

County Health
Rankings & Roadmaps

Building a Culture of Health, County by County

Webinar

Non-partisan strategies to advance health
policy

February 21, 2023

countyhealthrankings.org



University of Wisconsin
Population Health Institute
UNIVERSITY OF WISCONSIN
SCHOOL OF MEDICINE AND PUBLIC HEALTH

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In a democracy, everyone has a voice
in deciding how our society is
structured. As we build a world where
everyone belongs, we ensure everyone
has an equal voice in deciding how
systems and institutions



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The politics of health



Georges Benjamin, MD
executive director
American Public Health
Association

“We work in a political environment,
and we have to become much more
comfortable with that.”

Reimagining a public health system to build
an equitable tomorrow webinar
February 15, 2022

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The screenshot shows the top portion of the ChangeLab Solutions website. At the top left is the logo, which consists of a colorful circular icon followed by the text "ChangeLab Solutions". To the right of the logo are three navigation links: "CONTACT US", "BLOG & NEWS", and "EVENTS". Below these links is a horizontal menu with three main items: "WHO WE ARE" (in a green box), "OUR WORK" (in a blue box), and "SUPPORT US" (in an orange box). To the right of "SUPPORT US" is a search icon. The background of the page is a photograph of a young child in an orange and blue striped shirt, seen from behind, walking on a paved path. A blue text box is overlaid on the left side of the image, containing the text: "HEALTHIER COMMUNITIES FOR ALL THROUGH EQUITABLE LAWS & POLICIES".

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Questions we will explore...

What is preemption and how to we mrange it?

How can I develop policies that are equitable and enforceable?

What are effective non-partisan strategies to advance policy?

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Join Us! Discussion Group

When: Immediately following the webinar

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How: Zoom

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Sabrina Adler
vice president of law
ChangeLab Solutions



Katie Michel
senior attorney
ChangeLab Solutions

Welcome

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The 2023 Rankings coming!



Colleen Wick
outreach
specialist




Molly Burdine
data
analyst





Ben Case
evidence
analyst

Rakings Preview Webinar: March 14, 2023

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An Equity-First Framework to Understand the Effects of Preemption on Health


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Healthy communities for all through better laws & policies



ChangeLab Solutions

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What is Preemption?

When the law of a higher level of government limits or invalidates the law of a lower level of government

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The Equity Landscape

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"People who live in cities and towns want control over their own destinies," said National League of Cities CEO and Executive Director Clarence E. Anthony. "When states take away the ability of local leaders to make decisions, the values and will of the people are ignored."

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A photograph of a classical building with large, fluted columns, overlaid with a semi-transparent orange filter. The text "Birmingham, Alabama" is written in white over the image.

**Birmingham,
Alabama**

-  **Minimum wage enacted**
-  **State legislature preempted**
-  **Lawsuit filed**

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Preemption & COVID-19

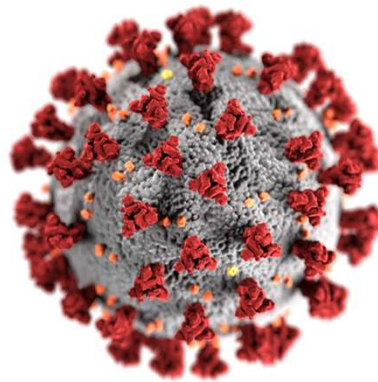


Photo credit: CDC/Alissa Eckert, MS; Dan Higgins MAMS

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States Punishing Localities & Withholding Funding

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Preemption isn't
universally
negative
or
inherently partisan

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Pushing Back

- **Advocacy**
 - Grassroots organizing
- **The Political Process**
 - Legislation
 - Repeal campaigns
- **Litigation**
- **Structural Reforms**
- **Research**



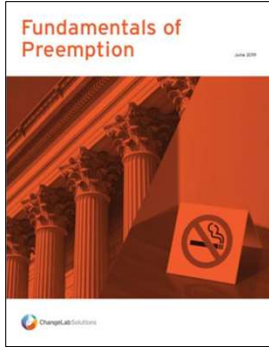
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Success Stories:

Maryland
Colorado

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Equity First: Conceptualizing A Normative Framework to Assess the Role of Preemption in Public Health

Derek Carr, JD, Sabrina Adler, JD, Benjamin D. Wang, JD, MPA, Jennifer Kara-Montes, Ph.D.
 1 ChangeLab Solutions, Oakland, CA
 2 Department of Sociology and Aging Studies Institute, Syracuse University, Syracuse, NY

Context: Due to the inequitable distribution of various social determinants of health, disparities in health and well-being are tied to where an individual lives. In the United States, a zip code often better predicts a person's health than their genetic code. As communities seek to address these inequities, many find that, due to state preemption, their zip code also dictates their ability to pursue more equitable laws through local government action.

