WELLNESS AND THE LAW:
State Governments’ Role in Addressing
America’s Public Health Crisis

FRIDAY, OCTOBER 5, 2007

6.0 hours of CLE Credit

Cancer
Rising Health Care Costs
Obesity
Compulsory Vaccination
Smoking Bans
Sedentary Lifestyles
Calorie Taxes
Wellness Based Incentives
AGENDA

8:30 – 9:00  Registration and Coffee

9:00 – 9:20  Introduction
Bottom Lines and Waist Lines: State Governments Weigh In on Public Health Issues
Professor Cynthia Baker
Director, Program on Law and State Government

9:20 – 9:40  Fellowship Address
States’ Efforts toward Encouraging Children’s Wellness through Public Education
Sally Hubbard
Fellow, Program on Law and State Government

9:40 – 10:40  Morning Address
Policies to Promote Physical Activity and Prevent Obesity in Children
Professor Russell Pate
Associate Vice President for Health Sciences, University of South Carolina

10:40 – 11:00  Break/Refreshments

11:00 – 12:00  Act 1220: Arkansas’s Effort to Use Body Mass Index as a Political Tool
Professor Kevin W. Ryan
Executive Associate Director, Arkansas Center for Health Improvement
University of Arkansas for Medical Sciences College of Public Health
Joy Rockenbach
Act 1220 Coordinator, Arkansas Department of Education

12:00 – 1:20  Lunch and Afternoon Address
Influencing Health and Wellness: The Power of Public Policy
Mary Hill, General Counsel and Deputy Commissioner, Indiana State Department of Health

1:30 – 1:50  Fellowship Address
Compulsory Vaccination and Health Security: A Legal and Political History
Samuel Derheimer
Fellow, Program on Law and State Government

1:50 – 2:50  Afternoon Address
The Economies of Taxing toward Health
Professor Frank Chaloupka
Director, University of Illinois at Chicago Health Policy Center

2:50 – 3:00  Break/Refreshments
The Program on Law and State Government Fellowships

The Program on Law and State Government (PLSG) Fellowships provide a unique opportunity for law students interested in contributing to the contemporary scholarship of legal issues facing state governments. Awarded annually on a competitive basis, the fellowships enable two students to work with Director Cynthia Baker to explore an issue of the students’ choosing by hosting an academic event and developing scholarship on that topic. This symposium, addressing public health issues, presents the culmination of the ideas, research, and work of the 2007 PLSG Fellows, Sally Hubbard and Samuel Derheimer. Past fellowship topics include: religious expression in the public sphere, ethics of public service, administrative adjudication, charter school law, state regulation and funding of elections, and the internet’s impact on state tax systems.

For more information about the Program on Law and State Government at the IU School of Law-Indianapolis, contact the program’s director, Cynthia Baker, at 317-278-2357 or e-mail cabaker@iupui.edu.

The Program on Law and State Government would like to thank the Editorial Board of the Indiana Health Law Review for its support of this Fellowship Symposium in anticipation of the upcoming symposium issue of the Indiana Health Law Review.

Supported by the Henry J. Kaiser Family Foundation, Menlo Park, California
“Public health can be achieved only by collective action, not individual endeavor.”

Excerpted from The Role of Law in Improving Public Health

Wellness and the Law: State Governments’ Role in Addressing America’s Public Health Crisis

Across the country, state governments have found themselves faced with difficult decisions regarding proposals for wellness initiatives, health care policy, and laws to encourage healthy living. In Arkansas, debates have erupted over how to properly and safely monitor a child’s progress fighting obesity; the Governor of Texas has been sued for issuing an executive order mandating the HPV vaccination for girls; and Massachusetts has been unable to escape a political quagmire over its decision to institute universal health care. Here in Indiana, during the 2007 legislation cycle alone, the Indiana General Assembly explored proposals to raise the cigarette tax, ban smoking in cars with children, and mandate that young girls receive a vaccination against cervical cancer.

The answers to public health issues are complex, expensive, and almost always outnumbered by additional questions. Public and private interest groups fight to have their public healthcare preferences lifted to the top of the legislative priority list, leaving state legislators to balance several, sometimes competing, interests: 1) medical standards designed to keep healthcare safe and effective, 2) legal standards designed to protect citizen privacy and the balance of government power, and 3) political standards aimed at permitting the opportunity for re-election. The elusive convergence point for these three standards creates the background for this year’s Program on Law and State Government Fellowship Symposium.

What is the role of state governments as this country confronts its public health crisis? Should state governments lead local governments or allow local governments more autonomy in this area? Where are the legal and political lines between private autonomy and public health goals? Can state governments make a difference in the bottom line of health care costs? The Program on Law and State Government welcomes your participation in the 2007 Fellowship Symposium.
Registration

The registration fee of $100 ($55 for state government attorneys, judges and legislators) includes coffee service, written materials and lunch. For lunch program only, the cost is $35. Please complete the attached registration form and mail with a check made payable to the IU School of Law-Indianapolis. The symposium will carry 6 hours of CLE credit. You must include your attorney number if you wish to receive Indiana CLE credit. If you seek CLE credit in another state, please contact that state’s continuing legal education commission. Registrations should be mailed to The Program on Law and State Government, IU School of Law-Indianapolis, 530 West New York Street, Indianapolis, IN 46202. Registrations received by September 14, 2007, will avoid late registration fee. Cancellations after September 21, 2007, will not be refunded.

Scholarships based on financial need may be made available. To apply, send a letter outlining academic or professional interest in the symposium and justifying the request for a symposium scholarship to Arika Bell, IU School of Law-Indianapolis, Program on Law and State Government, 530 West New York Street, Indianapolis, IN 46202. Requests for scholarships must be received by September 7, 2007. If you have questions regarding the scholarships or the symposium, please contact Arika Bell at arlbell@iupui.edu or call (317) 278-2357.

Free parking will be available on a first-come, first-served basis in the surface lot immediately west of the law school building (lot 85).

Individuals with disabilities who need special assistance, please call (317) 278-3400. Special arrangements can be made to accommodate most needs.

If you are interested in CME credit, please e-mail arlbell@iupui.edu.

Registration Form

Name

Employer

Address

City/State/Zip

Phone E-mail

Attorney #

☐ I request a vegetarian meal.

☐ $100 full registration

☐ $55 state government attorney, judge, or government official registration fee

☐ $35 lunch program only (1 credit of CLE)

☐ $125 late registration fee (received on or after September 14, 2007)

Total Amount Enclosed $__________________

Return completed form, with check made payable to the IU School of Law-Indianapolis Attn: Program on Law & State Government IU School of Law-Indianapolis Lawrence W. Inlow Hall, 530 West New York Street Indianapolis, IN 46202
THE PROGRAM ON LAW AND STATE GOVERNMENT
FELLOWSHIP SYMPOSIUM

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