Ibrahim, Sarah Happy, David Presley, Elizabeth Platt, Sterling Johnson, Lindsay Foster, Kelly Thompson, Anette Hooper



- Darrell Klein, Colleen Svoboda



- Generous support provided by the Center for Public Health Services and Systems Research.



# Accessing the Law?





# Using the law

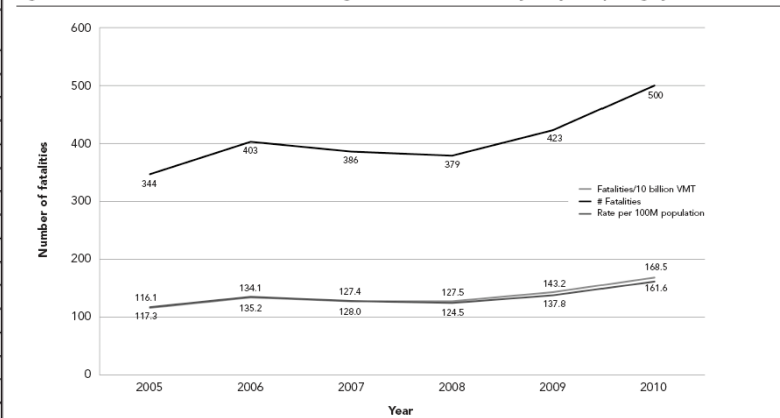


# Need for Legal Datasets

- Policy surveillance
  - Tracking laws over time
  - Tracking laws across jurisdictions
  - Examining legal provisions in a particular topic area

Distracted Driving Laws By State								
State	Texting	Cell Phones	State	Texting	Cell Phones	State	Texting	Cell Phones
AL	x	x	KY	x	x	ND	x	
AK	x		LA	x	x	OH	x	
AZ		x	ME	x	x	OK	x	x
AR	x		MD	x	x	OR	x	x
CA	x	x	MA	x	x	PA		
CO	x	x	MI	x		RI	x	x
CT	x	x	MN	x	x	SC		
DE	x	x	MS	x		SD		
DC	x	x	MO	x		TN	x	x
FL			MT			TX	x	x
GA	x	x	NE	x	x	UT	x	x
HI			NV	x		VT	x	x
ID			NH	x	x	VA	x	x
IL	x	x	NJ	x	x	WA	x	x
IN	x	x	NM		x	WV	x	x
IA	x	x	NY	x	x	WI	x	
KS	x	x	NC	x	x	WY	x	

Figure 1. Pedestrian fatalities from distracted driving crashes in the U.S.: Fatality Analysis Reporting System, 2005–2010

