

The New Public Health Law: A Transdisciplinary Approach

Scott Burris

Aletta Research Meet-up
*Aletta Jacobs School of Public
Health*

Groningen, 7/11/2018



Law is a Powerful Influence on Health

CDC
CENTERS FOR DISEASE CONTROL
AND PREVENTION

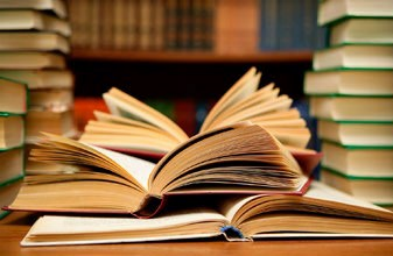
April 2, 1999 / Vol. 48 / No. 12

MMWRTM MORBIDITY AND MORTALITY WEEKLY REPORT

- 241 Ten Great Public Health Achievements — United States, 1900–1999
- 243 Impact of Vaccines Universally Recommended for Children — United States, 1900–1998
- 248 Tobacco Use Among Middle and High School Students — Florida, 1998 and 1999
- 253 Transfusion-Transmitted Malaria — Missouri and Pennsylvania, 1996–1998
- 256 Notice to Readers

Ten Great Public Health Achievements — United States, 1900–1999

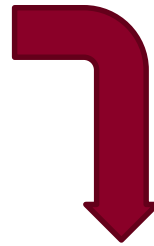
- Vaccination
- Motor-vehicle safety
- Safer workplaces
- Control of infectious diseases
- Decline in deaths from coronary heart disease and stroke
- Safer and healthier foods
- Healthier mothers and babies
- Family planning
- Fluoridation of drinking water
- Recognition of tobacco use as a health hazard



And Not Just as a Mode of Direct Health Intervention

- **Interventional**
 - Safety belts
 - Clean indoor air (tobacco control)
- **Infrastructural**
 - Disease control and prevention (e.g. International Health Regulations)
 - Pharmaceutical regulation
- **Incidental**
 - Tax law
 - Drug control

Particularly important to social determinants

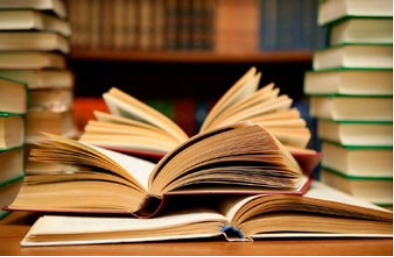


THE
MILBANK QUARTERLY
A MULTIDISCIPLINARY JOURNAL OF POPULATION HEALTH AND HEALTH POLICY

Making the Case for Laws That Improve Health: A Framework for Public Health Law Research

SCOTT BURRIS, ALEXANDER C. WAGENAAR, JEFFREY SWANSON, JENNIFER K. IBRAHIM, JENNIFER WOOD, and MICHELLE M. MELLO

Temple University; University of Florida; Duke University; Harvard University



Law Is a Crucial Site for Health Action



Law is
cheap...

