

Legal Preparedness: Building New Bridges with the Private Sector

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NC Center for Public Health Preparedness

Webinar Symposium Series on Public Health Preparedness



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“Legal Preparedness: Building New Bridges with the Private Sector”

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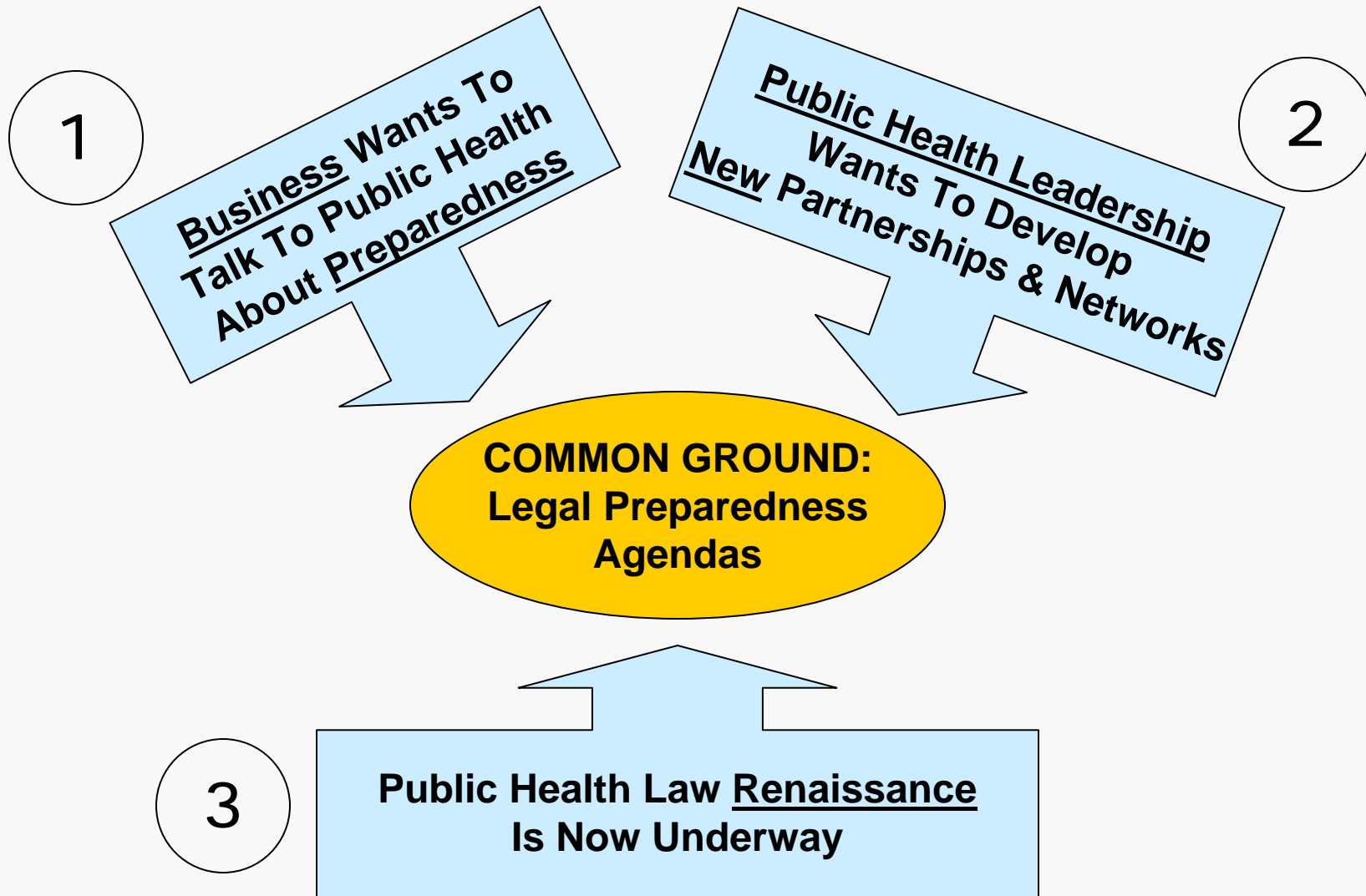
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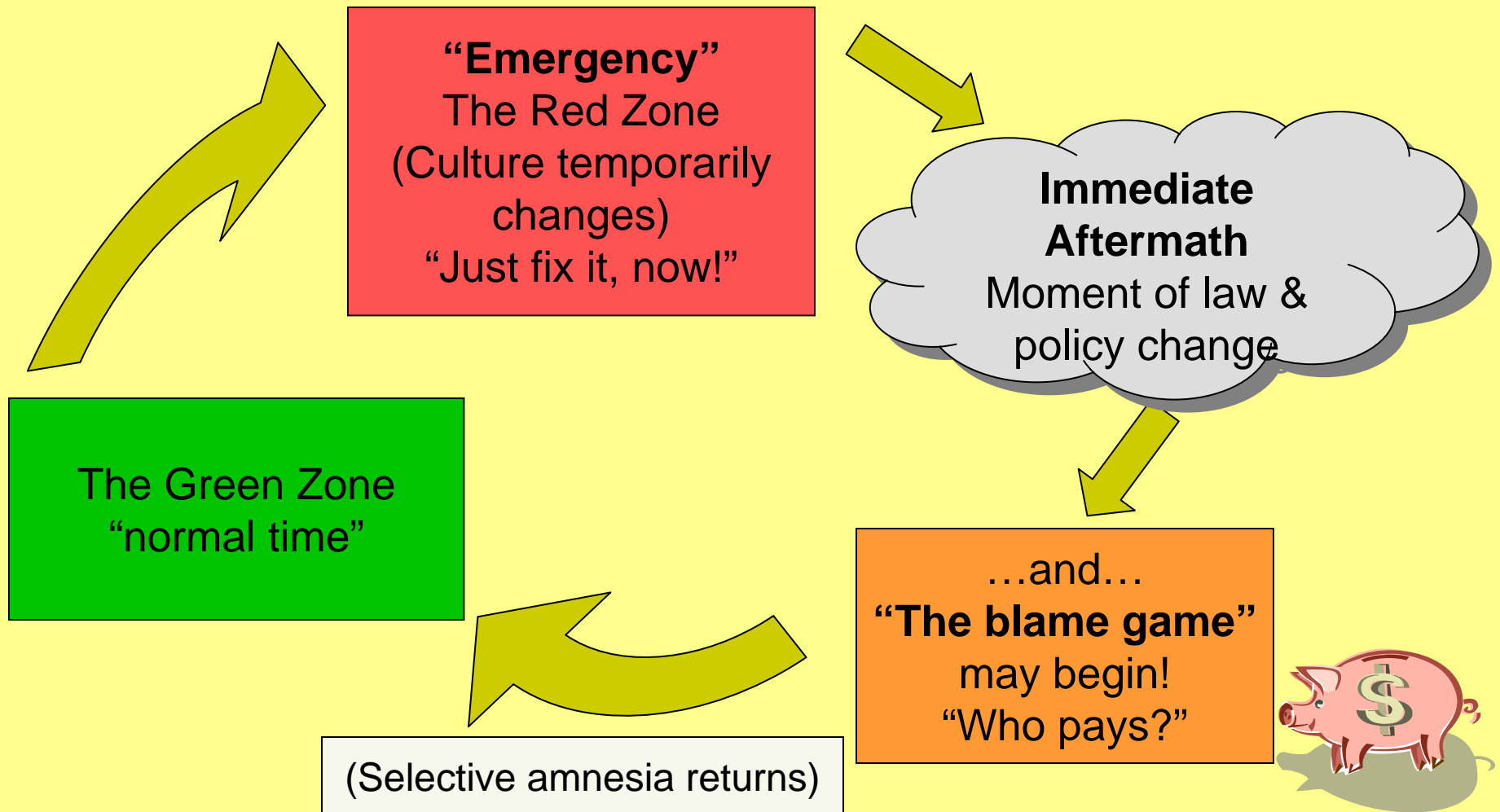
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Incentives → Historic Opportunity