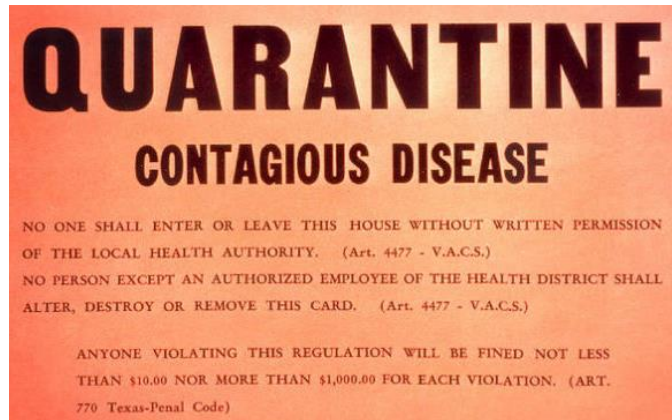


VMT = vehicle miles traveled



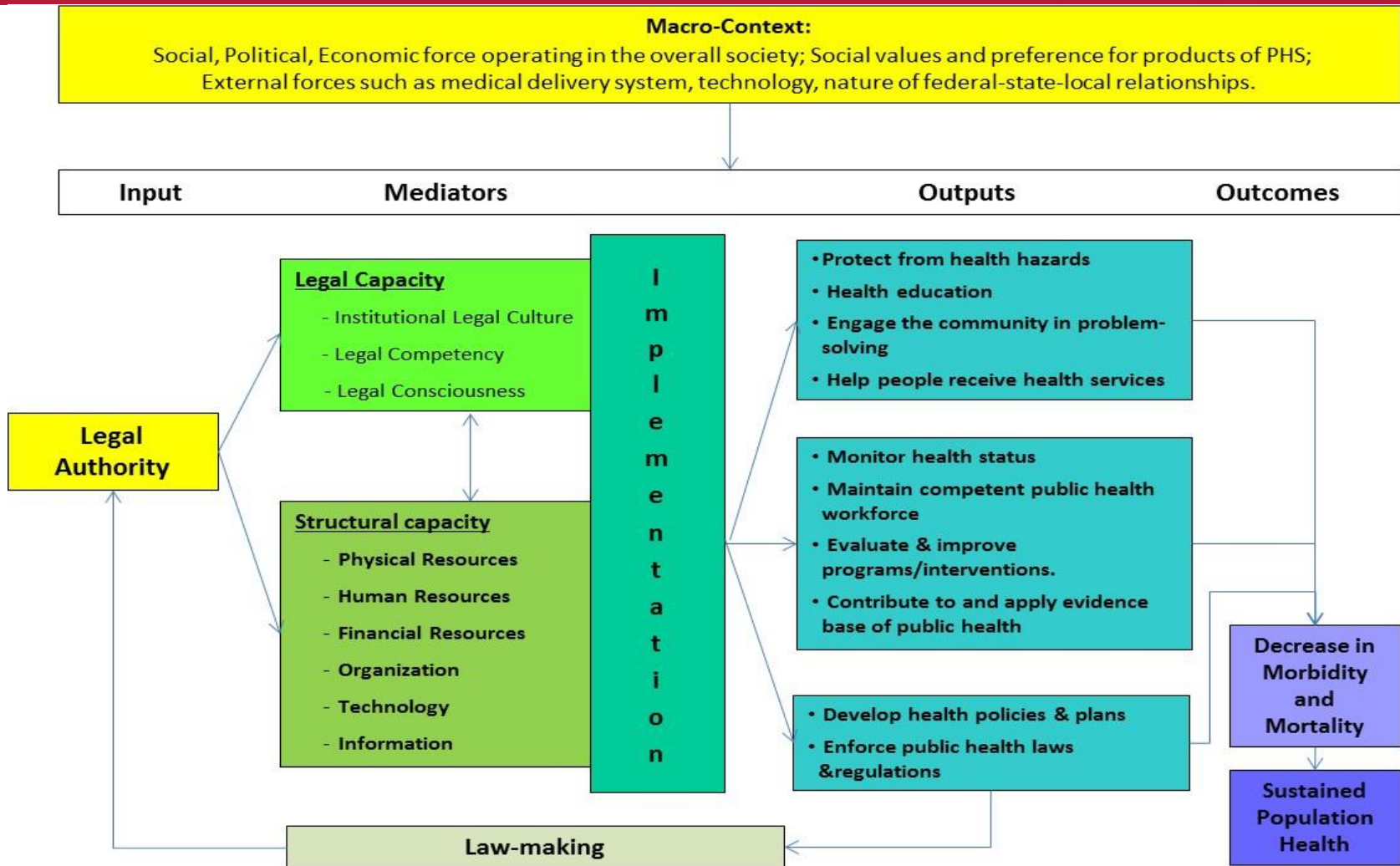
# Need for Information on Law

- Policy Inventory
  - What does the law say?
  - How does the law impact my authority to act?



# **BUILDING ACCESS AND UNDERSTANDING OF PUBLIC HEALTH LAW IN NEBRASKA**

# Theoretical Framework



Burris, Mays, Scutchfield, Ibrahim. 2012. Moving from intersection to integration: public health law research and public health systems and services research. *Milbank Quarterly*, Jun;90(2):375-408.

