



## Curriculum Recommendations for Disaster Health Professionals **Public Health Law in Disasters**

### Author

Maxim Gakh, JD, MPH, Scholar in Residence, University of Nevada, Las Vegas

**Target Audience:** Educators and trainers working with health professionals

**Purpose:** To plan education and training activities on public health law issues in disaster health

### Introduction

A disaster includes any event (naturally occurring, human-generated, or both) in which the needs of a population exceed available local resources. A disaster can be caused by a pandemic, flood, terrorist attack, or other incident.<sup>1</sup> Public health legal preparedness includes laws, practices, and relationships that are necessary to ensure that the public health system is prepared for a disaster.<sup>2</sup> A wide range of health professionals, including public health and medical professionals, should be familiar with public health legal issues relevant to disaster mitigation, preparedness, response, and recovery efforts before a disaster actually strikes. They should also be able to apply knowledge of legal concepts in a disaster.<sup>3</sup> Recognizing these legal issues allows health professionals to plan for and protect themselves, their employers, their patients, and the community during a disaster.

This document provides curriculum recommendations about key, disaster-related legal topics for trainers and educators of health professionals. Educators and trainers working with health professionals can use the recommendations in this document to populate course materials based on specific audience needs. **Users of this document should note that there are legal preparedness topics and resources beyond those covered in this document. They also should note that this document is for informational purposes only and is not a substitute for legal or other professional advice.** Because laws vary across jurisdictions and are often modified, educators and trainers using this document may need to consult with attorneys or other qualified professionals to determine the laws applicable to their jurisdictions.

The legal issues discussed in this document are organized according to the phases of the disaster response cycle. In reality, however, many legal issues may be relevant at multiple stages of a disaster. The topics outlined in the curriculum are based on the following:

- In the mitigation phase, health professionals should recognize the role law plays in strengthening our public health system and the connection between a healthy population and its resilience in a disaster. They should also appreciate the impact of a disaster on making and documenting healthcare decisions.
- In the preparedness phase, at a minimum, health professionals should understand the role law plays in a disaster, the legal basis of the emergency management system, how law facilitates planning through mutual aid agreements and pre-registration of health practitioners, and legal issues particularly relevant to vulnerable populations in a disaster.
- When responding to a disaster, health professionals should recognize how legal issues related to emergency powers, liability, personal control measures, and medical countermeasures can enhance their abilities to respond to a disaster.

- During recovery, health professionals who appreciate legal issues related to workers' compensation and disability benefits in a disaster scenario can better utilize these benefits, expedite their own recovery, and be better informed as they plan for future responses.

The curriculum recommendations contained in this document build on the *Core Competencies for Disaster Medicine & Public Health* (Table 1). The core competencies are an effort by an interdisciplinary group of health professionals to identify the appropriate knowledge, skills, and abilities, which all disaster health professionals should possess.<sup>4</sup> These same core competencies have been used to develop curricular recommendations that focus on other issues in disaster medicine and public health<sup>1</sup>. To connect the core competencies with the public health law learning objectives, the core competencies found in Table 1 are mapped to each of the learning objectives found in the Learning Objective and Resource Table (Table 2).

<b>Table 1: Core Competencies for Disaster Medicine &amp; Public Health<sup>4</sup></b>
1.0 Demonstrate personal and family preparedness for disasters and public health emergencies
2.0 Demonstrate knowledge of one's expected role(s) in organizational and community response plans activated during a disaster or public health emergency
3.0 Demonstrate situational awareness of actual/potential health hazards before, during, and after a disaster or public health emergency
4.0 Communicate effectively with others in a disaster or public health emergency
5.0 Demonstrate knowledge of personal safety measures that can be implemented in a disaster or public health emergency
6.0 Demonstrate knowledge of surge capacity assets, consistent with one's role in organizational, agency, and/or community response plans
7.0 Demonstrate knowledge of principles and practices for the clinical management of all ages and populations affected by disasters and public health emergencies, in accordance with professional scope of practice
8.0 Demonstrate knowledge of public health principles and practices for the management of all ages and populations affected by disasters and public health emergencies
9.0 Demonstrate knowledge of ethical principles to protect the health and safety of all ages, populations, and communities affected by a disaster or public health emergency
10.0 Demonstrate knowledge of legal principles to protect the health and safety of all ages, populations, and communities affected by a disaster or public health emergency
11.0 Demonstrate knowledge of short- and long-term considerations for recovery of all ages, populations, and communities affected by a disaster or public health emergency

## Instruction & Explanation

This curriculum recommendations document has three tools to aid educators in tailoring disaster education for public health law issues:

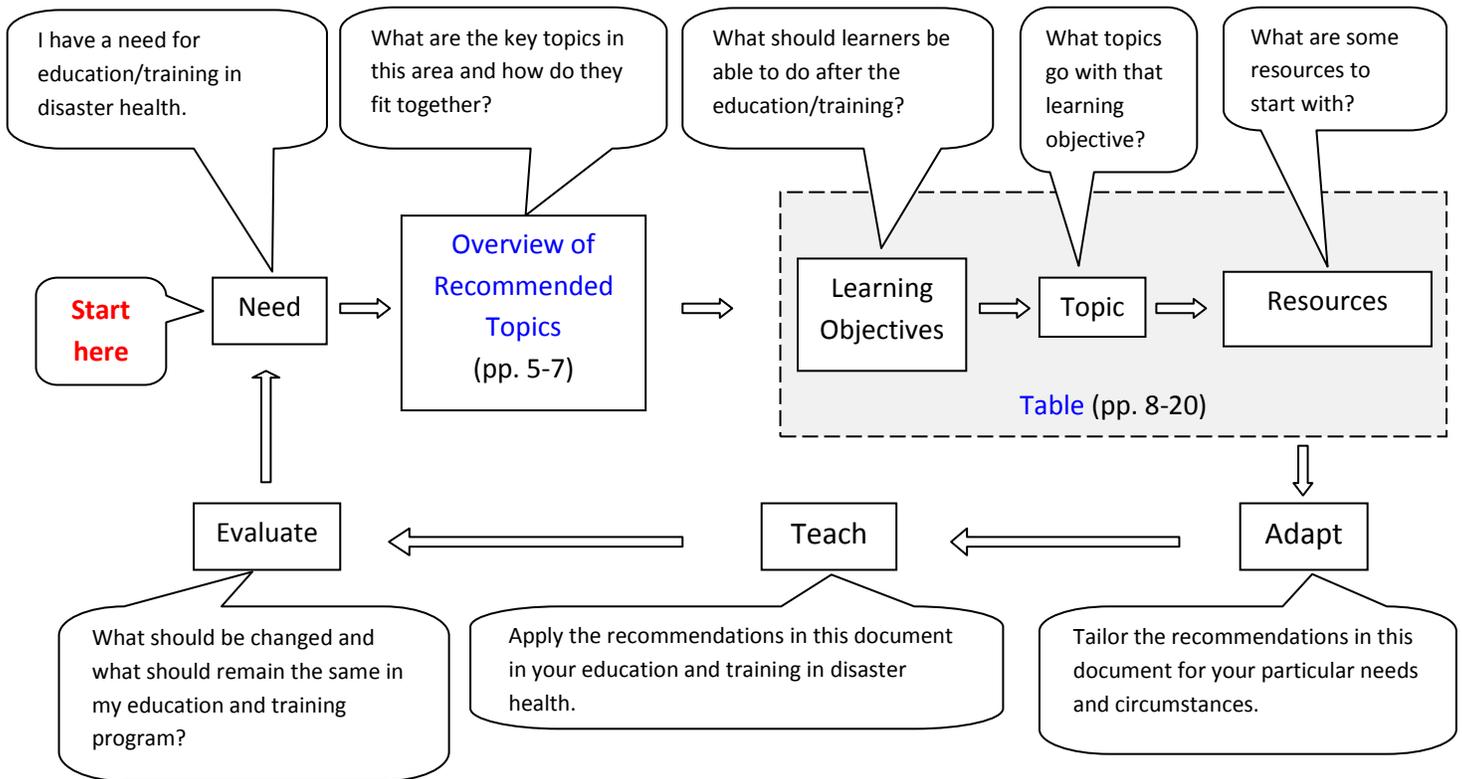
- [Design Process Diagram](#) (Figure 1)
- [Topical Overview](#), and the
- [Learning Objective and Resource Table](#) (Table 2)

The Design Process Diagram gives educators a step-by-step process for tailoring courses for their learners. The Topical Overview gives a summary of the recommended topics for public health law disaster education. This overview is organized according to phases in an adapted model of disaster response. It defines the broad topic areas and has embedded links to the Learning Objective and Resource Table.

