

How Do Health Departments Implement and Enforce the Law?

Overview of Administrative Law: Part 3

Facilitator's Guide



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Who Should Use Our Facilitator’s Guides?

Our facilitator’s guides are intended for anyone who needs to provide public health practitioners with training about our legal system and its role in improving population outcomes. Public health practitioners may include health department staff, public health lawyers, public health nurses, public health educators, public health advocates, and public health faculty and students in graduate and undergraduate programs. To access facilitator’s guides for our other trainings, visit publichealthlawacademy.org.

Training Overview

About This Training

This course will build on [Part 1](#) and [Part 2](#) of our training series on administrative law, discussing how administrative law plays out in practice in state and local health departments. We'll examine the role that health departments play in issuing permits and licenses to businesses and institutions such as tobacco retailers, child care providers, and hospitals. We'll explore how administrative law relates to inspections – for example, of food establishments, septic systems, and rental housing – to protect the public from health risks. Finally, we'll explore how public health practitioners enforce laws and policies by issuing citations and participating in administrative hearings. This training focuses on the laws that govern how health departments carry out these common regulatory activities and how they can promote health equity in their day-to-day work.

Target Audience

This training was developed for public health practitioners, including policy analysts, public health lawyers, educators, nurses, and students. No legal background is necessary.

Learning Objectives

- Describe the purpose and function of permits and licenses and the administrative law principles that guide when and how health departments can issue them
- Identify strategies to make licensing more equitable
- Recognize key legal and equity considerations for health departments when conducting investigations and inspections
- Explain how health departments enforce public health laws by issuing citations and participating in administrative hearings
- Define equitable enforcement and describe how it can be operationalized in health departments' day-to-day work

Materials

- Facilitator's Guide: This document can be adapted to provide a training that is customized for your audience.
- Slide Presentation & Script: The slides and script are separate files that can be modified to reflect your audience, training content, and speakers.
- Facilitator's Checklist: The checklist is a separate file that will help you prepare to deliver any training offered by the [Public Health Law Academy](#).

Equipment

- Computer
- Projector

Instructions for Facilitators

Before you start, we recommend that you download the [Facilitator's Checklist](#), which is intended to help you prepare to deliver any training offered by the [Public Health Law Academy](#). In this section, we have identified options for tailoring this training, [How Do Health Departments Implement and Enforce the Law? Overview of Administrative Law: Part 3](#), for your audience and venue.

Prepare for the Presentation

As the facilitator, you should first go through the materials to familiarize yourself with the content. We recommend that you watch the entire training: [How Do Health Departments Enforce the Law? Overview of Administrative Law: Part 3](#). You may also need to familiarize yourself with the content in [Part 1](#) and [Part 2](#). Once you are familiar with the material, you can modify the content and length to suit your audience, available time, and venue.

Before Starting the Presentation

We suggest that you have participants complete the following:

- *The Q&A handout found on page 14 of this guide.* The Q&A handout will help participants assess their knowledge before and after the training. An answer key is provided on pp. 15–17.
- *The pre-training survey included in this guide on pp. 19–20.* The pre-training survey will provide information to help you evaluate the overall quality of the session.

If you are not giving the presentation in person, you can distribute these handouts electronically prior to the training (and distribute the answer sheet electronically after the training).

During the Presentation

You'll want to decide how to use the Q&A handout to engage participants in the training, depending on the length of your presentation. Two options are outlined here. These approaches not only re-emphasize key points but also create a more interactive experience for participants.

- *Option 1: Poll the Room*
One approach is to weave the questions throughout the presentation. You can stop after each question and ask the audience to answer it before moving to the next slide. The slide deck is set up to support this option.
- *Option 2: Discussion Activity*
You can move all the question-and-answer slides to the end of the presentation and create an opportunity for a longer discussion after you've covered all of the content. Depending on the number of people attending your training, this discussion activity can be done as a full group or in small groups. The Training Agenda item "Q&A Discussion" provides additional details on when to include this activity if you select this option.

Lastly, our sample agenda suggests allowing 10 minutes at the end of the presentation for final remarks, acknowledgments, and general questions. Of course, this time can be adjusted to suit the needs of the presentation setting and your audience.