# Study Aims

- Aim 1: To systematically collect and code state and local laws in Nebraska that govern the authority of public health agencies to perform essential public health services.
- Aim 2: To create an online policy surveillance system to readily access the laws that govern public health activities in Nebraska.

# Study Aims

- Aim 3: To evaluate changes in perceptions of law and the use of law by the public health workforce in Nebraska as a result of using the online policy surveillance system.
- Aim 4: To conduct an evaluation of the impact of a particular set of legal provisions on public health agency performance and population.



# **BUILDING THE NEBRASKA LAWATLAS SYSTEM**



# Methods: Data Collection

- Scope of Laws
  - State and local law
  - Not just topic specific, but larger authority to act
- Data Collection
  - Nebraska team collected laws
  - Temple team verifies

#### **Neb. Rev. Stat. § 71-5716 Act, how cited.**

Sections 71-5716 to 71-5734 shall be known and may be cited as the Nebraska Clean Indoor Air Act.

#### **Neb. Rev. Stat. § 71-5717 Purpose of act.**

The purpose of the Nebraska Clean Indoor Air Act is to protect the public health and welfare by prohibiting smoking in public places and places of employment. The act shall not be construed to prohibit or otherwise restrict smoking in outdoor areas. The act shall not be construed to permit smoking where it is prohibited or otherwise restricted by other applicable law, ordinance, or resolution. The act shall be liberally construed to further its purpose.

#### **Neb. Rev. Stat. § 71-5718 Definitions, where found.**

For purposes of the Nebraska Clean Indoor Air Act, the definitions found in sections 71-5719 to 71-5728 apply.

#### **Neb. Rev. Stat. § 71-5719 Employed, defined.**

Employed means hired, contracted, subcontracted, or otherwise engaged to furnish goods or services.

#### **Neb. Rev. Stat. § 71-5720 Employee, defined.**

Employee means a person who is employed by an employer in consideration for direct or indirect monetary wages, profit, or other remuneration.

#### **Neb. Rev. Stat. § 71-5721 Employer, defined.**

Employer means a person, nonprofit entity, sole proprietorship, partnership, joint venture, corporation, limited partnership, limited liability company, cooperative, firm, trust, association, organization, or other business entity, including retail establishments where goods or services are sold, who or which employs one or more employees.

# Methods: Coding Laws

- Defining question – generalizability
- Data Coding in *Workbench* on LawAtlas.org

Where is smoking prohibited under the Nebraska Clean Indoor Air Act? clear

Place of employment  
 Public place  
 Child care program  
 Outdoor areas

i

What is a place of employment restricted by the Nebraska Clean Indoor Air Act? clear

An indoor area under the control of a proprietor that an employee accesses as part of his or her employment without regard to whether the employee is present or work is occurring at any given time

i

2 child question(s) ▾

What is a public place restricted by the Nebraska Clean Indoor Air Act? clear

An indoor area to which the public is invited or in which the public is permitted, whether or not the public is always invited or permitted

i

2 child question(s) ▾

# Bodies of Law Covered

- Alcohol, Tobacco & Other Drugs
- Chronic Disease & Injury
- Environmental Health
- Foodborne Illness
- Structure & Governance
- Health Professions & Licensure
- Disasters & Emergencies
- Maternal Health, Children & Families
- Nutrition & Physical Activity
- Vital Statistics
- Mental & Behavioral Health
- Seniors & Aging
- Disabilities

# NEBRASKA'S LAWATLAS SYSTEM

## LawAtlas

The Policy Surveillance Portal

Home / Nebraska Public Health Laws

### Nebraska Public Health Laws

The Nebraska Department of Health and Human Services (NE DHHS) provides public health services to Nebraskans and promotes public health by implementing laws and regulations that address health issues, track health outcomes, and certify and license health professionals.

This section of LawAtlas tracks laws and regulations that relate to NE DHHS's core mission. Below are links to pages that provide contextual information and texts of relevant laws and regulations on key functions of the NE DHHS. Select one of these options below for more information on the specific topic area and to access the surveillance of key public health laws and regulations.