Law/Policy Change in Public Health Emergency Situations



Building New Bridges

- 1. Public health law as an integrating force**
- 2. New networks must include business leadership**
- 3. Opportunity for public health to “re-leverage”**



Part 1: PH Law as an Integrating Force

Historical Context

- **100 years ago, lawyers were integral to the practice of public health at the community level**
- **Example, Teddy Roosevelt and the Long Island polio quarantine of 1890's**
- **Example, in 1905 a Chicago lawyer founded the Rotary Club:**
 - Purchased a horse for the doctor**
 - Built the first public restroom in Chicago**



Reasons for Renaissance in PH Law

- Relatively “quiet” area of U.S. law from the 1950s→1990s
- Growing awareness of BT & EI threats in late 1990s started PH Law Initiative at CDC
- Anthrax attacks following 9/11/01 fueled U.S. interest in the field
- International SARS epidemic of 2003 spurred international attention to PH Law



Historical Context—Legal Changes

- **Salk Polio Vaccine (1955)**

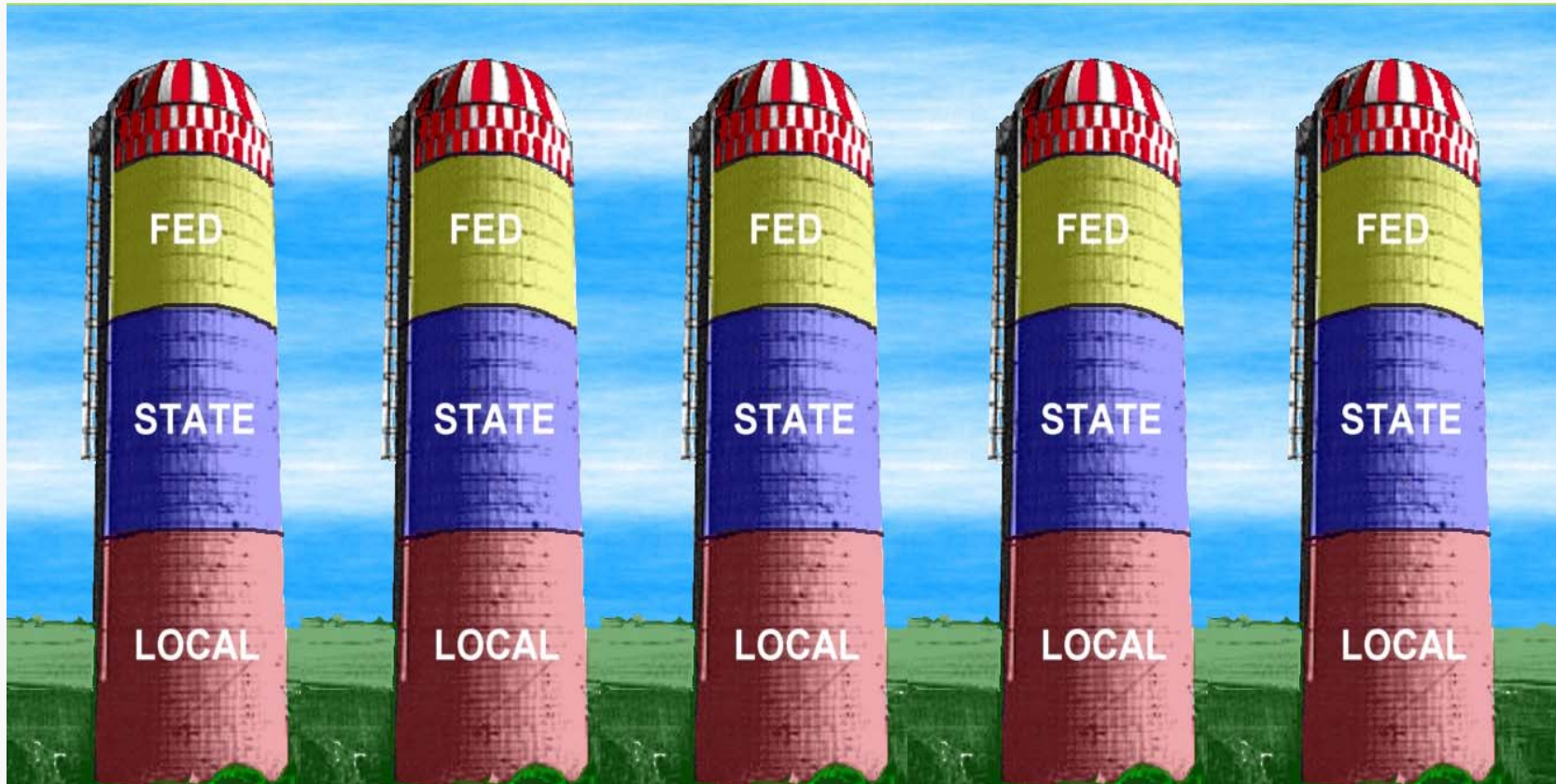
End of community-wide public health control measures in U.S.—300 years!

- **Brown v. Board of Education (1954)**

Beginning of modern evolution of procedural protections of individual liberties against government action.