After the Presentation

When the presentation is complete, participants should fill out the post-training survey on pp. 21–22.

Finally, we are interested in your experience with using this curriculum. Please let us know at PHLAcademy@changelabsolutions.org if you have any questions or feedback on how to improve these materials.

Training Agenda

Pre-Training Survey & Q&A Handout

10 minutes*

Objectives

- Have participants complete the pre-training survey and answer the questions in the Q&A handout

Resources

- Pre-training survey (pp. 19–20 of this guide)
- Q&A handout (p. 14 of this guide)

Public Health Law Competency Addressed

- [Public Health Law Competency Model](#), Domain 2
-

Introduction & Presentation Overview

10 minutes*

Objectives

- Introduce presentation topic and presenter(s)
- Provide any necessary disclaimers and introductory comments
- Provide a roadmap for the rest of the presentation
- Review core concepts discussed in Part 1 of this series, **What Legal Powers Do Health Departments Have?** and Part 2, **How Do Health Departments Create Regulations, Policies, and Guidance Documents?**

Resource

- Slide presentation (slides 1–15)
-

When and how can health departments issue permits and licenses?

15 minutes*

Objectives

- Describe the purpose and function of permits and licenses
- Explain when public health agencies can issue permits and licenses
- Relate equity-forward approaches to licensing best practices
- Discuss an example of an equal protection challenge to local licensing decisions

Resource

- Slide presentation (slides 16–32)

Public Health Law Competency Addressed

- [Public Health Law Competency Model](#), Domain 2

What are key legal and equity considerations when conducting investigations and inspections?

15 minutes*

Objectives

- Define how the terms *investigation* and *inspection* apply to public health agencies
- Explore the example of Wendy and Jackie to see how conducting inspections can work in practice
- Review ways to ensure health equity when navigating inspections

Resource

- Slide presentation (slides 33–53)

Public Health Law Competency Addressed

- [Public Health Law Competency Model](#), Domain 2

How can health departments equitably enforce public health laws?

20 minutes*

Objectives

- Discuss how enforcement of public health laws is related to health equity
- Define and distinguish the traditional pathways of enforcement, including civil, criminal, and administrative enforcement
- Explore how administrative enforcement works in practice by revisiting the example of Jackie

Resource

- Slide presentation (slides 54–91)

Public Health Law Competency Addressed

- [Public Health Law Competency Model](#), Domain 2

Q&A Discussion (optional)

20 minutes*

Objectives

- If you chose not to weave the questions from the Q&A handout throughout the presentation, have participants discuss the answers to the questions as a full group or in small groups
- Provide the answers to the Q&A handout

Resource

- Q&A handout answer key (pp. 15–17 in this guide)

Public Health Law Competency Addressed

- [Public Health Law Competency Model](#), Domain 2

Final Takeaways & Acknowledgments

10 minutes*

Objectives

- Summarize the topics discussed and provide concluding remarks
- Direct participants to more resources, should they wish to delve more deeply into the legal issues covered in the training
- Allow participants to ask general questions
- Have participants complete the post-training survey

Resources

- Slide presentation (slides 92–95)
- Post-training survey (pp. 21–22 in this guide)

**All times are approximate; total training time is about 1 hour, 45 minutes.*

Additional Resources

As you prepare to tailor content from [How Do Health Departments Implement and Enforce the Law? Overview of Administrative Law: Part 3](#), we recommend familiarizing yourself with the resources listed in this section. These resources informed the development of the content of this training and can provide background information as you prepare to tailor the content of your presentation. Finally, as questions from audience members arise during and after the training, you can refer them to these resources for additional information.

Organizations

CDC, Public Health Law Program

cdc.gov/phlp

The Public Health Law Program – part of the CDC’s Center for State, Tribal, Local, and Territorial Support – works to improve the health of the public by developing law-related tools and providing legal technical assistance to public health practitioners and policymakers.

ChangeLab Solutions

changelabsolutions.org

ChangeLab Solutions is a national organization whose mission is to create healthier communities for all through equitable laws and policies. Their multidisciplinary team of public health lawyers, policy analysts, planners, and other professionals works with state, tribal, local, and territorial health departments; other government agencies; public health organizations; and anchor institutions to create thriving communities.