The Learning Objective and Resource Table has recommended and detailed learning objectives and resources. It is organized by disaster phase and topic area. The Learning Objective and Resource Table provides learning objectives in the left-hand column. Core competencies associated with each learning objective are in brackets. The middle column lists topics that the educator may wish to include in teaching related to the learning objective. The educator can select those topics that are appropriate for the learners involved. The third column of the Learning Objective and Resource Table contains learning resources for each learning objective. The resources include a variety of sources: websites, government documents, journal articles, book chapters, etc. It is not an exhaustive list but a foundational starting point. Resources in the table are alphabetized within each of three categories: website/online reports, journal articles and books/chapters.

**Please note that the information found in this document is not a prescriptive curriculum, but rather a set of recommendations. Educators can tailor these recommendations for their particular needs and circumstances, selecting the appropriate learning objectives, topics, and resources for their learners and programs.**

**Figure 1: Design Process Diagram**



These recommendations for curriculum development can be tailored by the educator in light of the following:

- The health profession(s) that will be represented.
- The level of prior knowledge and experience of the learners in this area (e.g. are the learners in a professional degree program or receiving continuing professional development on the job).
- The number of learners.
- The time that is available.
- The needs and roles of the learners in a disaster.
- The timing (i.e. before a disaster or just-in-time).
- The assessment of learner knowledge and skill.

## Overview of Recommended Public Health Law Topics

### 1. Disaster Cycle Phase: Mitigation

- a. Role of law in community resilience - Legal requirements, including those that are not specific to disaster preparedness, help form the basis of community resilience.
- b. Defining public health law - Public health law focuses on the government's attempts to address the health needs of the community while protecting the rights of individuals.
- c. Decisions about healthcare - Disasters may raise practical and legal issues specific to making and documenting basic healthcare decisions for patients and providers. Incorporating advance directives into personal disaster planning can address some of these issues.
  - i. Advance directives
- d. Healthcare facility licensure and accreditation - Healthcare facility licensure laws and accreditation standards may require facilities to engage in measures that enhance their resilience in a disaster.
- e. Disease reporting—Laws that require health providers to report certain diseases to government agencies facilitate the disease surveillance activities that help monitor, control, and prevent disease.

### 2. Disaster Cycle Phase: Preparedness

- a. Role of law in disasters or public health emergencies – Public health legal preparedness includes laws (such as constitutional provisions, statutes, regulations, executive orders, and judicial opinions) and practices necessary to address a disaster. Laws and practices relevant to preparedness originate at the federal, state, and local levels of government and can overlap. Healthcare personnel and facilities should have working knowledge of legal issues relevant to preparedness.
  - i. Legal issues affecting healthcare personnel and facilities in a disaster
  - ii. Relationship between federal, state, and local preparedness laws
- b. Legal basis for the emergency management system— Preparedness relies on the workings of a complex and integrated emergency management system and infrastructure. Legal requirements as well as government guidance form the basis of the emergency management system.
  - i. National Incident Management System
  - ii. National Response Plan and Framework
    - o Emergency support functions
  - iii. Emergency management plans
- c. Mutual Aid Agreements –When a disaster strikes, state and local governments assist each other. Governmental assistance or collaboration may be horizontal (involving the same level of government) or vertical (involving different levels of government). To prepare for this type of cross-jurisdictional aid, governments enter into agreements that plan for and resolve legal and logistical issues in advance. All states are Emergency Management Assistance Compact members. Some state and local governments are also parties to other mutual aid agreements,

including international mutual aid agreements. In addition, some healthcare facilities may enter into agreements to assist each other in a disaster.

- i. Emergency Management Assistance Compact
  - ii. Other domestic state and local mutual aid agreements
  - iii. International mutual aid agreements
    - o International Emergency Management Assistance Compact (IEMAC)
    - o Pacific Northwest Emergency Management Arrangement (PNEMA)
  - iv. Private sector mutual aid
- d. Licensing, credentialing, and privileging –In order for health professionals to practice in health facilities in a non-disaster setting, they must meet licensing, credentialing, and privileging criteria. State laws govern the licensure of different types of health professionals within a state and determine the practice activities in which these professionals may lawfully engage. Healthcare organizations verify that healthcare professionals have the requisite credentials and through privileging, authorize them to work within healthcare organizations. In a disaster, health practitioners and other volunteers may be called upon for aid, particularly to address a surge in patients in need of care. To facilitate this process, in an emergency, laws may allow health practitioners to practice outside of their jurisdiction or beyond their normal scopes of practice. Law also creates systems to pre-register health professionals to verify credentials and practice privileges.
- i. Licensing
    - o Scope of Practice
  - ii. Credentialing
    - o Medical Reserve Corps
    - o Emergency System for Advance Registration of Volunteer Health Professionals
    - o National Disaster Medical System
  - iii. Privileging
- e. Vulnerable populations – Disasters often disproportionately affect vulnerable populations such as children, older adults, individuals with access and functional needs, individuals with mental and behavioral health needs, and individuals with limited English proficiency. Laws encourage planning to support these populations. At the same time, legal issues that are relevant to these populations in non-disaster circumstances may also be relevant during a disaster.
- i. Pediatric
  - ii. Older adults
  - iii. Individuals with access and functional needs
  - iv. Individuals with mental and behavioral health needs
  - v. Individuals with limited English proficiency

### 3. **Disaster Cycle Phase: Response**

- a. Emergency declarations – Federal, state, and some local governments may be able to declare an emergency in response to a disaster or public health emergency. Federal and state governments can declare different kinds of emergencies.

Declared emergencies can be accompanied by additional, temporary governmental powers that do not exist prior to a declaration.

- i. State and local declarations
    - o Governor or local chief executive declarations
    - o State and local health official/agency declarations
  - ii. Federal declarations
    - o Presidential declarations
      - Stafford Act
      - National Emergencies Act
    - o Health and Human Services Secretary declarations
      - Public Health Emergency declarations
      - Public Readiness and Emergency Preparedness Act
  - iii. Additional and temporary governmental powers
- b. Waivers or suspension of legal provisions applicable to healthcare providers and facilities – In certain declared emergencies, the government may waive some legal requirements generally applicable to healthcare providers in a non-disaster setting.
- i. Waiver authority under Section 1135 of the Social Security Act
  - ii. Emergency Medical Treatment and Active Labor Act (EMTALA)
  - iii. Privacy laws
    - o Health Insurance Portability and Accountability Act (HIPAA)
    - o State health information privacy laws
  - iv. State laws that hinder coping with disasters
- c. Liability– Circumstances related to a disaster may inhibit the ability of health professionals to provide the type of care they provide under ordinary circumstances. For example, health professionals responding to a patient surge may need to perform medical functions at alternate care sites or ration health supplies or services. When acting in good faith, health professionals responding to a disaster may be protected from civil or administrative liability. This protection may stem from recognition of the possible need to utilize different standards of care during a disaster. It may also stem from specific federal and state laws that immunize or indemnify healthcare professionals from liability.
- i. Crisis standards of care
    - o Medical surge
    - o Allocation of resources
    - o Alternate care sites
  - ii. Liability protections
    - o Federal
      - Federal Tort Claims Act
      - Volunteer Protection Act
    - o State
      - State volunteer protection and the Uniform Emergency Volunteer Health Practitioners Act
      - State Good Samaritan laws
- d. Personal control measures – A response effort may include social distancing measures, quarantine, and isolation, which are intended to reduce the spread of

contaminants or communicable diseases. Legally mandated social distancing measures, quarantine, and isolation must meet certain standards because they restrict the liberty of individuals. To slow the spread of communicable disease, some states and localities have mandated the vaccination of healthcare workers against certain diseases.

