



PUBLIC HEALTH LAW CAREERS Fact Sheet

Career Paths in Public Health Law

Whether at the beginning of a career or at a transition point, it can be helpful to systematically consider all of the options and potential paths available. This is certainly true for a career in public health law. In general, public health law involves laws and policies intended to prevent health problems and promote health across the population, while health or health care law involves legal concerns related to the medical treatment of individuals. Thus, public health law can be described as the legal component of “what we do as a society to create the conditions in which people can be healthy.”¹ This fact sheet provides an overview of some of the most common career opportunities in public health law. As will be discussed further below, one simple step that anyone can take in order to advance his or her career in public health law is to join the [Network for Public Health Law](#). The Network provides legal technical assistance, offers practical resources and builds connections among people committed to using law to improve health.

Academic Preparation

Graduate-level education at either a law school or a school of public health provides excellent preparation for a career in public health law. In order to practice law in the United States, it is necessary to graduate from law school and obtain a license to practice law in the appropriate state.² However, many people enroll in law school with the intention of working on policy development, rather than practicing law. Some schools of public health offer concentrations in policy, which provide preparation for jobs in public health policy that do not require a law degree. Increasingly, people who know that they want to work in public health law are enrolling in joint degree programs, typically four-year programs at the conclusion of which graduates receive both J.D. and M.P.H. degrees. In an informal survey of people holding both a J.D. and an M.P.H. degree, many respondents reported seeking both degrees based on personal interest as well as for enhanced career opportunities.³ Few jobs explicitly require both degrees, though having academic preparation in both fields may be attractive to prospective employers. Attorneys may also seek out certificates in public health or enroll in executive M.P.H. programs or L.L.M. programs.

Law students and those considering law school may want to seek helpful course offerings such as public health law, constitutional law, administrative law, state and local government law, trial and appellate advocacy, negotiation, mediation, environmental law, food and drug law, health law, insurance law, elder law, remedies, legislative process, statutory interpretation and Native American law and international law. Law schools may offer public health law centers or clinics, facilitate placement in clerkships and internships in public health law, or provide opportunities to engage with public health law through work on a law review. Some law schools offer certificates or concentrations in health law, though persons interested in public health should review such programs carefully to be certain they provide relevant training and experience.



Public health students and those interested in public health law may want to familiarize themselves with the major disciplines of public health, such as biostatistics, community health promotion, environmental health, epidemiology, maternal and child health, nutrition and social and behavioral sciences in addition to taking courses in health policy, ethics, management and administration. Students may find law-related courses at their schools of public health, or be able to enroll in relevant classes at an affiliated law school.

Clerkships

Clerkships, research assistantships, internships and externships are valuable to law students in a number of ways. They allow students to explore their interests and to gain practical experience. In addition, they provide a means for students to demonstrate their commitment to public health law, and to create samples of their legal writing. They may take place during the school year or during the summer. Any of the settings discussed below may offer opportunities for clerkships.

Fellowships

Fellowships provide an excellent way to begin a career in public health law after completing law school. In general, fellowships take place in the context of a program that affords an opportunity to complete a major project and emphasizes training, professional development, mentoring and relationships among a group of peers. Developing a strong fellowship proposal may require applicants to begin preparations well in advance of the deadline. Many successful applicants for project-based fellowships spend a year working with the host site to develop a mutually agreeable project.

Fellowship programs of particular relevance to public health law include:⁴

[Visiting Attorney, Public Health Law Practice](#) is a new program administered by the Network for Public Health Law. The first class of visiting attorneys began work in September, 2012.

[Oak Ridge Institute for Science and Education \(ORISE\) Fellowship](#) provides graduate research fellowships, including work in public health policy at the Centers for Disease Control and Prevention.

[White House Fellows](#) is a program that places fellows with senior White House staff, cabinet secretaries and other top-ranking government officials.

[Presidential Management Fellows](#) are people from a variety of academic disciplines and career paths with a clear interest in public policies and programs.⁵

[Health and Human Services Emerging Leaders Program](#) offers opportunities for rotating placement at agencies within the Department of Health and Human Services.

[Skadden Fellowships](#) and [Equal Justice Works Fellowships](#) support attorneys who provide legal services to the poor or work in other public interest organizations.