Background Reading

For additional information on the concepts discussed in this training, see the following resources:

- *Administrative Enforcement Roadmap*. Oakland, CA: Technical Assistance Legal Center; 2004:13–18. changelabsolutions.org/product/administrative-enforcement-roadmap. Accessed August 6, 2020.
- *Administrative Search Warrants*. St. Paul, MN: League of Minnesota Cities; 2018:3–4. umvrdc.org/wp-content/uploads/2018/12/Benson-AdministrativeSearchWarrants.pdf. Accessed August 3, 2020.
- Bingham S, Calhoun S, Case A, et al. *Paying More for Being Poor: Bias and Disparity in California’s Traffic Court System*. San Francisco, CA: Lawyers’ Committee for Civil Rights of the San Francisco Bay Area; 2017. lccr.com/wp-content/uploads/LCCR-Report-Paying-More-for-Being-Poor-May-2017.pdf. Accessed March 25, 2020.
- *A Blueprint for Changemakers: Achieving Health Equity Through Law & Policy*. Oakland, CA: ChangeLab Solutions; 2019. changelabsolutions.org/product/blueprint-changemakers.
- Braveman P, Arkin E, Orleans T, Proctor D, Plough A. *What is Health Equity? And What Difference Does a Definition Make?* Princeton, NJ: Robert Wood Johnson Foundation; 2017. rwjf.org/en/library/research/2017/05/what-is-health-equity-.html.

- Brennan Ramirez LK, Baker EA, Metzler M. *Promoting Health Equity: A Resource to Help Communities Address Social Determinants of Health*. Atlanta, GA: Centers for Disease Control and Prevention, US Department of Health and Human Services; 2008. [cdc.gov/nccdphp/dch/programs/healthycommunitiesprogram/tools/pdf/SDOH-workbook.pdf](https://www.cdc.gov/nccdphp/dch/programs/healthycommunitiesprogram/tools/pdf/SDOH-workbook.pdf).
- Burris S, Berman ML, Penn M, Holiday TR. *The New Public Health Law: A Transdisciplinary Approach to Practice and Advocacy*. New York, NY: Oxford University Press; 2018:143–145, 150, 153–160, 177–178, 229–231, 235–239, 240–247.
- *Camara v. Municipal Court*, 387 U.S. 523 (1967).
- *Criminal Enforcement Roadmap*. Oakland, CA: Technical Assistance Legal Center; 2004. changelabsolutions.org/product/criminal-enforcement-roadmap. Accessed August 6, 2020.
- *Equitable Enforcement to Achieve Health Equity: An Introductory Guide for Policymakers and Practitioners*. Oakland, CA: ChangeLab Solutions; 2020. changelabsolutions.org/product/equitable-enforcement-achieve-health-equity.
- Funk WF, Shapiro SA, Weaver RL. *Administrative Procedure and Practice*. 5th ed. St. Paul, MN: West Academic; 2014:97–128, 162–167, 189–192, 240–241, 258–263, 278–311, 341–342, 515, 647–660.
- Gostin LO, Wiley LF. *Public Health Law: Power, Duty, Restraint*. 3rd ed. Oakland, CA: University of California Press; 2016:79–82, 132–135, 168–169, 172, 177–178.
- Grad FP. *The Public Health Law Manual*. 2nd ed. Washington, DC: American Public Health Association; 1990:132. (“The law authorizing the inspection must be constitutional. . . . the search or investigation must further a public interest advanced by the law. . . . the person who conducts the search or investigation must have authority to do so, and . . . the search or inspection is limited to the enforcement of the law that authorized it.”)
- Harris KJ, Murphy KS, DiPietro RB, Rivera GL. Food safety inspections results: a comparison of ethnic-operated restaurants to non-ethnic-operated restaurants. *Int J Hospitality Manage*. 2015;46:190–199. doi:10.1016/j.ijhm.2015.02.004.
- Hoke K, Swinburne MR. *Due Process and Public Health*. Edina, MN: Network for Public Health Law. [apha.org/-/media/files/pdf/factsheets/due_process_and_public_health_factsheet.ashx?la=en&hash=9B2F0038A6F770B9C7C4B3B9CCF5761BF85A243A](https://www.apha.org/-/media/files/pdf/factsheets/due_process_and_public_health_factsheet.ashx?la=en&hash=9B2F0038A6F770B9C7C4B3B9CCF5761BF85A243A). Accessed August 3, 2020.
- *Investigation of the Ferguson Police Department*. Washington, DC: Civil Rights Division, US Department of Justice; 2015. [justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf](https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf).
- Koch CH, Murphy R. Searches & inspections. In: Koch CH, Murphy R. *Administrative Law and Practice*. Eagan, MN: Westlaw; Feb 2020 update: Section 3:13[3](e)(g).
- *Language Access Laws and Legal Issues: A Local Official's Guide*. Sacramento, CA: Institute for Local Government; 2011. [ca-ilg.org/sites/main/files/file-attachments/language_access_guide_formatted_9-27-11_2.pdf](https://www.ca-ilg.org/sites/main/files/file-attachments/language_access_guide_formatted_9-27-11_2.pdf). Accessed July 29, 2020.
- Local Public Health Institute of Massachusetts. Administrative search warrants: how and when to get one. [online training]. Boston, MA: Boston University School of Public Health. http://www.masslocalinstitute.info/AdminSearchWarrant/AdminSearchWarrant_print.html. Accessed August 3, 2020.

