

PH PSC 230 Public Health Law & Policy

“The most important social debates about public health take place in legal forums – legislatures, courts, and administrative agencies – and in the law’s language of rights, duties, and justice.”
(L. Gostin)

Prof. Molly McNulty JD	m.mcnulty@rochester.edu
PH 230/ PSC 230	Spring 2021
Office hours & location:	By appointment (McNulty) Wednesday 2 – 3:30 (Quick)
TA Matthew Quick	mquick2@u.rochester.edu 774.232.2157
ZOOM CLASSROOM	Meet over Zoom

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COURSE DESCRIPTION

*Public Health Law and Policy*¹ is about the legal and social justice framework for urgent public health issues, such as regulation of vaccinations, tobacco control and managing disease outbreaks. The course focuses on the U.S. Constitution and the way in which it defines government powers, duties, and restraints to assure the health of all populations.

Course organization The syllabus is divided into 8 Modules. Lesson plans, recordings, readings and homework assignments can all be found within the relevant Module, where you will find the learning objectives, readings assignments, class materials (slide shows and recordings) and assignment submission portals. The course is divided into 8 Learning Modules. Module 1 reviews key concepts; Module 2 introduces authority for public health law, Module 3 teaches practical legal research skills, Module 4 reviews constitutional law and its relevance to public health policy; Module 5 delves into the regulation of public health activities, Module 6 addresses reproductive health issues; Module 7 surveys a range of contested health policy issues, and finally Module 8 will be class presentations.

Community health coalition visits Students also will learn how to identify the policymaking issues involved with *implementation* of laws in a community, including public health community organizing and advocacy efforts.² The purpose of the community health coalition field visits will be to attend and observe “real life” community health coalition meetings, so that students can observe the particular stages of policymaking (usually Framing the Problem, and Agenda-Setting) as the Rochester community health coalitions strategize their steps to achieve social and public health justice. The TA will schedule these visits based upon your top 3 preferences, schedule, and transportation needs (a list and description of the participating community health coalitions will be provided as a separate document.)

Assessments Graded work required will include: a virtual field trip(s) to a local community health coalition meeting, a “Public Comment” on proposed regulations, a policy brief analyzing a public health policy issue, and sundry smaller assignments related to voting, legal research skills, attendance and participation, and a presentation.

Additional assignments, ungraded, will test understanding of the reading assignments.

COURSE LEARNING OBJECTIVES & ASSESSMENTS

By the end of this course, students will be able to:

- Research and locate primary law materials (statutes, regulations, cases) (Legal Research Exercise)
- Identify and analyze the constitutional aspects of public health law debates (Policy Brief)
- Analyze the ways in which community health coalitions are involved with the policymaking process (Policy Brief)
- Apply new “real world” policy and advocacy skills such as voting and group presentations (Voting Exercise; Presentation)
- Create regulatory Public Comments (Public Comment)
- Create a policy brief (Policy Brief)

¹ The course differs from PH 236, Healthcare and the Law, (offered in the fall) in that this course (PH 230) focuses on **governmental activity** and the health of populations. Healthcare and the Law focuses on the relationships between medical providers and patients.

² Travel will be coordinated by TA and travel costs will be reimbursed by the course.

TEXTBOOKS AND READINGS

Note: Please use [UR Rochester Barnes & Noble](#) for your textbooks. B&N matches all the services that Amazon provides (campus delivery, price matching) plus additional services that Amazon does not (financial aid billing).

Library Hyperlinks to free e-book versions

1. Lawrence Gostin, **Public Health Law: Power, Duty, Restraint**, 3d Edition (“Gostin”). <https://tinyurl.com/yxkfa986>
2. **Pocket Constitution** –<http://tinyurl.com/w9yp6hk> (esbco, 1 copy)
3. **Essentials of Health Justice** by Tobin-Tyler & Teitelbaum (“Health Justice”) 3 users, but can download chapters w/o issues with licensing) <https://tinyurl.com/y2rgfdsv>
4. **The New Public Health Law** by Burris et al. (“Burris”) <http://tinyurl.com/vo8ejmo> (oxford, no access restrictions)
5. **An Introduction to the Policy Process**, by Birkland, (“Birkland”), <https://tinyurl.com/y2vhqca2>

Please view this tutorial with tips for using e-books by librarian Stephanie Barrett:

https://youtu.be/XmxT_Oz1BVk

Materials from the textbooks will be supplemented with other reading packets posted as PDFs on Blackboard, as well as readings provided by our community partners.

