



Federal Actions and Their Impact on Harm Reduction, Public Health Emergencies, and Climate Change: A Preview of the 2025 Public Health Law Conference

June 26 12:00 – 1:30 p.m. CT



Q & A

Feel free to use the Q&A function throughout the webinar if you have questions.



Webinar Recording and Slides.

You will receive an email notification when the slides and recording of today's webinar have been posted on the Network website.

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Impact of Federal Actions on Outbreaks and Emergencies

Allison N. Winnike, J.D.
Director, Western Region

26 June 2025

**Federal Actions and Their Impact on Harm Reduction,
Public Health Emergencies, and Climate Change**

Roadmap

- › Introductions
- › Foundations in Public Health Law
- › Executive Orders and Subsequent Litigation
- › Impact on State and Local Disease Response



Disclaimer

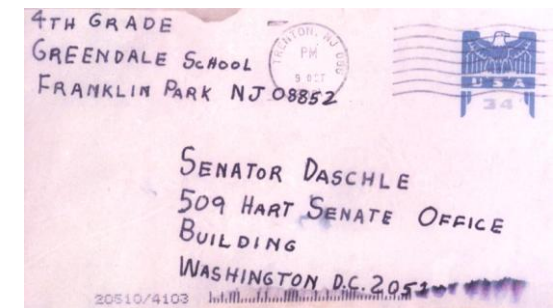
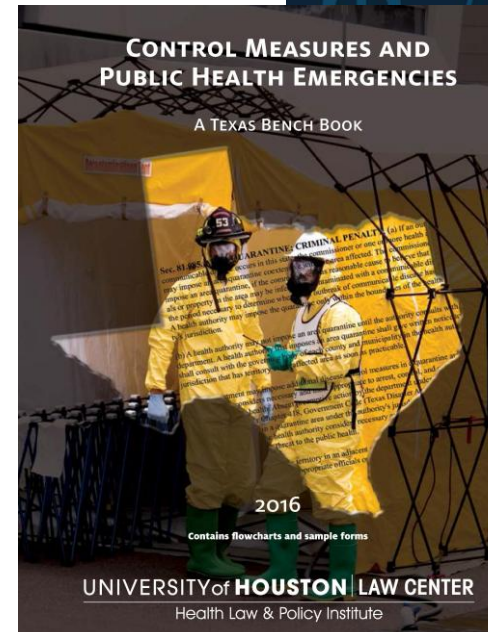
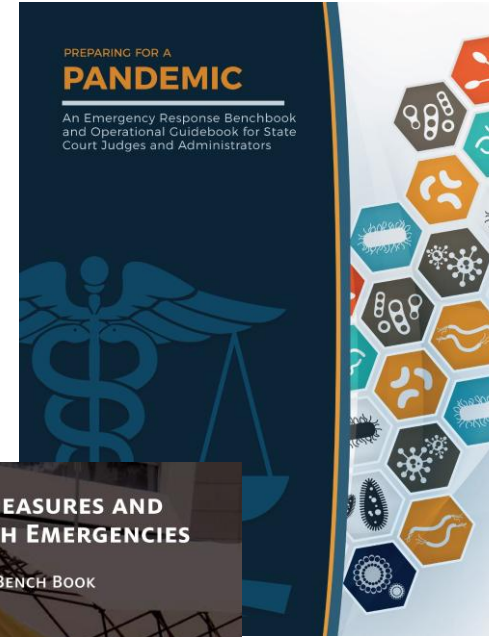
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- › Any materials provided in this presentation are intended solely for educational purposes and do not constitute legal advice.
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INTRODUCTIONS

Allison Winnike, J.D.

Expert in public health law and policy

- › Government, Academia, Nonprofit
- › Public Health Authority
- › Health Legislation and Advocacy
- › Public Health Emergency Preparedness and Response
- › Immunization Law and Policy
- › Legal Epidemiology and Policy Analysis
- › Health Information Technology and Telehealth
- › Smoking and Tobacco Laws



About the Network

The Network for Public Health Law provides visionary leadership in the use of law to protect, promote and improve health.

We work with:

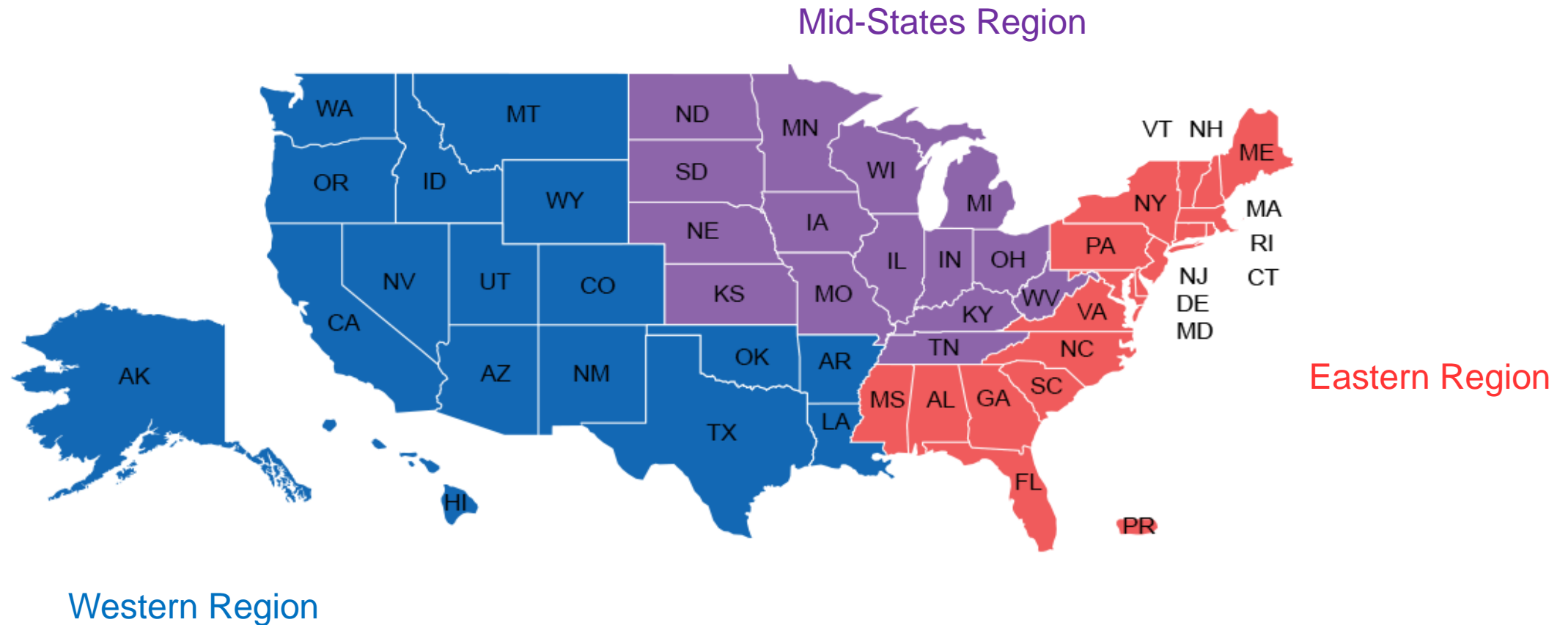
- › Public health officials and practitioners
- › Policymakers
- › Attorneys
- › Community and Advocacy Organizations

We provide:

- › Research and analysis
- › Strategic consultation and guidance
- › Knowledge-building and training

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Three regional offices staffed by attorneys with expertise in all aspects of public health law.



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More than 40 sessions examining core issues for healthier, stronger, and more equitable communities.

networkforphl.org/2025PHLC | #PHLC2025

Conference Tracks

Advocacy &
Community
Engagement

Emerging Issues
& Legal
Challenges

Harm Reduction
& Overdose
Prevention

Health & Racial
Health Equity

Strengthening
Public Health
Protections

Public Health
Data Access,
Sharing &
Privacy

Pre-Conference Workshops

Best Practices for State and Federal Agencies in the Exchange and Protection of Tribal Data

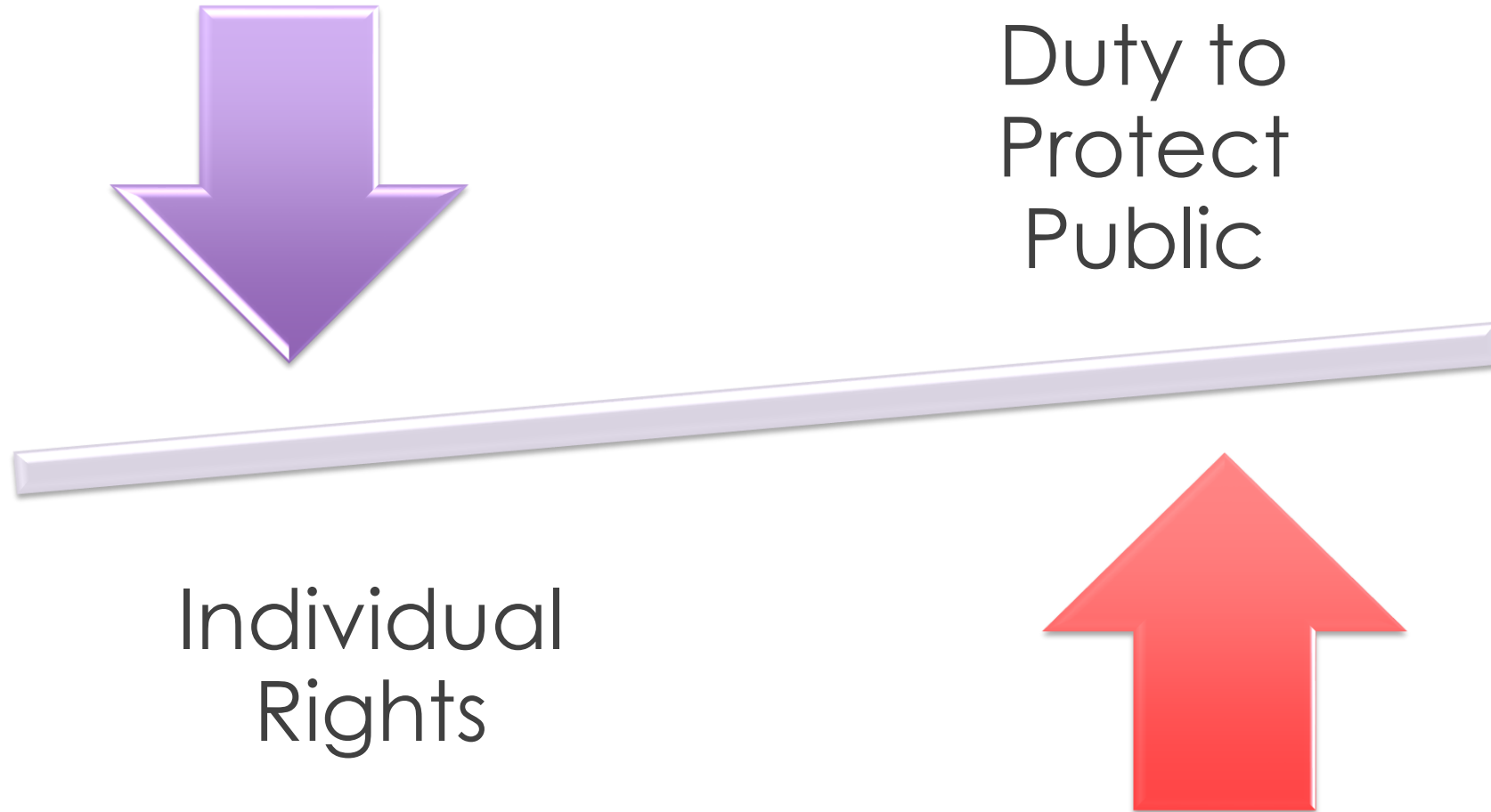
No One Left Behind: People Who Use Drugs and Public Health Protections