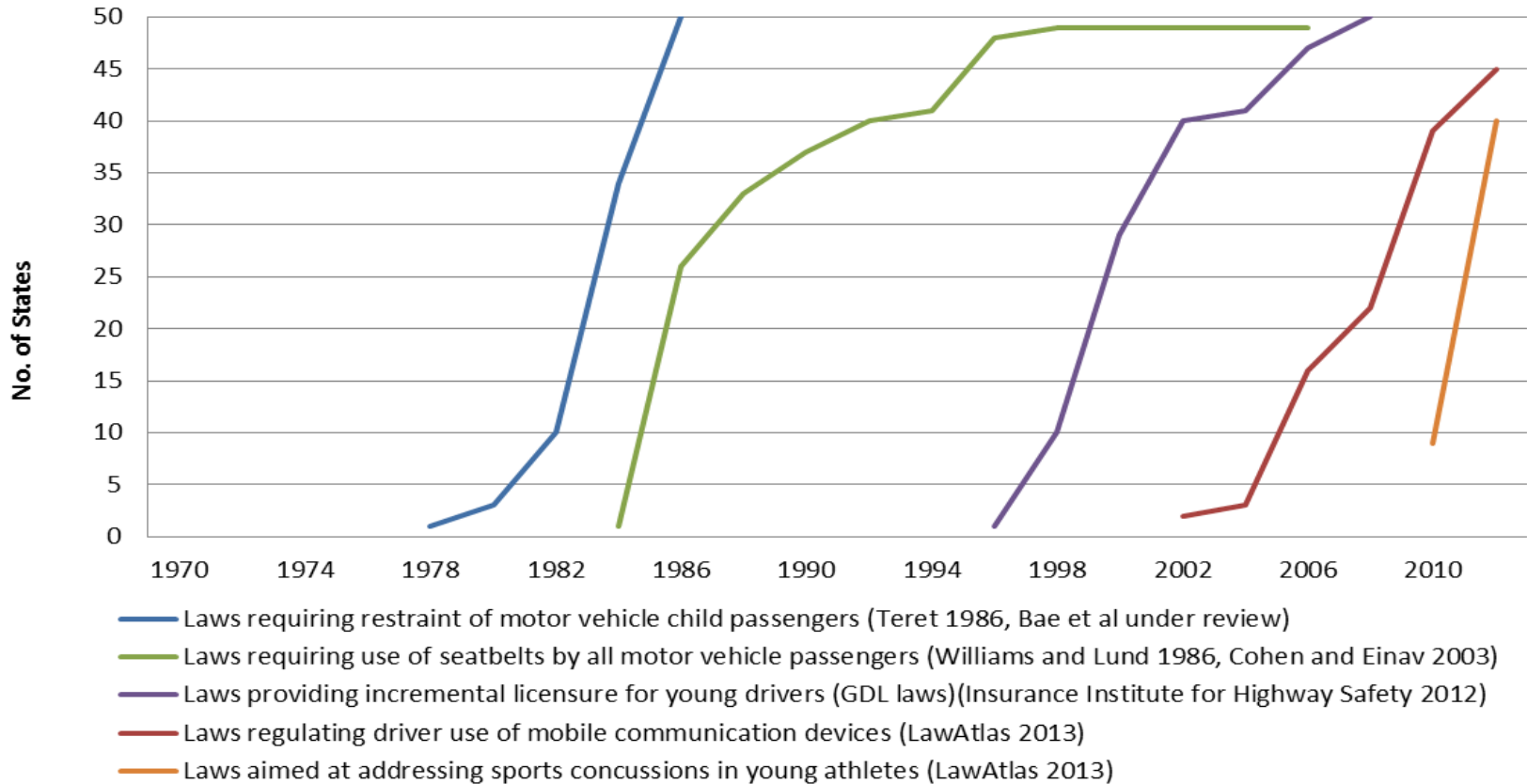


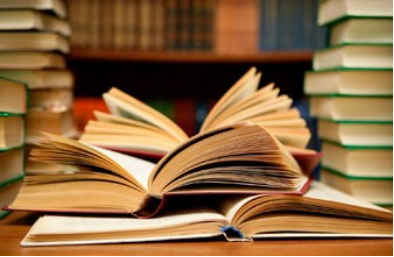
Law is all
over the
place...

Law can spread quickly



Figure 1. Cumulative Adoption of Selected Interventional Public Health Laws by States, by Year

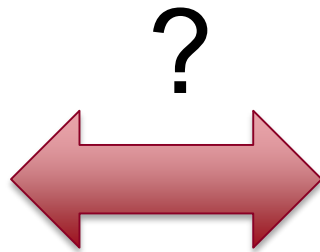





The Problem

Law is not developed, implemented and evaluated strategically or systematically. Typically, we don't know:

- **Whether and how it is working**
- **Whether it has side effects**
- **Where it has been adopted**





We *Can* Use Law Strategically, Scientifically and Effectively

- We know law has powerful health effects because we have great science
 - Tobacco control
 - Road safety
 - Alcohol control



ANNUAL REVIEWS
For Librarians & Agents For Authors

JOURNALS A-Z **JOURNAL INFO** **PRICING & SUBSCRIPTIONS**

Home / Annual Review of Law and Social Science / Volume 9, 2013 / Burris, pp 95-117

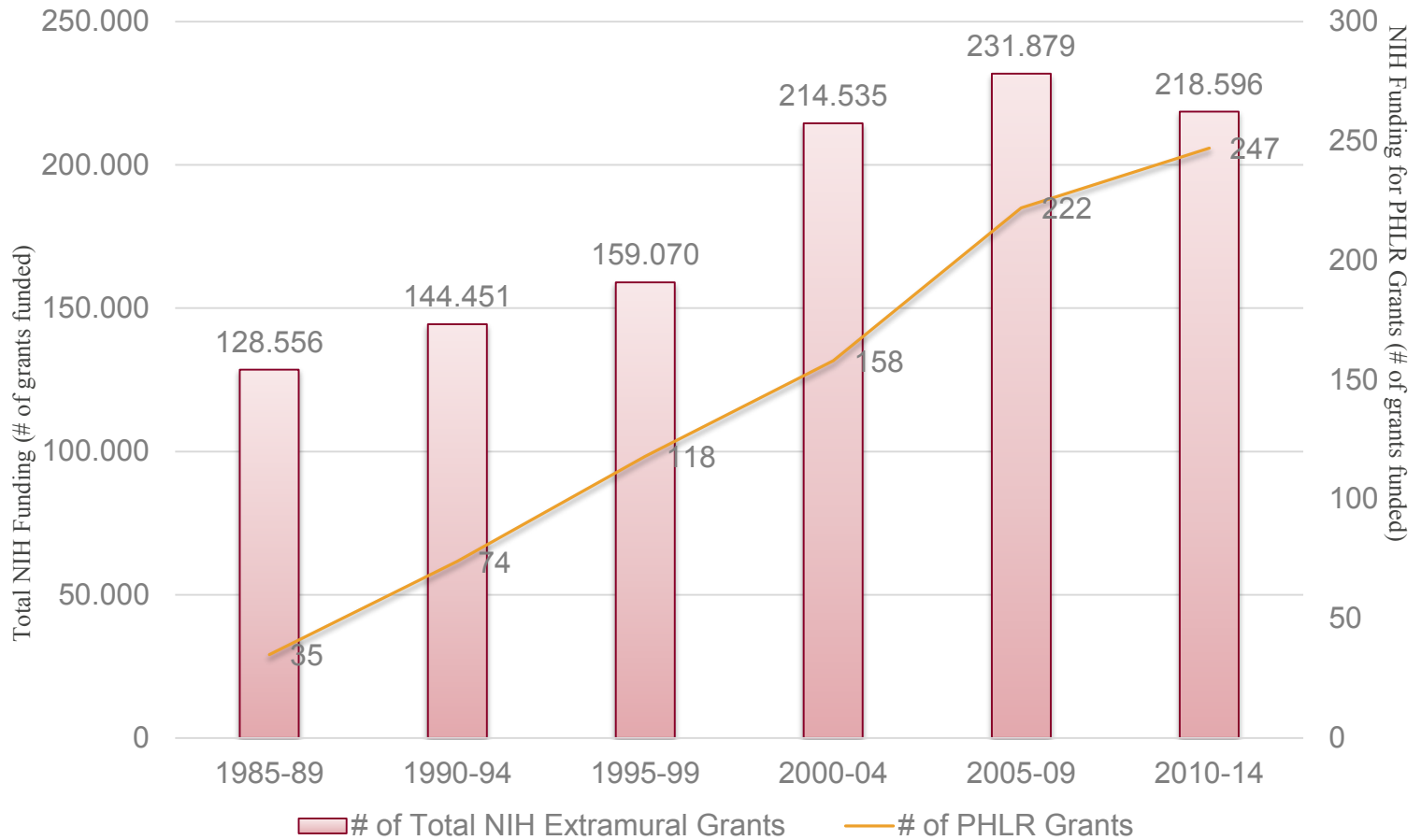
Legal Regulation of Health-Related Behavior: A Half Century of Public Health Law Research

