Legal Emergency Preparedness Resources

Content Overview:

- This document provides active hyperlinks to key resources in Emergency Legal Preparedness developed by attorneys/staff via the Network for Public Health Law.

- Resources are categorized into 12 diverse topic areas listed on the first page of this document (and subsequent pages for each specific topic). Some resources may be listed more than once.

- Contents are organized chronologically by their date of production and include: tables, issue briefs, articles, memos, model laws/memos, blogs, primers, presentations, and fact sheets.

- Regular updates reflect recent developments, documents, or materials relating to Emergency Legal Preparedness.
Latest Resources

Report: Airport Public Health Preparedness and Response: Legal Rights, Powers, and Duties
Presentation: Emergency Declarations to Address the Opioid Crisis: Assessing Impact and Identifying Gaps (2017)
Primer: Emergency Legal Preparedness – Hurricanes Harvey, Irma and Maria (2017)

Return to directory
Federal Public Health Emergencies

Article: The evolution of law in biopreparedness (2012)
Article: Voluntarism in the wake of Hurricane Katrina: The Uniform Emergency Volunteer Health Practitioners Act (2007)
Article: The opioid epidemic and the future of public health emergencies (2017)
Article: Redefining public health emergencies: The opioid epidemic (2017)
Article: Emerging legal responses to curb the opioid epidemic (2017).
Article: Reframing the opioid epidemic as a national emergency (2017)
Article: The call for a national emergency in response to the opiate epidemic. (2017)
Memo: Pandemic and All-Hazards Preparedness Reauthorization Act of (PAHPRA) of 2013 (2013)
Memo: Federal Emergency Responses Under the Stafford Act (and Other Emergency Laws) in the Event of a Nuclear Incident (2011)
Presentation: Global Legal Triage in Response to H1N1 Flu (2009)
Presentation: The Pandemic and All-Hazards Preparedness Act: Addressing Public Health Emergency Responses
Primer: Emergency Legal Preparedness Concerning Zika Virus (2017)
Primer: Emergency Legal Preparedness Concerning Ebola Virus Disease (2014)
Table: Legal Liability Protections For Emergency Medical/Public Health Responses (2017)

Return to directory
Social Distancing Powers

Memo: State Laws on Confidentiality Measures to Protect Documents During Isolation and Quarantine Proceedings (2013)
Memo: Ebola Virus and Animal Quarantine (2016)
Presentation: Assessing Legal Preparedness for School Closure in Response to Pandemic Flu (2007)

Return to directory
Liability of Health Care Workers and Entities

Article: Assessing liability for health care entities that insufficiently prepare for catastrophic emergencies. (2011)
Article: Emergency legal preparedness for hospitals and health care personnel (2009)
Article: Volunteer health professionals and emergencies: Assessing and transforming the legal environment (2005)
Fact Sheet: Reviewing Emergency Volunteer Liability and Protections (2013)
Issue Brief: Legal Issues Relevant to Private Entities Serving as Closed Points of Dispensing (Closed PODs) in Emergencies
Issue Brief: Potential County Health Department Liability for SNS Drug Products After a Declared Emergency (2011)
Memo: State Laws Providing Liability Protections for Health Care Workers During Declared Emergencies(2011)
Memo: Nonprofit Organization Liability Related to Volunteer Actors During Preparedness Training Exercises (2011)
Memo: First Responder Liability Protection (2012)
Presentation: Liability Risks and Protections for Volunteer Health Practitioners in Emergencies (2010)
Table: Legal Liability Protections For Emergency Medical/Public Health Responses (2017)
Hospital Emergency Legal Preparedness

Article: Assessing liability for health care entities that insufficiently prepare for catastrophic emergencies. (2011)
Article: Emergency legal preparedness for hospitals and health care personnel (2009)
Issue Brief: Potential Liability for Failure to Provide Specific Medical Referrals via Publicly Operated Point of Distribution in Arizona
Memo: Lab Services in Emergencies (2012)
Model Memorandum: Model Memorandum of Understanding Between Hospitals during Declared Emergencies (2009)
Presentation: Modeling Mutual Assistance Among Hospitals: Innovations and Application in Response to H1N1 and Future Outbreaks (2009)
Presentation: Legal Triage During Public Health Emergencies (2009)
Table: Legal Liability Protections For Emergency Medical/Public Health Responses (2017)
Table: Emergency Power Requirements for End State Renal Disease (ESRD) Facilities (2012)