Reproductive Health Care: Anticipated Changes and Potential Impacts Under the New Administration

Public Health Career Planning: Insights for Student and Early Career Professionals

FOUNDATIONS IN PUBLIC HEALTH LAW

Public Health Law Balance



Judiciary Role in Public Health

- Ensure balance between the public's health and an individual's right to liberty



EXECUTIVE ORDERS AND SUBSEQUENT LITIGATION



Adapted with permission from Ross D. Silverman, *Public Health Law & Ethics for the Judiciary* (2015), on file with author.

Federal Executive Orders

- › Written directive from the president to federal executive agencies to take specific actions to implement federal statutes
- › Cannot override federal statutes passed by Congress



Ending an Executive Order

- › Court invalidates executive order as violating Constitution or federal statute
- › Congress passes statute addressing issue
- › Current president or future president rescinds executive order



FAQ on Executive Orders

Act for Public Health

An initiative of the Public Health Law Partnership



ChangeLab Solutions



**PUBLIC HEALTH
LAW CENTER**
at Mitchell Hamline School of Law



The Network
for Public Health Law



**Temple
University**
Beasley School of Law

Center for
Public Health
Law Research

Executive Orders & Public Health Practice: FAQs



Act for Public Health, *Executive Orders & Public Health Practices: FAQ* (Feb. 21, 2015), available at <https://actforpublichealth.org/executive-orders-faqs/>.

DOGE Funding Cuts and Agency Restructuring

- › EO 14158: *Establishing and Implementing the President's "Department of Government Efficiency"*
- › EO 14210: *Implementing the President's "Department of Government Efficiency" Workforce Optimization Initiative*
- › EO 14222: *Implementing the President's "Department of Government Efficiency" Cost Efficiency Initiative*

Litigation: CDC's \$11.4 billion Claw Backs

- › *Colorado et al. v. HHS et al.*
- › May 16th preliminary injunction on cuts to plaintiff states
- › *Harris County, Texas et al. v. Kennedy et al.*
- › June 17th preliminary injunction on cuts to Harris County, Columbus, Nashville, and Kansas City, Missouri

State of Colorado et al. v. U.S. Department of Health and Human Services, et al., (1:25-cv-00121) D.R.I., (filed Apr. 1, 2025), <https://www.rid.uscourts.gov/state-colorado-et-al-v-us-department-health-and-human-services-et-al-25-cv-00121-msm-lda>; *Harris County, Texas et al. v. Robert F. Kennedy Jr. et al.*, (1:25-cv-01275) D.D.C. (filed Apr. 24, 2025), <https://www.courtlistener.com/docket/69940313/harris-county-texas-v-robert-f-kennedy-jr/>.

Litigation: HHS Reorganization

- › *New York et al. v. Kennedy et al.*
- › May 20th preliminary injunction hearing
- › *AFGE AFL-CIO et al. v. Trump et al.*
- › May 9th temporary restraining order
- › May 22nd preliminary injunction
- › June 13th scope of injunctive relief order

State of New York et al. v. Robert F. Kennedy Jr. et al., (1:25-cv-00196) D.R.I. (filed May 5, 2025), <https://www.rid.uscourts.gov/state-new-york-et-al-v-kennedy-et-al-25-cv-00196-mrd-pas>;

Am. Fed'n Gov't Emp., AFL-CIO, et al., vs. Donald J. Trump, et al., (3:25-cv-03698) N.D. Cal. (filed Apr. 28, 2025), <https://www.courtlistener.com/docket/69961059/american-federation-of-government-employees-afl-cio-v-trump/>.