Annual Review of Law and Social Science
Vol. 9:95-117 (Volume publication date November 2013)
First published online as a Review in Advance on August 14, 2013
<https://doi.org/10.1146/annurev-lawsocsci-102612-134011>

Scott Burris and Evan Anderson



And yet ... NIH Legal Evaluation Funding



NIH grants
1985-2014

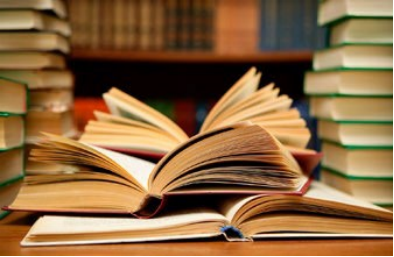
Introduction to Legal Epidemiology



ChangeLab Solutions
Law & policy innovation for the common good.



The mark "CDC" is owned by the US Dept. of Health and Human Services and is used with permission. Use of this logo is not an endorsement by HHS or CDC of any particular product, service, or enterprise.



2009: Making the Case for Laws that Improve Health



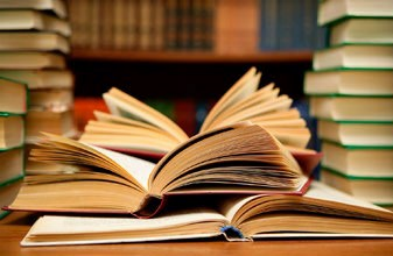
Robert Wood Johnson Foundation



TEMPLE UNIVERSITY®

Beasley School of Law

**Six-year, \$20 million
RWJF national program**

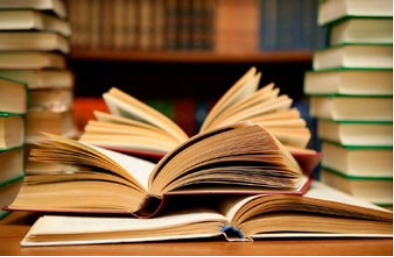


A Translational Strategy for a Cultural Problem

Use *health* language and concepts

Embody law in familiar health practice

Bring more health science back into law



Defining a field: public health law research

“The scientific study of the relation of law and legal practices to population health.”

THE
MILBANK QUARTERLY
A MULTIDISCIPLINARY JOURNAL OF POPULATION HEALTH AND HEALTH POLICY

Making the Case for Laws That Improve Health: A Framework for Public Health Law Research

SCOTT BURRIS, ALEXANDER C. WAGENAAR, JEFFREY SWANSON, JENNIFER K. IBRAHIM, JENNIFER WOOD, and MICHELLE M. MELLO

Temple University; University of Florida; Duke University; Harvard University

THE
MILBANK QUARTERLY
A MULTIDISCIPLINARY JOURNAL OF POPULATION HEALTH AND HEALTH POLICY

Moving from Intersection to Integration: Public Health Law Research and Public Health Systems and Services Research

SCOTT BURRIS,¹ GLEN P. MAYS,² F. DOUGLAS SCUTCHFIELD,² AND JENNIFER K. IBRAHIM¹



PHLR as Normal Science

PUBLIC HEALTH LAW Theory and Methods RESEARCH



Alexander C. Wagenaar and Scott Burris • *Editors*

Contents

PART ONE

Framing Public Health Law Research

PART TWO

Understanding How Law Influences Environments and Behavior

PART THREE

Identifying and Measuring Legal Variables

PART FOUR

Designing Public Health Law Evaluations



Consistent methods...

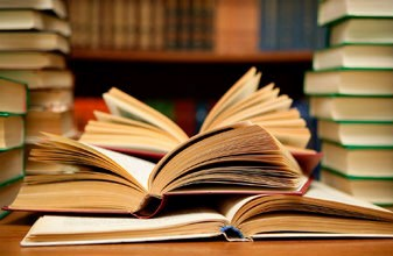
- Reduce research and coding time
- Produce reliable results with known error rate
- Reduce cost of updating
- Are trainable



Measuring Law for Evaluation Research

Evaluation Review
34(3) 242-266
© The Author(s) 2010
Reprints and permission:
sagepub.com/journalsPermissions.nav
DOI: 10.1177/0193841X10370018
<http://er.sagepub.com>

Charles Tremper¹, Sue Thomas², and
Alexander C. Wagenaar³



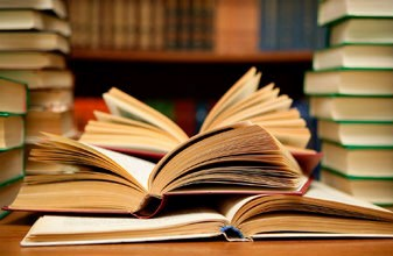
The Paradigm Shift: Transforming Text of Law into Numerical data