[ASPH \(Association of Schools of Public Health\)/CDC Public Health Fellowship Program](#) places individuals with a master's degree or doctorate in public health in one or two year fellowships at the Centers for Disease Control and Prevention. Fellows focus on leadership in public health and prevention, policy and practice.

[ASPH \(Association of Schools of Public Health\) Public Health Policy Fellowship Program](#) gives master's or doctoral level students and professionals hands-on policy experience in congressional and executive offices in Washington D.C.



Federal Level Opportunities in Public Health Law

The federal government offers a wide range of career opportunities in public health law. Most are found in the executive branch of government. Positions may be located in Washington, D.C. or at regional headquarters for the federal agencies. However, there are some opportunities for attorneys and policy specialists in the Senate and the House of Representatives, particularly for health-related committees.

Department of Health and Human Services

Many divisions within Health and Human Services (HHS) provide opportunities for public health lawyers. These include:

Centers for Disease Control and Prevention (CDC)

The CDC operates a Public Health Law Program (PHLP) within the Office for State, Tribal, Local and Territorial Support (OSTLTS). Attorneys within the PHLP develop law-related tools and provide legal technical assistance to public health leaders and policy makers.⁶ CDC also has positions in various divisions that are frequently filled by attorneys or policy specialists.

Center for Medicare and Medicaid Services (CMS)

CMS administers Medicare, Medicaid and the Children's Health Insurance Program in partnership with the states.

Food and Drug Administration (FDA)

The FDA is charged with protecting the safety of much of the nation's food supply, as well as the safety of cosmetics and human and veterinary drugs. FDA also regulates medical devices and tobacco products.

Health Resources and Services Administration (HRSA)

The mission of HRSA is improving access to health care services among uninsured, isolated and medically vulnerable people.

Indian Health Service (IHS)

IHS provides individual health care and public health services to American Indians and Alaska Natives.

Office for Civil Rights (OCR)

OCR protects fundamental rights of nondiscrimination and privacy by enforcing federal civil rights laws and the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule.

Office of General Counsel (OGC)

OGC provides legal advice and representation on a wide range of matters pertaining to public health.

Other Federal Agencies

Other federal agencies, such as the Departments of Agriculture, Homeland Security, Justice and Transportation as well as the Environmental Protection Agency, may also provide opportunities to practice law and work on issues important to public health.

Tribal Level Opportunities in Public Health Law

Opportunities available to practice public health law vary from tribe to tribe. Larger tribes may have attorneys within the office of general counsel or the office of attorney general who practice primarily public health law. Other tribes may employ or contract with attorneys who are legal generalists or specialists in Native American law. Attorneys at nonprofit and legal services organizations serving American Indians may also discover opportunities to practice public health law.⁷



State Level Opportunities in Public Health Law

State government offers many career opportunities in public health law. States follow one of three primary approaches in providing legal advice and representation to state health officials. A number of states locate their public health lawyers within the state attorney general's office. Other states locate public health lawyers within the state department of health. Finally, a number of states have lawyers in both the state attorney general's office and the department of health, relying upon the attorney general's office for representation in litigation, and relying upon health department attorneys for legal advice on contract drafting and interpretation, statutory interpretation and implementation and day-to-day advice. The types of positions available might include: assistant attorney general, general counsel, litigator, staff attorney, compliance officer, privacy officer and emergency preparedness advisor. Positions that do not require their incumbents to provide legal advice and representation may be open to policy specialists. States may occasionally retain private counsel for major pieces of litigation.

Other state agencies may also have legal and policy positions relevant to public health. For example, state departments of human services or social services may administer the Medicaid program, and state departments of commerce or insurance may be charged with leading implementation of state health insurance exchanges under the Affordable Care Act, while state departments of agriculture may enforce food safety laws. In the legislative branch of government, public health lawyers and policy specialists are sometimes employed as staff for committees concerned with health.

Local Level Opportunities in Public Health Law

The National Association of County and City Health Officials (NACCHO) has identified over 2,500 local health departments in the United States.⁸ Most local health departments receive legal assistance from one of three sources:

1. An attorney at the state level (either in the attorney general's office or the health department)
2. The city or county attorney's office
3. A law firm on retainer to the local government⁹

Some of these attorneys work exclusively on matters related to local public health; however, many of them also devote substantial time to other areas of law.

