An Introduction to the Public Health Law Center
Public Health Policy Change Webinar Series

• Providing substantive public health policy knowledge, competencies & research in an interactive format
• Covering public health policy topics surrounding Tobacco, Obesity, School and Worksite Wellness, and more
• The first and third Tuesdays of every month from 12:00 p.m. to 1:30 p.m. Central Time
• Visit http://publichealthlawcenter.org/ for more information

The legal information and assistance provided in this webinar does not constitute legal advice or legal representation.
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All participants are muted. Type a question into the Q & A panel for our panelists to answer. Send your questions in at any time.

This webinar is being recorded. If you arrive late, miss details or would like to share it, we will send you a link to this recording after the session has ended.
Introductions

Natasha Frost
Staff Attorney, Public Health Law Center
Introductions

Warren Ortland
Staff Attorney,
Public Health Law Center
Introductions

Mary Marrow
Staff Attorney,
Public Health Law Center
Introductions

Scott Kelly
Staff Attorney, Public Health Law Center
The Public Health Law Center
The Public Health Law Center

We do:

• Legal research
• Policy development
• Publications
• Trainings

We don’t:

• Direct representation
• Lobby
Legal research

Child care and food safety

- CACFP
- Food safety
- Child care licensing
- Food code
- Child care regulation
- Food safety
Policy Development

Eagan passes first Healthy Eating Active Living Resolution

Written by Andrea Farina
Thursday, March 22 2012 12:44

The City of Eagan passes Minnesota’s first Healthy Eating Active Living Resolution!

FOR IMMEDIATE RELEASE
MARCH 21, 2012

Contact: Jennifer Anderson, Twin Cities Medical Society, 612-362-3752

City of Eagan passes Minnesota’s first Healthy Eating Active Living Resolution

Eagan, Minn. - March 21, 2012 With a unanimous vote of its council, the City of Eagan passed the first ever Healthy Eating Active Living resolution in the State of Minnesota at its March 20, 2012 meeting. The resolution is intended to support and promote healthy eating and active living strategies for the residents of Eagan.
Healthy Eating

Obesity is one of the most serious health threats facing our nation. According to the U.S. Centers for Disease Control and Prevention, more than two-thirds of American adults and one-third of American youth are now obese or overweight. Obesity-related conditions make up several of the leading causes of death in the U.S. High rates of obesity are largely responsible for the United States’ declining health outcomes and rapidly rising healthcare costs. Lack of availability and affordability of healthy food contribute to the obesity epidemic. Laws and policies that promote healthy food and limit access to unhealthy food are critical tools in addressing the obesity epidemic.

As one example, at the federal level, in 2012, the U.S. Department of Agriculture updated the minimum nutritional standards for the national school breakfast and lunch programs to bring them in line with current nutritional science about what makes up a healthy diet for kids across different age groups. Additionally, the federal Affordable Care Act passed in 2010 includes provisions that require large chains of retail food establishments and vending machine operators to disclose calorie content of items on menus and in machines and provide other important nutritional information, so that consumers can know what’s in the food they’re getting before they pay for it. This federal law also established...
Publications

Gardens

Community, school and employer-sponsored gardens play an important role in improving health and reducing obesity. Gardens increase access to fresh vegetables, provide opportunities for physical activity, teach both adults and children about the origins of their food, and promote healthier eating behaviors. As gardening opportunities increase, advocates must often address legal and policy issues that affect the development and maintenance of gardens. These issues include access to water, composting efforts, land use planning and zoning considerations, liability issues, and the organizational structure of the gardens.

Check out our new resource!

Community Garden Policy Reference Guide: This resource provides local governments, community garden groups, individual gardeners, and other interested stakeholders a practical tool to navigate the various legal and policy issues associated with community gardening.

Resources
Resources

Access to Healthy Food: Challenges and Opportunities
This document provides public health advocates, policymakers, and community organizers with an overview of key policy and legal strategies being pursued to reduce or prevent obesity by increasing access to healthy food.

Building Effective and Sustainable Local Gardens to Promote Public Health, Part 2
Date: Tue, 03/20/2012
Time: 12:00AM
This webinar provides case studies of the three most common types of local gardening efforts – community gardens, school gardens, and employer-sponsored gardens. These case studies will discuss key components needed to establish and successfully maintain these gardening efforts.