Anti-DEIA, LGBTQ+, Environmental Justice

- › EO 14151: *Ending Radical and Wasteful Government DEI Programs and Preferencing*
- › EO 14173: *Ending Illegal Discrimination and Restoring Merit-Based Opportunity*
- › EO 14168: *Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government*

Litigation: NIH Grants

- › *APHA et al. vs. NIH et al.*
- › June 23rd ruling NIH cuts arbitrary, capricious, unlawful
- › *Massachusetts et al. vs. Kennedy et al.*
- › June 23rd ruling NIH cuts arbitrary, capricious, unlawful

APHA et al. v. NIH et al., (1:25-cv-10787) D. Mass. (filed Apr. 2, 2025), <https://www.courtlistener.com/docket/69835536/american-public-health-association-v-national-institutes-of-health/>;

Commonwealth of Massachusetts et al. v. Robert F. Kennedy Jr. et al., (1:25-cv-10814) D. Mass. (filed Apr. 4, 2025), <https://www.courtlistener.com/docket/69843493/commonwealth-of-massachusetts-v-kennedy-jr/>.

“Council To Assess the Federal Emergency Management Agency”

- Establishes a council to review FEMA and to recommend improvements or structural changes in order to improve disaster response

“Achieving Efficiency Through State and Local Preparedness”

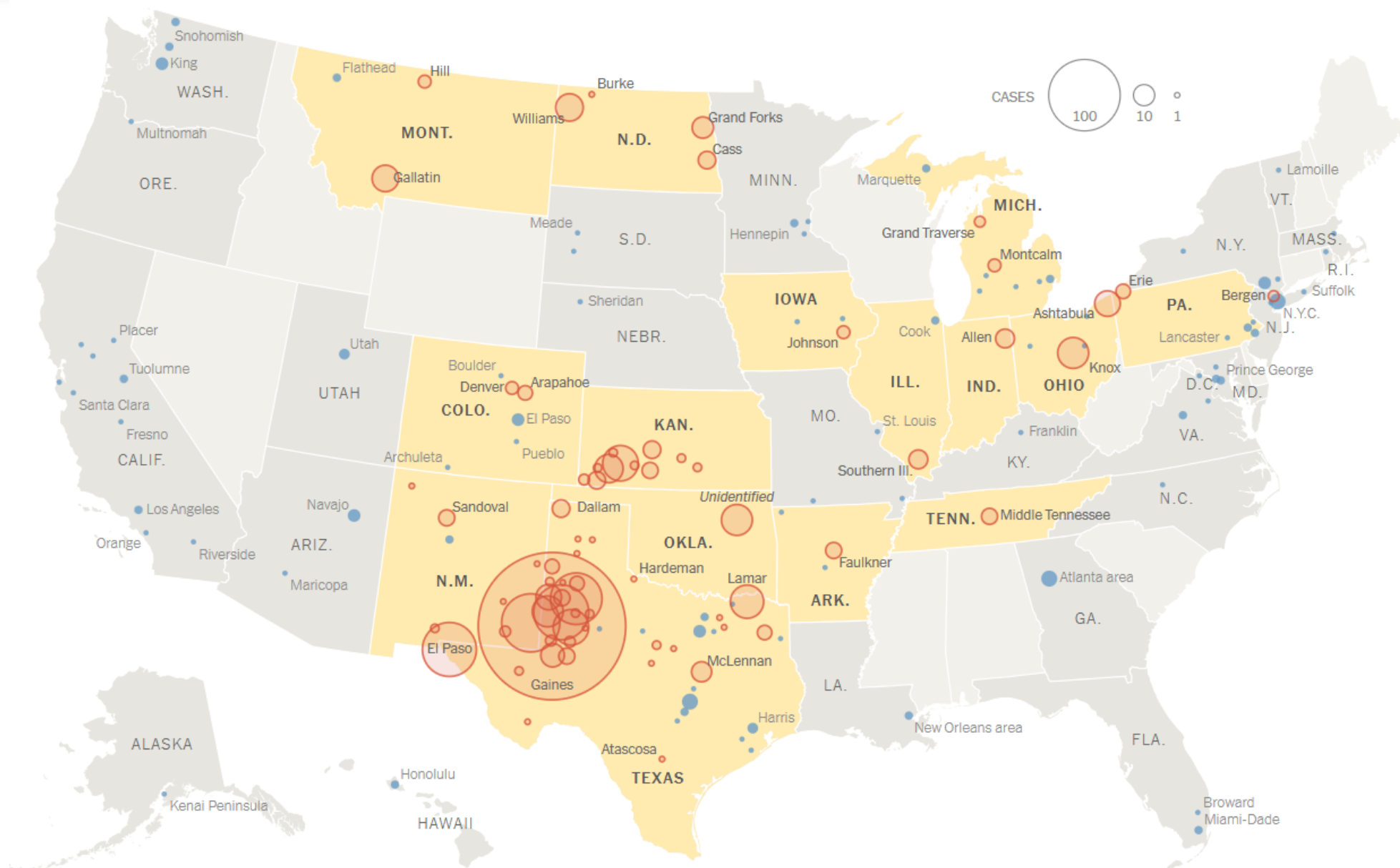
- › Announces a policy that state and local governments and individuals play a more active and significant role in national resilience and preparedness
- › Directs production of a new National Resilience Strategy by June 2025 (to replace the one published January 2025)
- › Directs Assistant to President for National Security Affairs to recommend rescissions, revisions, and replacements to national critical infrastructure policy for a streamlined federal role
- › Anticipates a shift from an all-hazards approach to a risk-informed approach

