Public Health vs. Emergency Management: Dissonant Views Regarding Public Health Preparedness

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Study Description

Purpose: to assess and evaluate how law shapes the public health system's preparedness activities

Objectives:
- To demonstrate the link between law and public health preparedness activities
- To understand how public health practitioners interpret and respond to federal and state laws affecting public health preparedness
- To identify the internal and external factors affecting practitioners' preparedness-relevant decisions
- To translate the findings into concrete policy recommendations for public health officials and legislators to implement

Study Justification

- PH is created and defined by law (Gostin, Koplan, Grad, 2003)
- Paucity of research on the PH system and best ways to organize and finance it (Lenaway et al., 2006)
- Rigorous examination of how law shapes PH system lacking

Theoretical Model

Federal & state legal initiatives → established the objective legal environment for preparedness planning and management

Methods - Study Design

- Qualitative study
- Multi-site case study approach
- Comparative case studies in 9 states - Pennsylvania, Nevada, Connecticut, Michigan, New Mexico, Florida, California, Oregon, and Colorado
- State selection criteria: geographical location, par capita public health expenditures, degree of centralization of preparedness responsibilities, and emergency preparedness indicators

Methods — Population Studied

- ~180 interviews
- Key state and local (county, city) officials
- Public Health and Emergency Management agencies
Methods – Analytical Approach

- Comparative case studies approach
- Qualitative thematic analysis
- Major themes identified on random sub-sample of interviews
- Codebook developed
- Multiple coders
- ATLAS.ti software for qualitative analysis

Principal Findings

PUBLIC HEALTH:
(1) perceived uncertainty regarding legal authority over many of the preparedness planning and management tasks
"too many cannots in the law, we are not as protected as we could be with stronger laws"

(2) cautious interpretation and expectation for guidance on interpretation and application of existing laws
"no official legal opinion, but many inconsistent attorneys’ opinions"

Principal Findings (cont.)

PUBLIC HEALTH:
(3) concern about potential individual and organizational liability because of perceived unclear legal mandates, and gaps in privacy and confidentiality-related legislation
"some may care, but we won’t risk livelihood to help…"

(4) different approach to routine vs. emergency situations
- Clear legal authority for routine situations
- Uncertainty about legal base for emergency situations

Principal Findings (cont.)

Emergency Management:
(1) perception of broad legal authority over preparedness tasks and circumstances
"we do what we have to do and ask for forgiveness later…"
"there is plenty of authority, we will provide care and worry about legal questions later"

(2) dynamic interpretation of existing laws when applied to the wide range of emergency planning situations or tasks
"it is not a legal issue, decisions should be based on the number of lives saved…"

Principal Findings (cont.)

Emergency Management:
(3) ethical concerns over infringement of individual freedoms and privacy, and over triage in mass casualty events

(4) “all-hazard” perspective to preparedness planning and management, which views disaster preparation as “just a scaling-up of routine operations”

Conclusions

- Tenuous, antagonistic relationship between the two agencies
  “PH is a toothless tiger when it comes to preparedness” (EMA respondent)
  “(EMA) walk around as cowboys and would pull the guns” (PH respondent)

- Lack of coordination across agencies and across tasks
  “no one talks together well”
  “there are meetings, but no communication”
Conclusions (cont.)

PH vs. EMA:
- Different approaches to law in preparedness activities
  - PH - ex-ante focus
  - EMA - ex-post focus
- Competing organizational cultures

PH secondary to EMA in preparedness activities

Distinct interpretation of legal environment \(\Rightarrow\) lack of coordination and collaboration between agencies

Study Implications - Practice

- Define the extent, scope, and context of legal authority for public health and EM agencies
- Effective and consistent guidance on interpreting current federal and state laws
- Improve collaboration and coordination, and BENEFIT from differences in organizational culture between PH and EMA
- Ensure that PH assumes an equal role in preparedness efforts
- Specify limits to liability in emergency response situations

Study Implications - Research

- Triangulate findings with survey (quantitative) data
- Generalizability of findings
- Meaningful surrogate outcome measures (major real emergency situations rare – fortunately!)
- Organizational characteristics "explaining" PH-EMA differences
- Link processes and structural characteristics to surrogate outcomes
- Develop and test evidence-based tools for improving collaboration/cooperation

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