

PUBLIC HEALTH ACT PROPOSAL

Renewing BC Public Health Legislation



Discussion Paper 1

December 2004

Principles, Purpose & Objectives

PRINCIPLES

Development and implementation of the new act will be guided by a number of general public health principles, and principles specific to the exercise of public health authority. These are in addition principles that apply to all health services and include:

General

- Proactively improving and protecting the public's health.
- A focus on the health of populations.
- Collaborative partnerships with communities.
- Attention to inequalities in health status.

Specific to exercise of authority

- Least restrictive or intrusive alternatives should be used initially.
- Reciprocity – Reasonable consideration should be given to providing assistance, support and other alternatives in situations where individuals are adversely impacted by public health actions as part of a measure to protect the health of the population.
- Restrictions of liberty only for prevention of harm to the public's health.
- Due process in decision making will be followed to ensure rights and fairness.

As the Act is developed, consideration will be given to reflecting these and other proposed principles where appropriate in operational terms within the legislation.

DEFINITION OF “PUBLIC HEALTH”

A definition of “Public Health” is important to articulate the scope of the Act and the work of public health officials. As other terms needing definition are identified, a list will be compiled and posted on the web site for review. A proposed definition of public health follows:

Public Health is the organized effort of society to protect and improve the health and well-being of the population through

- health monitoring, assessment and surveillance
- health promotion
- reducing inequalities in health status
- prevention of disease, injury, disability and premature death, and
- protection from environmental hazards to health.

This is done through an appropriate balancing of the rights and responsibilities of individuals and organizations and the responsibility of government to protect and promote health.

PURPOSE

A clear purpose statement in the Act succinctly describes the reasons for having a public health act, and will provide overarching guidance with respect to interpretation and further development of the act. The draft purpose statement is:

“The purpose of the act is to provide the authority for the Minister and Health Officials to establish organizational arrangements and take action to protect and promote the health of the population of British Columbia.”

OBJECTIVES

The objectives of the Act will assist in determining the general content and specific sections of the act. Draft objectives include:

a) Responsibilities and Authorities

To define responsibilities and authorities (powers) of the minister, public health officials, regional health boards, local government, and others regarding leadership, structures and processes necessary for public health.

b) Issues of Public Health Importance

To provide the authorities and other tools necessary to monitor, assess, prevent and control specific categories of diseases, injuries and disabilities, and health hazards; respond to public health outbreaks, emergencies, and disasters; protect public health from specific environmental health hazards; and promote improvement of population health.

c) Foundation

To assist in the development of a foundation of public health principles, mission, and core functions that supports and describes public health actions.

d) Common Terminology

To establish a modern terminology that enhances understanding and communication regarding matters of public health law.

e) Plans, Core Services and Programs

To define the statutory requirements for public health assessment and surveillance, policy development, planning, core programs, staff training and development, evaluation and accountabilities.

f) Linkages

To provide linkages between various pieces of public health legislation, and linkages between public health and other legislation.

g) Privacy

To ensure that privacy is protected and that information is only collected and released after balancing the interests of individuals with the interests of the health of the public, consistent with provisions of privacy legislation.

h) Administrative Procedures, Enforcement, and Immunity

To define administrative processes, penalties, and immunities regarding public health actions.

In addition an ongoing evaluation/quality improvement process will be developed outside of the act to ensure that public health legislation remains relevant and effective.

DISCUSSION QUESTIONS

1. Are the principles clear and appropriate? Are there other principles that should be used to guide the development of the act?
2. Does the definition of “Public Health” accurately reflect this concept? Will this be useful in explaining public health?
3. Are the proposed Purpose and Objectives clear? Is anything missing or not necessary?
4. Do you have any other suggestions about the principles, definition, purpose, and objectives?

COMMENTS

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