IMPACT ON STATE AND LOCAL INFECTIOUS DISEASE RESPONSE



Measles cases by county in 2025

○ Outbreaks ● Isolated cases



H5N1 Influenza

Trump administration cancels plans to develop a bird flu vaccine

MAY 28, 2025 • 8:21 PM ET

HEARD ON MORNING EDITION



Rob Stein



Thank You!

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Harm Reduction in 2025

June 26, 2025

Deputy Director, Harm Reduction, Network for Public Health Law

About the Legal Project

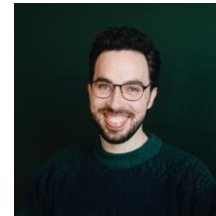
The Harm Reduction Legal Project works to address the legal and policy barriers that impede the establishment and expansion of evidence-based harm reduction measures such as naloxone distribution, syringe access programs, and access to evidence-based substance use disorder treatment.



Corey Davis
Director



Amy Lieberman
Deputy Director



Michael Abrams
Senior Attorney



Ashleigh Dennis
Staff Attorney

Background

- Nearly 107,000 people died of overdose in 2023
- Most caused by opioids or opioids in combinations with other drugs, but stimulant-related overdoses are rapidly increasing
- Many people contract HIV, hepatitis C, endocarditis, and sustain injury from shared or re-used injection or smoking equipment
- Many of these harms are preventable
- No silver bullets, but many opportunities to enhance evidence-based, person-centered law and policy
- **Current law continues to criminalize and stigmatize people who use (some) drugs and act as a barrier to reducing harm**

The Good News

- Overdose deaths appear to be decreasing!

The Bad News

- Everything else!
 - Exceedingly contaminated drug supply
 - Increased co-occurring health concerns (disease, wounds, difficult ODs)
 - Cuts in funding for harm reduction programs (domestic & internationally)
 - Cuts in funding for naloxone purchasing and distribution
 - Opioid Settlement Dollars being squandered with little oversight
 - The “War on Drugs” continues to destroy everything it touches

Current Federal Positions

- Seems somewhat low priority
- No on point EOs (yet)
- No major law changes (yet)
- No new major court cases (yet)

However, several federal actions will affect harm reduction negatively:

- Medicaid cuts/work requirements
- Grants Pass v. Johnson decision
- HHS cuts/changes
- SAMHSA elimination

Overdose Prevention Centers and Decriminalization

Rhode Island

- State passed law that authorizes OPCs and provides immunity for operators and participants
- First center opened in Fall 2024

Vermont

- Passed in 2024 after a governor veto override
- Regulations must be promulgated by April 2025 by Dept. of Health

New York

- Not authorized by the state but operate in NYC with city support

Minnesota

- law provides state funding for OPCs

California

- Legislation passed, Governor vetoed

Oregon

- Measure 110 decriminalized personal use amounts of drugs, recriminalized in 2024

Syringe Services Programs (SSPs)

- Have long been the backbone of community overdose prevention
- Have expanded services to become hubs of prevention and treatment
- Can be a safe space for people who use drugs to feel accepted, loved, and understood
- Community organizations using government funding are superior to DPH operations
- Constantly connecting with PWUD, so constantly able to change to provide needed services

Unfortunately, these services are under attack in communities across the country and need backup from public health, foundations, etc

Local Opposition to SSPs

Pueblo, CO banned SSPs in May 2024

- Despite overwhelming local support for local SSPs, distribution of syringes was banned
- ACLU successfully challenged the ordinance

El Dorado county & Placerville city, CA banned SSPs in December 2023/February 2024

- Shout out state of CA for litigating
- State's argument: bans violate state law allowing operation of SSPs authorized by the state
- Temporary injunction has been granted and trial is set for November

Lewis county, WA - limited SSP operations in April 2024

- Limits to 1:1 exchange
- Bans use of county money
- Bans operation as overdose prevention centers

Kent, WA - prohibits syringe and pipe distribution

- “harm reduction programs operating within the city of Kent may not provide the following services within the city limits of Kent: distribution or exchange of drug paraphernalia, including, but not limited to, pipes, pipettes, or other smoking equipment, syringes, needles, or associated syringe equipment, unless the item was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of their professional practice.”