- i. Social distancing
    - ii. Quarantine
    - iii. Isolation
    - iv. Compelled medical testing and treatment
    - v. Vaccination of healthcare workers
  - e. Medical countermeasures –Legal provisions can allow the special use of medical products (e.g. drugs, biologics, and devices) in order to address health concerns that may arise during a disaster. These provisions may protect the use of medical products even if this use is inconsistent with normal or standard approval processes. They also protect healthcare providers that partner with the government to dispense medications.
    - i. Federal medical countermeasure emergency use authorities
    - ii. Liability protections for covered countermeasures
      - o Public Readiness and Emergency Preparedness (PREP) Act
    - iii. Points of dispensing
    - iv. Strategic National Stockpile and other stockpiles of medical products
    - v. Seizure of property
4. **Disaster Cycle Phase: Recovery/Reconstruction/Evaluation**
  - a. Workers' compensation – In certain circumstances, health professionals who suffered injuries during a response may be eligible for workers' compensation.
  - b. Disability benefits – Health professionals injured in a response effort may be eligible for disability insurance benefits.

<b>Table 2: Recommended Learning Objectives and Resources</b>		
<b>1. Disaster Cycle Phase: Mitigation</b>		
<b>Learning Objective</b>	<b>Topics</b>	<b>Resources</b>
<p><i>At the end of this unit the learner will:</i></p> <p>Recognize how laws impact community resiliency [Core Competency 3, 8, 9, 10, 11]</p>	<p>Role of law in community resilience</p>	<p><i>Websites/Online Reports</i></p> <p>Community resilience. U.S. Department of Health and Human Services Office of the Assistant Secretary for Preparedness and Response Web site. <a href="http://tinyurl.com/pmelhfw">http://tinyurl.com/pmelhfw</a>.</p> <p>Homeland Security Presidential Directive/HSPD 21. Federation of American Scientists Web site. <a href="http://www.fas.org/irp/offdocs/nspd/hspd-21.htm">http://www.fas.org/irp/offdocs/nspd/hspd-21.htm</a>.</p> <p><i>Journal Article</i></p> <p>Mariner W, Annas J, &amp; Parmet W. Pandemic preparedness: a return to the rule of law. <i>Drexel Law Rev.</i> 2009; 1: 341-381. <a href="http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1399066">http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1399066</a>.</p>
<p>Describe the relationship between law and public health [Core competency 10]</p>	<p>Defining public health law</p>	<p><i>Website/Online Report</i></p> <p>Public health law. American Public Health Association APHA Web site. <a href="http://www.apha.org/programs/cba/CBA/resources/Public+Health+Law.htm">http://www.apha.org/programs/cba/CBA/resources/Public+Health+Law.htm</a>.</p> <p>What is public health law? Partnership for Public Health Law Web site. <a href="http://tinyurl.com/o3rlr9b">http://tinyurl.com/o3rlr9b</a>.</p>
<p>Recognize how decisions about healthcare are affected by a disaster or public health emergency and the role of advance directives[Core Competency 1,10]</p>	<p>Decisions about healthcare</p> <p>Advance directives</p>	<p><i>Website/Online Report</i></p> <p>Caring connections. Planning ahead. <a href="http://tinyurl.com/44oywho">http://tinyurl.com/44oywho</a>.</p> <p>Emergency preparedness toolkit. Section VII: Advance Directive Planning. American Health Lawyers Association Web site. <a href="http://tinyurl.com/jwhddlv">http://tinyurl.com/jwhddlv</a>.</p>

<p>Recognize the role of healthcare facility licensure and accreditation in mitigating the effects of a disaster [Core competency 8, 10]</p>	<p>Healthcare facility licensure and accreditation</p>	<p><i>Website/Online Report</i>            Chapter 1200-8-1 Standards for Hospitals. Rules of Tennessee Department of Health, Board for Licensing Healthcare Facilities.  <a href="http://www.tn.gov/sos/rules/1200/1200-08/1200-08-01.20140316.pdf">http://www.tn.gov/sos/rules/1200/1200-08/1200-08-01.20140316.pdf</a></p> <p>Emergency management resources. The Joint Commission Web site.  <a href="http://www.jointcommission.org/emergency_management.aspx">http://www.jointcommission.org/emergency_management.aspx</a>.</p> <p>Emergency Preparedness, Response, and Recovery Checklist: Beyond the Emergency Plan. American Health Lawyers Association Web site.  <a href="http://tinyurl.com/l8z6rjn">http://tinyurl.com/l8z6rjn</a>.</p> <p>Laws, regulations, and guidelines. Virginia Department of Health Web site.  <a href="http://www.vdh.virginia.gov/OLC/laws/">http://www.vdh.virginia.gov/OLC/laws/</a>.</p> <p><i>Journal articles</i>            Hodge JG, Brown EF. Assessing liability for health care entities that insufficiently prepare for catastrophic emergencies. <i>JAMA</i> 306.3 (2011): 308-309.</p> <p>Hodge JG, Collmer V. A legal duty to evacuate patients from healthcare facilities during emergencies. <i>Health Lawyer</i> 2013 Feb. 25(3):20-22.  <a href="http://tinyurl.com/kn8dq3t">http://tinyurl.com/kn8dq3t</a>.</p>
<p>Explain how disease reporting laws can assist with identifying communicable disease patterns and controlling outbreaks [Core Competency 7, 8, 10]</p>	<p>Disease reporting</p>	<p><i>Website/Online Report</i>            Communicable disease. North Carolina Department of Health and Human Services Web site. <a href="http://epi.publichealth.nc.gov/cd/report.html">http://epi.publichealth.nc.gov/cd/report.html</a>.</p> <p>Communicable disease: laws and rules. North Carolina Department of Health and Human Services Web site. <a href="http://epi.publichealth.nc.gov/cd/laws.html">http://epi.publichealth.nc.gov/cd/laws.html</a></p> <p>Law Altas. Communicable disease intervention protocol map.  <a href="http://tinyurl.com/kj7q25b">http://tinyurl.com/kj7q25b</a>.</p>

		<p>National Notifiable Disease Surveillance System. Centers for Disease and Control Web site. <a href="http://wwwn.cdc.gov/nndss/">http://wwwn.cdc.gov/nndss/</a>.</p> <p>Oregon disease reporting: what is reportable when. Oregon Health Authority Web site. <a href="http://tinyurl.com/8ex7abn">http://tinyurl.com/8ex7abn</a>.</p> <p><i>Journal Articles</i></p> <p>Adams DA, et al. Summary of notifiable diseases – United States, 2010. MMWR: June 1, 2012/59(53);1-11. <a href="http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5953a1.htm">http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5953a1.htm</a>.</p>
<b>2. Disaster Cycle Phase: Preparedness</b>		
<b>Learning Objective</b>	<b>Topics</b>	<b>Resources</b>
<p><i>At the end of this unit the learner will:</i></p> <p>Explain the role of law in disasters or public health emergencies [Core Competency 9, 10]</p> <p>Identify the range of legal issues affecting preparedness of healthcare personnel and facilities [Core Competency 2, 7, 10]</p>	<p>Role of law in disasters or public health emergencies</p> <p>Legal issues affecting healthcare personnel and facilities a disaster</p> <p>Relationship between federal, state, and local preparedness laws</p>	<p><i>Online Training</i></p> <p>Centers for Disease Control and Prevention, Public Health Law Program. <a href="http://www.cdc.gov/phlp/publications/topic/emergency.html">http://www.cdc.gov/phlp/publications/topic/emergency.html</a>.</p> <p>Introduction to public health for bioterrorism and response. Online training from Johns Hopkins Center for Public Health Preparedness Web site. <a href="http://tinyurl.com/q9vmyqf">http://tinyurl.com/q9vmyqf</a>.</p> <p>Public health and the law: an emergency preparedness toolkit. National Association of County &amp; City Health Officials Web site. <a href="http://tinyurl.com/ozz69js">http://tinyurl.com/ozz69js</a>.</p> <p>Public health emergency law 3.0. Centers for Disease Control and Prevention, Public Health Law Program. <a href="http://www.cdc.gov/phlp/publications/emergency_training.html">http://www.cdc.gov/phlp/publications/emergency_training.html</a>.</p>

