



Public Health Law

Office for State, Tribal, Local and Territorial Support
Centers for Disease Control and Prevention

The Public Health Emergency Law (PHEL) Competency Model Version 1.0

What are PHEL Competencies?

Competency in public health law is the level at which public health practitioners have the abilities and skills “to access and understand the relevant laws and to actually apply them to given health issues.”¹ Competency in public health emergency law is critical to public health practitioners’ ability to prepare for and respond to all-hazards public emergencies effectively. Given the significance of public health law to effective public health emergency preparedness, and recognizing this critical gap in existing emergency preparedness competencies, CDC’s Office of Public Health Preparedness and Response asked CDC’s Public Health Law Program (PHLP) to develop a set of competencies in public health emergency law for mid-tier public health professionals. As a result, PHLP staff attorneys developed the *Public Health Emergency Law Competency Model Version 1.0*.

Using the PHEL Competencies

Ideally, the PHEL Competencies will be used to advance the inclusion of law-based content in all public health emergency training, resources, and tools. This would ensure that more state and local mid-tier public health professionals could improve competency in this critical area. For example,

- State, tribal, local, and territorial preparedness coordinators and other public health professionals can use these competencies when they update or revise related job descriptions.
- Mid-tier public health professionals can use this model as a self-assessment tool.
- Preparedness coordinators can bring the competencies to the attention of their legal advisors to start discussions about which specific federal, state, tribal, local, or territorial laws might be implicated by each competency, and to identify ways to ensure relevant professionals are provided opportunities to increase their knowledge, skills, and abilities in public health emergency law.

For more information about the [PHEL Competencies project](#) or PHLP’s activities around public health emergency law, visit PHLP’s website at www.cdc.gov/phlp, or send an email message to phlawprogram@cdc.gov.

¹ Anthony Moulton, Richard N. Gottfried, Richard A. Goodman, Anne M. Murphy, Raymond D. Rawson, *What Is Public Health Legal Preparedness?* 31 (Supp. 4) J.L. MED. ETHICS 672, 672–83 (2003). Available at <http://onlinelibrary.wiley.com/doi/10.1111/j.1748-720X.2003.tb00134.x/pdf> (last visited Sept. 12, 2012).



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Domain 1: Systems Preparedness and Response

- **1.1: Act** within the scope of federal, state, tribal, and local statutory and regulatory authority during emergency situations, and through state and/or federal declarations of emergency.
- **1.2: Communicate** legal authority and procedures to emergency response partners, such as other public health agencies, other health agencies, and other government agencies during planning, drills, and actual emergencies.
- **1.3: Identify** limits to legal knowledge, skill, and authority and key system resources, including legal advisors, for referring matters that exceed those limits.
- **1.4: Integrate** legal information into the exercise of professional public health judgment within the larger public health response.

Domain 2: Management and Protection of Property and Supplies

- **2.1: Implement** the use of relevant legal information, tools, procedures, and remedies including injunctions, closing orders, and abatement orders.
- **2.2: Identify** how and under what circumstances legal searches, seizures, and destruction of property and material can take place for public health purposes.
- **2.3: Describe** the legal authorities related to the distribution and dispensation of medical supplies and the effect of a state and/or federal emergency or public health declaration on those authorities.

Domain 3: Management and Protection of Persons

- **3.1: Implement** the use of relevant legal information, tools, procedures, and remedies related to social distancing including evacuation, quarantine and isolation orders, closure of public places, curfews.
- **3.2: Recognize** the sources of potential civil and criminal liability of public health personnel and consider due process issues before taking legal action.