Example Policy Strategies To Improve Outcomes

Legal and policy strategies rooted in harm reduction

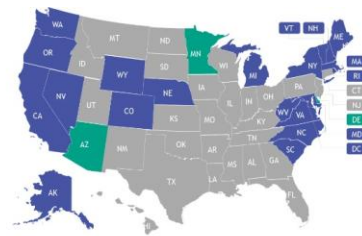
- Universal availability of MOUD
- Universal availability of naloxone
- Universal access to care, via Medicaid or otherwise
- Safe(r) supply interventions
- Strengthen Good Samaritan Laws
- Amend or repeal paraphernalia laws
- Remove criminal penalties for drug possession

Wide variety of choices depending on the context and needs

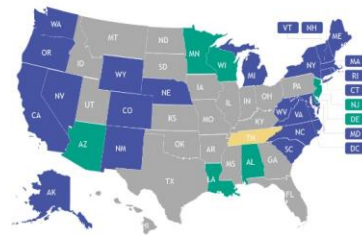
Example: Drug checking laws



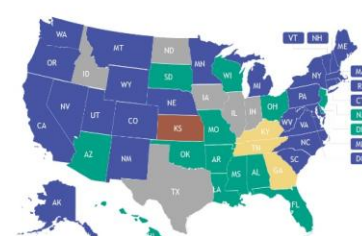
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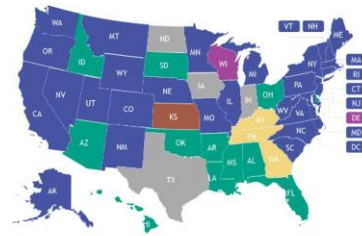
2021



2022



2023



2024

Legend

- All DCE
- Fentanyl
- Fentanyl and Xylazine
- Synthetic Opioids
- Other



2020



2021



2022



2023



2024

Legend

- All DCE
- Fentanyl
- Fentanyl and Xylazine
- Synthetic Opioids
- Other

DCE possession law by state and year

DCE distribution law by state and year

How you can help

- States should systematically examine their laws, and be forced to justify those that cause harm
- Localities should partner with CBOs and people who use drugs to find creative ways to support harm reduction
- Abundance of dedicated people and groups, but most lack legal knowledge
- Lots of skittishness in government regarding harm reduction (including health departments!)
- Lots of lack of trust from harm reductionists and the government or the law
- Need experienced public health attorneys who understand and support harm reduction and will help advocate for person-centered, evidence-based, non-stigmatizing law, policy, and action

Change is not impossible

- Every system is perfectly designed to produce the results it's producing
- If we as a community do not like the results, it is incumbent on us to help change the system
- Please let us know how we can help!



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Harm Reduction Legal Project

CONNECT WITH US

Twitter: @harmreduxlegal

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harmreduction@networkforphl.org





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Federal Executive Orders Threaten to Reverse Course on Climate Change