Federal, State and Local “Legal Preparedness” The Legal Silos



Public
Health

Law
Enforcement

Emergency
Management

Medical
Services

Agriculture



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Part 2: New PH Networks Must Include Business Leadership

- Business “gets it”
- The Toronto Story



Business “gets it”: PH in the 21st Century

- **Rediscovery of public health**
 - 40 years ago U.S. businesses realized they were in the business of **health care**.
 - Now, multi-national corporations are learning that they are in the business of **public health**:
 - Supply chains impacted by international public health events
 - Interruptions of global markets & employees travel
 - New business opportunities & risks

READ: Thomas Friedman’s *The World is Flat*



PH Networks & Business Leadership: The Toronto Story

Two Remarkable Things Happened:

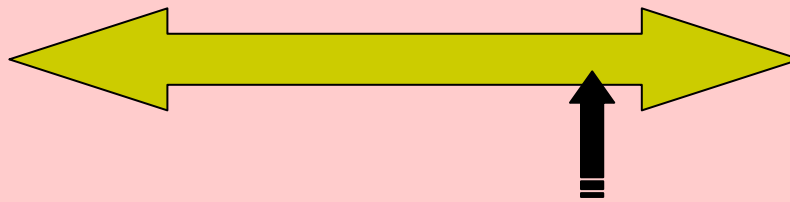
- 1. Public Health Experienced Social Cohesion
- 2. The Business Community Engaged in Providing Recovery Leadership



The Toronto Example of the Red Zone 2003 SARS

- 30,000 “voluntary” quarantines over 3 months
- 27 formal quarantine orders
- 1 appeal (withdrawn)

**Divisiveness &
panic**



**More social
cohesion**

- Toronto experienced a temporary shift increasing social cohesion.
- Compliance with quarantine directives was substantial.
- One example of how a culture temporarily changes.



A “Tipping Point” for SARS Leadership in Toronto

On the day that the large medical convention cancelled in Toronto, the **center** of leadership **shifted**:

A **health**
problem for
government
leaders to solve

BECAME



An **economic**
problem for
business
leaders to solve



Air Canada's Marketing Tools

- Creation of a web site

The screenshot shows the Air Canada website for Toronto. At the top left is the "Canada Loves Toronto" logo, which features a red maple leaf inside a white heart shape. To its right is a banner image of a family (two children and a woman) holding up a small airplane. Below the logo is a navigation bar with "Français" on the left and "Great Deals for your long weekend in Toronto..." on the right. The main content area is divided into several sections:

- Flight Deals:** "Fly for less to your Toronto getaway" with an image of a baseball field.
- Hotel Deals:** "Take advantage of spectacular room rates" with an image of a historic building.
- Car Deals:** "Hit the road at amazing low rates" with an image of a car.
- Great Entertainment:** "Exciting entertainment packages at amazing prices" with an image of a person in a mask.
- Shopping:** "Shop in style with these great deals" with an image of a shopping bag.
- Rail Deals:** "Take the train and save" with an image of a train.
- Restaurant Packages:** "Dine out with these irresistible offers" with an image of a restaurant sign.
- Great Attractions:** "Experience Toronto's myriad of cultures & attractions" with an image of the CN Tower.
- Bus Deals:** "Hop on the bus for less" with an image of a bus.

In the center of the page is a large banner titled "Welcome to Toronto" with the text "We're rolling out the carpet to welcome Canada to Toronto this spring." and the Air Canada logo. Below this banner is a large image of the Toronto skyline at night, reflected in the water.

At the bottom of the page, there is a footer with "Copyright © 2003 Air Canada | [Notice](#)" on the left and "Brought to you by Air Canada" on the right.



Air Canada's Marketing Tools

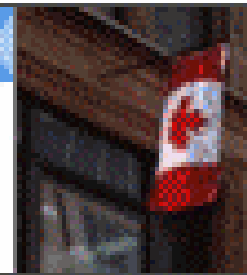
Bus Deals

Hop on the bus
for less



Rail Deals

Take the train
and save



Brought to you by Air Canada



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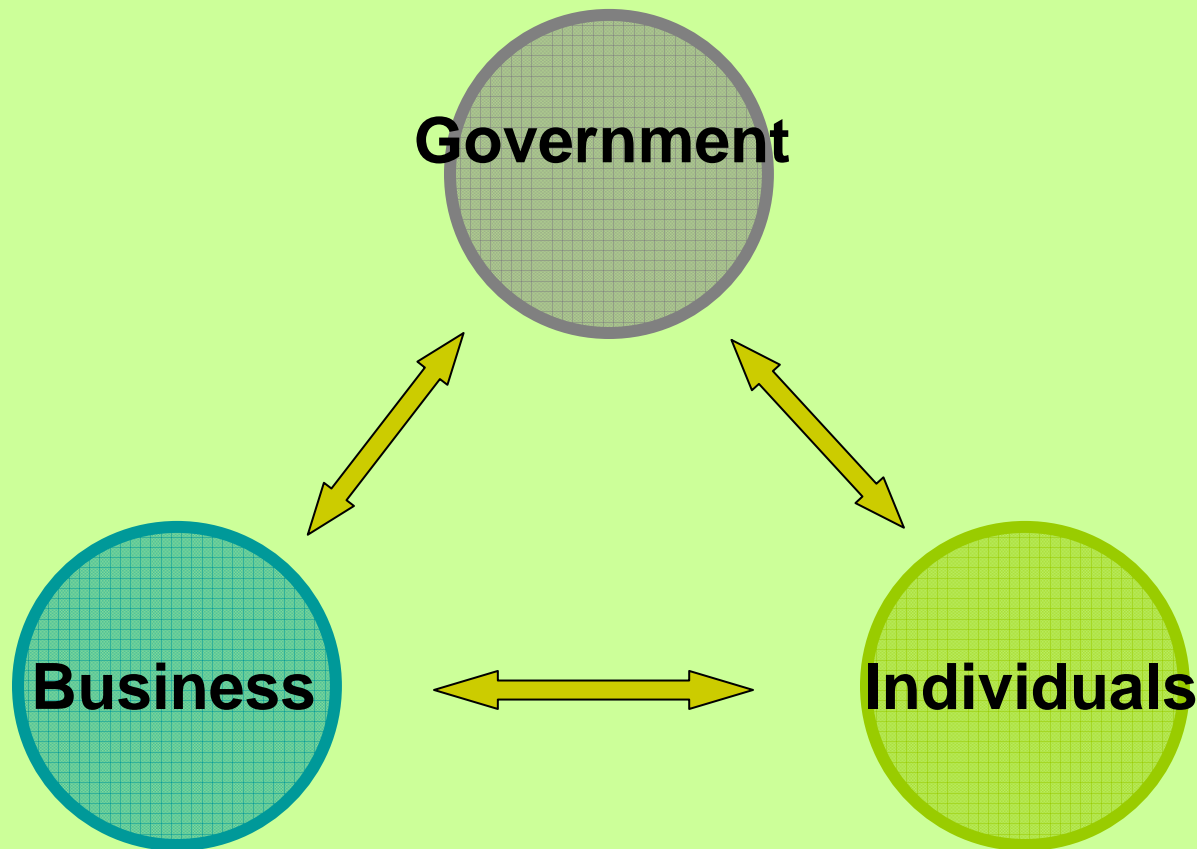
Initial Lessons of Toronto

The Biggest Lessons:

- The “Balance of Governance” is **significantly** (if only temporarily) **altered** during an emergency.
- **Business and Public Health** need to build **bridges** with each other **before** a crisis.
- Lessons from Toronto are readily **understandable** and are **transferable** to other settings.



