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ENV H 473: Environmental Health Policy & Practice

Spring Quarter 2014

Course Syllabus

This course explores the ways in which environmental health problems are controlled in the United States. That is, we will examine both the policies and practices of Environmental Health as it is practiced in the real world. The class will look at the ways that various government programs are established, organized and operated to prevent or control hazards in the community. It also examines the legal and regulatory framework that has been established to prevent or control environmental health risks.

Course Meeting Times and Location

10:30 - 11:20 a.m.

Monday, Wednesday & Friday

Room BB-1602 University Hospital

Course Instructor

Charles D. (Chuck) Treser, Senior Lecturer in Environmental Health

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Office Hours: 9:30 - 11:30 p.m. and 1:30 - 3:30 Daily; Other times by appointment.

Course Description

This course explores the ways in which environmental health problems are controlled in the United States. That is, we will examine both the policies and practices of Environmental Health as it is practiced in the real world. The class will look at the ways that various government programs are established, organized and operated to prevent or control hazards in the community. It also examines the legal and regulatory framework that has been established to prevent or control environmental health risks. We will begin the course by reviewing the changes in public health practice and the implications to public health practitioners in today's world – whether in the public or private sector. Special attention will be paid to the impact of such organizational concerns as working with communities in developing and implementing policy, how environmental health problems and threats are assessed and communicated, the legal basis and actions for assuring appropriate protections, and the trends and rationale for organizing and planning environmental health programs and activities. The various tools and methodologies of contemporary environmental health practice will be explored along with the role of supervision and management, the development of strategic program plans, the evaluation of program accomplishments, and how to communicate effectively with other staff, superiors, personnel of other agencies, regulated individuals, the news media and the public.

Since government regulation is pervasive in the practice of environmental health, the course discusses those aspects of law and the legal system in the United States which are necessary for comprehension of governmental regulation and enforcement in the field. The course introduces the major concepts and issues of U.S. administrative law and process that are important to understanding the nature and operation of environmental health services conducted within the context of the regulatory function of government. In the course we will examine the regulatory process and discuss the legal foundations, requirements and some instructive cases that affect program operations. Next we will examine the legal issues involved with the conduct of inspections and investigations in the practice of environmental health;

the options available to the practitioner that will assure compliance with environmental health regulations; and, the procedures for taking effective legal actions necessary to gain compliance with program goals. The final lessons deal with issues pertaining to personal and agency liability.

Course Purpose

This course is designed to:

1. Provide the student with an understanding of the type and range of environmental health practice issues which confront employees of various government agencies (as well as businesses and the public which must interact with these agency personnel);
2. Introduce the student to some of the different approaches to organizational theory, dealing with issues of structure, management, program planning and evaluation, communication, community relations, and political, legal, and economic impacts to decision-making; and,
3. Provide students who are environmental health practitioners, or who are studying to become environmental health practitioners, with a background in, and an appreciation for, law and the legal process in the United States as they apply to the practice of environmental health.

The purpose of this course is not to provide legal advice for specific situations. The actual legal remedy for a given problem will depend upon the nature of both the law and the facts in the case. These can only be determined with the assistance of an attorney.

Learning Objectives

At the end of this course, the student should be able to:

1. describe the historical, political and legal basis of the major environmental health programs (including the location of these programs and their relationship to society);
2. describe the basic principles that govern the operation of environmental health programs, including:
 - a. Delineate the general structure and lines of communication and authority with a given agency or organization,
 - b. Explain the proper range of discretion and responsibility which have been given to employees due to the specific requirements of their jobs, their location within the organization, the structure, and the leadership style of their immediate superior,
 - c. Define the legal context and the tools for ensuring compliance with environmental laws, rules, and policies;
3. determine the purpose and general requirements of effective program planning in environmental health, including being able to explain the importance of and general processes for:
 - a. Setting program goals and objectives,
 - b. Assessing available and potential sources of appropriate data and indicators,
 - c. Planning and conducting appropriate activities to accomplish program goals, and
 - d. Evaluating program accomplishments;
4. explain the importance (and requirements) of effective communications between agency employees and the people whose activities they are regulating, the employees of other agencies, the news media and the general public;
5. search out relevant materials using library resources;
6. discuss the legal basis, as well as the public health basis, of an environmental health regulatory program — regardless whether it involves air quality, food protection, drinking water, liquid waste treatment, solid waste disposal, or other environmental health program area;