Return to directory
State and Local Preparedness

Fact Sheet: [Declared States of Emergency – Opioid Crisis (2017)]
Issue Brief: [Emergency Response and Tort Liability (2015)]
Issue Brief: [Summary of Authority and Actions Regarding Public Health Emergencies (2015)]
Issue Brief: [Emergency Planning and Persons with Disabilities (2011)]
Issue Brief: [Summary of Authority and Actions regarding Public Health Emergencies (2015)]
Issue Brief: [Legal Preparedness for School Closures in Response to Pandemic Influenza or Other Emergencies (2008)]
Memo: [Closed Points of Distribution Issues (2012)]
Memo: [Emergency Legal Response to Meningitis Outbreak at Princeton University (2013)]
Presentation: [Volunteerism in Response to Local Declared Emergencies: Critical Issues of Law and Policy]
Primer: [Opioid-Related Public Health Emergency Declarations (2018)]
Primer: [Emergency Legal Preparedness – Hurricanes Harvey, Irma and Maria (2017)]
Table: [Emergency Declaration Authorities (2015)]

[Return to directory]
Emergency Declarations and Powers

Article: From Anthrax to Zika: Key lessons in public health legal preparedness (2018)
Article: Redefining public health emergencies: The opioid epidemic (2017)
Article: Reframing the opioid epidemic as a national emergency (2017)
Article: The call for a national emergency in response to the opiate epidemic (2017)
Article: Generation Zika (2016)
Article: Building evidence for legal decision-making in real time: Legal triage in public health emergencies. (2011)
Memo: Pandemic and All-Hazards Preparedness Reauthorization Act of (PAHPRA) of 2013 (2013)
Memo: Federal Emergency Responses Under the Stafford Act (and Other Emergency Laws) in the Event of a Nuclear Incident (2011)
Table: Emergency Declaration Authorities (2015)

Return to directory
Mental and Behavioral Health Preparedness

Article: Ethical issues raised in addressing the needs of persons with serious mental disorders in complex emergencies (2012).

Article: Redefining the legal basis for mental health emergencies (2012).

Article: Prescribing authority during emergencies: Challenges for mental health care providers (2011).


Article: Mental and behavioral health legal preparedness in major emergencies (2010).

Article: Legal Preparedness: Care of the Critically Ill and Injured During Pandemics and Disasters: CHEST Consensus Statement (2014)


Issue Brief: Legal and Ethical Assessment Concerning Mental and Behavioral Health Preparedness (2012.)

Return to directory
Model Emergency Laws

Article: Facilitating hospital emergency preparedness through model memoranda of understanding (2011).

Return to directory
Emerging Threats Preparedness and Response

Article: Generation Zika (2016)
Article: Zika and global health security (2016)
Article: Global legal triage in response to the 2009 H1N1 outbreak. (2010)
Memo: Ebola Virus and Animal Quarantine (2016)
Memo: Legal Authority of Government to Abate Public Health Nuisances (2016)
Memo: Zika Virus and Emergency Preparedness (2016)
Presentation: Combating the Zika Virus: Mosquito-Control and the Law (2016)
Presentation: Global Legal Triage in Response to H1N1 Flu (2009)
Presentation: Modeling Mutual Assistance Among Hospitals: Innovations and Application in Response to H1N1 and Future Outbreaks (2009)
Primer: Emergency Legal Preparedness Concerning Zika Virus (2017)
Primer: Emergency Legal Preparedness Concerning Ebola Virus Disease (2014)
Primer: Emergency Legal Preparedness – Hurricanes Harvey, Irma and Maria (2017)
Presentation: Emergency Declarations to Address the Opioid Crisis: Assessing Impact and Identifying Gaps (2017)
Table: Flint Water Crisis – Summary of Civil Litigation (2016)

Return to directory
Crisis Standards of Care

Article: Practical, ethical, and legal challenges underlying crisis standards of care. (2013)
Article: When law is not law: Setting aside legal provisions during declared emergencies (2013)
Article: Assessing the legal standard of care in public health emergencies (2010)
Memo: State Web Links re: Crisis Standards of Care (2013)
Memo: Medical Licensure and Other Emergency Legal Preparedness Issues for the American Red Cross (2012)

Return to directory
Public Health Emergency Ethics

Article: *Practical, ethical, and legal challenges underlying crisis standards of care (2013)*

Article: *When law is not law: Setting aside legal provisions during declared emergencies (2013)*

Article: *Ethical issues raised in addressing the needs of persons with serious mental disorders in complex emergencies (2012)*

Article: *Assessing legal competencies for public health emergency preparedness (2008)*

Article: *Public health emergencies and legal reform: Implications for public health policy and practice (2003)*

Article: *Generation Zika (2016)*

Fact Sheet: *Legal and Ethical Assessment Concerning Mental and Behavioral Health Preparedness (2012)*

Issue Brief: *Legal and Ethical Assessment Concerning Mental and Behavioral Health Preparedness (2012)*


Memo: *Unaccompanied Children in Emergency Situation (2015)*

Return to directory
For More Information

- Visit the Network for Public Health Law’s [website](#) for additional resources and guidance.
- Share questions, comments, or requests for technical assistance or more information with [Network Attorneys](#).