- [Alcohol, Tobacco, and Other Drugs](#)
- [Chronic Disease and Injury](#)
- [Disabilities](#)
- [Disasters and Emergencies](#)
- [Environmental Health](#)
- [Foodborne Illnesses](#)
- [Health Professions Licensure](#)
- [Maternal Health, Children, and Families](#)
- [Mental and Behavioral Health](#)
- [Seniors and Aging](#)
- [Structure and Governance](#)
- [Vital Statistics](#)

Department of Health & Human Services



Available at:

[www.lawatlas.org/nebraska](http://www.lawatlas.org/nebraska)



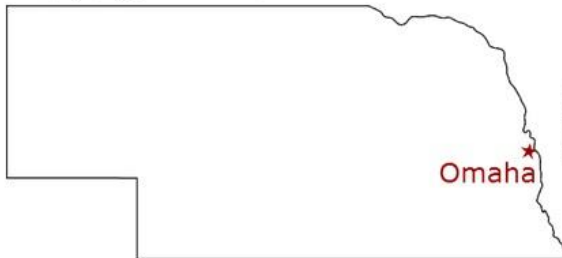
# Local Level Laws

## LawAtlas The Policy Surveillance Portal

Home / Interactive Map

### Nebraska Local Laws: Animal Control - Beekeeping and Apiaries

This page provides information on laws and regulations governing permit requirements for beekeeping in Omaha. This page has been updated through May 1, 2015 to include laws currently in effect. To explore variation in these laws click the "Start Here" button below or see the table for a default query displaying information on this topic.



Omaha

Omaha population (est. 2013): 434,353  
 Douglas County population (est. 2013): 537,266  
 (approximately 1/4th of Nebraska's population)  
 Douglas County total area: 339 sq. mi.

Data Codebook Protocol

view table  
 share results

Start here

### Nebraska

1 Jurisdiction Found

#### Nebraska Omaha

03/01/2015 - 03/31/2015

View Law

Does the jurisdiction have laws regulating bee hives?	Yes
Must an individual have a bee hive permit?	Yes
Who issues a bee hive permit?	County health department

## LawAtlas The Policy Surveillance Portal

Home / Interactive Map

### Nebraska: Professional Licenses - Physicians

This page provides information on Nebraska's laws and regulations addressing the licensure and functions of physicians. Physicians licensed in Nebraska are health professionals who prevent, diagnose, and treat human illness and impairments through the practice of medicine. This page has been updated through October 1, 2014 to include laws currently in effect. To explore variation in these laws click the "Start Here" button below or see the table for a default query displaying information on this topic.

Data Codebook Protocol

view table  
 share results

Start here

### Nebraska

1 Jurisdiction Found

#### Nebraska

12/21/2013 - 10/01/2014

View Law

What are the requirements to issue a license by examination for a physician?	Receive a doctorate degree related to that profession Pass one or more professional exams Complete a residency or other supervised training program Have good moral character Completed application U.S. citizenship or legal resident
Does Nebraska allow for reciprocity with other jurisdictions?	Yes
What is the minimum age required to be licensed in this profession?	19
Who is exempt from the license requirements of this profession?	Students Clergy members performing ministerial duties Individuals acting in emergency situations State, local, or federal employees performing official duties Individuals licensed in other jurisdictions
How long is a license valid?	Two years