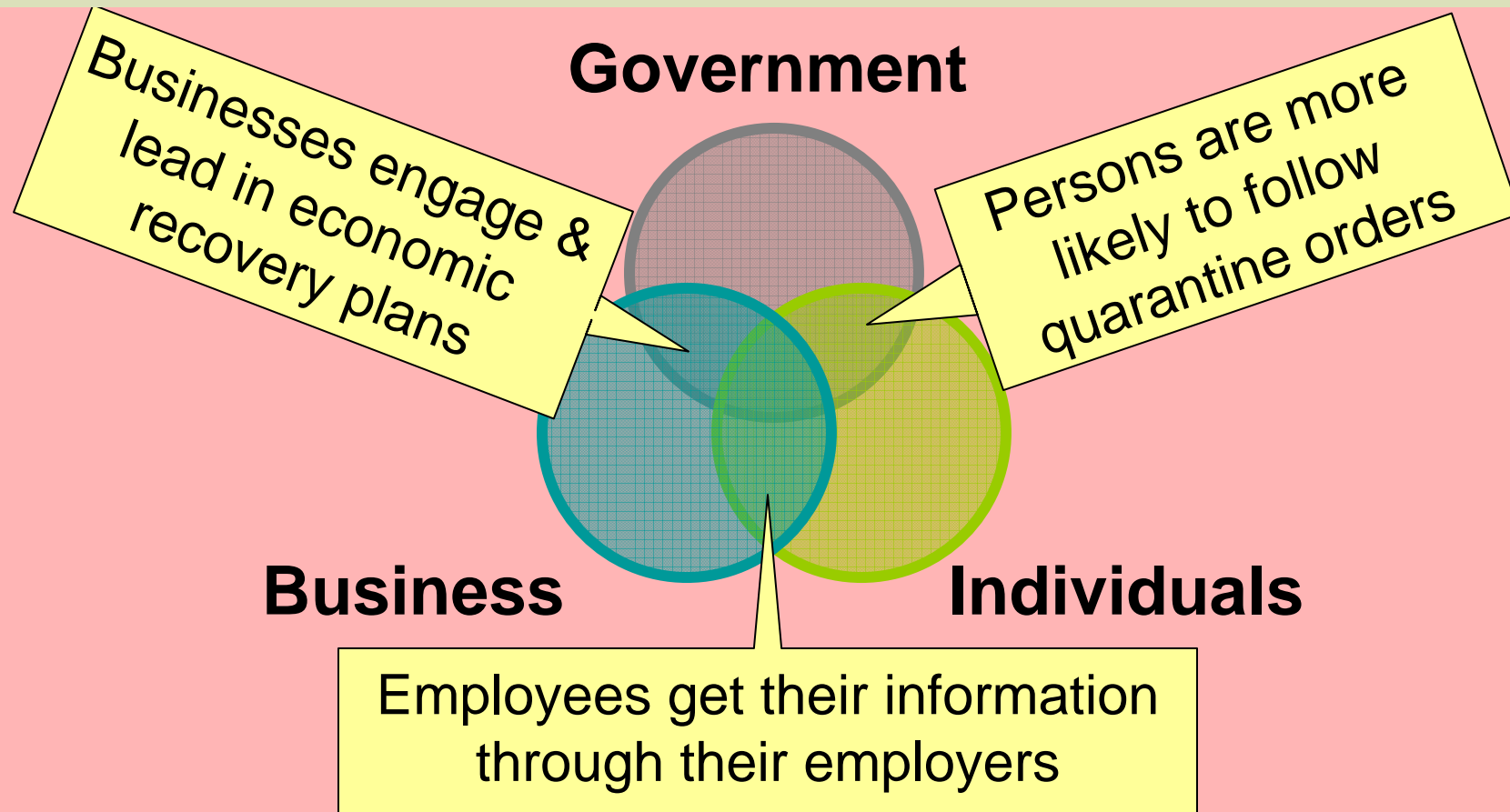
The Green Zone: Normal Times



Normally, there is distance between these entities because of different goals, agendas, & strategies



