

# Why Keep Public Health Powers Close to Local Communities?

Preemption and other limits on public health authority enacted during the COVID-19 pandemic threaten community health and wellness, including efforts to advance health equity.

## Public health activities can help everyone lead their healthiest lives

Local public health staff improve health and safety for everyone in our communities by connecting local goals and needs with the best available data on what works. Public health activities can prevent the spread of illnesses, improve healthy food access in underserved neighborhoods, and protect youth from dangerous products like flavored nicotine products and sugary drinks. Public health staff also partner with medical and social service providers to help keep residents safe in their homes. Initiatives like these may use local data, engage community expertise, and rely on local partners to improve health outcomes. Public health responsibilities include effectively limiting the most harmful impacts of COVID-19 as well as addressing the dramatic inequities that the pandemic laid bare.

The health and well-being of a community is best understood by those who live, work, and play there. In times of peace as well as during emergencies, local public health workers develop and execute initiatives and responses tailored for – and in partnership with – residents in the communities in which they live and serve.

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### ABOUT THIS FACT SHEET

This fact sheet discusses the dangerous effects of recent attempts to limit the long-standing ways that the public health workforce protects and promotes the health, safety, and well-being of everyone in their communities. For additional resources, technical assistance, and partnership opportunities, please reach out to any of the [Act for Public Health](#) partners, including ChangeLab Solutions.

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## Threats to public health powers are threats to residents' health

In 2021 and 2022, following along with the backlash against public health measures designed to curb the spread of COVID-19, some anti-regulatory state legislators introduced laws that restrict the ability of experts in state and local public health agencies and other government entities to respond to the immediate threats associated with COVID-19. These restrictions put strain on local responders and hinder responsiveness to future public health threats. These laws limit public health authority – the governmental powers and tools that public health staff use to do their work – by **preempting** (or prohibiting) local officials from taking action; **expanding exemptions** from life-saving public health measures like mask and vaccination rollouts; **shifting authority** to respond to public health emergencies away from public health staff and other local, expert responders; or otherwise hindering long-established mechanisms used by local governments to protect their communities. To learn more, please see the fact sheet, [Help Ensure That Public Health Professionals Can Continue to Protect Community Well-Being.](#)

Communities should support local public health authority and stand against efforts to strip authority away from local officials who are more familiar with the communities they serve. Short-sighted restrictions of local public health authority will have the following long-term implications for health equity and the practice of public health:

- Politicizing public health emergencies, turning people against each other rather than toward addressing common threats
- Centralizing authority too much, further taxing overstretched leaders, sidelining experts and those with valuable lived experience, and increasing the administrative and operational costs of responding
- Slowing down response times when a disaster occurs, making it harder for treatment and support providers to reach and serve the most vulnerable members of their community
- Prolonging public health emergencies and related economic disruptions, worsening the disproportionate rates of illness and death among aging, low-income, BIPOC, and other unfairly burdened communities
- Preventing dissemination and implementation of proven tactics for mitigating the harms of a public health emergency, forcing late-adopting communities to reinvent the wheel or fall further behind

- Increasing the proof needed for public health agencies and officials to demonstrate an ongoing public health emergency, reducing how quickly they can react to early trends and disparities they witness in their communities
- Muddying or delaying messages about the latest news on evolving public health threats
- Limiting access to real-time information

Restricting local public health powers disconnects the staff charged with response from the communities they serve. Certain limitations also raise barriers to the day-to-day work of public health officials and staff in non-emergency times, hindering them from enacting proven methods of improving the health and safety of their communities.

## Protecting public health authority is crucial for health equity

Limiting public health authority poses a threat to every individual in a community. When local public health staff are unable to respond quickly and effectively to identified community needs, everyone suffers. Consequences could include loss of things like safe spaces to live, economic opportunity, access to care, safe food to eat, and other things that contribute to community and individual well-being. These threats are especially grave for those already facing unfair health burdens – for example, Black, Indigenous, or other people of color or residents with low income. When unfair health burdens are alleviated, the benefits affect the health of the whole community. Public health officials have worked long and hard, both on the front lines during emergencies and in ways that influence our lives every day, to address unfair differences in health and to make our communities better so that *everyone* can thrive.

The consequences of reshaping public health authority are far-reaching, and the list of implications in the preceding section is not exhaustive. Actions to curtail public health authority threaten to dismantle the well-established and complex structure of public health powers reserved to our state and local governments by the Constitution. Local public health authority keeps decision making closer to home, in the hands of staff who are residents of the community they serve. These decisions are about our health, our families, our places of worship and learning, our care of loved ones. Public health power helps people and communities thrive – and that is worth protecting.

If you are interested in sharing your experiences and learning more about public health authority, please explore [Act for Public Health](#), which includes additional research and resources, as well as opportunities for [technical assistance](#) and other partnerships.

# Act for Public Health

*An initiative of the Public Health Law Partnership*



Act for Public Health, an initiative of the Public Health Law Partnership, provides law and policy research, analysis, and expertise in support of public health authority. This group of public health organizations and experts is applying their decades of experience in public health law and policy work to preserve public health authority and infrastructure wherever challenges arise.

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