June 26, 2025

Jill Krueger, Director, Climate and Health

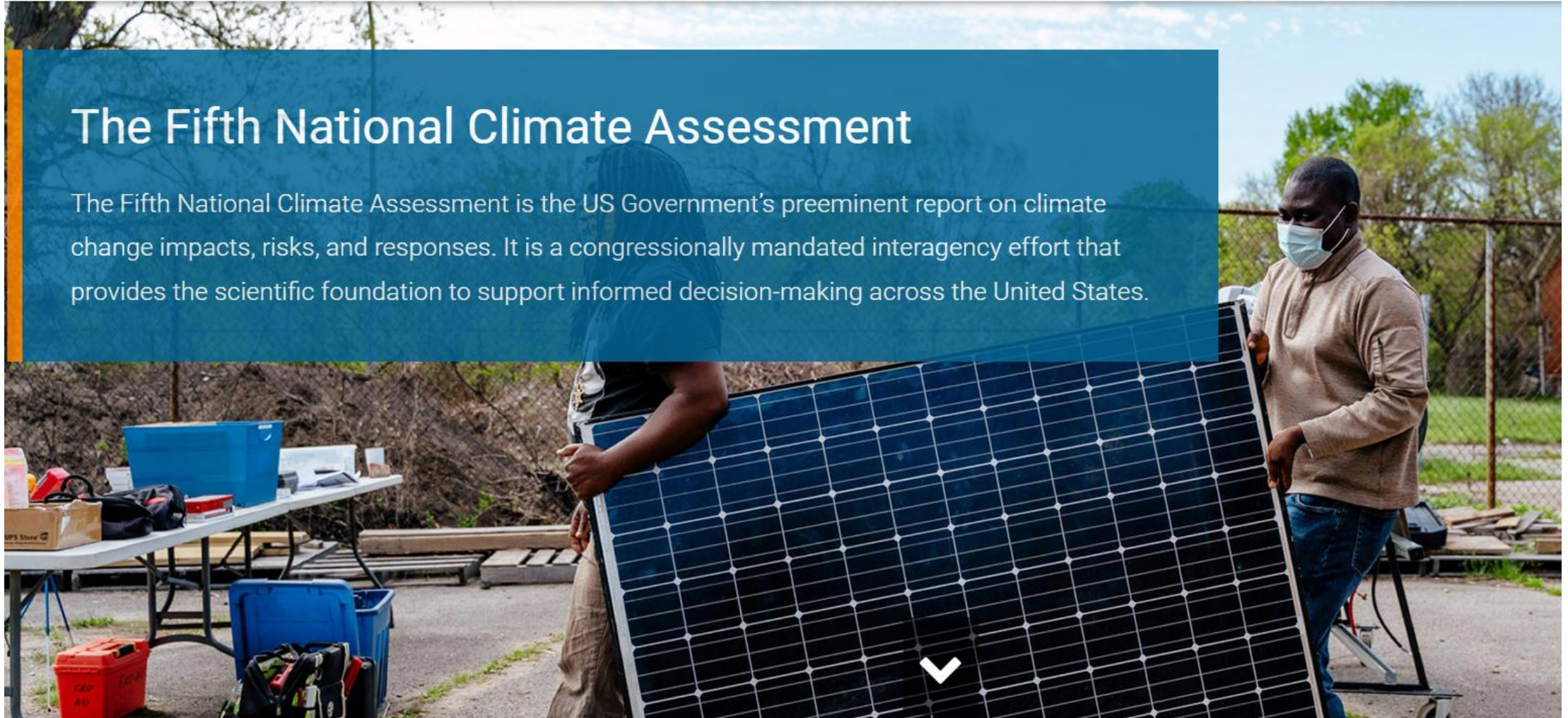
Status Quo Ante

- » **5th National Climate Assessment**
- » **Investment in Transition to Renewable Energy**
- » **Environmental Justice and Addressing Health Disparities**
- » **Investment in Conservation and Public Lands**
- » **Emergency Preparedness**

National Climate Assessment

The Fifth National Climate Assessment

The Fifth National Climate Assessment is the US Government's preeminent report on climate change impacts, risks, and responses. It is a congressionally mandated interagency effort that provides the scientific foundation to support informed decision-making across the United States.



Transition to Renewable Energy

Generating electricity from fossil fuels is bad for our health, disproportionately impacts communities of color and low-income communities, and bad for our climate.

Renewable energy standards slow climate change and bring immediate health benefits to communities.

Renewable energy standards can differ substantially, with varying benefits for climate and health.

Renewable Energy Standards: a strategy to transition rapidly away from the use of coal, oil, and natural gas to clean, safe, and affordable renewable energy

This policy brief is one in an upcoming series on Policy Priorities for Climate, Health, and Equity. Each brief provides information on a policy identified in the [U.S. Call to Action on Climate, Health and Equity: A Policy Action Agenda](#). The briefs can help health professionals and others (1) determine whether policymakers or candidates are taking positions that advance action on climate, health and equity, (2) ask questions to hold leaders accountable, and (3) increase collaboration with community-based organizations and advocacy groups. This brief should be useful for anyone interested in learning more about equitable energy and climate policy.

Key Messages

- Generating electricity from fossil fuels produces 1/4 of U.S. carbon dioxide emissions, causes air pollution associated with asthma, heart disease, adverse pregnancy outcomes, thousands of premature deaths annually, and disproportionately impacts communities of color and low-income communities.
- Renewable energy standards – often called Renewable Portfolio Standards – are important in hastening the transition from fossil fuels to renewable and low-carbon energy sources, slowing climate change and bringing immediate health benefits to communities.
- Renewable energy standards can differ substantially in their composition, and thus can have varying benefits for climate and health. Key components of a strong RES include: clear definitions of renewable energy that exclude fossil fuels; mandatory and enforceable targets; ambitious targets and timeline; and prioritization of benefits to frontline and low-income communities and workers.



Environmental Justice

“We’ll create good jobs for millions of Americans...and we’ll do it all to withstand the devastating effects of climate change and promote environmental justice.”

PRESIDENT JOE BIDEN, 2022 STATE OF THE UNION

What is the Justice40 Initiative?

For the first time in our nation’s history, the Federal government has made it a goal that 40 percent of the overall benefits of certain Federal climate, clean energy, affordable and sustainable housing, and other investments flow to disadvantaged communities that are marginalized by underinvestment and overburdened by pollution. President Biden made this historic commitment when he signed [Executive Order 14008](#) [↗](#) on *Tackling the Climate Crisis at Home and Abroad* within days of taking office. To continue delivering on his environmental justice vision, President Biden signed [Executive Order 14096](#) [↗](#) on *Revitalizing Our Nation’s Commitment to Environmental Justice for All* in April 2023.

The Right to a Healthy Climate

“Each additional ton of greenhouse gases emitted into the atmosphere exacerbates impacts to the climate. Plaintiffs’ injuries will grow increasingly severe and irreversible without science-based actions to address climate change.”

Judge Kathy Seeley, Montana District Court in *Held v. State of Montana* (2023)

Judge Seeley’s opinion was later upheld by the Montana Supreme Court

Conservation and Public Lands

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The Great American Outdoors Act: A Tool to Advance Public Health

July 24, 2024

by [Leah Terry](#)

OVERVIEW

Passed in 2020, the Great American Outdoors Act serves as a legal and funding tool to assist with initiatives to provide more green space for residents in rural and urban communities. The Outdoors for All Act, currently awaiting Senate approval, would expand on this progress by increasing access to parks and green spaces in low-income communities and communities of color.