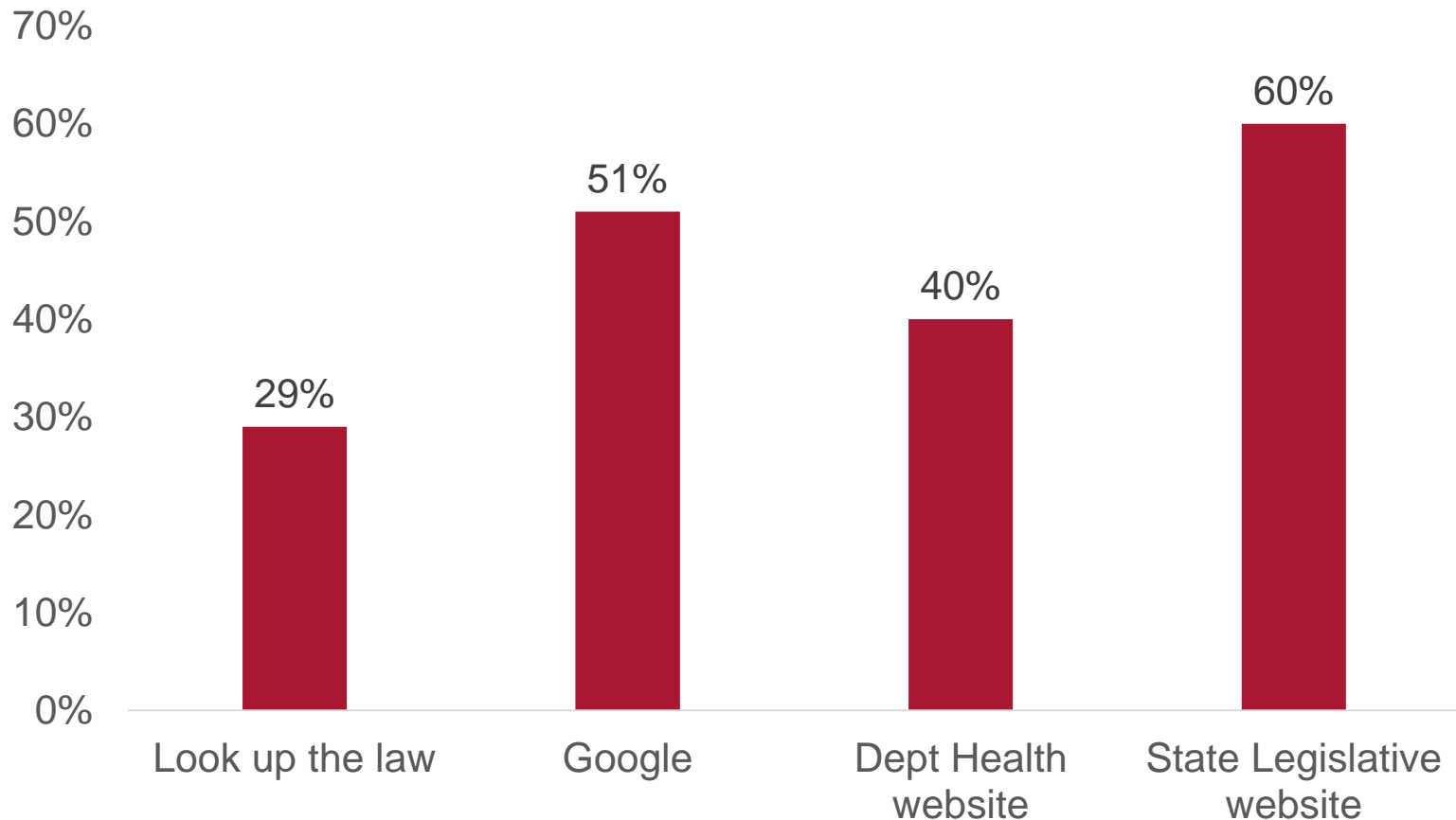
# **WORKFORCE ASSESSMENT**

# Baseline Workforce Assessment

- 155 respondents
- Respondents were:
  - staff (37%), program managers (34%) or executives (11%)
  - worked in the health department for less than 2 yrs (26%), 3-14 yrs (26%), 15 yrs or more (27%)

# Engaging with Public Health Law

What do you do to learn more about a law?

