

Legal Preparedness Toolkit Project

Revision Plan – Group 1
July 23, 2019

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Refresher: Current Document Types

- **Executive Overviews**
One-page snapshots of key concepts and issues
- **Fact Sheets**
One-page documents addressing fundamental issues or legal authorities
- **Issue Briefs**
In-depth information and analyses of fundamental issues
- **State Analysis Guides**
Aids to assist states in identifying / analyzing their statutes, regulations, and policies
- **Current Issues and Updates**
Periodic updates on new and evolving issues
- **Resource Materials**
Bibliographies and links to key agencies, organization, laws, and other documents

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Revisions Across All Toolkits

- Overall goals of revision
 - Update contents
 - Streamline the various types of documents in the toolkits
 - Eliminate redundancies among and within documents
 - Create documents that can be used in more than one toolkit
 - Reorganize the way toolkit documents are presented
- Create framework for addition of future documents/toolkits

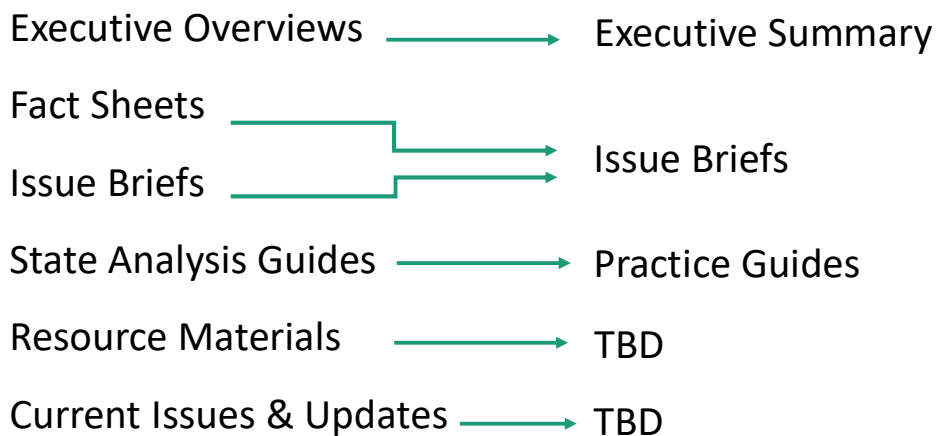
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Streamlined Document Types

Current Toolkits

Revised Toolkits



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Revised Document Types

- **Executive Summary**
 - 2 to 3-page summary of all issues in toolkit; 1 Executive Summary per toolkit
- **Issue Briefs**
 - 4 to 10-page documents; multiple issue briefs; may be used in more than one toolkit
- **Practice Guides**
 - 3 to 6-page documents; combines prior SAGs with practice notes in documents
- **Resource Materials**
 - Will be included; still reviewing options
- **Current Issues & Updates**
 - Will be reserved for future use - TBD

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Eliminate Redundancies

- **Goal:** To the extent possible, eliminate/reduce redundancies among and within toolkit documents while explaining how an issue applies to the toolkit topic
- **Proposed Solution:** Provide fuller explanation of key issues in expanded fact sheets (issue briefs), while streamlining prior issue briefs and eliminating prior fact sheets that are repetitive of issue brief contents
- **Example:** Description of HIPAA Privacy Rule in multiple documents within (and across toolkits)

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Create Documents for Use in Multiple Toolkits

- **Goal:** Create a single document on an issue that can be used in multiple toolkits
- **Proposed Solution:** Create more comprehensive documents about specific topics that apply across multiple toolkits to reduce redundancies and make future updates easier
- **Example:** Create a more comprehensive document about HIPAA Privacy Rule than current 2-page fact sheet in Schools toolkit; use this new document in Information Sharing toolkit and in Schools toolkit

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Reorganize How Toolkit Documents are Presented

- **Currently:** By document type within the toolkit table of contents/ landing page
- **Proposed Solution:** Organize by sub-issues within toolkits
- **Example:** From the PH & Information Sharing toolkit:

PH & Information Collection, Use, Sharing, and Protection

- IB - PH Legal Authorities to Collect, Use, Share, and Protect Information
- IB - FERPA
- IB - HIPPA Privacy Rule
- Practice Guide – PH & Information Collection, Use, Sharing, and Protection

PH Collection and Use of Information as an Employer

- IB - PH Collection and Use of Information as an Employer
- IB – ADA
- Practice Guide - PH and Employee Information

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Questions ?