Emergency Preparedness: National Heat Strategy

- › Heat Resilience Information
- › Planning and Decision Making
- › Early Warning Systems
- › Safety Measures
- › Infrastructure Solutions
- › Wildlife and Ecosystem Solutions



Critiques of the Status Quo Ante

- » **Project 2025 -- strategic plan and policy agenda to restructure the federal government, particularly the executive branch**
- » **An analysis of the climate and environmental provisions of Project 2025 identified the following themes:**

Dismantle the administrative state

De-emphasize efforts to address climate change

Free private activities from regulatory oversight

Promote American energy and science dominance (and fossil fuels)

Center for Law, Energy, & the Environment, University of California Berkeley Law School, A Guide to Major Climate and Environmental Excerpts in the Project 2025 Report (Aug. 2024), *available at* <https://www.law.berkeley.edu/wp-content/uploads/2024/08/Index-and-Summary-Annotated-of-Project-2025-Report-Aug1424.pdf>.

Forthcoming Resource



Ideas. Experience. Practical answers.



CLIMATE AND HEALTH Fact Sheet

Recent Executive Orders Pertaining to Climate Change and Public Health

Introduction

The president has issued [numerous executive orders](#) since taking office (well over one hundred in the first 100 days of his administration.) ~~As a whole, these~~ executive orders have had an impact in nearly every federal agency, as they have sought to dramatically reduce the federal workforce, halt and disrupt large areas of federal spending, and prioritize deregulation. A subset of executive orders seeks to reorient the federal government's approach to climate change; emergency preparedness; energy production and energy efficiency; use and conservation of natural resources, including public lands; and environmental justice. Implementation of these executive orders, and related executive actions, is already having harmful effects on public health, and could cause irrevocable harm.

Executive Orders Related to Climate Change: Categories

- » **Energy Emergency and Energy Dominance**
- » **Environmental Justice**
- » **Emergency Preparedness**
- » **Funding and Staffing**
- » **Rescissions and Deregulation**
- » **Resources and Public Lands**

Executive Orders on Energy

- » **EO 14154 Unleashing American Energy**
- » **EO 14156 Declaring a National Energy Emergency**
- » **EO 14213 American Energy Dominance**
- » **EO 14260 Protecting American Energy from State Overreach**
- » **EO 14262 Strengthening the Reliability and Security of the United States Electric Grid**
- » **EO 14270 Zero Based Regulatory Budgeting to Unleash American Energy**

Executive Orders on Environmental Justice

- » **EO 14151 Concerning DEI and Environmental Justice**
- » **EO 14260 Protecting American Energy from State Overreach**

Executive Orders on Emergency Preparedness

- » **EO 14180 Council to Assess the Federal Emergency Management Agency**
- » **EO 14239 Achieving Efficiency Through State and Local Preparedness**
- » **EO 14260 Protecting American Energy from State Overreach**
- » **EO 14262 Strengthening the Reliability and Security of the United States Electric Grid**

Executive Orders on Funding and Staffing

- » **EO 14158 Department of Government Efficiency**
- » **EO 14222 Department of Government Efficiency Cost Efficiency Initiative**

Executive Orders on Rescissions and Deregulation

- » **EO 14148 Initial Rescissions**
- » **EO 14192 Deregulation**
- » **EO 14219 Department of Government Efficiency Deregulatory Initiative**
- » **EO 14236 Additional Rescissions of Harmful Executive Orders and Actions**
- » **EO 14270 Zero Based Regulatory Budgeting to Unleash American Energy**

Executive Orders on Resources and Public Lands

- » **EO 14153 Alaskan Resources**
- » **EO 14223 Addressing the Threat to National Security From Imports of Timber, Lumber, and Their Derivative Products**
- » **EO 14225 Immediate Expansion of American Timber Production**
- » **EO 14241 Immediate Measures To Increase American Mineral Production**
- » **EO 14261 Reinvigorating America's Beautiful Clean Coal Industry**
- » **EO 14272 Concerning Processed Critical Minerals**

Public Health Concerns

- » **Preference for Individual, rather than Collective, Action**
- » **Lack of Consideration of the Evidence, and Actions Contrary to Evidence**
- » **Barriers to Efforts to Address Health Disparities**
- » **Disregard for Contributions of Public Lands to Physical and Mental Health**

Constitutional Concerns

- » **Separation of Powers**
- » **5th and 14th Amendments – Equal Protection**
- » **Tenth Amendment**

Statutory Concerns

- » **Administrative Procedure Act**

- » **Civil service protections**

- » **Capacity to implement laws**

i.e. if the federal government terminates the entire staff of LIHEAP, capacity to implement the law (see it is “faithfully executed”) is in doubt

Contact Me

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- **Network for Public Health Law**
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- **612-532-2813 (Cell phone)**



Thank you for attending.



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