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Public Health Authority Legislative Update

January 2023

Introducing ASTHO's 2024 Legislative Prospectus Series

The Association of State and Territorial Health Officials (ASTHO) is pleased to share our [2024 Legislative Prospectus Series](#) as this month's [Act for Public Health](#) legislative update. Informed by on-the-ground insights of health agency policy staff as well as ASTHO's legislative tracking, the series anticipates state public health legislative trends for the 2024 sessions and offers policymakers and public health leaders high-level overviews of evidence-based and promising public health legislation.

- 1. Public Health Workforce:** The public health and healthcare workforces faced unprecedented challenges in recent years to recruit and retain qualified talent. In 2023, Indiana policymakers made a [historic investment in the state's public health system](#) and workforce, implementing recommendations from the Governor's Public Health Commission through the passage of [SB 4](#). In the 2024 sessions we anticipate legislation supporting the public health and healthcare workforces, to address provider shortages, pay, and streamlined hiring processes. For example, Virginia is considering [HB 1285](#) to empower the Virginia Health Workforce Authority to request and gather program evaluation data to inform its work, which includes setting priorities for certain graduate medical education programs and the Commonwealth's Health Workforce Innovation Fund.
- 2. Supporting Mental Health:** With [suicide rates rising](#) across the population, particularly among [teens and young adults](#), there is increased interest in strengthening mental health services. We anticipate 2024 legislative investments in suicide prevention programs (e.g., the national 988 suicide and crisis helpline), efforts to reduce access to lethal means, and supports to address anxiety, eating disorders, and [more](#). Additionally, legislators may consider further research or access to psychedelic substances to treat mental health disorders like PTSD. In 2023, Colorado enacted [SB 14](#) to establish a disordered eating prevention program within the state health department. Several state legislatures have already introduced bills promoting mental health supports, including New Jersey's proposed Mental Health Early Action on Campus Act ([S 896](#)), which

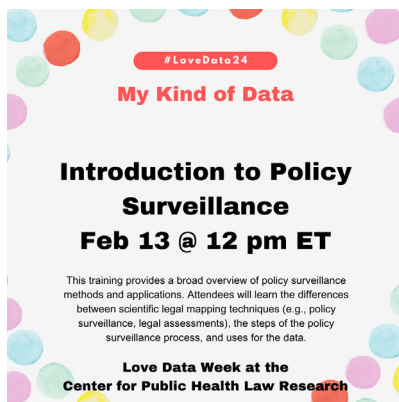
would require institutions of higher education to implement mental health awareness programs and provide students validated online screening tools for depression, anxiety, bipolar disorder, eating disorders, substance abuse, and PTSD.

3. **Substance Misuse and Overdose Prevention:** Public health leaders continue to fight the overdose epidemic, with [at least six states enacting laws in 2023](#) legalizing [fentanyl test strips](#) as a harm reduction tool to prevent overdose. In addition to increasing access to harm reduction tools, we anticipate legislatures to invest in peer support services for people recovering from substance use, and strengthen regulations for potentially addictive substances like kratom and Delta-8. In January 2024, Wisconsin legislators introduced [SB 875](#) legalizing xylazine testing materials and providing liability protections for people distributing and administering the testing products.
4. **Public Health Data Sharing and Privacy:** We anticipate policymakers taking steps to strengthen protections for identifiable health data, increased public health accessibility to data through systems such as health information exchanges, and improved interoperability through data system updates during the 2024 legislative sessions. The Vermont legislature recently introduced the Vermont My Health My Data Act ([S 173](#)) to create privacy protections for consumer health data not covered by HIPAA.
5. **Containing Spread of Infectious Disease:** Legislatures will continue considering measures impacting public health's ability to contain the spread of infectious disease, including during [emergencies](#), and bills related to routine childhood immunizations and isolation and quarantine authorities. Additionally, legislatures will consider measures to equip the public to identify credible information sources, buffering against misinformation and disinformation that could hinder public health efforts to prevent disease spread. For example, New York recently introduced [A 1695](#), which would require media literacy education standards for grades K-12.
6. **Preventing Sexually Transmitted Infections:** Rates of sexually transmitted infections (STIs) are rising nationwide, resulting in [shocking rates of congenital syphilis](#). We anticipate policymakers to take steps to prevent the spread of STIs through improved testing, expanded access to pre-exposure and post-exposure prophylaxis (PrEP/PEP), and ensuring that young people are educated about sex before engaging in sexual activity. The Maryland legislature is currently considering [HB 119](#), which would expand syphilis testing for pregnant people from the first visit and third trimester to also include testing at birth.
7. **Family and Reproductive Health:** Public health agencies support health at all stages of life, a key aspect of which is reproductive and family health. We expect policymakers will likely consider bills to expand contraception access, increase access to perinatal providers (such as doulas and [midwives](#)), support birthing-parent and infant bonding, and use of maternal-morbidity and morbidity review committees to further develop policy interventions.
8. **Optimal Health for All:** In the upcoming session, policymakers will likely continue incorporating health equity into the legislative process, work to improve collection of health disparity data, and take steps to improve access to healthcare in rural communities.

9. **Environmental Health:** Environmental health touches nearly every aspect of life, ensuring clean air to breathe, clean water to drink, and safe food to eat. Legislative efforts to reduce environmental hazards, like lead-based paint, can significantly improve public health.
10. **Tobacco and Nicotine Products:** Legislators have been critical in reducing tobacco and nicotine use, particularly among youth. This session we anticipate policymakers will introduce measures to prohibit the sale of [flavored tobacco products](#), recognize [synthetic nicotine](#) in existing tobacco regulation, and promote [smoke-free environments](#).

To stay informed about these trends as the 2024 sessions unfold, visit astho.org or connect with ASTHO at statehealthpolicy@astho.org.

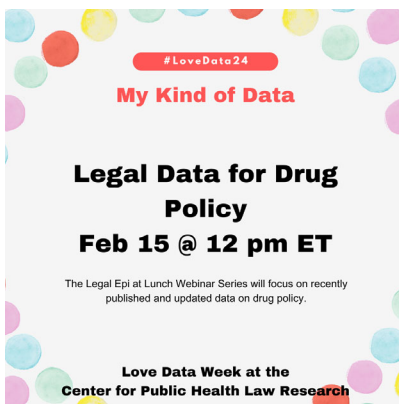
For more information about ongoing legislative and other legal trends' impacts on the practice of public health, check out ActforPublicHealth.org, and stay tuned!



UPCOMING WEBINAR

Introduction to Policy Surveillance
Feb. 13, noon ET

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UPCOMING WEBINAR



47th Annual Health Law Professors Conference
June 5-7 in Philadelphia

[Submit abstracts](#) by March 1, 2024

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**Legal Epi at Lunch: Legal Data for
Drug Policy**
Feb. 15, noon ET

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