



Public Health Law & Policy

PH PSC 230

Prof. Molly McNulty

Spring 2023

“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)

Public health law and policy consists of government choices that impact the lives of everyone, including choices related to pursuing health equity. How do we know we are making the right choices? What are “law”, “policy” and “community health coalitions?” How do we convince different stakeholders, ranging from the politically powerful to the individual patient, to follow the policy guidance we think will generate the best public health results? This course explores the models for understanding law and policymaking, and then applies those models as we delve into hotly debated public health topics of the day. These debates include national health reform, abortion, gun control, racism, discrimination and others.

Monday - Wednesday 2:00 – 3:15 pm | Hybrid Mode

- Mondays: Remotely at Zoom: <https://rochester.zoom.us/j/92340905831>
- Wednesday: In person, Morey 205

CONTACT INFORMATION

Prof. Molly McNulty, J.D. m.mcnulty@rochester.edu

- Office hours: I will NOT be holding campus office hours this semester. Instead, email me to set up an appointment.

TA Alexa Ingrassia aingras2@u.rochester.edu

- Office hour: Fridays 11:00 - 12:00 via Zoom
- <https://us04web.zoom.us/j/8203357243?pwd=eBrCgBwGaFj5l1B6RElsXlCDuhNYD9.1>
- Meeting ID: 820 335 7243
- Passcode: PHLT230

My expectations of students

- Academic Honesty Students MUST comply with the [Academic Honesty Code](#). This includes refraining from copying and pasting material written by others without explicit attribution (e.g. footnotes). **This is a particular temptation when studying the law, which is confusing to the novice.** As Albert Einstein said, “If you can't explain it simply, you don't understand it well enough.”
 - The University requires this language in a syllabus:
 - “At Rochester, we are committed to academic excellence, which depends on academic honesty. Academic honesty means being truthful in our academic pursuits, maintaining ownership of our own work, and acknowledging our debt to the work of others. All assignments and activities associated with this course--including, but not limited to, collaboration, citation, and use of outside resources--must be performed in accordance with the University of Rochester's Academic Honesty Policy.
 - Please review the [Academic Honesty policy](#)”
- Time Students are expected to do extensive reading and writing in this course; and should budget **a minimum of 9 to 12 hours per week.**
- Participation Students are expected to be autonomous and "active" learners. This means speaking up in class, managing your times so that you submit your best work before the deadlines, and completing all reading before class.
- Attendance Required attendance - Something to think about if you're thinking of skipping - **each class costs students (or your parents - or the government) \$255.**

Community-Engaged Course

Please note that this course is “**community-engaged**,” which means we have local agencies and coalitions who (we hope) will sponsor a team of PH/PSC 230 students to observe how communities plan to engage with the public policymaking cycle. It also means that dates and topics may change frequently depending on who is available. This can be frustrating and confusing – but that is why we have Alexa! Who will serve as a community liaison between you and the community health coalitions.

Textbooks Required

_(links to publisher's websites about the books)

- Burris, [The New Public Health Law](#)
- Hodges, [Public Health Law in a Nutshell](#)
- Jordan, U.S. Constitution And Fascinating Facts About It
- Smith, [Writing Public Policy](#)
- Tobin-Tyler, [Essentials of Health Justice: Law, Policy, and Structural Change](#)

You can purchase them in print or digitally directly from Barnes and Noble through the “Textbooks” folder in the left-hand Blackboard Navigation Pane. If you receive financial aid you *must* purchase through B&N, if not you may purchase them elsewhere but note that B&N will price match.

Rush Rhees also is creating a “Course Reserves” list, which should contain digital links for all the texts except for *Writing Public Policy* (so you should buy the print version).

Assignments

<u>ASSIGNMENT</u>	<u>WEIGHT</u>	<u>DUE</u>
Media Analysis	5	Sunday, January 22nd at 11:59 PM
Identify the Public Health Priorities of Your Coalition (this may change)	5	Sunday, February 12th at 11:59 PM
Legal Research #1 Statutes + Cases Worksheet	15	Sunday, March 5th at 11:59 PM
Legal Research #2: Write and Submit "Public Comment" to an U.S. Executive Agency	25	Sunday, March 19th at 11:59 PM
Policy brief [Background, Problem Definition, Solution Options]	30	Sunday, April 9th at 11:59 PM
Law and Policy Summary on One Vulnerable Population	10	Sunday, April 23rd at 11:59 PM
Participation	5	
Attendance*	5	
	100	

Note: The Qwikly tool may be used to track class attendance.

Schedule

Module 1 Links Between Law and Policy

1	Wednesday, January 11, 2023	Introduction; How Media Shapes Values
2	Wednesday, January 18, 2023	Public Health Law, Policy and Health Justice
3	Monday, January 23, 2023	Source and Scope of Public Health Legal Powers
4	Wednesday, January 25, 2023	Source of Legal Authority: Constitutional Issues
5	Monday, January 30, 2023	Public Health Policy and the Policymaking Process
6	Wednesday, February 1, 2023	Public Health Law in the Policymaking Process
7	Monday, February 6, 2023	How Law Can Promote Health Equity
8	Wednesday, February 8, 2023	Recent SCOTUS Public Health Cases

Module 2 Community Health Coalitions

8	Monday, February 13, 2023	Community Health Coalitions in the Public Health Policymaking Process
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<https://rochester.app.box.com/file/1105324834595>

9	Wednesday, February 15, 2023	Policymaking Decisions and Strategies (What Coalitions Do)
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Module 3 Legal and Policy Research Skills

10	Monday, February 20, 2023	How To Locate Laws of All Types
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11	Wednesday, February 22, 2023	Constitutional Branch 1: Congress
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12	Monday, February 27, 2023	Pending Legislation
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13	Wednesday, March 1, 2023	Constitutional Branch 2: Direct Regulation for the Public's Health and Safety
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14	Monday, March 13, 2023	Regulatory Public Comments as a Public Health Advocacy Strategy
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15	Wednesday, March 15, 2023	Monitoring Regulatory Implementation: Case of Community Hospitals
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16	Monday, March 20, 2023	Constitutional Branch 3: How to Read A Case
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Module 4 Laws and Programs for Vulnerable Populations

17	Wednesday, March 22, 2023	Opioid Epidemic
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18	Monday, March 27, 2023	Guest Speaker
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19	Wednesday, March 29, 2023	Reproductive Health - Family Planning
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20	Monday, April 3, 2023	Reproductive Health - Abortion
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21	Wednesday, April 5, 2023	Racism as Public Health Crisis
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22	Monday, April 10, 2023	Gun Violence Legal Strategies <Invite City Attorneys Who Just Filed>
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23	Wednesday, April 12, 2023	Climate Change
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24	Monday, April 17, 2023	LGBTQ Discrimination in Healthcare: Sex Confirmation Debates
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25	Wednesday, April 19, 2023	Coalition Team Presentation Preparations
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26	Monday, April 24, 2023	Policymaking in the Community: Presentations
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27	Wednesday, April 26, 2023	Policymaking in the Community: Presentations
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Note: These **dates likely will change** as we iron out the most logical flow of the topics and the availability of guest speakers. Please keep an open mind!