In some states, the state association of counties, cities and townships may have attorneys on staff or contract to provide legal assistance to their members, including in areas related to public health. These positions may also involve government relations with the state legislature.

International Level Opportunities in Public Health Law

The [World Health Organization](#) is a part of the United Nations with responsibility for providing leadership on public health at a global level. Among other things, it provides technical assistance to member countries and articulates evidence-based policy options. A recently-proposed Framework Convention on Global Health would elevate the role of public health law, relative to the role of international aid, in improvement of health worldwide.¹⁰

The [United States Agency for International Development](#) (USAID) provides career opportunities in both the civil service and the foreign service. USAID's mission is to provide humanitarian assistance and support economic development around the world. Global health is a core program area.

Public Interest and Nonprofit Sector Opportunities

Public interest law firms provide opportunities to practice public health law. These firms include the [Centers for Law and the Public's Health](#), [ChangeLab Solutions](#), [National Health Law Program \(NHeLP\)](#), [National Policy and Legal Analysis](#)



[Network to Prevent Childhood Obesity \(NPLAN\)](#), [Network for Public Health Law](#), [Public Health Law Center](#) and [Public Health Advocacy Institute](#).

Other public interest law firms and organizations may focus upon a particular disease, public health issue or population. Examples of this type of organization include the [ACLU AIDS Project](#), [Bazelon Center for Mental Health Law](#), [Center for Food Safety](#), [Center for Science in the Public Interest](#), [National Center for Medical Legal Partnership](#), [National Indian Health Board](#) and [Tobacco Control Legal Consortium](#).

Private Sector Opportunities

Private law firms and businesses may provide opportunities to practice public health law. In some instances, government entities may retain private attorneys or law firms for ongoing representation or for major litigation.

Health Care and Health Insurance Providers

Health care providers and health insurance providers may have positions that require or benefit from public health law and policy knowledge. Such positions may fall under the rubric of “community engagement,” as nonprofit hospitals must engage in a community health needs assessment in order to retain nonprofit status with the Internal Revenue Service. Health care and health insurance providers may seek to have attorneys or public health policy specialists participate in collaborative efforts to assess and meet the needs of the community.

Tort Litigators

Indirect regulation through the tort system has been called one of the basic models of legal intervention in public health.¹¹ Tort litigation by private attorneys has contributed to public health in a number of ways. For example, it has advanced environmental health by ordering remediation of pollution and it has prevented disease and injury by imposing liability for the sale of unsafe foods and defective products.

Opportunities in Philanthropy

Private foundations have played a critical role in the development of the field of public health law. Most foundations are more notable as sources of funding for advocacy campaigns led by their grantees than for hiring public health lawyers, though foundations may hire public health policy specialists or attorneys as program officers or attorneys for in-house counsel positions.

Opportunities in Academia

Law schools, schools of public health and other higher education settings provide opportunities for public health lawyers and public health policy specialists to serve as professors and researchers. In addition, the academy may host centers that provide opportunities for training and professional development, as well as funding for research projects.

[Northwest Center for Public Health Practice](#) (NWCPHP), based at the University of Washington School of Public Health, links academia and the public health practice community by providing training, research and evaluation assistance in six states (Alaska, Idaho, Montana, Oregon, Washington and Wyoming). NWCPHP is currently engaged in developing [trainings about public health law](#).

[Public Health Law Research](#) (PHLR) is a program of the Robert Wood Johnson Foundation based at Temple University dedicated to building the evidence base for laws that improve public health. PHLR funds research and evaluations of laws and regulations to identify effective policies.

University career placement offices may provide useful career guidance. Publicly available resources include these guides to careers in health law from [Harvard University](#), [Loyola University in Chicago](#), [Texas Tech University](#) and recent guides to careers in [administrative law](#) and [food law and policy](#) from Harvard University.



Opportunities for Networking and Professional Development

The Network and the American Society of Law, Medicine & Ethics are the lead organizers of the [2012 Public Health Law Conference](#). A majority of respondents to a 2007 survey of public health law professionals ranked national annual conferences as essential to their ongoing training and professional development.¹²

There are four major national public health organizations:

- [American Public Health Association](#) (APHA), which includes a Health Law Special Interest Group
- [National Association of County and City Health Officials](#) (NACCHO)
- [National Association of Local Boards of Health](#) (NALBOH)
- [Association of State and Territorial Health Officers](#) (ASTHO)

Many states have affiliates of one or more of these organizations. Individuals interested in career exploration and networking may wish to join one or more of the national organizations or state chapters. Each of the four organizations holds an annual national conference, at which public health law topics are often prominently featured. Each of these organizations has positions in the areas of government relations, policy development and program management.