		<p><i>Journal Articles</i></p> <p>Anderson ED, &amp; Hodge JG. Emergency legal preparedness among select US local governments. <i>Disaster medicine and public health preparedness</i>. 2009;3(S2):S176-S184. <a href="http://tinyurl.com/p4rhs6l">http://tinyurl.com/p4rhs6l</a>.</p> <p>Gionis TA, Wecht C, Marshall LW Jr. Public health law and disaster medicine: understanding the legal environment. <i>Am J Disaster Med</i>. 20067; Mar-Apr;2(2):64-73. <a href="http://tinyurl.com/p9ecokq">http://tinyurl.com/p9ecokq</a>.</p> <p>Hodge JG, Anderson ED, Kirsch TD, &amp; Kelen GD. Facilitating hospital emergency preparedness: introduction of a model memorandum of understanding. <i>Disaster medicine and public health preparedness</i>. 2011;5(01):54-61. <a href="http://tinyurl.com/pn94y9r">http://tinyurl.com/pn94y9r</a>.</p> <p>Hodge JG, Garcia AM, Anderson ED, &amp; Kaufman T. Emergency legal preparedness for hospitals and health care personnel. <i>Disaster medicine and public health preparedness</i>. 2009;3(S1):S37-S44. <a href="http://tinyurl.com/ojhtp79">http://tinyurl.com/ojhtp79</a>.</p> <p>Kamoie B, Pestronk RM, Baldrige P, Fidler D, Devlin L, et al. Assessing laws and legal authorities for public health emergency legal preparedness. <i>J Law Med Ethics</i>. 2008;36(1 Suppl):23-27. <a href="http://tinyurl.com/nj3aowj">http://tinyurl.com/nj3aowj</a>.</p> <p>Moulton AD, Gottfried RN, Goodman RA, Murphy AM, Rawson RD. What is public health legal preparedness? <i>J Law Med Ethics</i>. 2003;31:672-683. <a href="http://tinyurl.com/kqzrjft">http://tinyurl.com/kqzrjft</a>.</p> <p><i>Book/Book Chapter</i></p> <p>Matthews GW, Abbot EB, Hoffman RE, &amp; Cetron, MS. Legal authorities for interventions in public health emergencies. In: Goodman RE, Hoffman RE, Lopez W, Matthews GW, Rothstein MA, Foster KL, eds. <i>Law in Public Health Practice</i>. 2<sup>nd</sup> ed. New York, NY: Oxford; 2007: 262-283. <a href="http://tinyurl.com/ndbcw8v">http://tinyurl.com/ndbcw8v</a>.</p>
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<p><i>At the end of this unit the learner will:</i></p> <p>Explain the legal basis for the emergency management system [Core Competency 2, 8, 10]</p>	<p>Legal basis for the emergency management system</p> <p>National Incident Management System</p> <p>National Response Plan and Framework</p> <p>Emergency Support Functions</p> <p>Emergency Management Plans</p>	<p><i>Websites/Online Reports</i></p> <p>CDC. Frequently asked questions about federal public health emergency law. Centers for Disease Control and Prevention Web site. <a href="http://www2a.cdc.gov/phlp/docs/FAQs%20Fed%20PHE%20laws%20101409.pdf">http://www2a.cdc.gov/phlp/docs/FAQs%20Fed%20PHE%20laws%20101409.pdf</a>.</p> <p>Emergency operations plan. Fairfax County Virginia Web site. <a href="http://www.fairfaxcounty.gov/oem/emergency-operations-plan.htm">http://www.fairfaxcounty.gov/oem/emergency-operations-plan.htm</a>.</p> <p>Federal emergency preparedness directives and systems. Association of State and Territorial Health Officials ASTHO Web site. <a href="http://tinyurl.com/mxzujt4">http://tinyurl.com/mxzujt4</a>.</p> <p>Homeland Security Presidential Directive/HSPD 5 – Management of Domestic Incidents. U.S. Government Printing Office Web site. <a href="http://tinyurl.com/krfxfgt">http://tinyurl.com/krfxfgt</a>.</p> <p>List of Authorities and References. Federal Emergency Management Agency Web site. <a href="https://www.fema.gov/pdf/emergency/nrf/nrf-authorities.pdf">https://www.fema.gov/pdf/emergency/nrf/nrf-authorities.pdf</a>.</p> <p>Lister SA. The public health and medical response to disasters: federal authority and funding. Congressional Research Service Web site. Order Code RL33579. 2006. <a href="http://tinyurl.com/kp36q37">http://tinyurl.com/kp36q37</a>.</p> <p>National Incident Management System. Federal Emergency Management Agency Web site. <a href="http://www.fema.gov/national-incident-management-system">http://www.fema.gov/national-incident-management-system</a>.</p> <p>National Response Framework. Federal Emergency Management Agency Web site. <a href="http://www.fema.gov/national-response-framework">http://www.fema.gov/national-response-framework</a>.</p> <p>National Response Framework. Second Edition. Federal Emergency Management Agency Web site. <a href="http://tinyurl.com/lr5js3r">http://tinyurl.com/lr5js3r</a>.</p>
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		<p>State of Florida 2012 comprehensive emergency management plan. Florida State Emergency Response Team Web site. <a href="http://tinyurl.com/mdprej2">http://tinyurl.com/mdprej2</a>.</p>
<p><i>At the end of this unit the learner will:</i></p> <p>Explain the role of emergency management compacts in preparedness [Core Competency 2, 6,8, 10]</p> <p>Recognize legal issues relevant to disaster medicine and public health addressed by mutual aid agreements [Core Competency 6, 8, 10]</p>	<p>Mutual Aid Agreements</p> <p>Emergency Management Assistance Compact</p> <p>Other domestic state and local mutual aid agreements</p> <p>International mutual aid agreements</p> <p>International Emergency Management Assistance Compact (IEMAC)</p> <p>Pacific Northwest Emergency Management Arrangement (PNEMA)</p> <p>Private sector mutual aid</p>	<p><i>Websites/Online Reports</i></p> <p>EMAC: a model for coordination. U.S. Department of Health and Human Services. Assistant Secretary for Preparedness and Response Web Site. <a href="http://tinyurl.com/lxrg8xz">http://tinyurl.com/lxrg8xz</a>.</p> <p>EMAC and mutual aid agreements. Emergency preparedness toolkit: EMAC and mutual aid agreements. American Health Lawyers Association Web site. <a href="http://tinyurl.com/o58kt3p">http://tinyurl.com/o58kt3p</a>.</p> <p>Model memorandum of understanding between hospitals during declared emergencies. <a href="http://tinyurl.com/kyu6ozn">http://tinyurl.com/kyu6ozn</a>.</p> <p>Model memoranda of understanding. Centers for Disease Control and Prevention Web site. <a href="http://www.cdc.gov/phlp/publications/type/mmou.html">http://www.cdc.gov/phlp/publications/type/mmou.html</a>.</p> <p><i>Journal Articles</i></p> <p>Lopez W, Kershner SP, &amp; Penn MS. EMAC volunteers: liability and workers' compensation. <i>Biosecurity and bioterrorism: Biodefense strategy, practice, and science</i>. 2013; 11(3):, 217-225.</p> <p>Stier, D. D., &amp; Goodman, R. A. Mutual aid agreements: essential legal tools for public health preparedness and response. <i>American Journal of Public Health</i>. 2007; 97(Suppl 1):S62-S68.</p> <p>Stier DD &amp; Esquivil, MGU. Cross-border legal preparedness: a comparative review of selected public health emergency legal authorities in Canada and Mexico. <i>St. Louis University Journal of Health Law &amp; Policy</i>. 2010; 4:93-112. <a href="http://tinyurl.com/n2twmkq">http://tinyurl.com/n2twmkq</a>.</p>