7. explain, the source and proper use of police powers in environmental health;
8. describe three methods of, safeguarding individual rights, while at the same time, protecting the public's health; and,
9. describe the use of, common legal processes and remedies used to accomplish program goals.

Course Requirements

This course will be conducted as a seminar in which students are expected to have read the assignments for the day before coming to class. Most class sessions will be devoted to a discussion of the materials read, directed by a series of questions handed out in advance.

- 1. Law.** This course does not attempt to cover all of the federal, state and local laws that apply to Environmental Health, but rather we will examine portions of a number of statutes, ordinances and rules and regulation that illustrate how these set the policy and affect the practice of Environmental Health.
- 2. Cases.** Many of the readings will involve legal cases that illustrate important concepts that undergird the practice of Environmental Health in our communities. The class period will be devoted to a discussion of these cases and their implications for the current practice of Environmental Health. To help students prepare for these discussions, a series of questions will be posed to which students are to prepare a written response prior to coming to class. The written responses are to be handed in to the instructors before the class discussions starts. Therefore, it is suggested that each student print off a second copy of their responses to the questions to assist them in the class discussions.
- 3. Class Project.** Students will be assigned to a group to work on a class project that examines one aspect of Environmental Health Policy, currently being debated.

For written assignments, each paper should be typed with appropriate citations, footnotes and/or end notes, bibliography including all references used. The information you present and your bibliography should reflect your ability to search the library and obtain relevant information from many sources, including scientific/professional journals, trade journals, and government reports. Use of only one or two references (or only references from internet sites) is not considered adequate or acceptable. This is an exercise in report writing typical of the type of reports which a environmental health practitioner is expected to be able to routinely produce.

Format: You do not need to use a cover but must have a title page. Make sure all of your names, the class, the date and the title of your report are included on the title page and follow this with the text, bibliography, and appendices. Include page numbers after the first page. Staple the report in the upper left hand corner. You should not use type larger than 12 point (or smaller than 10), triple space, or wide margins.

Evaluation of Papers: Your paper will be evaluated on the following points:

- a. Data collection, organization, analysis and synthesis;
- b. Appropriateness of your recommendation; and,
- c. Organization, general composition, spelling, and use of footnotes and/or end notes.

4. Tests and Exams. There may be a single examination covering the major points presented and discussed during the course, In addition, there may one or more pop quizzes if it becomes evident that students are not coming to class prepared to engage with the discussion for the day.

Course Materials

1. Textbooks:

- a. Schuttfeld FD, Keck WC. Principles of Public Health Practice [3rd Edition], Delmar/Cengage Learning, Clifton Park, NY 2009. (University Bookstore)
- b. Carruth RS, Goldstein BD. *Environmental Health Law: An Introduction*, Jossey-Bass, New York 2014. (University Bookstore)
- c. Buck, Susan J., *Understanding Environmental Administration and Law*, (3rd Ed.) Island Press, Washington DC, 2006. (University Bookstore)
- d. Institute of Medicine, Committee for the Study of the Future of Public Health. *The Future of Public Health*, National Academies Press, Washington DC, 1988. (Handout)
- e. 2010 Public Health Improvement Plan, Washington State Department of Health, Olympia, 2011. (Handout)

2. **Required Readings:** This is a collection of cases and other readings compiled from a variety of sources, including journal articles and legal cases. All of these will be available electronically on the course website.