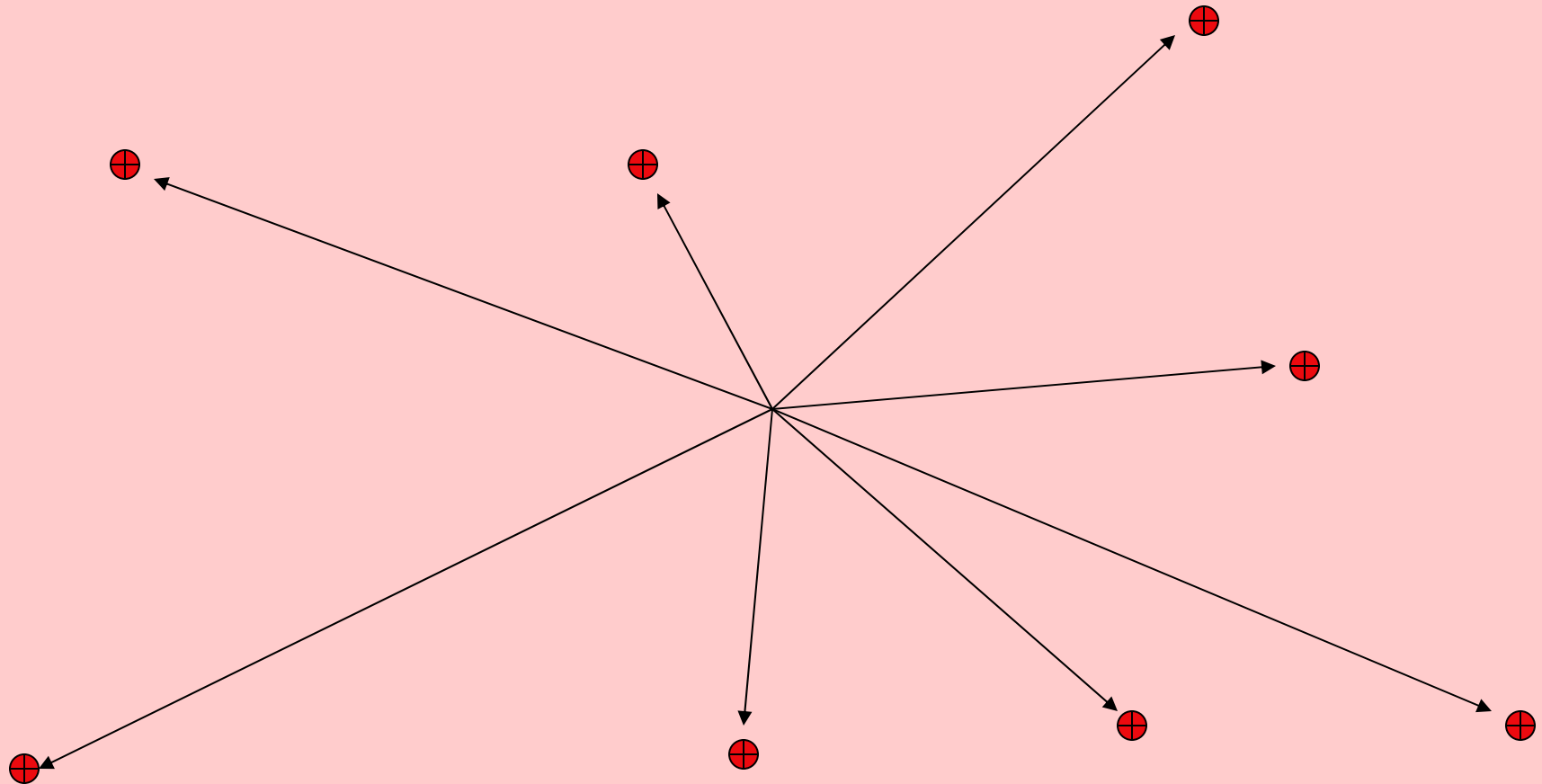
The Red Zone: An Emergency



Relationships are altered during an emergency—we need to **plan** for it...**now**.



But...a VERY Severe Disaster Can Become Chaotic



In Certain Extreme Situations Entities May Severely Separate:
DIVISIVENESS



The Legacy of Two Storms

19th & 20th Century
Systems of Private
Response

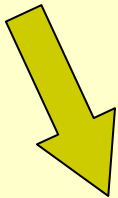


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The Legacy of Two Storms

19th & 20th Century
Systems of Private
Response



**1927 Mississippi
Flood**
Failure of
Coordination within
Private Charity
Networks



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The Legacy of Two Storms

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Great Depression
=>New Deal
=>WWII Mobilization
=>Great Society
BIG GOV'T RESPONSE

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“Proposition 13”
TAXPAYERS REVOLT

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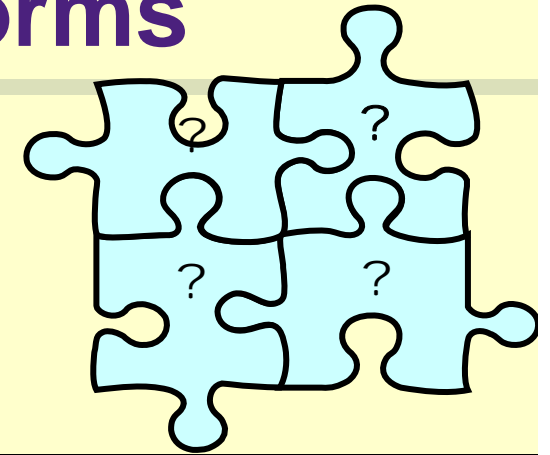
**2005 Hurricane
Katrina**
Failure of
"Big Government"
Response Coordination



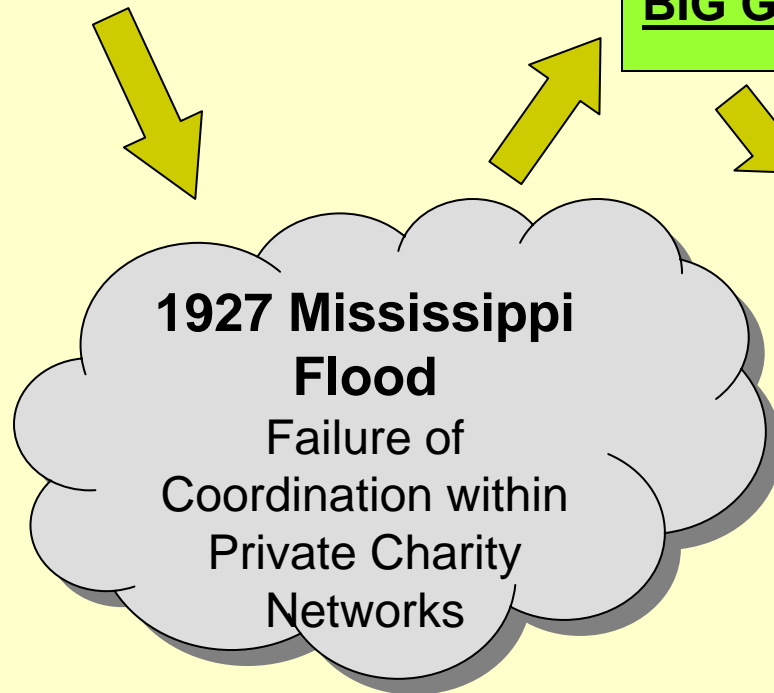
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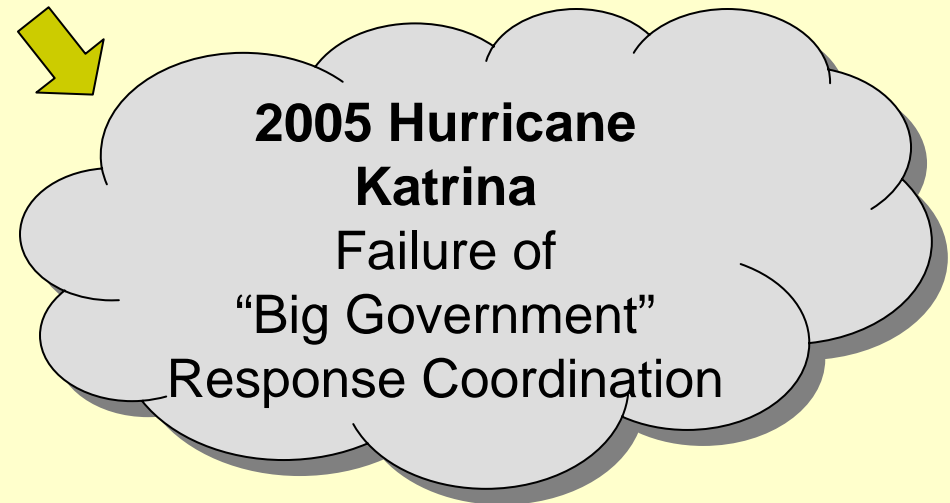
Great Depression
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NEXT MODEL: WHAT NEW
SYSTEM OF COORDINATION?