<p><i>At the end of this unit the learner will:</i></p> <p>Recognize ways to serve as a disaster medicine and public health volunteer and related legal issues [Core Competency 2,6, 7, 10]</p> <p>Summarize legal issues relevant to pre-registration of disaster medicine and public health professionals and volunteers [Core Competency 6, 7, 8, 10]</p>	<p>Licensing, credentialing, and privileging</p> <p>Licensure</p> <p>Scope of Practice</p> <p>Credentialing</p> <p>Medical Reserve Corps</p> <p>Emergency System for Advance Registration of Volunteer Health Professionals</p> <p>National Disaster Medical System</p> <p>Privileging</p>	<p><b>Websites/Online Reports</b></p> <p>Emergency preparedness toolkit: licensure. American Health Lawyers Association Web site. <a href="http://tinyurl.com/qdpae2o">http://tinyurl.com/qdpae2o</a>.</p> <p>Emergency preparedness toolkit: volunteers. American Health Lawyers Association Web site. <a href="http://tinyurl.com/qdpae2o">http://tinyurl.com/qdpae2o</a>.</p> <p>Emergency system for Advance Registration of Volunteer Health Professionals (ESAR-VHP) - Legal and Regulatory Issues. U.S. Department of Health and Human Services. Health Resources and Services Administration Web site. <a href="http://tinyurl.com/n8qj47r">http://tinyurl.com/n8qj47r</a>.</p> <p>Health professionals: what does ESAR-VHP do for you? The Emergency System for Advance Registration of Volunteer Health Professionals. U.S. Department of Health and Human Services Web site. <a href="http://www.phe.gov/esarvhp/pages/health-professionals.aspx">http://www.phe.gov/esarvhp/pages/health-professionals.aspx</a>.</p> <p>National disaster medical system. U.S. Department of Health and Human Services. Assistant Secretary for Preparedness and Response Web Site. <a href="http://www.phe.gov/Preparedness/responders/ndms/Pages/default.aspx">http://www.phe.gov/Preparedness/responders/ndms/Pages/default.aspx</a></p> <p>Scope of practice toolkit. ASTHO Legal Preparedness Series Scope of Practice Toolkit. Associate of State and Territorial Health Officials Web site. <a href="http://www.astho.org/ScopeofPracticeToolkit/">http://www.astho.org/ScopeofPracticeToolkit/</a>.</p> <p>Types of volunteers factsheet. ASTHO Legal Preparedness Series Emergency Volunteer Toolkit. Associate of State and Territorial Health Officials Web site. <a href="http://tinyurl.com/occaafv">http://tinyurl.com/occaafv</a>.</p> <p>Volunteer licensing, credentialing, and privileging and waiver reciprocity. ASTHO Legal Preparedness Series Emergency Volunteer Toolkit. Associate of State and Territorial Health Officials Web site. <a href="http://tinyurl.com/n4gujuo">http://tinyurl.com/n4gujuo</a>.</p>
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		<p><i>Journal Article</i></p> <p>Courtney B, Morhard R, Bouri N, and Cicero A. Expanding practitioner scope of practice during public health emergencies: experiences from the 2009 H1N1 pandemic vaccination efforts. <i>Biosecurity and bioterrorism</i>. 2010 Sept, 8(3): 223-31. doi:10.1089/bsp.2010.0036.</p> <p>Peterson CA. Be safe, be prepared: emergency system for advance registration of volunteer health professionals in disaster response. <i>Online journal of issues in nursing</i>. 2006:11(3). <a href="http://tinyurl.com/povgaeq">http://tinyurl.com/povgaeq</a>.</p> <p><i>Book/book chapters</i></p> <p>Institute of Medicine (US) Forum on Medical and Public Health Preparedness for Catastrophic Events. Medical Surge Capacity: Workshop Summary. Washington (DC): National Academies Press (US); 2010. Legal Authorities and Government Support. Available from: <a href="http://www.ncbi.nlm.nih.gov/books/NBK32861/">http://www.ncbi.nlm.nih.gov/books/NBK32861/</a>.</p>
<p><i>At the end of this unit the learner will:</i></p> <p>Recognize legal issues related to the needs of vulnerable populations in a disaster or public health emergency [Core Competency 8, 9,10]</p>	<p>Vulnerable populations</p> <p>Pediatric</p> <p>Older adults</p> <p>Individuals with access and functional needs</p> <p>Individuals with mental and behavioral health needs</p> <p>Individuals with limited English proficiency</p>	<p><i>Websites/Online Reports</i></p> <p>Blazer J, Murphy B. Addressing the needs of immigrants and limited English communities in disaster planning and relief: lessons for government, disaster relief agencies, and community based organizations. National Immigration Law Center. <a href="http://tinyurl.com/mox9umf">http://tinyurl.com/mox9umf</a>.</p> <p>Community preparedness webinar series: emergency management and compliance with the Americans with Disabilities (ADA) and other federal disability rights laws. University of Washington Northwest Center for Public Health Practice Web site. <a href="http://tinyurl.com/kwsyl84">http://tinyurl.com/kwsyl84</a>.</p> <p>Communicating with limited English proficiency populations. Northwest Center for Public Health Practice. <a href="http://tinyurl.com/kghschc">http://tinyurl.com/kghschc</a>.</p> <p>Guidance on planning for integration of functional needs support services in general population shelters. Federal Emergency Management Agency Web</p>

		<p>site. <a href="http://www.fema.gov/pdf/about/oddc/fnss_guidance.pdf">http://www.fema.gov/pdf/about/oddc/fnss_guidance.pdf</a>.</p> <p>Identifying vulnerable older adults and legal options for increasing their protection during all-hazards emergencies: a cross-sector guide for states and communities. Centers for Disease Control and Prevention. U.S. Department of Health and Human Services. <a href="http://www.cdc.gov/aging/emergency/pdf/guide.pdf">http://www.cdc.gov/aging/emergency/pdf/guide.pdf</a>.</p> <p>Jones NL. The Americans with Disabilities Act and Emergency Preparedness and Response. Congressional Research Service. <a href="https://www.fas.org/sgp/crs/homesecc/RS22254.pdf">https://www.fas.org/sgp/crs/homesecc/RS22254.pdf</a>.</p> <p><i>Journal Articles</i></p> <p>Courtney B, Hodge JG, Task Force for Pediatric Emergency Critical Care. Legal considerations during pediatric emergency mass critical care events. <i>Pediatr Crit Care Med</i>. 2011 Nov; 12(6 Suppl):S152-6. doi: 10.1097/PCC.0b013e318234a7e1.</p> <p>Hodge JG, Rutkow L, Corcoran AJ. Mental and behavioral health legal preparedness in major emergencies. <i>Public Health Rep</i>. 2010 Sep-Oct; 125(5): 759–762.</p> <p>Hodge JG, Rutkow L, White LC. Redefining the legal basis for mental health emergencies. <i>Annals Health Law</i>. 2012;21:163-174.</p> <p>Hoffman, S. Preparing for disaster: protecting the most vulnerable in emergencies. <i>UC Davis L. Rev</i>. 2008;42:1491. <a href="http://lawreview.law.ucdavis.edu/issues/42/5/articles/42-5_hoffman.pdf">http://lawreview.law.ucdavis.edu/issues/42/5/articles/42-5_hoffman.pdf</a>.</p> <p>Jung D, Gallardo NO. Language access laws and legal issues: a local officials' guide. <i>Hastings Race &amp; Poverty Law Journal</i>. 2013;10(Winter):31-68.</p> <p>Rutkow L, Vernick JS, Wissow LS, Tung GJ, Marum F, Barnett DJ. Legal</p>
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		<p>issues affecting children with preexisting conditions during public health emergencies. <i>Biosecur Bioterror</i>. 2013 Jun; 11(2): 89-95.</p> <p>Rutkow L, Vernick JS, Spira AP, &amp; Barnett DJ. Using the law to promote the mental health of older adults during disasters. <i>The Journal of Law, Medicine &amp; Ethics</i>. 2013;41(s1):80-83.</p>
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**3. Disaster Cycle Phase: Response**