Syringe Distribution Laws_Data (1) - Excel

FILE HOME INSERT PAGE LAYOUT FORMULAS DATA REVIEW VIEW

H22 : 0

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
1	jurisdictions	Effective Date	Valid Through	syringedis	syringedis	syringedis	syringedis	syringedis	syringedis	syringedis	syringedis	syringedis	syringedis	sd-iteratio	sederegyns
2	Alabama	2012-07-01	2017-07-01	1	0	0	0	0	0	0	0	0	0	1	1
3	Alaska	2012-07-01	2017-07-01	1	0	0	0	0	0	0	0	0	0	1	0
4	Arizona	2012-07-01	2017-07-01	1	0	0	0	0	0	0	0	0	0	1	1
5	Arkansas	2011-07-01	2011-07-26	1	0	0	0	0	0	0	0	0	0	1	1
6	Arkansas	2011-07-27	2017-07-01	1	0	0	0	0	0	0	0	0	0	2	1
7	California	2012-01-01	2014-12-31	0	1	0	0	0	0	0	0	0	0	1	1
8	California	2015-01-01	2017-07-01	0	0	0	0	0	1	0	0	0	0	2	1
9	Colorado	2012-07-01	2013-05-09	0	1	0	0	0	0	0	0	0	0	1	1
10	Colorado	2013-05-10	2015-06-30	0	1	0	0	0	0	0	0	0	0	2	1
11	Colorado	2015-07-01	2017-05-29	0	0	0	0	0	1	0	0	0	0	3	1
12	Colorado	2017-05-30	2017-07-01	0	0	0	0	0	1	0	0	0	0	4	1
13	Connecticut	2012-07-01	2015-06-30	0	1	0	0	0	0	0	0	0	0	1	1
14	Connecticut	2015-07-01	2016-09-30	0	0	0	0	0	1	0	0	0	0	2	1
15	Connecticut	2016-10-01	2017-06-30	0	0	0	0	0	1	0	0	0	0	3	1
16	Connecticut	2017-07-01	2017-07-01	0	0	0	0	0	0	0	0	1	0	4	1
17	Delaware	2012-07-01	2013-06-29	0	1	0	0	0	0	0	0	0	0	1	1
18	Delaware	2013-06-30	2014-04-10	1	0	0	0	0	0	0	0	0	0	2	1
19	Delaware	2014-04-11	2015-12-17	0	0	0	0	0	1	0	0	0	0	3	1
20	Delaware	2015-12-18	2016-08-10	0	0	0	0	0	1	0	0	0	0	4	1
21	Delaware	2016-08-11	2017-07-01	0	0	0	0	0	1	0	0	0	0	5	1



Access to the Law and Legal Status and Trends

May 2011 May 2012 Apr 2013

EXPLORE FILTER

1. Does the state have a law authorizing adults to use medical marijuana?

- 1.1. Does the state law explicitly authorize local jurisdictions to enact laws related to medical marijuana?
- 1.2. What is the effective date of the first medical marijuana law?

2. What are the qualifying diseases diagnosed for medical marijuana use?

3. What are the qualifying symptoms diagnosed for medical marijuana use?

4. What are the state requirements for becoming a qualifying patient for medical marijuana use?

Colorado

2008 7/1/11 2017 2/1/17

Sources in effect over 1/1/17 - 2/1/17

medical-marijuana-patient-related-laws.rows - 2017-01-01 05:00:00 - 2017-02-01 05:00:00 - Colorado -

Effective: 1/1/17 - Through: 2/1/17

Colo. Const. Art. XVIII, Section 14 Medical use of marijuana for persons suffering from debilitating medical conditions

(1) As used in this section, these terms are defined as follows:

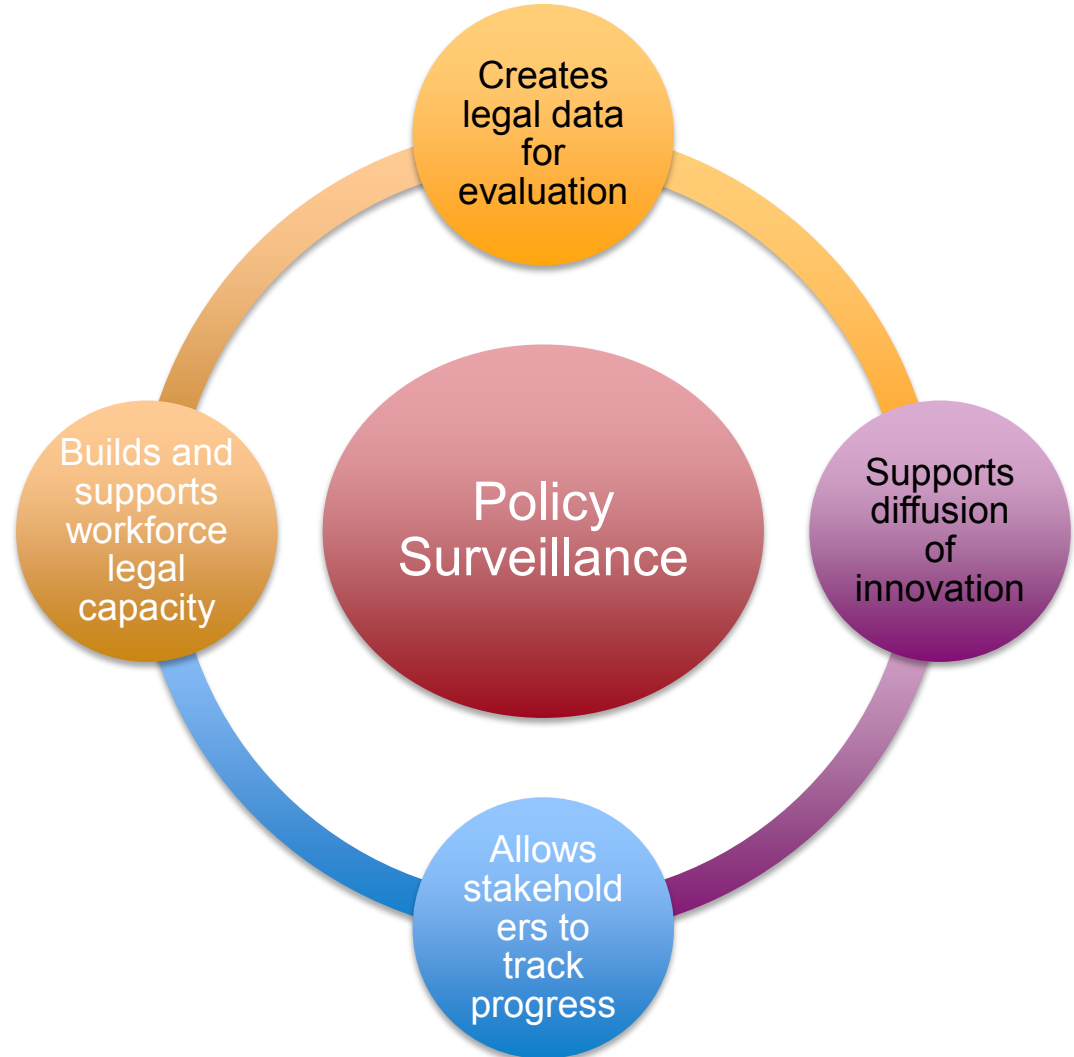
(a) "Debilitating medical condition" means:

- (I) Cancer, glaucoma, positive status for human immunodeficiency virus, or acquired immune deficiency syndrome, or treatment for such conditions;
- (II) A chronic or debilitating disease or medical condition, or treatment for such conditions, which produces, for a specific patient, one or more of the following, and for which, in the



Policy Surveillance

POLICY SURVEILLANCE
The ongoing systematic collection and analysis of laws of public health significance





Data and documentation

RESEARCH PROTOCOL
July 2017

Youth Sports Traumatic Brain Injury Laws

THE POLICY
SURVEILLANCE
PROGRAM
A LawAtlas Project

Home / Topics / Youth Sports Traumatic Brain In

Youth Sports Traumatic Br

According to the Centers for Disease Control and P
more commonly known as a concussion, from playi
at reducing harm from brain injuries occurring durin

This map identifies and displays key features of suc

I. **Dates of protocol:** April 1, 2012; October 2013; April 2014; November 2014; May 2015; July 2017

II. **Scope:** Compile state laws designed to impact the incidence of traumatic brain injuries (TBIs) and/or concussions in youth sports; code their respective features. This is a longitudinal dataset, and captures laws in effect from January 1, 2009 through July 1, 2017. The jurisdictions selected for measurement are the 50 states and the District of Columbia.

III. Primary data collection

- a. **Project timeline:** First published on April 1, 2012. Updated in October 2013, April 2014, November 2014, May 2015, and July 2017.
- b. **Dates covered in the dataset:** This is a longitudinal dataset covering relevant Youth Sports TBI Laws between January 1, 2009 and July 1, 2017.
- c. **Data collection methods:** The initial research team (the "team") building this dataset in April 2012 consisted of Professor Hosea Harvey, JD, the creator and curator of the dataset (the "subject matter expert"), and two law students (the "students").

The students compiled background information about laws that regulate youth sports searching "concussions and sports," "concussion state laws," "concussion



[Summary Report](#)



Research papers in top journals using the data



Social Science & Medicine
Volume 194, December 2017, Pages 67-75



Effects of state-level Earned Income Tax Credit laws in the U.S. on maternal health behaviors and infant health outcomes

Sara Markowitz ^a, Kelli A. Komro ^b, Melvin D. Livingston ^c, Otto Lenhart ^d, Alexander C. Wagenaar ^b

AJPH RESEARCH

The Effect of an Increased Minimum Wage on Infant Mortality and Birth Weight

Kelli A. Komro, PhD, MPH, Melvin D. Livingston, PhD, Sara Markowitz, PhD, and Alexander C. Wagenaar, PhD

ADDICTION

SSA SOCIETY FOR THE STUDY OF ADDICTION

Explore this journal >

Research Report

Mapping medical marijuana: state laws regulating patients, product safety, supply chains and dispensaries, 2017

Sarah B. Klieger, Abraham Gutman, Leslie Allen, Rosalie Liccardo Pacula, Jennifer K. Ibrahim, Scott Burris

WEB FIRST

By Stephen W. Patrick, Carrie E. Fry, Timothy F. Jones, and Melinda B. Buntin

Implementation Of Prescription Drug Monitoring Programs Associated With Reductions In Opioid-Related Death Rates

DOI: 10.1377/hlthaff.2015.1496
HEALTH AFFAIRS 35, NO. 7 (2016) – ©2016 Project HOPE—The People-to-People Health Foundation, Inc.

Health Economics

Explore this journal >

RESEARCH ARTICLE

The effect of state laws designed to prevent nonmedical prescription opioid use on overdose deaths and treatment

Ioana Popovici, Johanna Catherine Maclean, Bushra Hijazi, Sharmini Radakrishnan

First published: 18 July 2017 Full publication history

SCIENCE AND PRACTICE

Journal of the American Pharmacists Association xxx (2017) 1–9



Contents lists available at ScienceDirect
Journal of the American Pharmacists Association

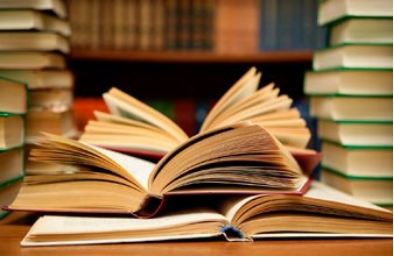
journal homepage: www.japha.org



RESEARCH

Expanding state laws and a growing role for pharmacists in vaccination services

Cason D. Schmit*, Matthew S. Penn



Naming, Ranking ... Incentivizing



[HOME](#)

[FIND A CITY](#)

[OUR WORK](#)

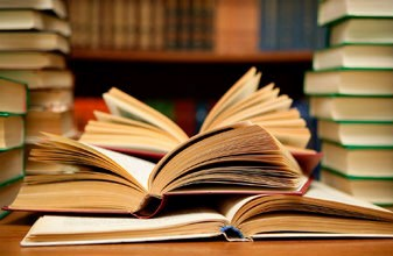
[NEWS AND EVENTS](#)

[JOIN US](#)

WE BELIEVE

Every person, in every city,
deserves to live the
healthiest possible life

Policy is one of our most powerful tools to improve people's lives and make cities thrive.