Methods: This article reviews the role of law and policy in the genesis of health inequities and highlights how preemption has both created and alleviated such inequities. We demonstrate how a normative framework rooted in addressing health inequities can advance a more just approach to preemption and outline a research agenda to support future action.

Findings: Law and policy have been central to creating health inequities, and while those same tools can promote health equity, some state legislatures are using preemption with increasing regularity to thwart local policies that may improve health and equity. Nevertheless, preemption is not inherently adversarial to public health, equity, or good governance. Preemptive federal and rights laws, for example, have countered government sanctioned discrimination. However, existing frameworks for assessing preemption fail to recognize its potential to both advance and hinder health equity.

Conclusions: Shortcomings in existing preemption frameworks demonstrate the need for new approaches to elevate equity as a central consideration in assessing preemption. We propose the development of an equity first preemption framework to establish robust assessment criteria for assessing when preemption will enhance or inhibit equity and a research agenda for identifying the evidence necessary to inform and guide application of the framework. An equity first conceptualization of preemption can help ensure that local governments remain places of innovation while allowing states and the federal government to block local actions that are likely to create or perpetuate inequities.

This is a preprint of an Article accepted for publication in the *Milbank Quarterly* © (2023) The Milbank Memorial Fund.



www.changelabsolutions.org/good-governance/preemption

Resources

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Equitable Enforcement of Public Health Laws



<https://www.changelabsolutions.org/good-governance>



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What is equitable enforcement?

the process of ensuring compliance with law and policy
that considers and minimizes harms
to underserved communities

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Under Enforcement



When laws that are designed to
protect underserved
communities from threats to
their health and economic
security are not consistently
enforced

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Over Enforcement

When laws designed to protect the health of the public are enforced more frequently, or more strictly, in certain places – or against certain people as compared to others



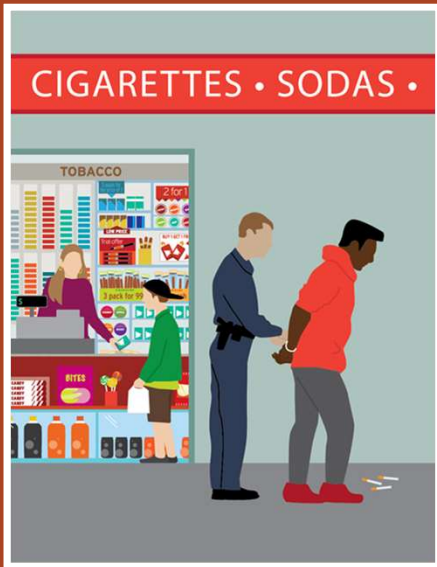
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Examples: Over enforcement

- School discipline
- Youth purchase, use, or possession laws



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Why is it important for public health practitioners to consider enforcement?

- Enforcement actions taken in the name of public health can sometimes harm, discriminate against, or otherwise undermine the health of the people whom the laws are meant to protect.
- Equitable enforcement, on the other hand, can hold wrongdoers accountable while protecting the health and well-being of individuals and the community.

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Examples: Equitable Enforcement

- Reimagining Traffic Safety
- Ensuring compliance with paid leave laws



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Developing Equitable Enforcement Provisions

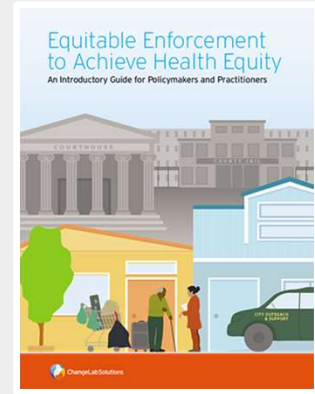
- Profiles key stakeholders and their roles in the equitable enforcement ecosystem
- Explains the iterative process of creating equitable enforcement provisions
- Provides examples of organizations that use equitable enforcement in their work

Equitable Enforcement Guide

- Explores the equity implications of traditional public health enforcement tools
- Poses a series of questions to consider when drafting, implementing, and enforcing a policy

<https://www.changelabsolutions.org/product/developing-equitable-enforcement-provisions>

<https://changelabsolutions.org/product/equitable-enforcement-achieve-health-equity>



Thank you!

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POLL

Do feel you could adapt the strategies shared during the webinar to use within your community?

Yes

No

Maybe

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Questions?



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**Click on survey
link in the chat**



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