<b>Learning Objective</b>	<b>Topics</b>	<b>Resources</b>
<p><i>At the end of this unit the learner will:</i></p> <p>Recognize the laws that authorize the federal government to declare disasters and public health emergencies and the powers that accompany a declaration[Core Competency 10]</p> <p>Discuss the process of declaring a disaster or public health emergency at the state and local levels[Core Competency 10]</p> <p>Describe the concept of additional and temporary governmental powers in a declared emergency [Core Competency 10]</p>	<p>Emergency declarations</p> <p>State and local declarations</p> <p>Governor or local chief executive declarations</p> <p>State and local health official/agency declarations</p> <p>Federal declarations</p> <p>Presidential declarations</p> <p>Stafford Act</p> <p>National Emergencies Act</p> <p>Health and Human Services Secretary</p>	<p><i>Websites/Online Reports</i></p> <p>Declaring a disaster emergency in New York and temporarily authorizing pharmacists to immunize children against seasonal influenza. State of New York Governor Andre Cuomo. State of New York Web site. <a href="http://www.governor.ny.gov/executiveorder/90">http://www.governor.ny.gov/executiveorder/90</a>.</p> <p>Emergency declarations and authorities. ASTHO Legal Preparedness Series Emergency Authority &amp; Immunity Toolkit. Association of State and Territorial Health Officials Web site. <a href="http://tinyurl.com/mvl97wo">http://tinyurl.com/mvl97wo</a>.</p> <p>Emergency declaration guidelines for local elected and appointed officials. Military Department Oregon Emergency Management. State of Oregon Web site. <a href="http://tinyurl.com/pvkftyy">http://tinyurl.com/pvkftyy</a>.</p> <p>Legal authority of the secretary. U.S. Department of Health &amp; Human Services. Assistant Secretary for Preparedness and Response Web site. <a href="https://www.phe.gov/Preparedness/support/secauthority/Pages/default.aspx">https://www.phe.gov/Preparedness/support/secauthority/Pages/default.aspx</a>.</p> <p>The Model State Emergency Health Powers Act summary matrix. Network for Public Health Law Web site. <a href="http://tinyurl.com/o4uguyh">http://tinyurl.com/o4uguyh</a>.</p> <p>McCarthy F. Federal Stafford Act Disaster Assistance: Presidential declarations, eligible activities, and funding. June 7, 2011. Congressional</p>

	<p>declarations</p> <p>Public health emergency declaration</p> <p>Public Readiness and Emergency Preparedness Act</p> <p>Additional and temporary governmental powers</p>	<p>Research Service Web site. <a href="http://tinyurl.com/o55u3da">http://tinyurl.com/o55u3da</a>.</p> <p>National Emergencies Act, Sections 201 and 301. ASTHO Legal Preparedness Series Emergency Authority &amp; Immunity Toolkit. Association of State and Territorial Health Officials Web site. <a href="http://tinyurl.com/p8udc8z">http://tinyurl.com/p8udc8z</a>.</p> <p>Public health emergency declaration. U.S. Department of Health &amp; Human Services. Assistant Secretary for Preparedness and Response Web site. <a href="https://www.phe.gov/Preparedness/legal/Pages/phedeclaration.aspx">https://www.phe.gov/Preparedness/legal/Pages/phedeclaration.aspx</a>.</p> <p>Public health emergency declarations Q&amp;As. U.S. Department of Health &amp; Human Services. Assistant Secretary for Preparedness and Response Web site. <a href="https://www.phe.gov/Preparedness/legal/Pages/phe-qa.aspx">https://www.phe.gov/Preparedness/legal/Pages/phe-qa.aspx</a>.</p> <p>Public health readiness and emergency preparedness Q&amp;As. U.S. Department of Health &amp; Human Services. Assistant Secretary for Preparedness and Response Web site. <a href="http://tinyurl.com/ng53l9d">http://tinyurl.com/ng53l9d</a>.</p> <p>Public readiness and emergency preparedness act. U.S. Department of Health &amp; Human Services. Assistant Secretary for Preparedness and Response Web site. <a href="https://www.phe.gov/Preparedness/legal/prepact/Pages/default.aspx">https://www.phe.gov/Preparedness/legal/prepact/Pages/default.aspx</a>.</p> <p>Public Health Services Act, Section 319 Public Health Emergencies. ASTHO Legal Preparedness Series Emergency Authority &amp; Immunity Toolkit. Association of State and Territorial Health Officials Web site. <a href="http://tinyurl.com/ndddxt">http://tinyurl.com/ndddxt</a>.</p> <p>Robert T. Stafford Disaster Relief and Emergency Assistance Act. ASTHO Legal Preparedness Series Emergency Authority &amp; Immunity Toolkit. Association of State and Territorial Health Officials Web site. <a href="http://tinyurl.com/pa85mqz">http://tinyurl.com/pa85mqz</a>.</p> <p>Selected federal legal authorities pertinent to public health emergencies.</p>
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		<p>Centers for Disease Control and Prevention Web site.  <a href="http://www.cdc.gov/phlp/docs/ph-emergencies.pdf">http://www.cdc.gov/phlp/docs/ph-emergencies.pdf</a>.</p> <p><i>Journal Articles</i></p> <p>Ray J. Federal declaration of a public health emergency. <i>Biosecur Bioterror</i>. 2009 Sep;7(3): 251-8.</p> <p><i>Books/Book Chapters</i></p> <p>Federal Public Health Law. In Hunter, N. D. In Hunter ND. <i>The law of emergencies: public health and disaster management</i>. 1<sup>st</sup> ed. Oxford, UK: Butterworth-Heinemann; 2009.</p> <p>State Public Health Law. In Hunter ND. <i>The law of emergencies: public health and disaster management</i>. 1<sup>st</sup> ed. Oxford, UK: Butterworth-Heinemann; 2009.</p>
<p><i>At the end of this unit the learner will:</i></p> <p>Explain legal requirements applicable to healthcare providers and facilities that may be waived or suspended in a federally declared disaster [Core Competency 10]</p> <p>Describe the safeguards for protected health information under HIPAA [Core Competency 8, 9, 10]</p> <p>Recognize how HIPAA protections may be altered in a disaster or emergency [Core Competency 7, 10]</p> <p>Recognize the types of state laws</p>	<p>Waivers or suspension of legal provisions applicable to healthcare providers and facilities</p> <p>EMTALA</p> <p>1135 Waivers</p> <p>Privacy laws</p> <p>HIPAA</p> <p>State health information privacy laws</p> <p>State laws that hinder coping with disaster</p>	<p><i>Websites/Online Reports</i></p> <p>1135 waivers. U.S. Department of Health &amp; Human Services. Assistant Secretary for Preparedness and Response Web site.  <a href="http://www.phe.gov/Preparedness/legal/Pages/1135-waivers.aspx">http://www.phe.gov/Preparedness/legal/Pages/1135-waivers.aspx</a>.</p> <p>Disclosure for emergency preparedness - a decision tool. Health information privacy. U.S. Department of Health &amp; Human Services Web site.  <a href="http://tinyurl.com/mw9o984">http://tinyurl.com/mw9o984</a>.</p> <p>Emergency preparedness planning and response. Health information privacy. U.S. Department of Health &amp; Human Services Web site.  <a href="http://tinyurl.com/lc5detq">http://tinyurl.com/lc5detq</a>.</p> <p>Emergency preparedness toolkit: HIPAA. American Health Lawyers Association Web site. <a href="http://tinyurl.com/qdpae2o">http://tinyurl.com/qdpae2o</a>.</p> <p>Emergency preparedness toolkit: EMTALA. American Health Lawyers Association Web site. <a href="http://tinyurl.com/qdpae2o">http://tinyurl.com/qdpae2o</a>.</p>