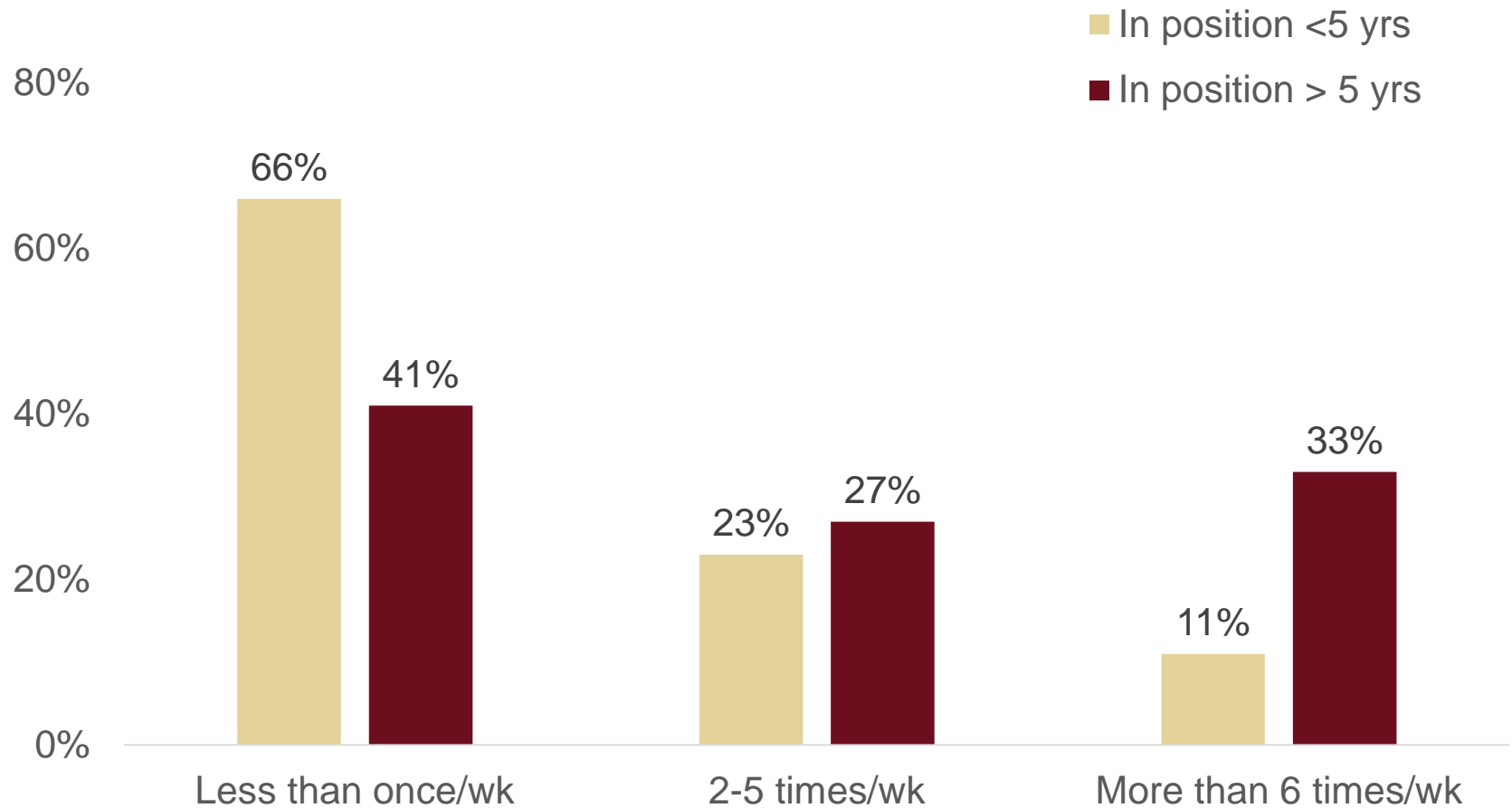


# Frequent Public Health Law Issues

- Most frequent public health law issues:
  - alcohol, tobacco and other drugs
  - health professions practice
  - vital statistics and surveillance
  - chronic disease and injury