- National Conference of Commissioners on Uniform State Laws. *Revised Model State Administrative Procedures Act*. Chicago, IL: Uniform Law Commission; October 15, 2010. Article 1, Section 102(19); Article 2, Section 203(3) & Comment; Article 3, Section 311 & Comment; Article 4, Section 419 & Comment, Article 4, Section 419(b). 403. [uniformlaws.org/HigherLogic/System/DownloadDocumentFile.ashx?DocumentFileKey=3ab796d4-9636-d856-48e5-b638021eb54d&forceDialog=0](https://www.uniformlaws.org/HigherLogic/System/DownloadDocumentFile.ashx?DocumentFileKey=3ab796d4-9636-d856-48e5-b638021eb54d&forceDialog=0). Accessed July 27, 2020.
- Northwest Center for Public Health Practice. Legal aspects of public health food safety. [online training]. Seattle, WA: School of Public Health, University of Washington; Jan 3, 2014. nwcphp.org/training/legal-aspects-food-safety. Accessed August 3, 2020.
- Public Health Law Academy. Structure of government: exploring the fabric and framework of public health powers. [training video]. Oakland, CA: ChangeLab Solutions; Centers for Disease Control and Prevention; 2019. changelabsolutions.org/product/structure-government.
- *Targeted Fines and Fees Against Communities of Color: Civil Rights and Constitutional Implications*. Washington, DC: US Commission on Civil Rights; 2017. usccr.gov/pubs/docs/Statutory_Enforcement_Report2017.pdf.
- *Yick Wo v. Hopkins*, 118 U.S. 356 (1886).

Relevant Case

EQUAL PROTECTION

Yick Wo v. Hopkins, 118 U.S. 356 (1886)

SUMMARY: In 1880, the City and County of San Francisco Board of Supervisors adopted a local ordinance that prohibited anyone from maintaining a laundry in the county without the board’s consent unless the laundry was constructed of brick and stone. The purported purpose of the law was to protect the public’s health and safety by reducing the risk of fire. However, after the ordinance was adopted, the board denied all laundry license applications submitted by Chinese owners and granted all but one of the applications submitted by white owners. Yick Wo, one of the Chinese laundry owners whose license had been denied, challenged the ordinance, arguing that its administration by the board of supervisors violated his constitutional rights. On appeal, the United States Supreme Court ruled in Yick Wo’s favor, concluding that “no reason [for the denial of licenses to Chinese owners] exists except for hostility to the race and nationality to which the petitioners belong. . . . The discrimination is therefore illegal, and the public administration which enforces it is a denial of the equal protection of the laws. . . .”

TAKEAWAY: Local health departments should treat all license applicants equally. In other words, local health departments should be fair and impartial when determining whether an applicant satisfies the minimum license requirements. An applicant can legally challenge a license denial if they believe that the agency has failed to engage in fair and impartial decision making or has improperly denied a license because of the applicant’s race, gender, or other status that is protected under state civil rights laws or the Equal Protection Clause of the US Constitution.

