

LETTER FROM THE EDITOR

Dear Readers:

It is my pleasure to present this Special Supplement to the *Journal of Law, Medicine & Ethics*, THE PROCEEDINGS of The Public's Health and the Law in the 21st Century: Fifth Annual Partnership Conference held in Atlanta, Georgia on June 12-14, 2006. The conference was co-sponsored by the American Society of Law, Medicine & Ethics and the Centers for Disease Control and Prevention's Public Health Law Program. The conference planning committee (see Appendix A) and the many collaborating organizations (see Appendix B) were critical to this year's event. I would like to extend our sincere appreciation for their invaluable contributions to the conference and to improved public health through law.

The goal of this conference is to improve the understanding of law as a public health tool. By taking part in the annual conferences, participants are better able: (1) to explain the critical role law plays in protecting the health of the public and in strengthening the public health system; (2) to describe practical approaches to applying legal tools to today's top-priority public health issues; (3) to identify and assess scientific and other evidence for effective, law-based public health strategies; and, (4) to build partnerships with colleagues across professional boundaries.

More than 650 people participated in this fifth annual conference. Attendees came from all fifty states, Canada, Japan, and Israel and included: federal, state, and local public health leaders, practitioners, and legal counsel; elected and appointed public policy makers; physicians and nurses in public health and clinical practice; emergency management and law enforcement officials; judges and attorneys active in public health and healthcare; educators and researchers in public health law; as well as students from law schools and schools of public health around the country.

THE PROCEEDINGS capture both the spirit and substance of the conference. In the first section, keynote speakers discuss significant public health and legal issues that are both cross-cutting and central to the practice of public health law. Following the plenary speakers is an article capturing the special symposium on due process in public health. Immediately following are concurrent session summaries organized around five topical tracks including: all-hazards emergency legal preparedness; law for healthy homes, schools, and communities; law for healthy people; partners in public health; and, new tools in public health law and ethics.

THE PROCEEDINGS were made possible by the valuable contributions of many dedicated individuals. In particular, I would like to thank Benjamin Moulton, Executive Director of the American Society of Law, Medicine & Ethics, and Edward J. Hutchison, Editor and Director of Publications, *Journal of Law, Medicine & Ethics*. Additionally, I would like to thank Anthony D. Moulton and Richard A. Goodman, Co-Directors of the CDC Public Health Law Program, as well as the Public Health Law Program team. Furthermore, I would like to thank all members of the conference faculty for making the commitment to share their expertise and insight with conference participants and with the readers of THE PROCEEDINGS.

Finally, I would like to acknowledge the fine work and significant contributions made to THE PROCEEDINGS by the students and volunteers, from inside the CDC and outside, who served as Writer/ Editors of the conference sessions. It has been my pleasure to work with them. They are:

Jason Joaquin Almonte
JD Candidate
University of Buffalo School of Law,
State University of New York
Public Health Law Program Intern
CDC

Charles Bondurant
JD Candidate
University of South Carolina
School of Law
Law Clerk for the South Carolina
Department of Health and
Environmental Control

Justin Comier, MPA
Policy Analyst
CDC, Washington D.C.

Chinyere O. Ekechi, JD
Emerging Leaders Fellow
National Center for
Environmental Health
CDC

Mark Fessler
JD Candidate
University of South Carolina
School of Law
Law Clerk for the South Carolina
Department of Health and
Environmental Control

Samantha Harrykisson, JD, MPH
ORISE Fellow
National Center for
Environmental Health
CDC

Tochukwu E. Igbo, JD
Issues Management Lead
National Center for Injury
Prevention and Control
CDC

Christopher Ogolla, MA, MPH
JD Candidate
Thurgood Marshall School of Law,
Texas Southern University
Public Health Law Program Intern
CDC

Ann Marie Thompson
JD Candidate
University of South Carolina
School of Law
Law Clerk for the South Carolina
Department of Health and
Environmental Control

Rachel Weiss, JD
Public Health Law Analyst
Public Health Law Program
CDC

Sameer Vohra
MD/ JD Candidate
Southern Illinois University
Public Health Law Program
Intern
CDC

Special thanks to all who helped make this year's conference another milestone in public health law and practice.