 Comments

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Emergency Authority & Immunity Toolkit

Summary of Revisions

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Refresher: Current EAI Toolkit Documents

Executive Overviews	• Key Emergency Authority and Immunity Concepts (2) • Key Federal Laws and Policies Regarding Emergency Authority and Immunity (2 p)
Fact Sheets	• Emergency Declarations and Authorities (2 p) • Emergency Management Assistance Compact (2 p) • Federal Emergency Preparedness Directives and Systems (2 p) • Immunity Issues in Emergencies (2 p) • Liability Issues and Emergencies (2 p) • Mutual Aid and Assistance Agreements (2 p) • National Emergencies Act, Sections 201 and 301 (2 p) • Pandemic and All Hazards Preparedness Act (2 p) • Public Health Service Act, Section 319: Public Health Emergencies (2 p) • Public Readiness and Emergency Preparedness Act (2 p) • Robert T. Stafford Disaster Relief and Emergency Assistance Act (2 p) • Social Security Act Section 1135 Waivers (2 p) • Workers' Compensation Issues in Emergencies (2 p)
Issue Briefs	• Liability, Immunity, and Workers' Compensation Issues in Public Health Emergencies (14 p)
State Analysis Guides	• Emergency Declarations and Authorities (5 p) • Liability, Immunity, and Workers' Compensation Issues (6 p)
Current Issues & Updates	• Winter 2012-Pandemic and All-Hazards Preparedness Act Reauthorization (2 p) • Summer 2011-New Presidential Policy Directive Replaces HSPD-8 (2 p)
Supplemental Materials	(11 p)
Total Documents	20 (21)

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EAI Toolkit Revisions – Overview of Changes

- Focus on the three facets of issue: (1) Emergency authorities and systems; (2) Liability, immunity, and compensation; (3) Key federal laws
- Eliminate/combine existing executive overviews into a new Executive Summary document
- Streamline/combine fact sheets on emergency authorities, etc. into new Issue Briefs
- Streamline/combine fact sheets and issue brief on immunity, etc. into new Issue Briefs
- Expand fact sheets on key federal laws to create Issue Briefs*
- Create new Practice Guides from existing state analysis guides and “practice notes” sections in current fact sheets and issue briefs

(* For further discussion with group)

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Revised Documents – Executive Summary

Current

Executive Overviews

- Key Emergency Authority and Immunity Concepts
- Key Federal Laws and Policies Regarding Emergency Authority and Immunity

Revised

Executive Summary

- Emergency Authority and Immunity
 - Will cover three areas:
 - Emergency authorities and systems
 - Liability, immunity, and compensation
 - Key federal laws

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Revised Documents – Emergency Authorities & Systems

Current

Fact Sheets

- Emergency Declarations and Authorities
- Emergency Management Assistance Compact
- Federal Emergency Preparedness Directives and Systems
- Mutual Aid and Assistance Agreements

Revised

Issue Briefs

- Emergency Authorities and Systems
- Mutual Aid and Assistance Agreements

Other Possible Issue Briefs

- Tribal issues
- PH and health care systems

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Revised Documents – Liability, Immunity & Compensation

Current

Fact Sheets

- Immunity Issues in Emergencies
- Liability Issues and Emergencies
- Workers' Compensation Issues in Emergencies

Issue Briefs

- Liability, Immunity, and Workers' Compensation Issues in Public Health Emergencies

Revised

Issue Briefs

- Liability Issues in Emergency Preparedness and Response
- Immunity Issues in Emergency Preparedness and Response
- Workers' Compensation Issues in Emergency Preparedness and Response

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Revised Documents – Key Federal Laws

Current

Fact Sheets

- National Emergencies Act, Sections 201 and 301
- Pandemic and All Hazards Preparedness Act
- Public Health Service Act, Section 319: Public Health Emergencies
- Public Readiness and Emergency Preparedness Act
- Robert T. Stafford Disaster Relief and Emergency Assistance Act
- Social Security Act Section 1135 Waivers

Revised

Issue Briefs *

- National Emergencies Act, Sections 201 and 301
- Pandemic and All-Hazards Preparedness and Advancing Innovation Act
- Public Health Service Act, Section 319: Public Health Emergencies
- Public Readiness and Emergency Preparedness Act
- Robert T. Stafford Disaster Relief and Emergency Assistance Act
- Social Security Act Section 1135 Waivers

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Revised Documents – Practice Guides

Current

Fact Sheets

- “Practice Notes” sections

Issue Briefs

- “Practice Notes” sections

State Analysis Guides

- Emergency Declarations and Authorities
- Liability, Immunity, and Workers’ Compensation Issues

Revised

Practice Guides

- Emergency Authorities and Systems
- Liability, Immunity, and Workers’ Compensation in Emergency Preparedness and Response

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Summary of Revised Documents - EAI