<p>that may be waived when addressing a disaster or public health emergency [Core Competency 10]</p>		<p>Health insurance portability and accountability act - privacy rule. ASTHO Legal Preparedness Series Public health and Schools Toolkit. Association of State and Territorial Health Officials Web site. <a href="http://tinyurl.com/m464qtn">http://tinyurl.com/m464qtn</a>.</p> <p>HIPAA: An overview of HIPAA and the privacy rule. University of Washington. Northwest Center for Public Health Practice Web site. <a href="http://tinyurl.com/m9vmnfo">http://tinyurl.com/m9vmnfo</a>.</p> <p>Permitted use and disclosure FAQs. U.S. Department of Health &amp; Human Services Web site. <a href="http://www.hhs.gov/hipaafaq/permitted/">http://www.hhs.gov/hipaafaq/permitted/</a>.</p> <p>Public health collection, use, sharing and protection of information. ASTHO. Public Health &amp; Information Sharing Toolkit. Association of State and Territorial Health Officials Web site. <a href="http://tinyurl.com/mys8fjl">http://tinyurl.com/mys8fjl</a>.</p> <p>Waiver authority in national emergencies. ASTHO Legal Preparedness Series Emergency Authority &amp; Immunity Toolkit. Association of State and Territorial Health Officials Web site. <a href="http://tinyurl.com/lof48vb">http://tinyurl.com/lof48vb</a>.</p> <p><i>Journal Articles</i></p> <p>Orenstein D. When law is not law: setting aside legal provisions during declared emergencies. <i>J Law Med Ethics</i>. 2013 Mar; 41 Suppl. 1:73-6. doi: 10.1111/jlme.12044.</p>
<p><i>At the end of this unit the learner will:</i></p> <p>Recognize practical and legal issues related to providing care in a disaster context [Core Competency 2, 6, 7, 8, 9, 10]</p>	<p>Liability</p> <p>Crisis standards of care</p> <p>Medical surge</p> <p>Allocation of resources</p>	<p><i>Websites/Online Reports</i></p> <p>Chu VS. Emergency response: civil liability of volunteer health professionals. Congressional Research Service Web site. <a href="http://www.fas.org/sgp/crs/misc/R40176.pdf">http://www.fas.org/sgp/crs/misc/R40176.pdf</a>.</p> <p>Emergency preparedness toolkit: standard of care. American Health Lawyers Association Web site. <a href="http://tinyurl.com/qdpae2o">http://tinyurl.com/qdpae2o</a>.</p>

<p>Describe the liability regime for healthcare professionals before a disaster or public health emergency [Core Competency 9, 10]</p> <p>Identify legal issues related to serving as a volunteer healthcare professional [Core competency 6, 8, 9, 10]</p> <p>Recognize the federal and state laws and concepts that may protect health professionals from liability in a disaster or public health emergency [Core competency 2, 10]</p>	<p>Alternate care sites</p> <p>Liability protections</p> <p>Federal Tort Claims Act</p> <p>Federal Volunteer Protection Act</p> <p>State volunteer protection and the Uniform Emergency Volunteer Health Practitioners Act</p> <p>State Good Samaritan laws</p>	<p>Emergency volunteer health practitioners. Uniform Law Commission Web site. <a href="http://tinyurl.com/n426g6p">http://tinyurl.com/n426g6p</a>.</p> <p>Hospital alternate care sites during H1N1 public health emergency. U.S. Centers for Medicare and Medicaid Services Web site. <a href="http://tinyurl.com/mjmglk2">http://tinyurl.com/mjmglk2</a>.</p> <p>Institute of Medicine. Crisis standards of care: a toolkit for indicators and triggers. <a href="http://www.iom.edu/Reports/2013/Crisis-Standards-of-Care-A-Toolkit-for-Indicators-and-Triggers.aspx">http://www.iom.edu/Reports/2013/Crisis-Standards-of-Care-A-Toolkit-for-Indicators-and-Triggers.aspx</a>.</p> <p>Liability, immunity, and workers' compensation issues in public health emergencies. ASTHO Legal Preparedness Series Emergency Authority and Immunity Toolkit. Association of State and Territorial Health Officials Web site. <a href="http://tinyurl.com/ox93gdp">http://tinyurl.com/ox93gdp</a>.</p> <p>No one volunteers to get sued: reviewing emergency volunteer liability and protections. Network for Public Health Law Web site. <a href="http://tinyurl.com/pelbgob">http://tinyurl.com/pelbgob</a>.</p> <p>Public readiness and emergency preparedness act – scope of liability protections. Network for Public Health Law Web site. <a href="http://tinyurl.com/pfk5ude">http://tinyurl.com/pfk5ude</a>.</p> <p>State crisis standards of care web resources. Network for Public Health Law Web site. <a href="https://www.networkforphl.org/_asset/yjfbw9/Western-Region-Memo---State-CSC-Links.pdf">https://www.networkforphl.org/_asset/yjfbw9/Western-Region-Memo---State-CSC-Links.pdf</a>.</p> <p>U.S. Department of Health and Human Services. Public health emergency. Crisis standards of care. <a href="http://www.phe.gov/col/Pages/iomcsc.aspx">http://www.phe.gov/col/Pages/iomcsc.aspx</a>.</p> <p>Volunteer protection acts and good Samaritan laws. ASTHO Legal Preparedness Series Emergency Volunteer Toolkit. Association of State and</p>
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		<p>Territorial Health Officials Web site. <a href="http://tinyurl.com/lse7eak">http://tinyurl.com/lse7eak</a>.</p> <p><i>Journal Articles</i></p> <p>Hodge JG, Courtney B. Assessing the legal standards of care in public health emergencies. <i>JAMA</i> 2010 Jan. 202(4):361-362.</p> <p>Hodge JG, Hanfling D, Powell TP. Practical, ethical, and legal challenges underlying crisis standards of care. <i>Journal of law, medicine, and ethics</i>. 2013 Spring; 41(S1):50-55.</p> <p>Hodge JG, Pepe RP, Henning WH. Voluntarism in the wake of Hurricane Katrina: The uniform emergency volunteer health practitioners act. <i>Disaster medicine and public health preparedness</i>. 2007;1(01):44-50.</p> <p>Hoffman S, Goodman RA, Stier DD. Law, liability, and public health emergencies. <i>Disaster Med Public Health Prep</i>, 2009 Jun;3(2):117-25.</p> <p>Kinney ED, McCabe HA, Gilbert AL, Shisler JJ. Altered standards of care for health care providers in the planning of influenza. <i>Indiana health law review</i>, 2009;6:1-16. <a href="http://tinyurl.com/nrwy77p">http://tinyurl.com/nrwy77p</a>.</p> <p>Powell T, Christ KC, Birkhead GS. Allocation of ventilators in a public health disaster. <i>Disaster med public health prep</i>. 2008;2(1):20-26.</p> <p><i>Books/Book Chapters</i></p> <p>Liability issues for individuals. In Hunter ND. <i>The law of emergencies: public health and disaster management</i>. 1<sup>st</sup> ed. Oxford, UK: Butterworth-Heinemann; 2009.</p> <p>Institute of Medicine (US) Forum on Medical and Public Health Preparedness for Catastrophic Events. Crisis Standards of Care: Summary of a Workshop Series. Washington (DC): National Academies Press (US); 2010. Legal Issues for Crisis Standards of Care. Available from:</p>
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		<a href="http://www.ncbi.nlm.nih.gov/books/NBK32742/">http://www.ncbi.nlm.nih.gov/books/NBK32742/.</a>
<p><i>At the end of this unit the learner will:</i></p> <p>Summarize laws that can serve as the legal basis for social distancing measures, isolation, and quarantine [Core Competency 8, 9, 10]</p> <p>Describe state immunization laws applicable to healthcare workers [Core Competency 2, 5, 9, 10]</p>	<p>Personal control measures</p> <p>Social distancing</p> <p>Quarantine</p> <p>Isolation</p> <p>Compelled medical testing and treatment</p> <p>Vaccination of healthcare workers</p>	<p><b>Websites/Online Reports</b></p> <p>Emergency preparedness toolkit: Quarantine. American Health Lawyers Association Web site. <a href="http://tinyurl.com/qdpae2o">http://tinyurl.com/qdpae2o</a>.</p> <p>Examination of legal language authorizing responses to incidents involving contamination with radioactive material. Centers for Disease Control and Prevention. <a href="http://www.cdc.gov/phlp/docs/php-radioactive.pdf">http://www.cdc.gov/phlp/docs/php-radioactive.pdf</a>.</p> <p>Issues to consider: isolation and quarantine. National Association of County and City Health Officials Web site. <a href="http://tinyurl.com/q6x4ymn">http://tinyurl.com/q6x4ymn</a>.</p> <p>Quarantine and Isolation. Centers for Disease Control and Prevention Web site. <a href="http://tinyurl.com/o6s6qww">http://tinyurl.com/o6s6qww</a>.</p> <p>Specific laws and regulations governing the control of communicable diseases. Centers for Disease Control and Prevention Web site. <a href="http://www.cdc.gov/quarantine/specificlawsregulations.html">http://www.cdc.gov/quarantine/specificlawsregulations.html</a>.</p> <p>State immunization laws for healthcare workers and patients. Centers for Disease Control and Prevention Web site. <a href="http://www2a.cdc.gov/nip/StateVaccApp/statevaccsApp/default.asp">http://www2a.cdc.gov/nip/StateVaccApp/statevaccsApp/default.asp</a>.</p> <p>State quarantine and isolation laws. National Conference of State Legislatures Web site. <a href="http://tinyurl.com/nfwj99f">http://tinyurl.com/nfwj99f</a>.</p> <p>Swendiman KS. Mandatory vaccinations: precedent and current laws. Congressional Research Service Web site. <a href="http://tinyurl.com/lvnykjp">http://tinyurl.com/lvnykjp</a>.</p>

