

SHARE:

[Join Our Email List](#)



# Public Health Authority Legislative Update

December 17, 2024

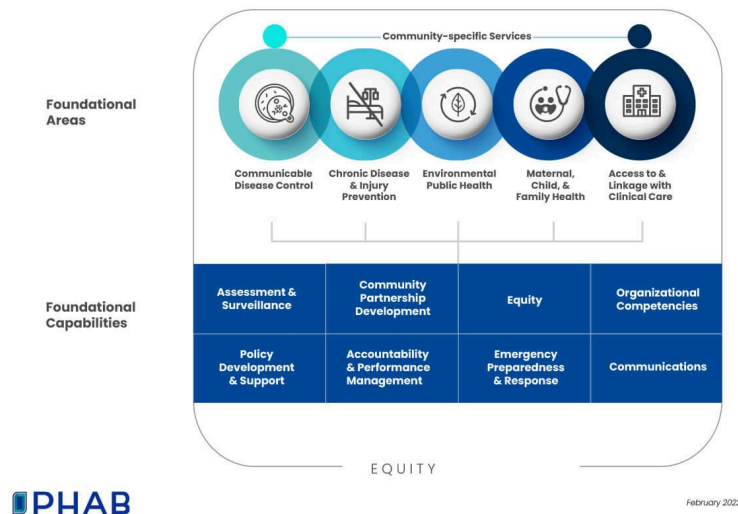
## Approaches to Foundational Public Health Services for All

Looking for a professional new year's resolution? Consider learning more about your state's approach—or even your own health department's approach—to Foundational Public Health Services (FPHS) and what you can do to support the field's movement toward a shared vision of a consistent and sustainable public health infrastructure that also can meet unique community-specific needs.

Act for Public Health has been exploring FPHS since practitioners [asked](#) what they *should* be doing in response to backlash against the use of public health authority to mitigate the spread of COVID-19. Bipartisan efforts to [modernize](#) the public health system and fill gaps exposed by COVID are featured in the Innovative Laws and Policies for a Post-Pandemic Public Health System [report](#) by the Network for Public Health Law. They include FPHS, which can open up a conversation about shared values and minimum services we all agree are essential for healthy communities. This is why FPHS are also an important component of a forthcoming [roadmap](#) from ChangeLab Solutions and Act for Public Health to implement “good” legal authority for public health.

***Toward Shared Language: Foundational? Essential? Core? Services? Capabilities?  
Areas? Programs? Functions?***

## Foundational Public Health Services



*Click the image to expand*

**Foundational Public Health Services** define a minimum package of **governmental public health** responsibilities—Foundational Capabilities and Foundational Areas (or programs or services)—that no jurisdiction should be without. Community partnership development is identified as one key capability of governmental public health, which acknowledges that **the public health system includes both governmental and non-governmental partners**. The **10 Essential Public Health Services** (10 EPHS) describe activities organized around three core functions—assessment, policy development, and assurance—that **the public health system as a whole** should undertake in all communities. Finally, **national accreditation** assesses a health department’s capacity to carry out the 10 EPHS and the Foundational Capabilities of the FPHS.

This grounding in the differences of similar terms and phrases is important from a legal perspective as approaches to FPHS exist along a continuum striving toward FPHS for all. Each approach is valuable and necessary to **interrupt** the perpetual cycle of an underfunded governmental public health system managing booms and busts in capacity to both adequately meet day-to-day community health needs and be prepared for the next emergency.

### ***Progress Toward Foundational Public Health Services for All***



We focus on statewide approaches to FPHS because state law is the primary source of legal powers for state and local health departments to undertake activities and deliver services. Some may be familiar with early-adopter efforts from [Ohio](#), [Oregon](#), and [Washington](#). A 2022 journal [article](#) describes their approaches to FPHS and identifies relevant policy and appropriations legislation. A sampling of the identified policy approaches include:

- **Ohio** [House Bill 59](#) (2013) allowed the state health department to condition funding to local health departments on applying for accreditation. It also required the state to evaluate local preparation for accreditation and adopt rules establishing minimum standards and optimum achievable standards for boards of health and local health departments.
- **Ohio** [House Bill 390](#) (2016) aligned public health and hospital planning (i.e. community health assessments (CHAs), hospital community health needs assessments (CHNAs), hospital implementation strategy plans, and community health improvement plans (CHIPs)).
- **Oregon** [House Bill 3100](#) (2015) established a modernized framework for the state's governmental public health system based on FPHS.
- **Washington** [House Bill 1497](#) (2019) codified the state's FPHS framework and financing of the state's governmental public health system, which includes sovereign tribal nations and Indian health programs.

More recent legislative enactments in the FPHS framework space include:

- **Indiana** [Senate Bill 4](#) (2023) adopted several recommendations from the Governor's Public Health [Commission](#) established in 2021, including defining a set of "core public health services" broadly within the FPHS' Foundational Areas, specifying state and local government roles in delivery of those services, and setting forth metrics by which to assess performance at the local level.
- **Maryland** [House Bills 214](#) (2023) and [1333](#) (2024) established a [Commission](#) on Public Health to make recommendations to improve the delivery of FPHS and extended the deadline by which the Commission must submit its final report.
- **Massachusetts** [House Bill 5100](#) (2024) requires the state health department to establish a program that, among other statewide public health system improvements, provides "uniform access for every resident to [FPHS] ... that [also] further[s] equity, including for historically underrepresented communities."

These are just a small snapshot of the many efforts being undertaken in state and local jurisdictions across the country to modernize the public health system and strive toward FPHS for all. They demonstrate that [bipartisan support](#) for important public health reforms is [possible](#)! We encourage you to stay tuned for more analysis by Act for Public Health partners in the new year.



Connect with law and policy colleagues and find additional resources to navigate the legal changes that threaten or advance healthier communities for all.



State-level advocacy is essential to maintaining and advancing community health. Read: [The State\(s\) of Public Health Advocacy: Turning to the States during a time of Federal Transition](#).

[VISIT OUR WEBSITE](#)

[LEARN MORE](#)

**Act for Public Health is a working group of the Public Health Law Partnership.**  
Visit the [Act for Public Health](#) website for additional resources and information on public health authority.



*You are receiving this email because you either signed up for the Act for Public Health list, or attended an ACT for Public Health event or webinar. See the unsubscribe option below if you no longer wish to receive these emails.*



Public Health Law Watch | 416 Huntington Ave. | Boston, MA 02115 US

[Unsubscribe](#) | [Update Profile](#) | [Constant Contact Data Notice](#)



Try email marketing for free today!