Executive Summary	• Emergency Authority and Immunity
Issue Briefs	• Emergency Authorities and Systems • Mutual Aid and Assistance Agreements • Liability Issues in Emergency Preparedness and Response • Immunity Issues in Emergency Preparedness and Response • Workers’ Compensation Issues in Emergency Preparedness and Response • National Emergencies Act, Sections 201 and 301 • Pandemic and All-Hazards Preparedness and Advancing Innovation Act • Public Health Service Act, Section 319: Public Health Emergencies • Public Readiness and Emergency Preparedness Act • Robert T. Stafford Disaster Relief and Emergency Assistance Act • Social Security Act Section 1135 Waivers
Practice Guides	• Emergency Authorities and Systems • Liability, Immunity, and Workers’ Compensation in Emergency Preparedness and Response
Current Issues & Updates	[Reserved]
Supplemental Materials	[TBD]
Total Documents	14 (15)

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Questions ?



Comments

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Emergency Volunteer Toolkit

Summary of Revisions

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Refresher: Current Emergency Volunteer Documents

Executive Overviews	• Key Emergency Response Volunteer Concepts (2 p) • Key Federal and State Laws Regarding Emergency Volunteers (2 p)
Fact Sheets	• Types of Volunteers (2 p) • Volunteer Licensing, Credentialing, and Privileging and Waiver and Reciprocity (2 p) • Volunteers, Liability and Liability Protections (3 p) • Volunteer Protection Acts and Good Samaritan Laws (2 p) • Volunteer Registration (1.5 p) • Workers' Compensation and Disability Benefits for Emergency Volunteers (1.5 p)
Issue Briefs	
State Analysis Guides	• Emergency Volunteers (7 p)
Current Issues & Updates	
Supplemental Materials	(6 p)
<i>Total Documents</i>	<i>9 (10)</i>

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Emergency Volunteer Toolkit Revisions – Overview of Changes

- Focus toolkit into two areas: (1) Immunity, liability, and compensation issues for emergency volunteers; and (2) Volunteer registration and verification
- Eliminate/combine existing executive overviews into a new Executive Summary document
- Streamline/combine fact sheets on immunity, etc. into new Issue Brief(s)*
- Streamline/combine fact sheets on volunteer registration, etc. into new Issue Brief
- Create two new Practice Guides based on new focus areas; repurpose information in existing state analysis guide and “practice notes” sections in current fact sheets and issue briefs
 - (* For further discussion with group)

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Revised Documents – Executive Summary

Current

Executive Overviews

- Key Emergency Response Volunteer Concepts
- Key Federal and State Laws Regarding Emergency Volunteers *

Revised

Executive Summary

- Emergency Volunteers
 - Will cover two areas:
 - Immunity, liability, and compensation issues for emergency volunteers
 - Volunteer registration and verification

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Revised Documents – Volunteer Immunity, etc.

Current

Fact Sheets

- Volunteers, Liability and Liability Protections
- Volunteer Protection Acts and Good Samaritan Laws
- Workers' Compensation and Disability Benefits for Emergency Volunteers

Revised

Issue Briefs *

- Liability Issues in Emergency Preparedness and Response
- Immunity Issues in Emergency Preparedness and Response
- Workers' Compensation Issues in Emergency Preparedness and Response

and/or

- Liability, Immunity and Workers' Compensation Issues for Emergency Volunteers

** Use same ones from EAI Toolkit?*

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Revised Documents – Volunteer Registration, etc.

Current

Fact Sheets

- Types of Volunteers
- Volunteer Licensing, Credentialing, and Privileging and Waiver and Reciprocity
- Volunteer Registration

Revised

Issue Brief

- Volunteer Registration and Verification

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Revised Documents – Practice Guides

Current

Fact Sheets

- “Practice Notes” sections

Issue Briefs

- “Practice Notes” sections

State Analysis Guides

- Emergency Volunteers

Revised

Practice Guides

- Immunity, Liability, and Compensation Issues for Emergency Volunteers
- Volunteer Registration and Verification

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Summary of Revised Documents – Emergency Volunteers

Executive Summary	• Emergency Volunteers
Issue Briefs	• Volunteer Registration and Verification • Liability Issues in Emergency Preparedness and Response • Immunity Issues in Emergency Preparedness and Response • Workers' Compensation Issues in Emergency Preparedness and Response (OR - combined) • Liability, Immunity and Workers' Compensation Issues for Emergency Volunteers
Practice Guides	• Immunity, Liability, and Compensation Issues for Emergency Volunteers • Volunteer Registration and Verification
Current Issues & Updates	<i>[Reserved]</i>
Supplemental Materials	<i>[TBD]</i>
<i>Total Documents</i>	<i>7 OR 5 + supplemental materials (1)</i>

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Questions ?



Comments

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