3. **Statutes & Regulations:** A copy of many of the required statutes is available on-line on the World Wide Web, either through specific postings accessible from the course web site <http://courses.washington.edu/envh471/Statutes/Contents.htm> or by links to other sites.

Federal Statutes: You may wish to purchase a compilation of the major federal environmental statutes such as Environmental Statutes published annually by the Government Institute, Inc. A copy of the current edition of Environmental Statutes is kept on reserve in the Departmental Library.

Misc. Statutes: A collection of illustrative federal, state and local statutes, and rules and regulations is kept on reserve in the Departmental library. Most federal and state statutes are readily available in local libraries.

4. **Recommended Readings:** Selected chapters from:

- ba Institute of Medicine, The Future of the Public's Health in the 21st Century, National Academies Press, 2002.
- b. William Hooke and Paul G. Rogers, Editors, Public Health Risks of Disasters: Communication, Infrastructure, and Preparedness -- Workshop Summary, National Academies Press, 2005.
- c. Lynn Goldman and Christine M. Coussens, Editors, Environmental Health Indicators: Bridging the Chasm of Public Health and the Environment -- Workshop Summary, National Academies Press, 2004.
- d. CDC, Protocol for Assessing Community Excellence in Environmental Health (PACE/EH), NACCHO, 2000.

These references are available in the Health Sciences Library, the DEOHS library and in Room E-179. Copies of the cases and other selected other readings will be available on the course website at <http://courses.washington.edu/envh471/Readings/Contents.htm>.

Course Policies

1. **Paper Format.** All papers must be typewritten. Your report will be graded on the substance of your report and on the effectiveness of its organization and presentation. Groups should see one of the instructors if they need help with making/obtaining their poster board or other materials, including graphics.
2. **Make up Examinations.** There will be no make-up examinations unless approved by the instructors in advance. If a test is missed because of an unexcused absence, it will not be rescheduled.

3. **Grade.** Your course grade will be based on the total number of points you accumulate during the quarter, less any points deducted based on your lack of class participation. $\text{Grade} = (\text{Points earned} - \text{points lost}) / \text{Total Possible Points}$.

4. **Disability Accommodations:** The University is committed to ensuring facility and program access to students with either permanent or temporary disabilities through a variety of services and equipment. The Disability Resources for Students Office (DRS) coordinates academic accommodations for enrolled students with documented disabilities. Accommodations are determined on a case-by-case basis and may include classroom relocation, sign language interpreters, recorded course materials, note taking, and priority registration. DRS also provides needs assessment, mediation, referrals, and advocacy as necessary and appropriate. Requests for accommodations or services must be arranged in advance and require documentation of the disability, verifying the need for such accommodation or service. If you would like to request academic accommodations due to a disability, please contact Disabled Student Services, 448 Schmitz, Box 355839, (206) 543-8924, (TTY) 543-8925, uwdss@u.washington.edu. If you have a letter from Disabled Student Services indicating you have a disability that requires academic accommodations, please present the letter to me so we can discuss the accommodations you might need for class.



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Spring Quarter 2014 Tentative Course Schedule

(NOTE: This schedule is still under construction and the list of lectures and assignments is subject to change.)