Sincerely,
Briana Grovhoug Kennedy
Proceedings Editor
and Conference Director
Public Health Law Program
Centers for Disease Control and Prevention

Conference Faculty and Proceedings Contributors

Ernest B. Abbott, JD, MA
Disaster Relief Law Specialist
FEMA Law Associates, PLLC

Admiral John O. Agwunobi, MD, MBA, MPH
Assistant Secretary for Health
DHHS

Michal Alberstein, LLB, SJD
Ilan University, Isreal Visiting Associate
Professor of Law
Fordham University

Susan M. Allan, MD, JD, MPH
Public Health Director
Oregon Department of Human Services
Oregon State Public Health

Marice Ashe, JD, MPH
Director
Public Health Law Program
Public Health Institute

Stephanie B. C. Bailey, MD, MHSA
Director of Health
Metro Nashville Public Health Department

Hon. Thurbert Baker, JD
Georgia Attorney General and
President-Elect
National Association of Attorneys General

Peter Baldrige, JD
General Counsel
California Department of Health Services

Georges Benjamin, MD, FACP
Executive Director
American Public Health Association

David Benor, JD
Associate General Counsel
OGC, DHHS

Ruth Gaare Bernheim, JD, MPH
Director
Division of Public Health Policy and Practice
University of Virginia

Hon. Michael R. Bloomberg
Mayor
New York City

Captain J. F. Bowman
Commander
Traffic Division Fairfax County (VA)
Police Dept

Robert Boyle, MD
Chair
University of Virginia Hospital Ethics
Committee

Peter A. Briss, MD, MPH
Chief Science Officer
NCCDH, CDC

Sylvia Caley, JD
Supervising Attorney
Health Law Partnership (HeLP)

Bruce Nedrow (Ned) Calonge, MD, MPH
Chief Medical Officer and State
Epidemiologist
Colorado Dept. of Public Health and
Environment

Vice Admiral Richard H. Carmona, MD, MPH, FACS
U.S. Surgeon General and Commander
USPHS, Commissioned Corps.
DHHS

John Casciotti, JD,
Associate Deputy General Counsel
OGC, Department of Defense

Hon. Michael Cardin
Connecticut General Assembly

Ken Castro, MD
Director
DTBE, NCHSTP, CDC

Timothy M. Cerio, JD
General Counsel
Florida Department of Health

James Childress, PhD
Hollingsworth Professor of Ethics
and Director, Institute for Practical Ethics
and Public Life, University of Virginia

Hon. John M. Cleland, JD
President Judge
County of McKean County, Pennsylvania

Hon. Eileen Cody, BSN
Washington State House of
Representatives

Gregory J. Cowan
Courts Operation Consultant
Office of the Florida State Courts
Administrator

Janet Collins, PhD
Director
NCCDHP, CDC

Allen Craig, MD
State Epidemiologist
Tennessee Department of Health

Kim Dammers, JD
Assistant U.S. Attorney
Northern District of Georgia

Andrew L. Dannenberg, MD, MPH
Associate Director for Science
NCEH, CDC

Nadav Davidovitch, MD, MPH, PHD
Lecturer, Division of Public Health,
Ben Gurion University
Israel Fulbright Scholar at Center for the
History and Ethics of Public Health
Mailman School of Public Health
Columbia University

Heather Duvall, MA
Project Coordinator
Oklahoma Fit Kids Coalition

Ralph Edwards
CEO
Edwards Day Property Investments, Atlanta

Abigail English, JD
Director
Center for Adolescent Health & the Law,
Chapel Hill

Thomas A. Farley, MD, MPH
Professor and Department chair
Tulane University

Doug Farquhar, JD
Program Director for Environmental
Health, National Conference of State
Legislatures

Lisa M. Feldstein, JD

Policy Director
Land Use and Health Program,
Public Health Law Program
Public Health Institute