In addition to abiding by federal and state civil rights laws that require everyone to be treated equally, a public health agency could consider adopting internal requirements and

allocating funding for ongoing evaluation of licensing decisions. The evaluation would assess whether underserved populations – including people who have experienced injustices and structural discrimination – are denied permits or licenses at disproportionate rates. An agency could then use that information to update licensing practices to ensure that the benefits and advantages of a permit or license are equitably distributed. For example, a public health agency could consider requiring trainings for officials who oversee licensing, to minimize bias and structural discrimination in licensing decisions.

Welcome Activity: Q&A Handout

Expected time: 30 minutes total (approximately 10 minutes before the presentation and 20 minutes during or after the presentation)

Instructions for Facilitators

- Welcome the participants and introduce yourself
- Explain housekeeping items, such as estimated length of the training, break times, and restroom locations
- Ask participants to complete the Q&A handout
- Remind participants that they are not expected to know all of the answers
- Encourage participants to do their best, and explain that the answers to some of the questions will be addressed throughout the presentation
- Where applicable, the answer key (found on pp. 15–17) references the slides in the presentation where relevant concepts are expressly addressed or implied
- Review answers to the questions in the Q&A handout by either
 - Weaving the questions throughout the presentation (this is how the slide deck is currently structured) and stopping after each question to ask the audience for the answer before moving to the next slide; or
 - Moving all the questions in the slide deck to the end of the presentation and holding time then to have participants discuss the questions as a full group or in small groups

How Do Health Departments Implement and Enforce the Law? Overview of Administrative Law: Part 3

Q&A Handout

Instructions: As an individual, answer the following questions.

1. **TRUE or FALSE?** Creating regulations relates to health departments' power to make laws.
2. The rulemaking process includes which of the following steps?
 - A. Conduct research and draft the text of the proposed regulation
 - B. Provide public notice and an opportunity to comment
 - C. Revise and finalize the regulation
 - D. Answers A (conduct research and draft a regulation) and C (revise and finalize the regulation)
 - E. Answers A (conduct research and draft a regulation), B (provide public notice and an opportunity to comment), and C (revise and finalize the regulation)
3. **TRUE or FALSE?** Writing policies and guidance documents relates to health departments' power to implement public health laws.
4. **TRUE or FALSE?** Agencies use permits and licenses to ensure compliance with public health laws.
5. Before conducting an inspection, public health officials should . . .
 - A. Confirm their authority to conduct inspections
 - B. Determine whether a warrant is required
 - C. Ask for permission to enter the property to be inspected
 - D. Both A (confirm their authority to conduct inspections) and B (determine whether a warrant is required)
6. **TRUE or FALSE?** Equitable enforcement is a process that begins long before any violations occur.
7. **TRUE or FALSE?** Administrative enforcement actions are initiated when a government attorney files a lawsuit in court.
8. At a minimum, in administrative enforcement actions, constitutional due process usually requires . . .
 - A. Notice of an agency's determination that a violation occurred
 - B. An opportunity for a hearing before an impartial decision maker
 - C. The right to an attorney
 - D. Both A (notice of an agency's determination that a violation occurred) and B (opportunity for a hearing before an impartial decision maker)

How Do Health Departments Implement and Enforce the Law? Overview of Administrative Law: Part 3

Q&A Handout

ANSWER KEY

1. **TRUE or FALSE?** Creating regulations relates to health departments' power to make laws.

Answer: True. A regulation is a law drafted and finalized by an administrative agency, such as a health department, based on a delegation of authority from a legislative body, such as a city council or a state legislature. Accordingly, creating regulations falls at the beginning of the continuum of agency activities because it relates to health departments' power to make laws.

➤ This material is discussed in slides 9–10.