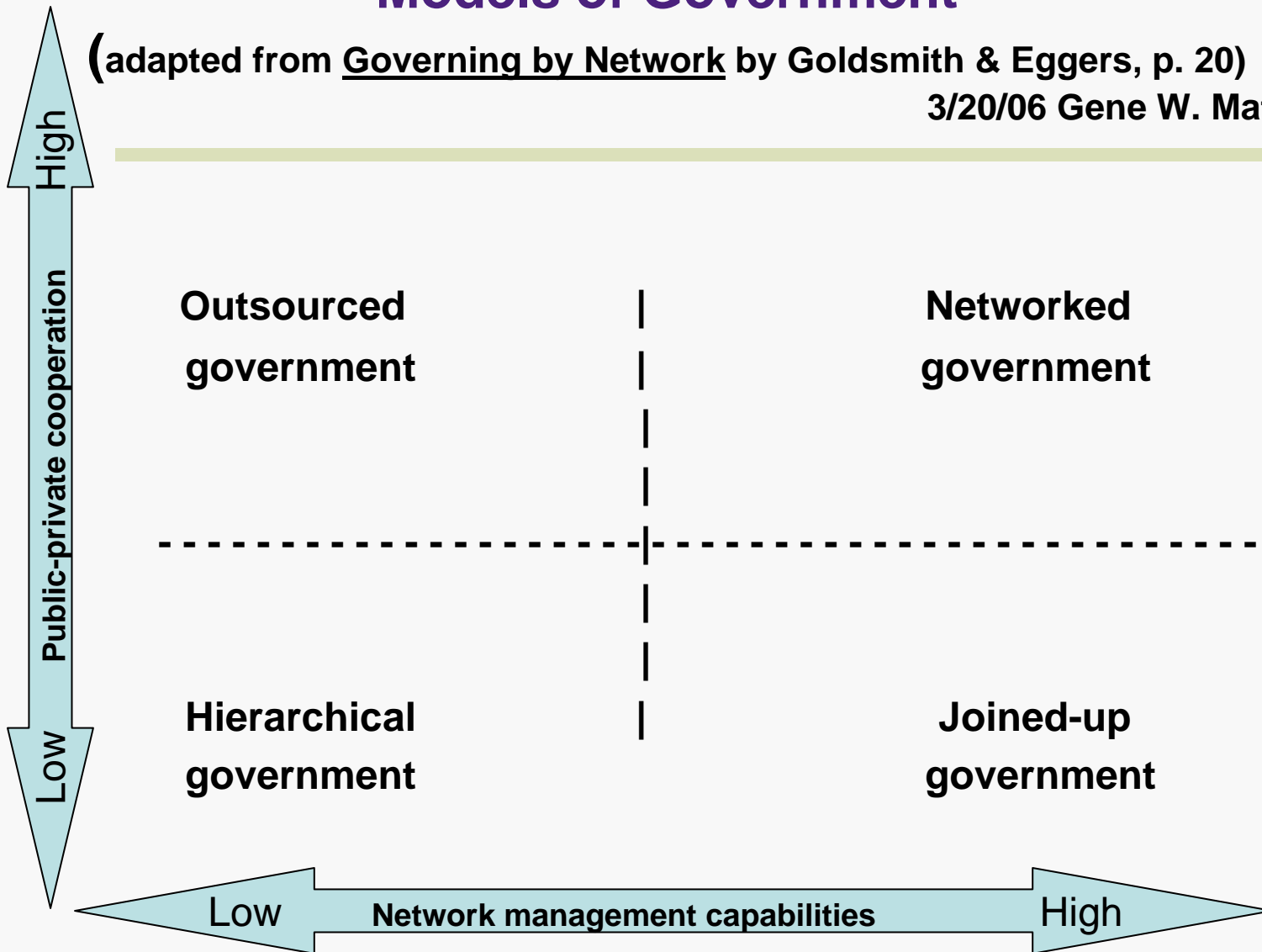
“Proposition 13”
TAXPAYERS REVOLT



Models of Government

(adapted from Governing by Network by Goldsmith & Eggers, p. 20)