Martin Fenstersheib, MD, MPH

Health Officer
Santa Clara County Public Health
Department, California

Michele Fields

General Counsel
Insurance Institute for Highway Safety

Daniel M. Fox, PhD

President
Milbank Memorial Fund

Howard Frumkin, MD, DrPH

Director
NCEH/ATSDR, CDC

Hon. Beverly Gard

Indiana State Senate

Richard A. Goodman, MD, JD, MPH

Co-Director
Public Health Law Program, CDC

Steven D. Gravely, JD

Partner
Troutman Sanders LLP

Arlene Greenspan, DrPH, PT

Senior Scientist
NCIPC, CDC

Anne C. Haddix, PhD

Chief Policy Officer
CDC

Eric Hargan, JD

Principal Deputy Associate Secretary
U.S. Department of Health and Human
Services

Hon. Toni N. Harp

Deputy President Pro Tem
Connecticut State Senate

Dale Hetzler, JD

General Counsel
Children's Healthcare of Atlanta

James G. Hodge, Jr., JD, LLM

Associate Prof. and Exec. Dir.
Johns Hopkins Bloomberg School of
Public Health and Center for Law and the
Public's Health

Rick D. Hogan, JD, MPH

General Counsel
Arkansas Dept. of Health and Human
Services

Anthony B. Iton, MD, JD, MPH

Health Officer
Alameda County Health Department,
California

Sandra H. Johnson, JD, LLM

Tenet Endowed Chair in Health Law and
Ethics
Center for Health Law Studies, St. Louis
University School of Law

Hon. Phyllis Kahn, PhD, MPA

Minnesota State Representative
and Chair of the Section on General
Interest in Science and Engineering,
American Association for the Advancement
of Science

Lisa Kaplowitz, MD, MSHA

Deputy Commissioner,
Emergency Preparedness and Response
Programs, Virginia Dept. of Health

Hal S. Katz, JD

Brown McCarroll, LLP and Chair
Public Health & Policy Interest Group
Health Law Section American Bar
Association

Priscilla D. Keith, JD

General Counsel
Marion County Health and Hospital Corp.
Indiana

Hon. Carolyn Dineen King, JD

Circuit Judge
U.S. Court of Appeals for the Fifth Circuit

Howard Koh, MD, MPH

Harvey V. Fineberg Professor of Public
Health and Associate Dean for Public
Health Practice
Harvard University School of Public Health

Barret W.S. Lane, JD

Attorney
Law Office of Barret W.S. Lane

Mary M. Lee, JD

Attorney at Law, Atlanta

William J. Lehman, JD

Deputy Assist. Director
Office of Facilities and Security
Administrative Office of the US Courts

Karen Leone de Nie, MS

Research Scientist
Center for Quality Growth and Regional
Development and Project Manager,
Beltline Health Impact Assessment,
Georgia Institute of Technology

Paul Lombardo, PhD, JD

Director, Program in Law & Medicine
University of Virginia Center for Biomed-
ical Ethics

Wilfredo Lopez, JD

General Counsel
New York City Department of Health and
Mental Hygiene

Myles V. Lynk, JD

Peter Kiewit Foundation Professor of Law
and the Legal Profession
Arizona State University College of Law

Timothy Mastro, MD

Acting Director
DHAP, NCCCHSTP
CDC

Howard Markel, MD, PhD

George E. Wantz Professor of the
History of Medicine and Director of the
Center for the History of Medicine
University of Michigan School of Medicine

Karen J. Mathis, JD

Partner
McElroy, Deutsch, Mulvaney &
Carpenter, LLP
and President-Elect,
American Bar Association