Finding Space to Play (2012)
Increasing physical activity is important to promote individual and public health. Whether or not someone is physically active is closely tied to one’s access to a safe, affordable, and convenient place to be physically active. School recreational facilities can provide valuable space for community recreational activity. However, schools and communities must navigate a number of policy and legal considerations when schools open their property.
Trainings: Webinars

PUBLIC HEALTH POLICY CHANGE

Addressing Health Disparities:
Smoke-Free Policies for Public Housing

PUBLIC HEALTH POLICY CHANGE

Rising to the Challenge—Why and How Health Care Facilities Are Implementing Nutrition Strategies on their Campuses to Prevent and Reduce Obesity
Trainings – In person

Parks and Recreation Policy and Legal Tools for a Healthier Future

Thursday, March 1, 2012 • 8 a.m. to 4:30 p.m.
Maple Grove Community Center • 12951 Weaver Lake Road • Maple Grove, MN
Active Living

Our sedentary lifestyles, combined with unhealthy diets, are responsible for 300,000 early deaths each year in the U.S. Only tobacco is responsible for more preventable deaths. Regular physical activity can reduce the risk of obesity and many chronic diseases, including coronary heart disease and type 2 diabetes. Even modest increases in activities such as walking and bicycling can have significant health benefits and help people lead longer, healthier lives. Still, studies show that less than half of U.S. children and adolescents meet the U.S. Surgeon General’s recommended requirements of at least 60 minutes of moderate-to-vigorous daily physical activity. Adults fare even worse. Less than 10 percent of U.S. adults get the recommended goal of 30 minutes of physical activity per day. The obesity rate in the U.S. has tripled for adolescents and quadrupled for children over the last four decades – and a prime culprit is physical inactivity.

Several public health policies have proven effective in promoting physical activity and reducing weight gain and obesity. Among these policies are improved physical activity standards in schools; increased walking and biking to work or school; and modified built environments, with streets and sidewalks accessible, attractive and safe for active travel, along with multiple bike lanes and multi-use trails. Many of these policies entail land use planning, recreational use statutes, and joint use agreements between entities to share the use of public properties or facilities.
MDH Grant Programs

- Community Transformation Grants (CTG)
- Statewide Health Improvement Program (SHIP)
- Tobacco Free Communities (TFC)
Tobacco Free Living

- Smoke-Free Rental housing
- Retail Outlets (Point of Sale)
- Smoke-Free Foster Care / Child Care
- Tobacco-Free Post Secondary Campuses
- Tobacco-Free Outdoor Spaces
- Tobacco - Other
Smoke-Free Multi-Unit Housing

APARTMENT LEASE

SUBSIDIZED HOUSING AND SMOKE-FREE POLICIES

OVERVIEW OF SUBSIDIZED HOUSING
Retail Outlets (Point of Sale)

The Tobacco Modernization and Compliance Act of 2010

On May 11, 2010, Minnesota Governor Tim Pawlenty signed into law the Tobacco Modernization and Compliance Act of 2010, which will expand the reach of Minnesota laws related to the sale and use of tobacco products and related devices. The law takes effect on August 1, 2010. A summary of the law’s provisions is below.
Smoke-Free Foster Care / Day Care

Smoke-free Foster Care:
Policy Options and the Duty to Protect

A Policy Options Brief
March 2011
Tobacco-Free Post Secondary Campuses

FINES OR FEES: ENFORCEMENT OF SMOKE- OR TOBACCO-FREE POLICIES

MINNESOTA STATE COLLEGES AND UNIVERSITIES SYSTEM

THIS IS A SMOKE-FREE CAMPUS
THANK YOU FOR NOT SMOKING
Duluth implements smoking ban on Lakewalk

DULUTH, Minn. — Smokers have been banned from lighting up outside on the Lakewalk in Duluth. The City Council passed a resolution Monday night which prohibits smoking on the 7-mile pathway bordering the downtown area along Lake Superior.