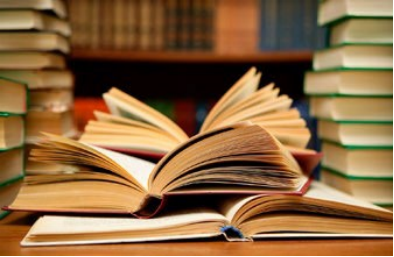


Naming, Ranking ... Incentivizing

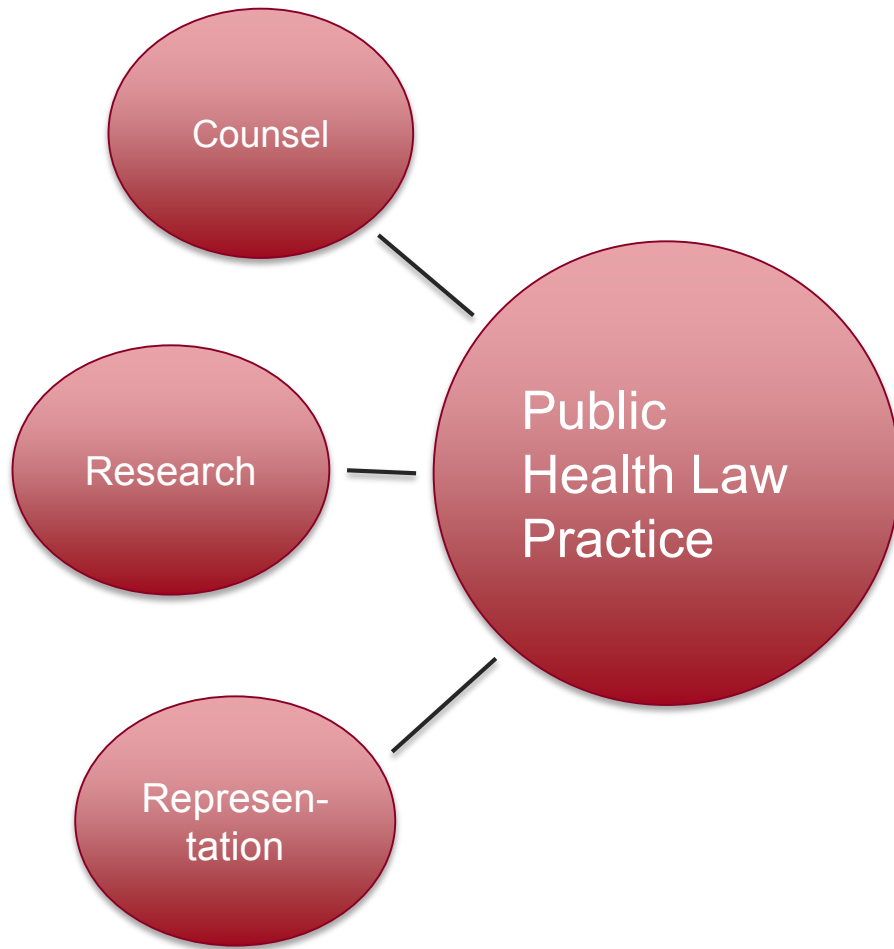
How's Philadelphia, PA Doing?

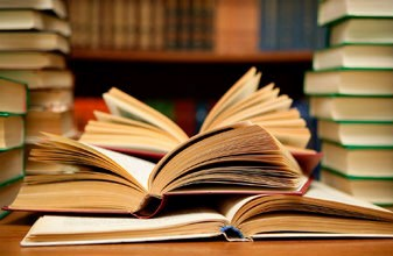
Philadelphia receives a silver in earned sick leave.

	Bronze	Silver	Gold
City has an earned sick leave law		✓	
Employee can use earned sick leave to care for family members		✓	
Employee can use earned sick leave for domestic violence recovery		✓	
Minimum amount of earned sick leave time employee can earn		✓ ≥ 40 hours	≥ 48 hours
Smallest business size covered under earned sick leave law			1 employee