No.	Day	Date	Lesson Topic / Lecturer	Reading Assignment	Materials / Cases
1	Mon.	03/31/2014	Course Introduction C. Treser, DEOHS		Lecture Slides
2	Wed.	04/02/2014	Public Health and Environmental Public Health C. Treser, DEOHS	Scutchfield, Ch. 1 Reading #01	Lecture Slides
3	Fri.	04/04/2014	History and Development of Environmental Public Health C. Treser, DEOHS	Scutchfield, Ch. 2 Reading #02	Lecture Slides
4	Mon.	04/07/2014	History and Development (Continued) C. Treser, DEOHS	IOM Report, Summary & Recommendations	Lecture Slides
5	Wed.	04/09/2014	Legal Bases of Environmental Public Health C. Treser, DEOHS	Scutchfield, Ch. 5. Buck, Ch. 1 Reading #03	Lecture Notes Lecture Slides
6	Fri.	04/11/2014	Legal Bases of EPH (Continued) C. Treser, DEOHS	Scutchfield, Ch. 6. Buck, Ch. 3 Reading #04	Lecture Slides
7	Mon.	04/14/2014	American Court System S. Meschke, DEOHS	Carruth, Ch. 1 Buck, Ch. 4 Reading #32	Lecture Slides
8	Wed.	04/16/2014	Legal Authority C. Treser, DEOHS	Carruth, Ch. 2 Buck, Ch. 4 Reading #33	Lecture Slides Reading #05 Reading #06 Reading #07
9	Fri.	04/18/2014	Legal Authority (Continued) C. Treser, DEOHS	Buck, Ch. 5. Reading #34	Reading #08 Reading #09 Reading #10
10	Mon.	04/21/2014	Information Gathering C. Treser, DEOHS	Buck, Ch. 5 Reading #21	Lecture Slides
11	Wed.	04/23/2014	Information Gathering (Continued) C. Treser, DEOHS		Lecture Slides Reading #11 Reading #12 Reading #13
12	Fri.	04/25/2014	Inspections & Investigations C. Treser, DEOHS		Reading #14 Reading #15 Reading #16
13	Mon.	04/28/2014	Inspections & Investigations (Continued) C. Treser, DEOHS		Reading #17 Reading #18 Reading #19 Reading #20
14	Wed.	04/30/2014	Enforcement Tools: Permits & Licenses C. Treser, DEOHS	Reading #22 Reading #23	Lecture Slides Reading #24

No.	Day	Date	Lesson Topic / Lecturer	Reading Assignment	Materials / Cases
15	Fri.	05/02/2014	Enforcement Tools: Orders & Citations C. Treser, DEOHS		Lecture Slides Reading #25
16	Mon.	05/05/2014	Enforcement Tools: Embargoes, Seizures and Condemnations C. Treser, DEOHS		Lecture Slides Reading #26 Reading #27 Reading #28
17	Wed.	05/07/2014	Enforcement Actions: Administrative & Legal Remedies C. Treser, DEOHS		Lecture Slides Reading #29 Reading #30 Reading #31
18	Fri.	05/09/2014	Enforcement Actions: Legal Actions C. Treser, DEOHS	Reading #35 Reading #36	
19	Mon.	05/12/2014	WSEHA AEC NO CLASS		
20	Wed.	05/14/2014	Enforcement Actions: Criminal Actions C. Treser, DEOHS	Reading #35 Reading #36	
21	Fri.	05/16/2014	Enforcement Actions: Civil Actions C. Treser, DEOHS		Reading #37
22	Mon.	05/19/2014	Agency & Personal Liability C. Treser, DEOHS	Reading #38 Reading #39 Reading #40	
23	Wed.	05/21/2014	Agency & Personal Liability (<i>Continued</i>) C. Treser, DEOHS		Lecture Slides Reading #41 Reading #42 Reading #43
24	Fri.	05/23/2014	Information Management and Release: Privacy vs. Public's Right to Know C. Treser, DEOHS		
	Mon.	05/26/2014	HOLIDAY: Memorial Day		
25	Wed.	05/28/2014	Determinants of Health C. Treser, DEOHS		
26	Fri.	05/30/2014	Program Planning and Evaluation C. Treser, DEOHS		
27	Mon.	06/02/2014	Community Assessment and Empowerment C. Treser, DEOHS		
28	Wed.	06/04/2014	PACE-EH: A Tool for Community Collaboration C. Treser, DEOHS		
30	Fri.	06/06/2014	PH Leadership C. Treser, DEOHS		
30	Tue	06/10/2014	Final Examination Period Case Studies		IMPORTANT: This session is mandatory