<p><i>At the end of this unit the learner will:</i></p> <p>Relate how laws facilitate the use of medical countermeasures in a disaster or public health emergency [Core Competency 2, 8, 10]</p> <p>Recognize legal issues that may arise when serving as a point of dispensing [Core Competency 6, 7, 8, 10]</p> <p>Recognize the legal issues that are triggered when dispensing supplies from the Strategic Nation Stockpile or other stockpiles [Core Competency 6, 7, 10]</p> <p>Identify the government’s authority to seize property in a disaster [Core Competency 6, 9, 10]</p>	<p>Medical countermeasures</p> <p>Federal medical countermeasure emergency use authorities</p> <p>Liability protections for covered countermeasures</p> <p>PREP Act</p> <p>Points of dispensing</p> <p>Strategic National Stockpile and other stockpiles of medical products</p> <p>Seizure of property</p>	<p><b>Website/Online Report</b></p> <p>Emergency use authorization. U.S. Department of Health &amp; Human Services. Assistant Secretary for Preparedness and Response Web site. <a href="https://www.phe.gov/Preparedness/planning/authority/Pages/eua.aspx">https://www.phe.gov/Preparedness/planning/authority/Pages/eua.aspx</a>.</p> <p>Emergency use authorization. U.S. Department of Health &amp; Human Services. U.S. Food and Drug Administration Web site. <a href="http://tinyurl.com/p2b9e7m">http://tinyurl.com/p2b9e7m</a>.</p> <p>Legal issues relevant to private entities serving as closed points of dispensing (closed PODs) in emergencies. Network for Public Health Law Web site. <a href="http://tinyurl.com/k7uqtdt">http://tinyurl.com/k7uqtdt</a>.</p> <p>Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 (PAHPRA) Medical Countermeasures (MCM) Authorities: FDA Questions and Answers for Public Health Preparedness and Response Stakeholders. U.S. Food and Drug Administration Web site. <a href="http://tinyurl.com/q7bv8hm">http://tinyurl.com/q7bv8hm</a>.</p> <p>Public readiness and emergency preparedness act – scope of liability protections. Network for Public Health Law Web site. <a href="http://tinyurl.com/pfk5ude">http://tinyurl.com/pfk5ude</a>.</p> <p>Public readiness and emergency preparedness act. U.S. Department of Health &amp; Human Services. Assistant Secretary for Preparedness and Response Web site. <a href="http://www.phe.gov/preparedness/legal/prepact/pages/default.aspx">http://www.phe.gov/preparedness/legal/prepact/pages/default.aspx</a>.</p> <p>Strategic National Stockpile (SNS). Centers for Disease Control and Prevention Web site. <a href="http://www.cdc.gov/phpr/stockpile/stockpile.htm">http://www.cdc.gov/phpr/stockpile/stockpile.htm</a>.</p> <p><b>Journal Article</b></p> <p>Courtney B, Sherman S, &amp; Penn M. Federal legal preparedness tools for facilitating medical countermeasure use during public health emergencies. <i>The Journal of Law, Medicine &amp; Ethics</i>.2013;41(S1):22-27.</p>
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<b>4. Disaster Cycle Phase: <u>Recovery/Reconstruction/Evaluation</u></b>		
<b>Learning Objective</b>	<b>Topics</b>	<b>Resources</b>
<p><i>At the end of this unit the learner will:</i></p> <p>Describe opportunities to obtain workers’ compensation and disability benefits for volunteer health practitioner activities [Core Competency 10]</p>	<p>Workers’ Compensation</p> <p>Disability Benefits</p>	<p><i>Website/Online Report</i></p> <p>Workers’ compensation and disability benefits for emergency volunteers. ASTHO Legal Preparedness Series Emergency Volunteer Toolkit. Association of State and Territorial Health Officials Web site. <a href="http://tinyurl.com/oet6tjy">http://tinyurl.com/oet6tjy</a>.</p>

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## **Author**

Maxim Gakh, JD, MPH  
Scholar in Residence,  
University of Nevada, Las Vegas

## **Reviewers**

Susan Allan, MD, JD, MPH, Associate Professor, Northwest Center for Public Health Practice,  
University of Washington School of Public Health

Andrea M. Garcia, JD, MPH, Director, State Health Policy, Association of State & Territorial  
Health Officials

Matthew Penn, JD, MLIS, Director, Public Health Law Program, CDC Office for State, Tribal,  
Local, and Territorial Support

Montrece Ransom, JD, MPH, Team Lead for Training and Workforce Development, Public  
Health Law Program, Office for State, Tribal, Local, and Territorial Support

Clifford M. Rees, JD, Practice Director, Western Region, Network for Public Health Law, Santa  
Fe, New Mexico

Lainie Rutkow, JD, PhD, MPH, Assistant Professor, Department of Health Policy and  
Management, Johns Hopkins Bloomberg School of Public Health

Gregory Sunshine, JD, Legal Analyst, Public Health Law Program, CDC Office for State, Tribal,  
Local, and Territorial Support

Mathew Swinburne, J.D., Staff Attorney, The Network for Public Health Law, Eastern Region,  
The University of Maryland Francis King Carey School of Law

## **Special thanks to the National Center for Disaster Medicine and Public Health team, including:**

Brian Altman, PhD  
Education Coordinator, HJF

Elizabeth Brasington  
Communications & Administrative Assistant, HJF

Kelly Gulley  
Project Associate, HJF

Kenneth Schor, DO, MPH, FAAFP (CAPT, MC, USN, Ret)  
Acting Director, Assistant Professor

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Kandra Strauss-Riggs, MPH  
Operations Director, HJF

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