Councilor Jim Stauber says there have been problems with students smoking and littering the Lakewalk behind Duluth East High School. He says there have also been issues with patrons of the Last Place on Earth shop smoking synthetic marijuana or chemical crystals at a nearby park.
Tobacco - Other

- Tobacco – Other
Healthy Eating Initiatives
Healthy Eating Initiatives

Strategies

• Farm to School
• Minnesota Food Charter
• School Food Access Plans
  Reducing Unhealthy Beverages
  Nutrition Standards and Policies
  Procurement Policies
• Community Food Access
• Clinical Food Access Plans
  Reduce Unhealthy Beverages
  Nutrition Standards and Policies
  Procurement Policies
• Breastfeeding Initiatives
INTRODUCTION

As society becomes more aware and concerned about the health of children, communities are turning to schools for solutions. Schools are one of the most powerful influences in the lives of students, and can significantly help to create and promote healthy habits and behaviors in children. Schools with a healthy nutrition environment foster improved student health. Farm to school programs can promote a healthy nutrition environment, which fosters improved student health. Freshly harvested garden produce can contribute to a student’s nutrition, especially if it is integrated into school meals and snacks. The Minnesota School Boards Association (“MSBA”) has a model school wellness policy that many school districts use as a guide when developing their individual school wellness policy. The MSBA model policy does not address school gardens. Therefore, the Public Health Law Center developed the following, more detailed language to insert into a school wellness policy.

FARM TO SCHOOL

1. The school district will support the development of farm to school programs to help students eat more nutritious foods and promote healthier lifelong eating patterns; support the local economy and local farmers; and teach students about the origins of their foods and how their food is grown.

SAMPLE SCHOOL WELLNESS POLICY:

FARM TO SCHOOL

June 2011
Breastfeeding Initiatives

**WORKSITE WELLNESS AND NURSING MOTHERS**

March 2013

**WORKSITE WELLNESS AND THE AFFORDABLE CARE ACT**

June 2013

**LEGAL PROTECTIONS FOR NURSING MOTHERS IN MINNESOTA**

NURSING MOTHERS HAVE LEGAL PROTECTIONS IN THE WORKPLACE AND IN PUBLIC

May 2013

*In Minnesota, over 80% of women
  breastfeeding their newborns indoors
  after six months.*
School Food Procurement Policies

PUBLIC HEALTH POLICY CHANGE
ADDRESSING CHILDHOOD OBESITY THROUGH SCHOOL FOOD PROCUREMENT
APRIL 17, 2012
Community Access to Healthy Food

Community Garden Policy Reference Guide
Clinical Food Access

Hospitals/Health Clinics

Hospitals and health clinics are leading the effort in many communities to promote public health through healthy food procurement and worksite wellness initiatives. These institutions provide critical information to the public about a range of primary and public health issues. Ironically, at the same time, many hospital environments do not support health, with fast food chains and vending machines offering unhealthy beverages and snacks prominent within their walls. Several hospitals and health clinics around the country are changing this by eliminating the sale of sugar-sweetened beverages, creating nutritional standards for food served or sold on their premises, and developing worksite wellness policies and programs to promote the health of employees.

Turning the Tide Against Obesity Through Nutrition Policy Change

October 27, 2011

Improving health through the power of law
Active Living
Active Transportation
Active Transportation

MINNESOTA’S STATEWIDE COMPLETE STREETS POLICY
THE COMPLETE STREETS LAW DIRECTS MnDOT TO WORK WITH STAKEHOLDERS TO UPDATE MnDOT POLICIES AND PRACTICES TO ALIGN WITH COMPLETE STREETS THINKING.

July 2010

In 2010, Minnesota enacted a statewide Complete Streets policy, joining 13 other states that have Complete Streets laws in place.

What is Complete Streets?

A “Complete Streets” is a term used to describe transportation planning and design policies and processes that emphasize safety and accessibility for all users. A Complete Streets policy ensures that the needs and safety of pedestrians, bicyclists, motorists and transit riders of all ages and abilities are taken into account in the design and operation of roads.

“Minnesota road building has focused on moving as many cars as possible, as quickly as possible.”

The Complete Streets law directs MnDOT to work with stakeholders to update MnDOT policies and practices to align with Complete Streets thinking. The law mandates that MnDOT report back to the Legislature on these changes in a series of three reports in 2011, 2012, and 2014. The law also requires MnDOT to provide more

BICYCLIST AND PEDESTRIAN RIGHTS AND RESPONSIBILITIES IN MINNESOTA
July 2010

Quick Bicyclist Facts

- Bicyclists have the same general rights and duties as motorists and must obey all traffic control signals and signs.
- Bicyclists must ride in the same direction as traffic and are encouraged to ride as close as possible to the right-hand edge of the roadway.
- Generally, bicyclists are prohibited from riding on sidewalks in business districts and other marked areas.
- Bicyclists must yield to pedestrians and give an audible signal when approaching or passing a pedestrian.
- Bicyclists must use arm signals 100 feet before making a lane change or turn. A left turn is represented by the left hand and arm extended horizontally. A right turn is represented by the left hand and arm extended upward or the right hand and arm extended horizontally. Bicyclists are required to use proper safety equipment, including reflective gear and lights.