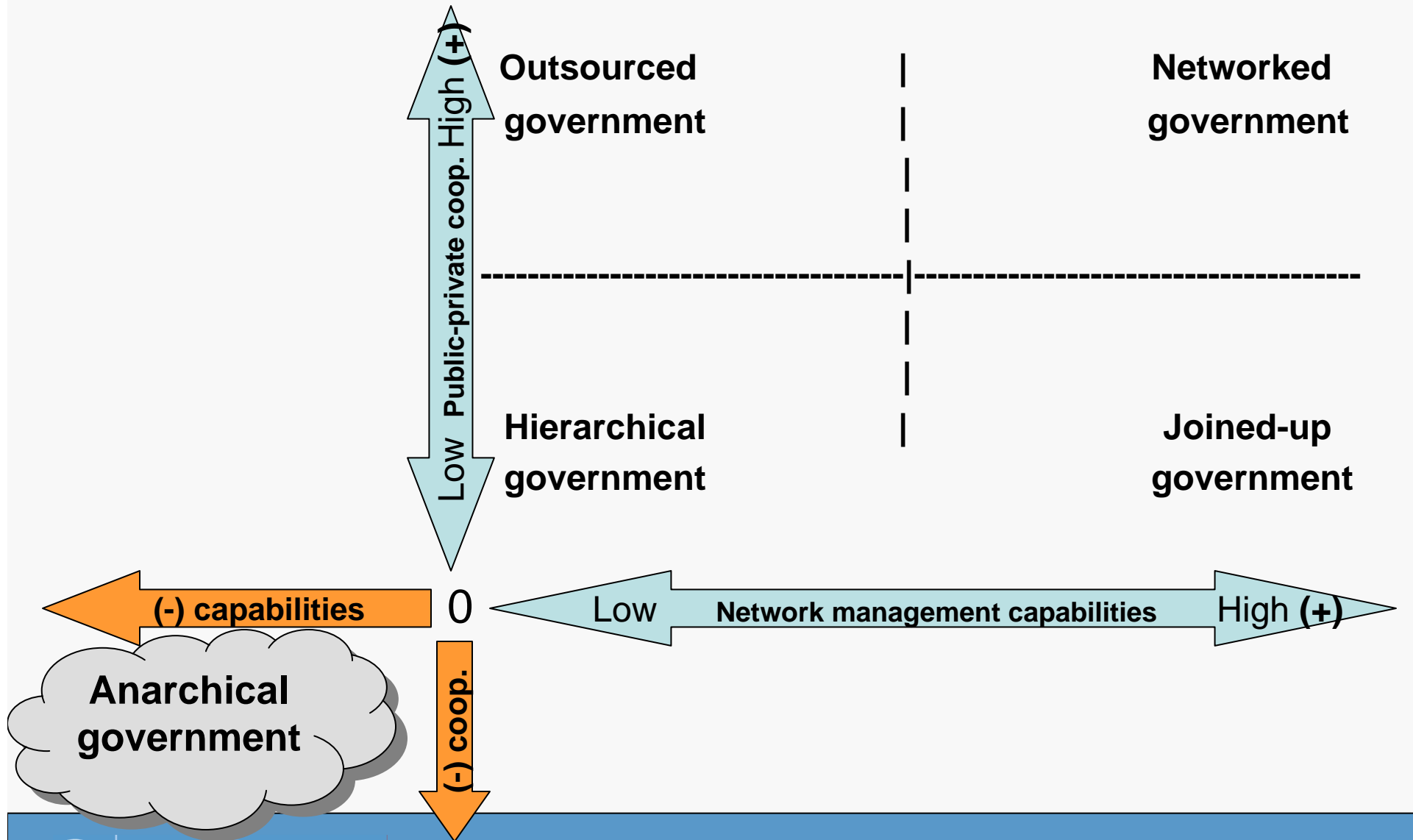
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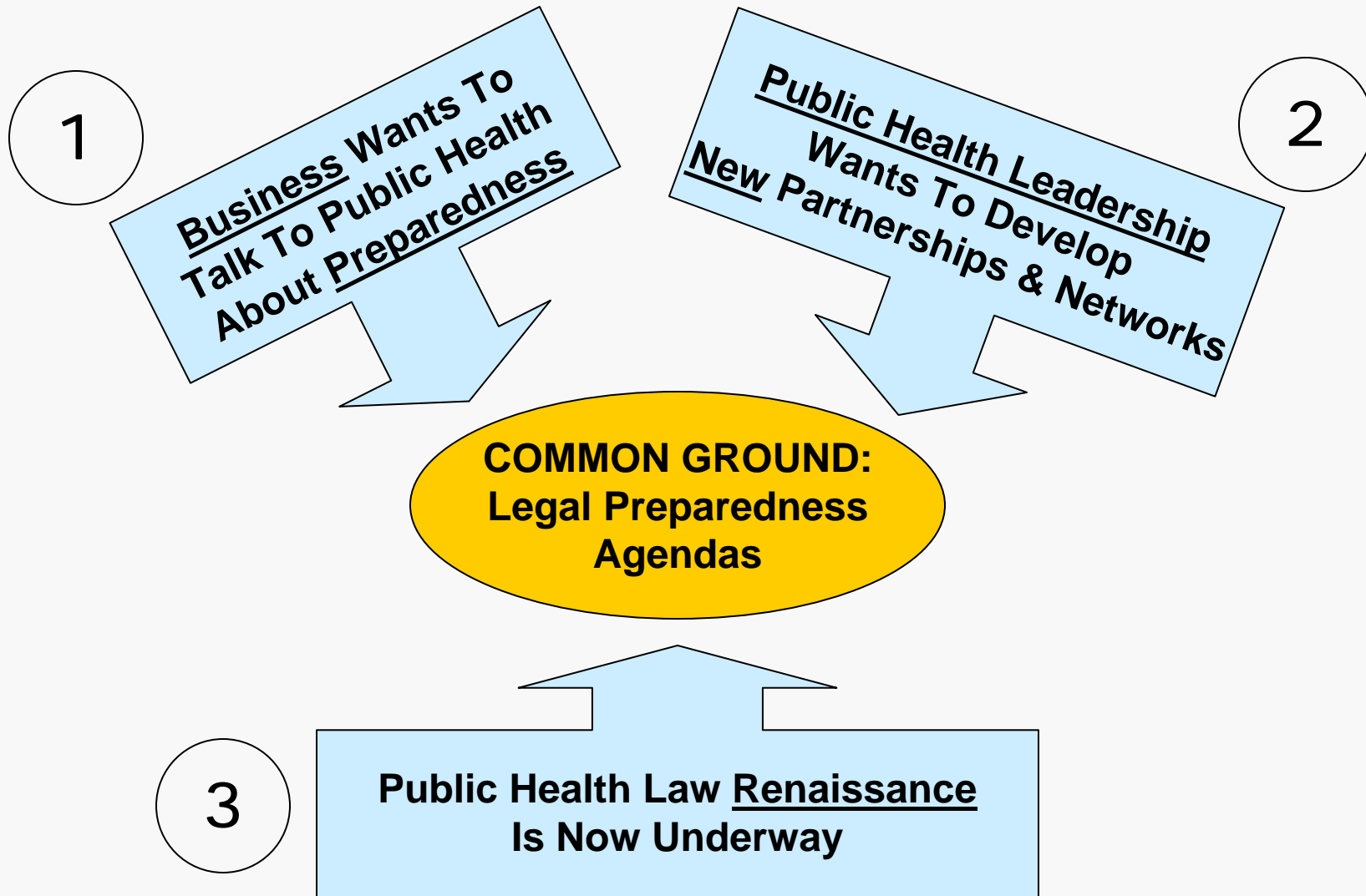
Part 3: What's the opportunity here?

Answer: The Opportunity to “Re-leverage”

- Public health is facing **decreasing political traction as measured in appropriated \$\$**.
- The business community **now** wants to engage public health in a discussion on **preparedness** issues.
- This is an **opportunity** to develop **relationships** and **alliances** that can be of great value to public health on **other** issues.



Incentives → Historic Opportunity



5 Examples of Alignment of Interests: Business & Public Health: LEGISLATIVE NETWORKING

1. **Common Sick Leave Policies During Emergency Situations**
 - **(Project for 2007)**
2. **Expand “Good Samaritan Laws” to Provide Liability Protection for Business and Non-profits Carrying out Community Preparedness Activities**
 - **(Pilot Projects in GA & NC)**