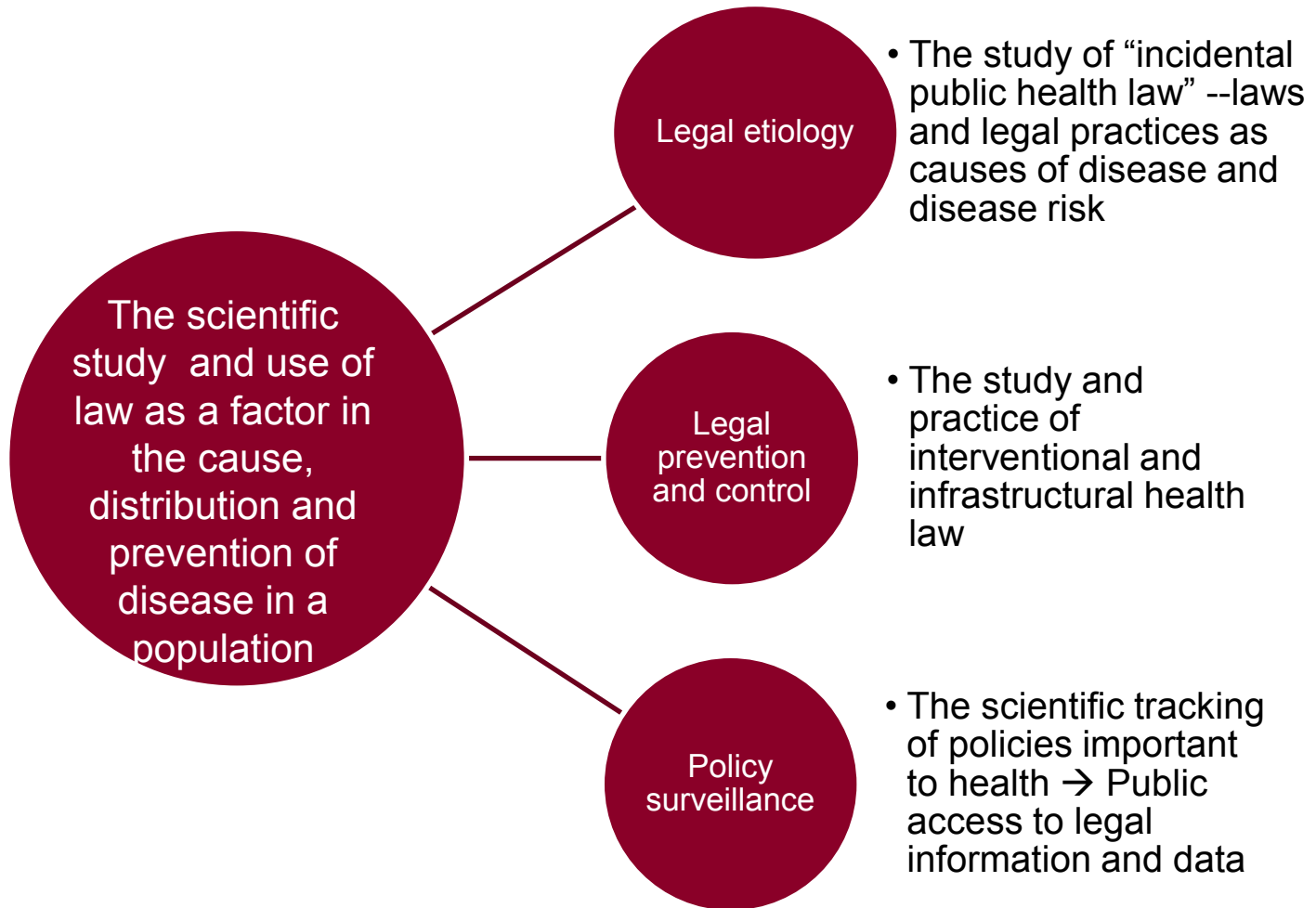


“Public Health Law Practice”



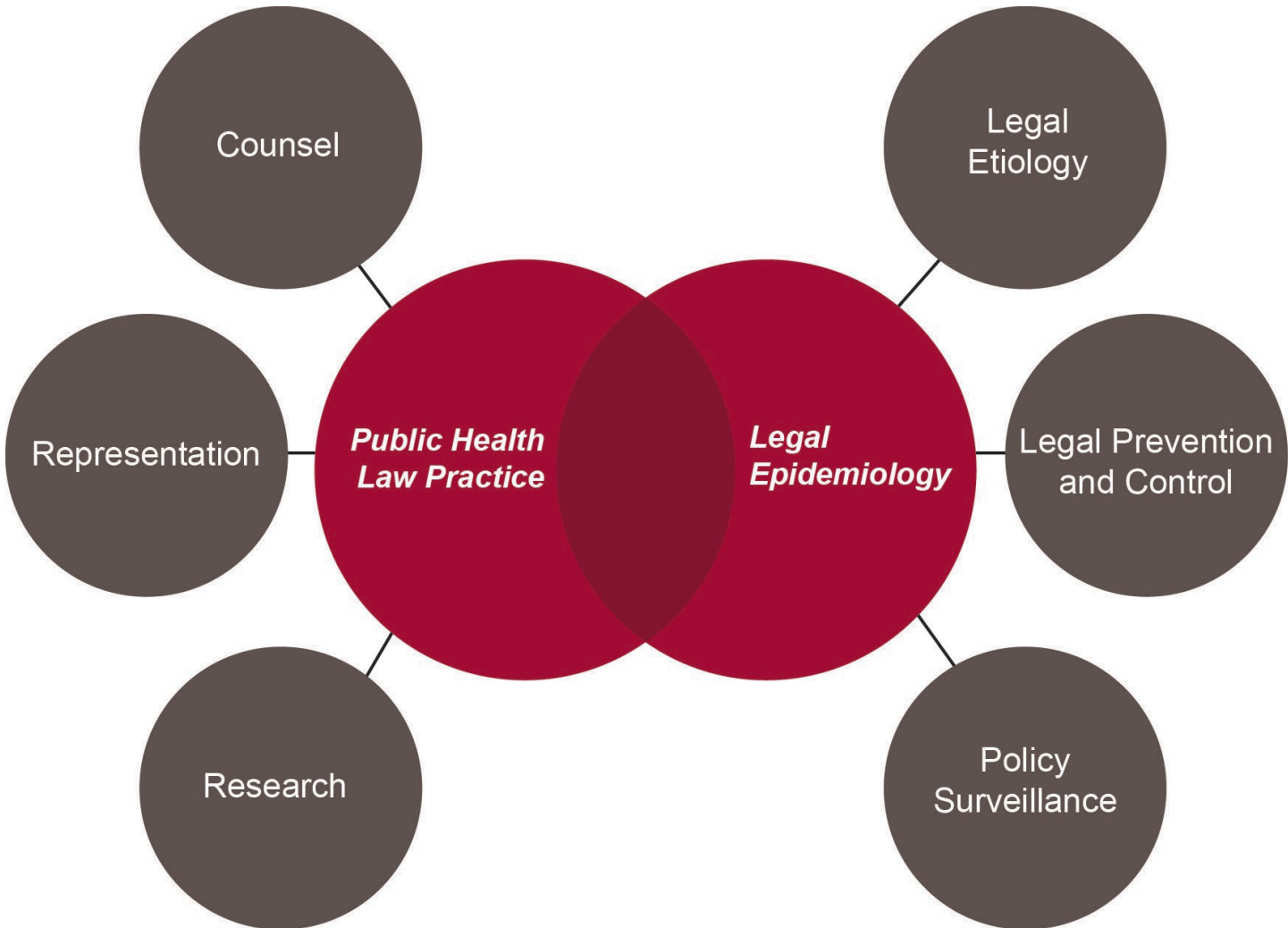


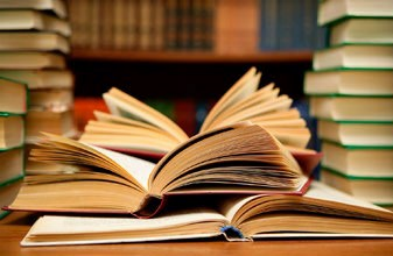
Plus “Legal Epidemiology”