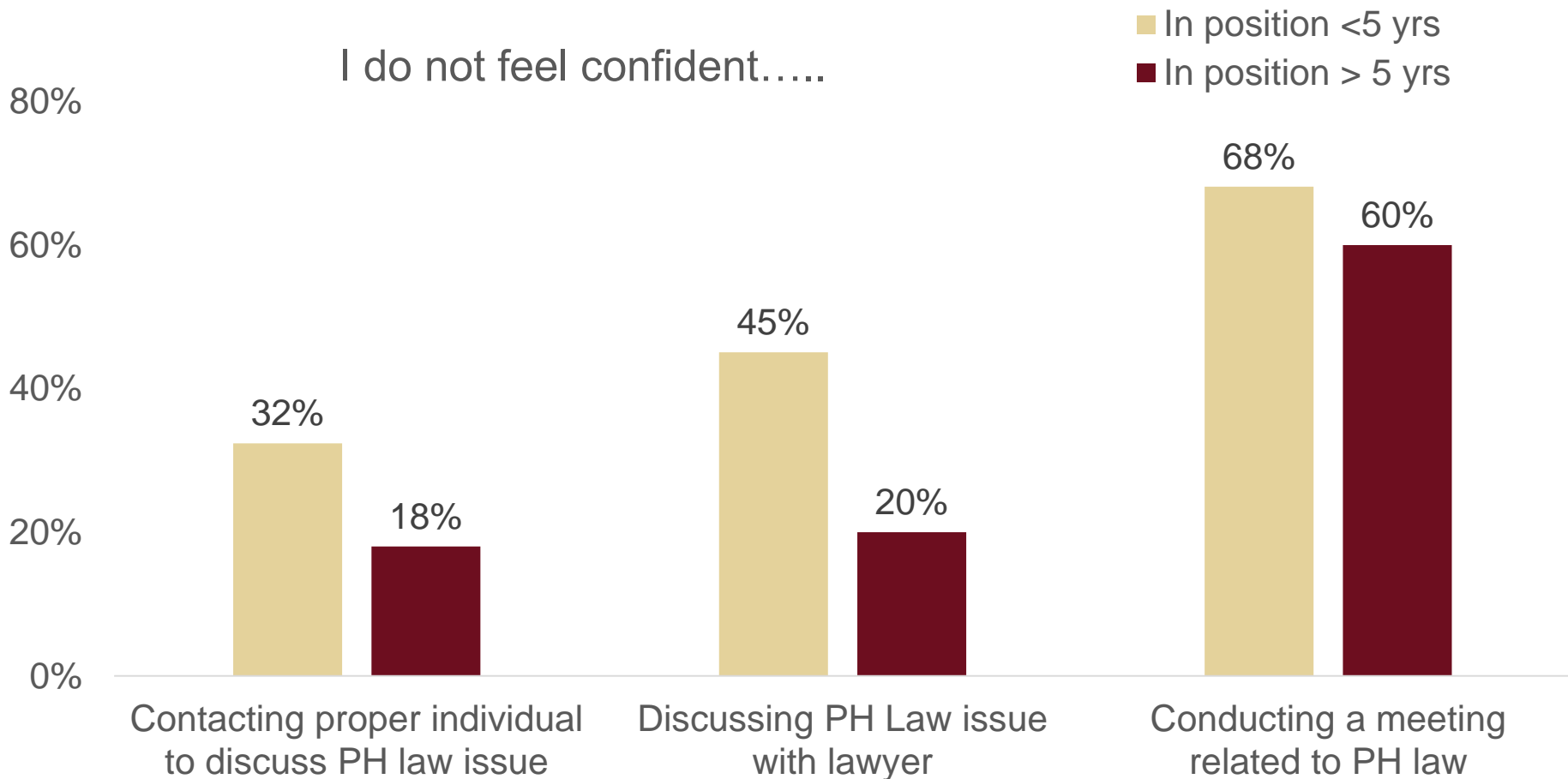


# How often do you think about public health law?



# Workforce Assessment of Public Health Law

I do not feel confident.....

