

## PREFACE TO THE 2<sup>ND</sup> EDITION

*Note: The District of Columbia Public Health Emergency Law Manual was updated in May 2020 to include information related to the ongoing Coronavirus Disease 2019 (COVID-19) pandemic.*

We are pleased to present the 2<sup>nd</sup> Edition of the District of Columbia Public Health Emergency Law Manual (D.C. PHELM), with several new chapters, including *Emerging and Re-Emerging Infectious Diseases*, *Federal Control of Communicable Diseases*, *At-Risk Populations*, and a *Glossary* for quick reference, as well as revisions and updates to the existing material.

In preparation for the 57<sup>th</sup> Presidential Inaugural in January 2013, it occurred to me that should a public health emergency arise, and experienced legal counsel be unavailable to provide necessary legal guidance as response efforts were deployed, senior leadership would need to have quick and immediate access to critical legal preparedness information. The result was a 19-page Public Health Emergency Legal Guide, which contained a summary of the District and federal authorities, templates for administrative orders, and messaging required to effectively carry out the Department of Health's responsibilities under Emergency Support Function #8 (ESF#8). That document was the model used in developing the *District Preparedness System Legal Handbook*, published by the District's Homeland Security and Emergency Management Agency (HSEMA) in May 2014.

In 2014, we also embarked on a project to educate the District's legal community, and the judiciary in particular, regarding public health emergency preparedness. The goal was to provide legal authorities to support community mitigation strategies or non-pharmaceutical interventions that can prevent and control the spread of communicable diseases. According to the Centers for Disease Control and Prevention (CDC), non-pharmaceutical interventions are actions, other than vaccinations or medicines, that people and communities can take to reduce the spread of diseases such as Ebola, measles, or pandemic flu. We set out to create a bench book that could be utilized by judges during a public health emergency in guiding their decisions, when time is of the essence.

To demonstrate the importance of legal preparedness for public health emergencies, we facilitated "Public Health Law and Science: What Judges Need to Know," a training for District judges, court staff, and attorneys in 2015, in collaboration with the University of Pittsburgh Center for Public Health Practice (CPHP). Based on the positive responses received, we pivoted to capture the needs of the judiciary, public health officials, healthcare providers, and their counsel, all in one document. The Advisory Committee and others who are listed in the Introduction to the 1<sup>st</sup> Edition, worked diligently to ensure that we included all necessary information, culminating in the D.C. PHELM, released in June 2017. DC Health then offered a series of training programs in collaboration with CPHP, CDC's Public Health Law Program, and the D.C. Bar in 2017 and 2018.

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