STUDENT EVALUATION RUBRIC

Student mastery of course material will be assessed as follows:

Activity	% Grade
Class attendance & participation (includes Discussion leader)	15
Legal research exercise	10
Public Comment on proposed regulations	35
Community health coalition project	-----
<i>1 page overview of your coalition</i>	10
<i>5 page policy brief on coalition’s priority issue</i>	20
<i>Group Presentation on coalition policy</i>	5
Voting exercise	5
TOTAL	100

² Please don't be daunted by the size of the book; in true lawyerly fashion, about one-third of the pages are footnotes. Available at the bookstore and also free online at the library.

³ Dates are subject to change depending upon the pace of the class and other unpredictable reasons.

COURSE POLICIES

Honesty and Ethics: I take cheating and plagiarism very seriously; it constitutes theft of ideas and unfair advantage over other students. Please take [Honesty Quiz # 1](#) to test your knowledge of the [University's code](#). You will be asked to insert and sign the compliance pledge with the University's code of honesty for these assignments: coalition overview paper, issue policy brief, public comments, and legislative testimony. "I affirm that I have not given or received any unauthorized help on this assignment, and that this work is my own."

Disability Statement: Your success in this course is important to me, and it is the policy and practice of the University of Rochester to create inclusive learning environments consistent with federal and state law. If you have a documented disability (or need to have a disability documented), and need an "accommodation," please contact me (m.mcnulty@rochester.edu) privately as soon as possible so that we can discuss with the relevant office how to meet your specific needs and the requirements of the course. If you're not sure what counts as a disability, check out this page:

<https://www.rochester.edu/college/disability/faculty/common-disabilities.html>

General information about disability support services is here:

<https://www.rochester.edu/college/disability/>

COURSE ASSIGNMENTS

This is an *overview* of course requirements. More detailed information will be given with each assignment.

CLASS ATTENDANCE & PARTICIPATION – 15 POINTS

Class attendance is required. FYI - Each class costs approximately \$240. Asynchronous attendance is permitted, particularly for students in very different time zones, or those with unstable internet connections.

Ungraded questionnaires will be used at the end of some classes to assess your understanding of the reading and the lecture (What did you learn today?) Although individually ungraded, completion will count toward your participation grade.

Reading the assignments is required; intelligent participation also is expected to further mastery of the reading material and the concepts of public health law. This course has heavy reading loads in some weeks. I have created "Readings and Questions" documents for most of the assigned reading to help you to focus and read more efficiently.

Participation will be measured in part by your performance as Discussion Leaders.

VOTING EXERCISE – 5 POINTS

This exercise involves mastering the logistics of informed voting, and the importance of voting to public health issues. The goal is for 100% of the class to be registered to vote (excepting students from other countries)

LEGAL RESEARCH EXERCISE – 10 POINTS

This exercise teaches how to locate statutes, regulations, and cases. [Legal research tools](#) will be used to locate the legal documents.

PUBLIC COMMENT ON PROPOSED REGULATIONS – 35 POINTS

This major exercise teaches how regulations are structured, how to analyze a regulation, and how to file a public comment. Students will write a formal Public Comment in response to proposed regulations.

COMMUNITY HEALTH COALITION PROJECTS: OVERVIEW, POLICY BRIEF, PRESENTATION – 35 POINTS

This project involves an independent out-of-class visit(s) to a community health coalition meeting to observe policymaking activities at the community level. Sign-ups and logistics will be coordinated by the teaching assistant, including information on travel reimbursement. There are 3 components to this assignment: an informative 1 page overview of the coalition (10 points), a 5pp policy brief on the coalition's issue priority (20 points), and a presentation (5 points).

Note there is no final exam; therefore, students will be completely done with course work by the end of the last class.