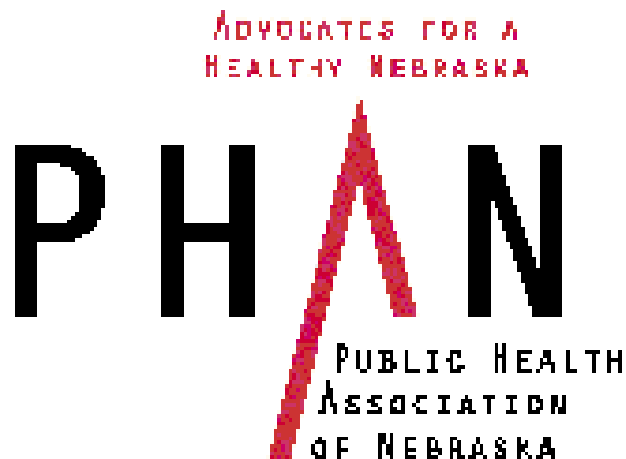


# Additional Resources Needed

- Requests for additional resources include:
  - online directory of laws (84%)
  - in-person workshops (89%)
  - live webinars (85%)
  - online certificate program in public health law (74%)

# 6 month follow-up survey

- Survey currently in the field



# **EVALUATION OF LAW**



# Evaluation of PH Law

- Integration of legal dataset with existing surveillance data within the health department
  - Clean indoor air laws with data on secondhand smoke exposure and infractions of the law



# Implications

- Opportunities to improve awareness of law as a tool to advance health
- Critical thinking about updating the law
- Evaluation to generate evidence to support or refute laws
  - Real time assessment

# Next Steps

- Collaboration with:
  - ASTHO
  - NACCHO
  - NALBOH
- Opportunities for sharing methodology to advance a new area of research

# PHLR PUBLIC HEALTH LAW RESEARCH

Making the Case for Laws that Improve Health

## Thank you

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# Commentary



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Services

- Public Health Emergency Management, collaboration with state and federal partners
- Communicable Disease, Epidemiology & Health Data Management programs

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## Questions and Discussion

**Tell us what you think --  
webinar participant survey:**

[http://bit.ly/Webinar Survey](http://bit.ly/Webinar_Survey)

## Archives of all Webinars available at:

<http://www.publichealthsystems.org/phssr-research-progress-webinars>

### Upcoming Webinars – August/Sept 2015

**Thurs, Aug 20 (3-4pm ET) – NOTE NEW TIME**

**PUBLIC HEALTH & PRIMARY CARE INTEGRATION THROUGH ENHANCED PUBLIC HEALTH IT  
MATURITY: A CASE FOR BEHAVIORAL HEALTH**

Ritu Agarwal, PhD, and Robert Gold PhD, Center for Health Information and  
Decision Systems (CHIDS) University of Maryland

**Wed, Sept 2 (12-1pm ET)**

**INVESTIGATING CHARACTERISTICS OF TRIBAL PUBLIC HEALTH SYSTEM ORGANIZATION &  
PERFORMANCE**

Julia Heany, PhD, Program Director, Michigan Public Health Institute



## Archives of all Webinars available at:

<http://www.publichealthsystems.org/phssr-research-progress-webinars>

### Upcoming Webinars – Sept 2015

**Wed, Sept 9 (12-1pm ET)**

**ADOLESCENT AFIX: MULTI-STATE RANDOMIZED CONTROL TRIAL TO INCREASE ADOLESCENT IMMUNIZATION THROUGH VACCINE PROVIDER BEST PRACTICES**

Melissa Gilkey, PhD, MPH, UNC Gillings School of Global Public Health

**Thurs, Sept 17 (1-2pm ET)**

**MODELING SUPPLY CHAIN SYSTEM STRUCTURE TO TRACE SOURCES OF FOOD CONTAMINATION**

Stan Finkelstein, MD, MS, MIT and Harvard Medical School and Abigail Lauren Horn PhD , Engineering Systems Division, MIT

**Thank you for participating in today's webinar!**

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