A Transdisciplinary Model



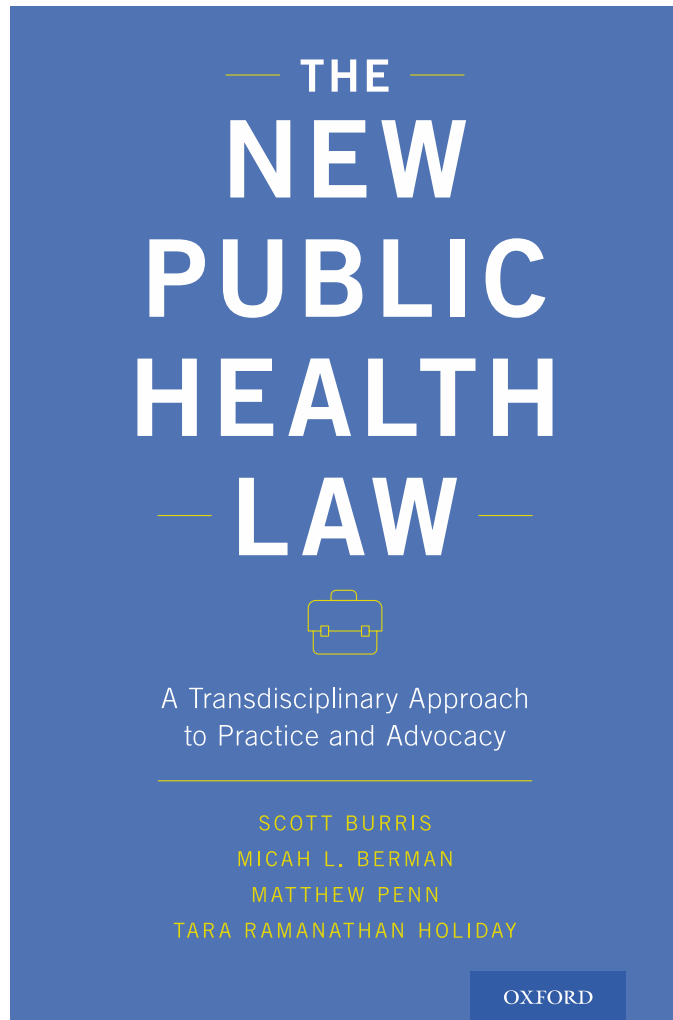


The Five Essential Public Health Law Services





Resources for Education





www.phlr.org

PUBLIC
HEALTH
LAW Theory and Methods
RESEARCH



Alexander C. Wagenaar and Scott Burris • Editors



Center for Public Health
Law Research

About

News

Contact



Topics

Evidence

Theory & Methods

THEORY & METHODS

INTRODUCTION

FRAMING PUBLIC HEALTH
LAW RESEARCH

UNDERSTANDING HOW LAW

The resources in this section explain the scientific methods used to conduct research on the impact laws of laws and legal practices on public health, what we call public health law research or legal epidemiology.

The resources are designed to be useful both to experienced empirical researchers and to others who want to understand basic scientific concepts and methods. The four categories follow the stages of a project from the

Resources for legal evaluation



https://www.changelabsolutions.org/phla/advanced-legal-epidemiology



Advanced Legal Epidemiology Methods

This third and final training in the Legal Epidemiology series combines the concepts from the first [Introduction to Legal Epidemiology](#) training and the second Introduction to Legal Mapping course. Building on concepts from public health law research, this training spells out how to use scientific methods to determine whether a law affects population health.

This course will introduce concepts that are more advanced than those covered in other Public Health Law Academy trainings. It is intended for people with a background or graduate degree in public health, psychology, economics, or a related field; researchers and practitioners with experience in quantitative or qualitative analysis; and others who have a background or work experience in statistical or evaluation methods.

After this training, you will be able to

- define the steps in planning an advanced legal epidemiology study;
- develop logic models and understand socio-legal theories;
- explain the advantages and limitations of various research designs; and
- apply advanced legal epidemiology methods to study the impact of law on health outcomes.

PUBLIC HEALTH LAW ACADEMY

Introduction to Public Health Law

Hot Topics in Public Health Law

Legal Epidemiology

Introduction to Legal Epidemiology

Introduction to Legal Mapping

[Advanced Legal Epidemiology Methods](#)

For Practitioners in Health Departments

For Researchers

For Educators

For Students

Legal Mapping Training:



Learning Library

The Learning Library contains eight training modules that teach skills and competencies needed to complete policy surveillance and legal mapping projects.

The modules include detailed instructions, as well as slide decks and links to tools and resources.

We recommend beginning with Module 1 and working through the modules sequentially. The modules are:

- **Module 1:** Introduction to the Policy Surveillance Program, Policy Surveillance and Legal Mapping Techniques
- **Module 2:** Defining the Scope of the Project and Conducting Background Research
- **Module 3:** Question Development
- **Module 4:** Collecting and Building the Law
- **Module 5:** Coding the Law
- **Module 6:** Quality Control
- **Module 7:** Publication and Dissemination
- **Module 8:** Tracking and Updating the Law

Monthly Webinars

Join a monthly webinar to learn introductory and advanced policy surveillance methods. [Learn more >>](#)

Policy Surveillance Summer Institute 2018

Save the date for June 7-8, 2018, for the 3rd Policy Surveillance Summer Institute where attendees will learn introductory and advanced policy surveillance methods. [Learn more >>](#)

The Learning Library was developed using funding from the Robert Wood Johnson Foundation, with modules supported in part by the Centers for Disease Control and Prevention and ChangeLab Solutions under Cooperative Agreement Number NU38OT000141. The views expressed in written materials or publications and by the speakers and moderators do not necessarily reflect the official policies of the Department of Health and Human Services, nor does the mention of trade names, commercial practices, or organizations imply endorsement by the U.S. Government.

[Go to Module 1](#)



www.LawAtlas.org

Center for Public Health Law Research