Gene W. Matthews, JD

Director
Institute of Public Health Law

Jay McAuliffe, MD, MPH

Acting Team Leader
Geographic and Program Coordination
COGH, CDC

John E. McDonough, DrPH, MPA

Executive Director
Health Care for All, Massachusetts

Benjamin Mason Meier, JD, LLM

Center for Health Policy
Columbia University

Alan Melnick, MD, MPH

Health Officer
Clackamas County, Oregon

Joan Miles, JD, MS

Director
Montana Department of Health and
Human Services

M. Deborah Milette, MPH

Acting Associate Director for Program
Development
NCEH, CDC

James J. Misrahi, JD

Senior Attorney
CDC/ATSDR Branch, Public Health
Division
OGC, DHHS

Hon. Laurie Monnes-Anderson, BSN, MA

Oregon State Senate

Anthony D. Moulton, PhD

Co-Director
Public Health Law Program
CDC

Benjamin W. Moulton, JD, MPH

Executive Director
American Society of Law, Medicine & Ethics

Richard S. Murray, JD

Assistant U.S. Attorney
Western District of Michigan

David E. Nahmias, JD

U.S. Attorney
Northern District of Georgia

Tom Neltner, JD, CHMM

Director of Training and Education
National Center for Healthy Housing,
Indiana

Daniel O'Brien, JD

General Counsel
Public Health Service
Office of the Maryland Attorney General

Wendy E. Parmet, JD

Matthews Distinguished University
Professor of Law
Northeastern University School of Law

Bradley Perkins, MD, MBA

Acting Chief of Strategy and Innovation
CDC

Pam Pitts, MPH

Director STD/HIV Prevention Services
Tennessee Department of Health

Tanja Popovic, MD, PhD, MSc

Associate Director for Science
CDC

William Potts-Datema, MS

Branch Chief
DASH, NCCDPHP
CDC

Amy Pulver, MBA, MA

Associate Director for Policy
Planning and External Relations,
Division of STD Prevention
NCHSTP, CDC

Amanda Purcell, MPH

Policy Director
CA Center for Public Health Advocacy

Montrece McNeill Ransom, JD

Public Health Analyst
Public Health Law Program, CDC

Kimberly Redding, MD

Director
Chronic Disease and Health Promotions
Branch
Georgia Department of Human Resources,
Public Health Division

Clifford M. Rees, JD

Adjunct Professor
University of New Mexico Health
Sciences Center
School of Medicine, Center for Disaster
Medicine

Hon. Tom Rice

Georgia State Assembly

Edward P. Richards III, JD, MPH

Harvey A. Peltier Professor of Law
and Director, Program in Law, Science
and Public Health
Paul M. Hebert Law Center
Louisiana State University

Lance Rodewald, MD

Director
Immunization Services Division
NIP, CDC

Mark Rothstein, JD

Director
Institute for Bioethics, Health Policy
and Law
University of Louisville

Col. Cynthia Ryan

National Guard Legal Advisor
NORAD USNORTHCOM/JA

Francis Schmitz, JD

Assistant U.S. Attorney
and National Crisis Management
Coordinator
U.S. Department of Justice
Counterterrorism Section

Grace R. Schuyler, JD

Senior Attorney
Pennsylvania Department of Health Office
of Legal Counsel

Charity Scott, JD

Professor of Law and Director,
Center for Law, Health & Society,
Georgia State University, College of Law

Frederic E. Shaw, MD, JD

Medical Officer
Public Health Law Program
CDC

Susan Sherman, JD

Senior Attorney
OGC, DHHS

Dean Gerald Sienko, MD

Medical Director
Ingham County Health Department

Thomas Sinks, PhD

Deputy Director
NCEH/ ATSDR, CDC

Patricia M. Speck, DNSc, APRN-BC

Professor
University of Tennessee, College of
Nursing

Lori H. Spencer, JD

Smith Moore, LLP
and President,
Public Health Law Association

Covia L. Stanley, MD, MDiv

Health Director
Waccamaw Public Health District,
South Carolina

Dan Stier, JD

Public Health Analyst
Public Health Law Program, CDC

LCDR Jason Thomas, MPH,

Officer-in-Charge,
Washington Quarantine Station
Division of Global Migration and
Quarantine
NCID, CDC

Knox Todd, MD, MPH

Director
Beth Israel Pain & Emergency Medicine
Institute, New York

Hon. Gregg Underheim

Wisconsin House of Representatives

Wendy E. Wagner, JD

Joe A. Worsham Centennial Professor
University of Texas School of Law

RADM Robert C. Williams, PE, DEE

Assistant Surgeon General
Chief of Staff
Office of the Surgeon General
U.S. Public Health Service