

Northwest PUBLIC HEALTH

Letters, News, Notes

Letter to the Editor

Model State Emergency Powers Act Provides Overview of Public Health Issues

Kenneth Wing raises questions about the Model State Emergency Powers Act [Spring/Summer 2002]. These questions are pertinent because this Act is about to become part of a larger Model State Public Health Act produced by Turning Point's Public Health Statute Modernization Collaborative. The Model Public Health Act will include an outline for states to consider when reviewing their own statutory basis for public health.

Professor Wing states that a model act is an ineffective way to inform state policy makers about policy choices. And yet legislative bills based in whole or in part on the Emergency Powers Act have been introduced in 35 states and enacted in 19 states.

I might agree with Professor Wing if the Model State Public Health Act were the only way the Collaborative was using to communicate with policy makers, but it merely organizes the issues that should be considered when a legislature thinks about the powers and duties of the official state governmental public health structure. The Collaborative is using the tools of modern marketing, such as focus groups with National Conference of State Legislature members, to help develop approaches to communication that will be most effective. Communication will take place at national meetings, through individual mailings and meetings, and by use of specially developed summaries and checklists.

In assessing state public health law in 2000, Kristine Gebbie ("State Public Health Laws: An Expression of Constituency Expectations," *J Public Health Management Practice*, 2000; 46) found that "public health is whatever the legislature has funded it to be for this funding cycle, no more and no less." For those of us practicing public health in government, however, the broad scope and definition of public health should ideally be reflected in law. And since American federalism ensures limited powers to national authorities and plenary powers to the states, states should have enabling statutes that define the scope of public health.

The Model State Public Health Act attempts to do just that-to suggest the outline of the scope of public health for a state. This Model Act is not meant to be taken literally. Here I agree with Professor Wing that each state needs to make its own choices in crafting the exact language of an enabling statute. The Model Act is, rather, intended to provide a comprehensive overview of issues so states can assess the adequacy of existing state laws. The scope of public health laws should be driven by reason and science and not by the latest budget crisis.

Bud Nicola, MD, MHSA
Turning Point National Program Office

On the Move

Several Northwest Public Health board members and peer reviewers have recently been promoted or moved

to new jobs.

- Brian Saylor is now director of the Division of Health Sciences at the University of Alaska Anchorage.
- Tim Gilbert has become director of Health Systems Networking for the Alaska Native Tribal Health Corporation.
- Roman Hendrickson is now medical director for the Ruby Valley Rural Health Clinic, in Montana.
- Jim Girvan is now dean in the College of Health Sciences at Boise State University.
- Beth Metzger is now on the faculty at Salish Kootenai College, in Pablo, Montana.
- Bonnie Lind is now assistant director of the Boise State University Center for Health Policy.

© 2023 University of Washington School of Public Health 
Produced by the Northwest Center for Public Health Practice
[Privacy](#) / [Terms](#)