Other professional organizations that may provide opportunities for networking or resources for professional development for public health lawyers include the [American Society of Law, Medicine & Ethics](#), the [National Association of Attorneys General](#) and the [National Conference of State Legislatures](#). The American Bar Association (ABA) and many state bar associations offer health law sections. The [ABA Health Law Section](#) includes a [Public Health and Policy Interest Group](#). The [American Health Lawyers Association](#) focuses on legal issues in the healthcare field, and offers special access to its services to attorneys and others working in a public sector or government setting.

Career Resources from the Network for Public Health Law

The Network for Public Health Law offers ideas, experience and practical answers to people committed to using law to improve public health. Network joiners gain access to the latest information in public health law through the [Network Report](#), the Network's bimonthly newsletter. Joiners also have access to helpful technical assistance, training and resources, and are able to build connections with colleagues across the country. Joining the [Network's group on LinkedIn](#), which includes job postings in public health law and policy, may also be beneficial. The Network launched the [Student Network for Public Health Law](#) in the fall of 2012 to foster the next generation of leaders in public health law.

SUPPORTERS

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- ¹ Institute of Medicine, *FOR THE PUBLIC'S HEALTH: REVITALIZING LAW AND POLICY TO MEET NEW CHALLENGES* at 1 (The National Academies Press: 2011), at <http://www.iom.edu/Reports/2011/For-the-Publics-Health-Revitalizing-Law-and-Policy-to-Meet-New-Challenges.aspx>.
- ² Jason A. Smith, *Training Individuals in Public Health Law*, 36 *JOURNAL OF LAW, MEDICINE, AND ETHICS* 50, 53 (Fall, 2008).
- ³ For preliminary results of the survey, see <https://www.networkforphl.org/asset/m31j1c/survey-summary-print.pdf>.
- ⁴ The Kaiser Family Foundation maintains a [database](#) of fellowships and internships in health policy. NALP, the Association for Legal Career Professionals, operates a website, [PSJD](#) for persons seeking public service legal careers, including [fellowships](#).
- ⁵ Presidential Management Fellows are part of a larger Pathways Program at the Department of Human Services, which also includes an internship program and a recent graduates program. See <http://www.hhs.gov/careers/pathways/index.html>.
- ⁶ The PHLP provides a monthly digest entitled "Public Health Law News." See <http://www.cdc.gov/phlp/news/current.html>. The PHLP also developed a "Public Health Law 101" curriculum for public health practitioners, and suggested that the curriculum could provide a basis for lectures to be delivered by legal counsel to practitioners. See http://www.cdc.gov/phlp/publications/phl_101.html.
- ⁷ See *Tribal Public Health Law Resource Table*, <http://www.networkforphl.org/asset/hd1j6p/Tribal-Public-Health-TableFINAL.pdf>.
- ⁸ NACCHO, *2010 National Profile of Local Health Departments*, (August, 2011), at http://www.naccho.org/topics/infrastructure/profile/resources/2010report/upload/2010_Profile_main_report-web.pdf.
- ⁹ Diane E. Hoffman and Virginia Rowthorn, *Building Public Health Law Capacity at the Local Level*, 36 *JOURNAL OF LAW, MEDICINE & ETHICS* 6, 9 (Fall, 2008).
- ¹⁰ Lawrence O. Gostin, *A Framework Convention on Global Health: Health for All, Justice for All*, 307 *JOURNAL OF THE AMERICAN MEDICAL ASSOCIATION* 2087, n.19 (May 16, 2012).
- ¹¹ Lawrence O. Gostin, *PUBLIC HEALTH LAW: POWER, DUTY, RESTRAINT* at 37 (University of California Press, 2008).
- ¹² Jason A. Smith, *Training Individuals in Public Health Law*, 36 *JOURNAL OF LAW, MEDICINE & ETHICS* 50, 56 (Fall, 2008).