2. The rulemaking process includes which of the following steps?
 - A. Conduct research and draft the text of the proposed regulation
 - B. Provide public notice and an opportunity to comment
 - C. Revise and finalize the regulation
 - D. Answers A (conduct research and draft a regulation) and C (revise and finalize the regulation)

E. Answers A (conduct research and draft a regulation), B (provide public notice and an opportunity to comment), and C (revise and finalize the regulation) - CORRECT ANSWER

Answer: If you selected E, you're correct! Here are the five basic steps in the rulemaking process:

1. Conduct extensive research
2. Draft the text of the proposed regulation
3. Provide notice to the public
4. Provide an opportunity for public comment
5. Revise and finalize the regulation

Some of these steps – such as providing public notice of a proposed regulation and an opportunity to comment – are typically mandated by state administrative procedure acts or local administrative rules. Other steps – such as conducting extensive research – are simply a good idea to ensure that a regulation is rational and based on evidence, which can help protect public interests and can also be important if the regulation is challenged in court. Because steps 3 and 4 are bedrock administrative law requirements, the process of issuing regulations is often called *notice-and-comment rulemaking*.

➤ This material is discussed in slides 11–12.

3. **TRUE or FALSE?** Writing policies and guidance documents relates to health departments' power to implement public health laws.

Answer: True. Writing policies and guidance documents falls in the middle of the continuum of agency activities because it relates to health departments' power to implement public health laws – both legislation and regulations. Unlike regulations, policies and guidance documents lack the force and effect of law, so an agency doesn't have to use notice-and-comment procedures before issuing them.

➤ This material is discussed in slides 14–15.

4. **TRUE or FALSE?** Agencies use permits and licenses to ensure compliance with public health laws.

Answer: True. In general, permits and licenses require a person or business to get advance permission to engage in an activity, and laws often prohibit a public health agency from issuing a permit or license until the agency has confirmed compliance with all relevant standards.

➤ This material is discussed in slides 29–30.

5. Before conducting an inspection, public health officials should . . .

- A. Confirm their authority to conduct inspections
- B. Determine whether a warrant is required
- C. Ask for permission to enter the property to be inspected

D. Both A (confirm their authority to conduct inspections) and B (determine whether a warrant is required) – CORRECT ANSWER

Answer: If you selected D, you're correct! At a minimum, before conducting an inspection of private property, public health officials should confirm their authority to conduct inspection activities and determine whether a warrant is required. Consulting an attorney can help answer these questions, especially if a public health official hasn't previously carried out inspections for the type of property at issue – for example, private housing or a restaurant. In regard to answer C, note that public health officials can always ask for permission to enter a property to be inspected; however, permission isn't necessary for every inspection. For example, if one of the exceptions to the warrant requirement applies, like the exception for heavily regulated industries, public health officials can carry out an inspection regardless of whether they have received permission to enter.

➤ This material is discussed in slides 50–51.

6. **TRUE or FALSE?** Equitable enforcement is a process that begins long before any violations occur.

Answer: True. Equitable enforcement can be defined as a process of incentivizing compliance with the law while considering and minimizing harms to communities that have been disproportionately affected by structural racism, poverty, and other drivers of health inequity. This process begins when laws are being drafted and penalties and enforcement mechanisms are selected. It continues throughout the implementation phase as government officials conduct community outreach, participate in trainings to minimize bias, and evaluate their actions to identify and assess whether disproportionate or discriminatory enforcement is occurring.

➤ This material is discussed in slides 67–68.

7. **TRUE or FALSE?** Administrative enforcement actions are initiated when a government attorney files a lawsuit in court.

Answer: False. Although the details vary, administrative enforcement actions generally do not initially involve a trial in a civil or criminal court. When a public health law authorizes *administrative enforcement* of a particular requirement, administrative agencies are often responsible for the entire enforcement process – from investigating violations and gathering evidence, to imposing penalties or revoking permits for violations of legal requirements, to overseeing administrative hearings and deciding whether the penalty or consequence should be upheld.

➤ This material is discussed in slides 77–78.