Quick Pedestrian Facts

- Pedestrians must follow traffic control signals at all intersections. Pedestrians have the right-of-way at all marked crosswalks and at intersections with unmarked crosswalks.
- Pedestrians who cross a roadway at any other location must yield to traffic in the roadway.
- Pedestrians who cross between adjacent intersections with working signals must use the crosswalk. Pedestrians must use sidewalks where available, rather than a roadway.
- Pedestrians should be on the left hand side of the road when there are no accessible or usable sidewalks.

The Public Health Law Center provides information and technical assistance on issues related to tobacco and public health. The Public Health Law Center does not provide legal representation or advice. This document should not be considered legal advice. For specific legal questions, consult an attorney.
Safe Routes to School
Safe Routes to School

SAFE ROUTES TO SCHOOL AND LIABILITY ISSUES

SEPTEMBER 26, 2012
PUBLIC HEALTH LAW CENTER

SCOTT M. KELLY
MARY MARROW

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Active School Day
Active School Day

PUBLIC HEALTH POLICY CHANGE

USING SCHOOL WELLNESS POLICIES TO PROMOTE POLICY CHANGE

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Active School Day

In Pursuit of an Active Education

Policy Challenges and Opportunities for Improving Physical Education and Physical Activity in K-12 Schools

The Minnesota Healthy Kids/Physical Education Law aims to ensure more children have access to high quality physical education by adopting statewide standards, establishing a Healthy Kids Awards program, and requiring school districts to post school wellness policies online. Minnesota joins 47 states that have adopted national physical education standards that qualify districts for federal physical education grants.

What does the legislation do?

The law:

- Requires high school students to have a physical education credit to graduate beginning in the 2012-2013 school year.
- Requires adoption of National Association for Sport and Physical Education Standards (NASPE) by the 2012-13 school year.

[The law] requires adoption of National Association for Sport and Physical Education Standards

- Qualifies Minnesota schools to accept $26.5 million in federal Physical Education Program (PEP) grants.
- Establishes a Healthy Kids Awards program to reward schools that adopt policies promoting better nutrition and physical activity for their students. Schools meeting program criteria will have a designation or recognition on the School Report Card.
- Requires school districts to post school wellness policies online, where available, to parents and the community members can access them and take an active role in implementing them.
- Encourages the Minnesota Department of Education to develop best practices to promote recess that engage all students, increase their activity levels, build social skills, and decrease behavioral issues.
- Encourages the Minnesota Department of Education to update the Minnesota Common Course Catalogue with all physical education classes, direct physical education standards and local physical education graduation requirements.
Tobacco Control Legal Consortium

The Tobacco Control Legal Consortium is America’s award-winning legal network for tobacco control policy. Drawing on experts in its eight affiliated legal centers, the Consortium works to assist communities with tobacco law-related issues, ranging from smoke-free policies to tobacco control funding laws to regulation of flavored cigarettes.

The Consortium’s team of legal and policy specialists provides legislative drafting and policy assistance to community leaders and public health organizations. We are experts in designing, enacting and implementing laws that are evidence-based, workable, effective and legally sound.

We come to the aid of state and municipal attorneys with legal research and analysis when tobacco control laws are challenged, and write influential friend-of-the-court (amicus curiae) legal briefs in key tobacco cases before the highest courts of the nation.

Cited by researchers in 2008 as a national model for delivering cost-effective tobacco prevention and control services.
THE NETWORK FOR PUBLIC HEALTH LAW IS THE SOURCE TO

- Ask legal questions
- Get and share information
- Find resources
- Make connections
MDH On-Line TA Request Form

- https://survey.vovici.com/se.ashx?s=56206EE3054AB8D2

OSHII Technical Assistance Request Form

Requestor Information

Name
Name of CHB, County, or Organization
Phone
Email
Is this for SHIP, CTG or TFC, or non-grantee?
Date

Technical Assistance Focus Areas - Select all that apply to the request
For technical assistance contact:
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