



Public Health Statutes Modernization

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Background

- August 2000 - Wisconsin Public Health Association received a grant from the Robert Wood Johnson foundation to participate in a national program to modernize public health statutes.
- Wisconsin planned to move beyond the initial purpose of the national project and make the Model State Public Health Act (MSPHA) work toward improving Wisconsin's public health statutes.
- Recommendations by the retreat participants were made for consideration in Wisconsin Statutory reform.

MSPHA – Article I – Purpose & Definitions

[Section 1-101 and 1-102]

Recommendation:

- Use the Model Act language regarding tribal cooperation and add to WI Stats. Ch. 250 saying the department “shall” promote cooperation, etc.

Action:

- 2005 Wisconsin Act 198 enacted on March 24, 2006 created Section 3.250.03 (1)(K) of the WI Statutes.

MSPHA - Article II – Mission & Functions

[Sections 2-101 to 2-104]

Recommendation:

- Include Wisconsin's 12 Essential Public Health Services in Statute – as in the Model Act.
- Define “public health system”, using Wisconsin Turning Point language.
- Recommend “shall” language, recognizing that it may be a political issue for some groups.

Action:

- 2005 Wisconsin Act 198 enacted March 2006 created Section 4.250.03 (1)(L) and Section 5.250.04(12m) of the WI Statutes.

MSPHA – Article III – Public Health Infrastructure [Sections 3-101 – 3-107]

Recommendation:

- Examine Model Act regarding Performance Management for language that can strengthen WI Statutes.
- Model Act language regarding Incentives and Evaluation can be dealt with along with performance management.
- Examine Model Act regarding Public Health Planning and Priority Setting for language that can strengthen WI Statutes.

MSPHA – Article III – Public Health Infrastructure - Continued

Action:

- 2005 Wisconsin Act 198 enacted March 2006 created Section 5. 250.04 (12m) of the WI Statutes.
- 2005 Wisconsin Act 198 enacted March 2006 amended Section 6. 250.07 (1)(a); and Section 10. 251.20(3) of the WI Statutes.

MSPHA - Article IV – Collaboration & Relationships with Public and Private Sector Partners [Sections 4-101 – 4-103]

Recommendations:

- Strengthen statutes to enhance tribal relations
- Recognize that collaboration cannot be mandated, but have the state coordinate activities.
- Require state and locals to collaborate not just during emergencies and state agencies to collaborate on an ongoing basis within the state and intrastate.
- Add language that requires the state to collect local partnership data as part of their coordination activities.

MSPHA - Article IV – Collaboration & Relationships with Public and Private Sector Partners - Continued

- Using Model Act “coordination” language may provide greater incentives, mandates for coordination, collaboration, and consolidation of local health departments.
- Strengthen language to increase accountability if services are privatized.

Action:

- 2005 Wisconsin Act 198 enacted March 2006 amended Section 1. 66.0303 (2) of the statutes and created Section 4. 250.03 (1)(K) & (L) and Section 5. 250.04 (12m) of the WI Statutes.

MSPHA - Article V – Public Health Authorities & Powers [Sections 5-101 – 5-112]

Recommendations:

- Import Model Act language regarding Mandatory or Compulsory Powers [Section 101(c)(1) thru (4)] into WI Statutes.
- Import Model Act language regarding Surveillance Activities - Sources of Information [Section 5-102] into WI Statutes.
- Include Model Act language on Persons Required to Report [Section 5-103(b)] specifically reporting by pharmacists and veterinarians in non-emergency situations.

MSPHA - Article V – Public Health Authorities & Powers [Sections 5-101 – 5-112] - Continued

- Import Model Act language – Reporting to Detect and Track a Public Health Emergency [Section 5-103 (f) (1) (2) (3) (4)].
- Import Model Act provisions – Quarantine and Isolation [Section 5-108] that would strengthen WI Statutes – s. 252.06 (1), (4), (6) as well as 252.06 (5).

MSPHA - Article V – Public Health Authorities & Powers [Sections 5-101 – 5-112] - Continued

Action:

- 2005 Wisconsin Act 198 enacted March 2006 amended language in Chapters 95 (Animal Health); 440 & 450 (Regulation & Licensing); 979 (Investigation and Deaths) and amended language in s.252.05(1), 252.02(7); 252.05(2),(3),(4) (Communicable Diseases)

MSPHA - Article VI – Public Health Emergencies

[Sections 6-101 – 6-106]

- Recommendation – No portion should be imported to WI Statutes.

MSPHA- Article VII Public Health Information Privacy

[Sections 7-101 – 7-105]

- Recommendation – No portion should be imported to WI Statutes.

MSPHA - Article VIII – Administrative Procedures, Civil, Criminal Enforcement, & Immunities [Sections 8-101 – 8-107]

- Recommendation – Ask local health officers whether current penalties are adequate.

MSPHA - Article IX – Miscellaneous & Powers

[Sections 9-101 – 9-106]

- Recommendation – No portion should be imported to WI Statutes.

Proposed Revisions in Trailer Bill – LRB-3615/1

Human health hazards

Recommendation - Examine Model Act language—Public Health Nuisances [Section 5-111] for parts of the Model Act that could be used to strengthen WI Statutes.

State agency status for certain physicians

Recommendation - Consider Model Act language – Vaccination - Immunity [Section 5-109 (j)] regarding administering a vaccine as well as other medical orders.

Additional Proposed Revisions in Trailer Bill – LRB-3615/1

- **Community Health Improvement Plans**
- **Personnel of a local health department**
- **Other –**
 - **Emergency Medical Services**
 - **Minority Health and cooperative American Indian health services**
 - **Statewide poison control system and reporting of wounds and burn injuries**