8. At a minimum, in administrative enforcement actions, constitutional due process usually requires . . .
- A. Notice of an agency's determination that a violation occurred
 - B. An opportunity for a hearing before an impartial decision maker
 - C. The right to an attorney

D. Both A (notice of an agency's determination that a violation occurred) and B (opportunity for a hearing before an impartial decision maker) – CORRECT ANSWER

Answer: If you selected D, you're right! Under the Fifth and Fourteenth Amendments of the US Constitution, the government cannot deprive individuals of life, liberty, or property without *due process* of law. Although the requirements of due process are flexible and vary according to circumstances, at a minimum, they generally require, first, notice that an agency determined that a violation has occurred and, second, an opportunity for alleged violators to challenge the decision and tell their side of the story to an impartial decision maker. An alleged violator may have additional procedural rights – such as the right to representation by an attorney – based on topic-specific legislation or regulations, but these rights are not a minimum requirement of procedural due process.

➤ This material is discussed in slides 90–91.

Pre- and Post-Training Surveys

Instructions for Facilitators

- Pages 19–22 contain two sample surveys (pre- and post-training evaluation tools) that you can use to gather feedback on the content and quality of your presentation.*
- Depending on the format of your presentation (in person or online), you can provide hard copies of the surveys at the presentation or make the surveys available electronically.

** Before asking participants to complete the pre- and post-training surveys, please note that the Paperwork Reduction Act has specific requirements for federal agencies in regard to collection and housing of data. You may need permission from the Office of Management and Budget if you are collecting information from 10 or more members of the public.*

How Do Health Departments Implement and Enforce the Law? Overview of Administrative Law: Part 3

PRE-TRAINING SURVEY

Thank you for completing the following survey!

Learning Objectives

Please indicate your current confidence level for each of the following learning objectives:

1. I can describe the purpose and function of permits and licenses and the administrative law principles that guide when and how health departments can issue them.
 - a. Not confident
 - b. Somewhat confident
 - c. Confident
 - d. Very confident

2. I can identify strategies to make licensing more equitable.
 - a. Not confident
 - b. Somewhat confident
 - c. Confident
 - d. Very confident

3. I can recognize key legal and equity considerations for health departments when conducting investigations and inspections.
 - a. Not confident
 - b. Somewhat confident
 - c. Confident
 - d. Very confident

4. I can explain how health departments enforce public health laws by issuing citations and participating in administrative hearings.
 - a. Not confident
 - b. Somewhat confident
 - c. Confident
 - d. Very confident

5. I can define equitable enforcement and describe how it can be operationalized in health departments' day-to-day work.
 - a. Not confident
 - b. Somewhat confident
 - c. Confident
 - d. Very confident

Additional Feedback

6. What questions do you have about how health departments implement and enforce the law?

Thank you for your feedback!

How Do Health Departments Implement and Enforce the Law? Overview of Administrative Law: Part 3

POST-TRAINING SURVEY

Thank you for completing the following survey!

Learning Objectives

As a result of attending the session [How Do Health Departments Implement and Enforce the Law? Overview of Administrative Law: Part 3](#), please indicate your current confidence level for each of the following learning objectives of the course:

1. I can describe the purpose and function of permits and licenses and the administrative law principles that guide when and how health departments can issue them.
 - a. Not confident
 - b. Somewhat confident
 - c. Confident
 - d. Very confident

2. I can identify strategies to make licensing more equitable.
 - a. Not confident
 - b. Somewhat confident
 - c. Confident
 - d. Very confident

3. I can recognize key legal and equity considerations for health departments when conducting investigations and inspections.
 - a. Not confident
 - b. Somewhat confident
 - c. Confident
 - d. Very confident

4. I can explain how health departments enforce public health laws by issuing citations and participating in administrative hearings.
 - a. Not confident
 - b. Somewhat confident
 - c. Confident
 - d. Very confident

5. I can define equitable enforcement and describe how it can be operationalized in health departments' day-to-day work.
 - a. Not confident
 - b. Somewhat confident
 - c. Confident
 - d. Very confident

Overall Impression

6. How would you rate the overall session?
 - a. Poor
 - b. Fair
 - c. Good
 - d. Very good
 - e. Excellent

7. I would recommend this session to others.
 - a. Disagree
 - b. Somewhat disagree
 - c. Neither agree nor disagree
 - d. Somewhat agree
 - e. Agree

Additional Feedback

8. What was the most valuable part of the session?

9. How could this session have been improved?

10. What topics would you like to see addressed in future sessions on public health law?

Thank you for your feedback!