5 Examples of Alignment of Interests: Business & Public Health: LEGISLATIVE NETWORKING (cont.)

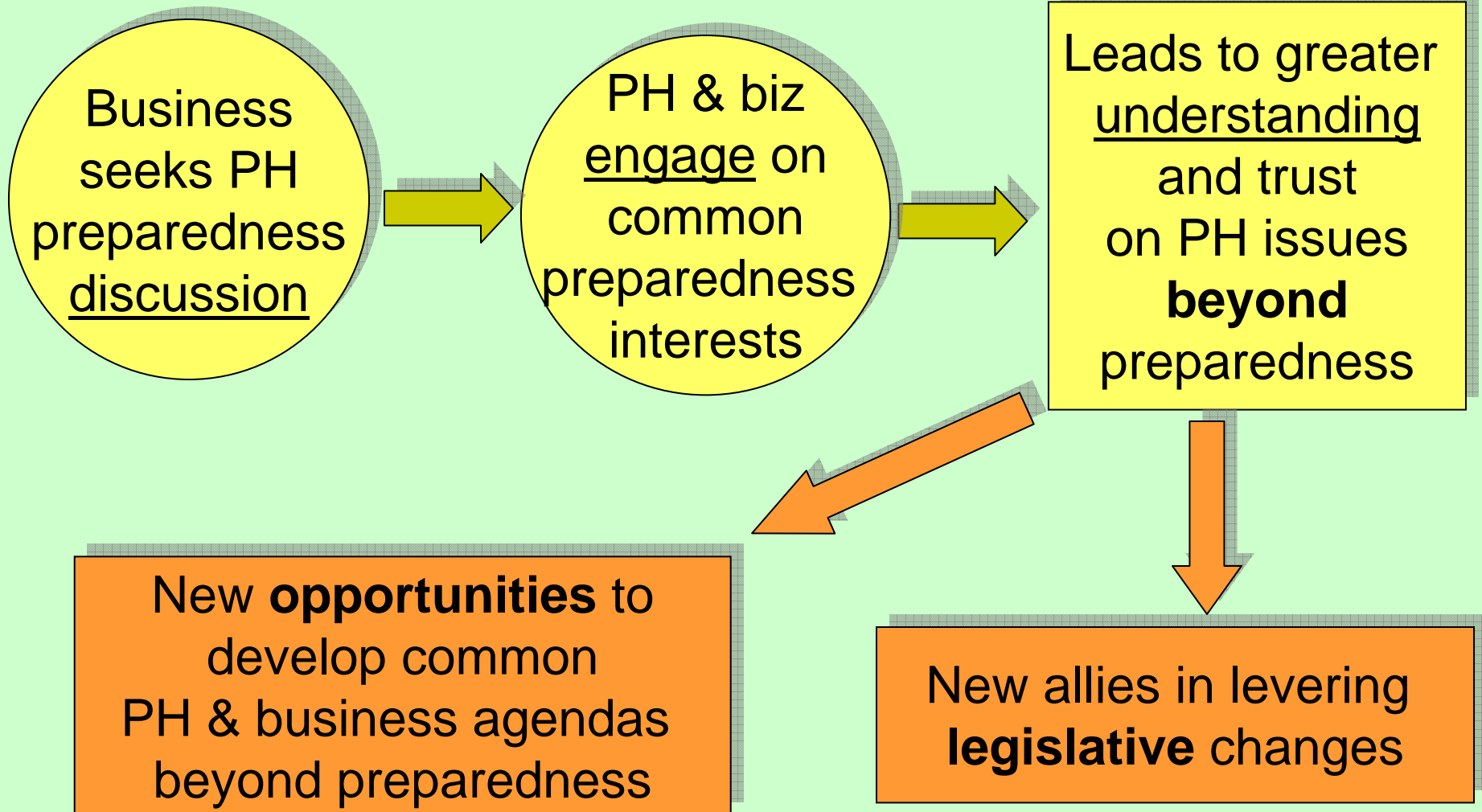
3. Wage Replacement Strategies

4. “Grace Periods” for Repayment of Debts

5. Liability Issues for Volunteers



Connecting the Dots



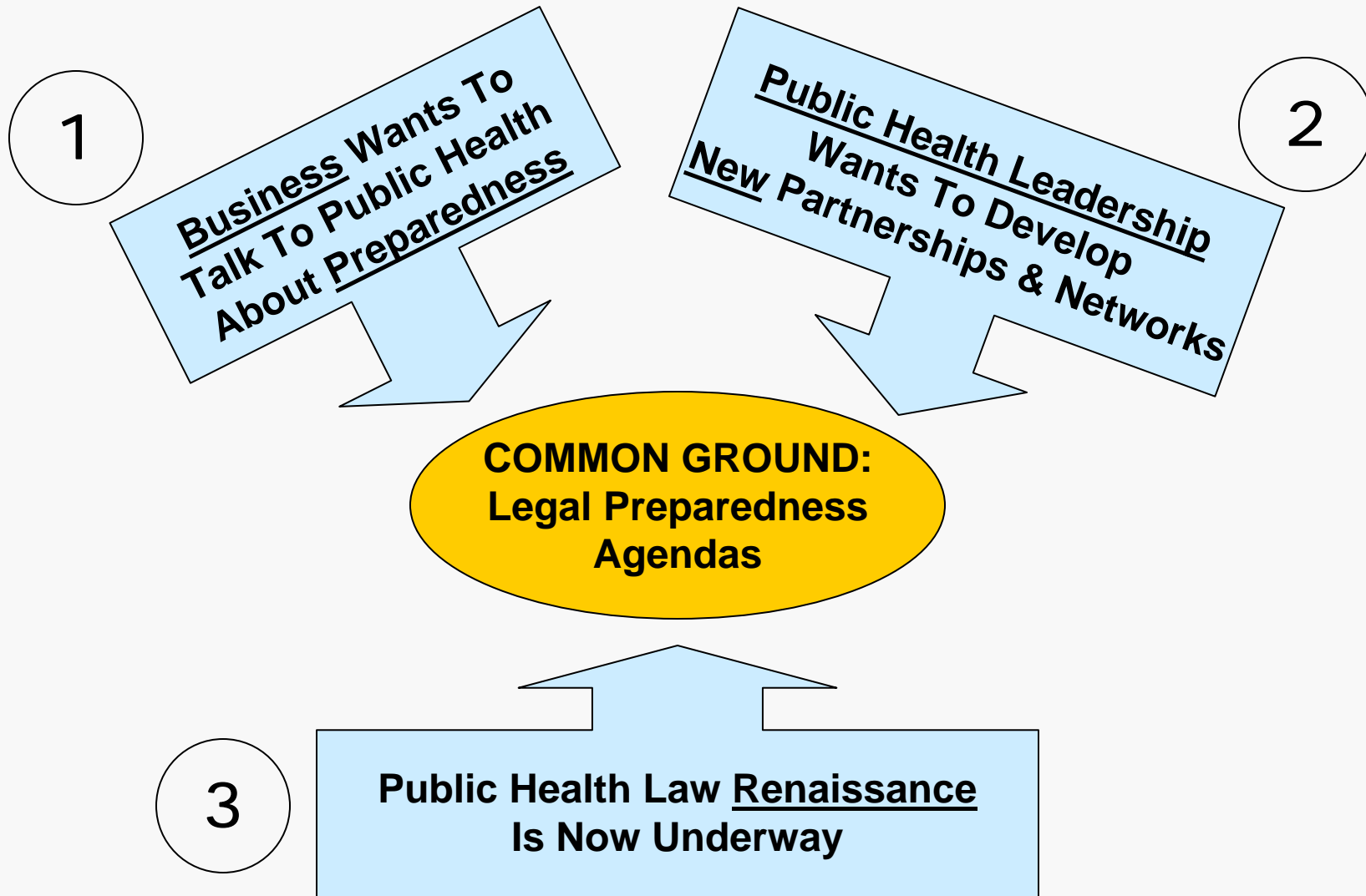
Building New Bridges

1. Public health law as an integrating force
2. New networks must include business leadership
3. Opportunity for public health to “re-leverage”

(The **law** can assist in building bridges!)



Incentives → Historic Opportunity



New Challenge

Rx: Build new bridges



(The **law** can assist in building bridges!)



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Resources

More public health legal preparedness resources will soon be available at:

- **NC Institute for Public Health**
<http://www.sph.unc.edu/nciph>

