

The Public's Health and the Law in the 21st Century
5th Annual Partnership Conference

Concurrent Session

All for All: The Status and Future of Mutual Aid Agreements

Tuesday, June 13, 2006
10:30-12:00 pm

Moderator: Daniel Stier, JD, Public Health Analyst, Public Health Law Program, CDC, Atlanta, GA

Panel: Kenneth G. Castro, MD, Director, Division of TB Elimination, CDC, Atlanta, GA

Jay McAuliffe, MD, MPH, Acting Team Leader, Geographic and Program Coordination,
Coordinating Office of Global Health, CDC, Atlanta, GA

Clifford M. Rees, JD, Adjunct Professor, University of New Mexico Health Sciences
Center, School of Medicine, Center for Disaster Medicine, Albuquerque, NM

Session Purpose:

This session will begin by identifying the need for mutual aid across interstate and international borders during public health emergencies, including the sharing of planning information, epidemiologic/laboratory data and information, supplies and equipment, and personnel. Next the panel will outline legal issues and barriers related to providing mutual aid and give an overview of the domestic and international (US-Canada and US-Mexico) mutual aid agreements that are in place as well as those currently in the development stage. Mr. Stier will generally outline the topic. Dr. Castro and Dr. McAuliffe will describe the need for mutual aid, with particular emphasis on the sharing of medical/treatment/epidemiologic information. Experience with TB patients during Hurricane Katrina and along the U.S.-Mexico border will be provided as examples. Mr. Steir then will outline existing mutual aid agreements and provide a progress report on work underway to develop additional agreements. Finally, Mr. Rees will provide comments regarding efforts to improve understanding of public health law in Mexico.

Learning Objectives:

By the close of this session, conference participants will be able to:

- Explain the need for interstate and international mutual aid agreements;
- Improve recognition of legal issues related to development of mutual aid agreements;
and
- Identify critical steps needed to address those legal issues.

Session Convener:

The Public Health Law Program, CDC

Lessons Learned:

1. Clifford Rees: Mexican law resources are available on-line in Spanish and English for American attorneys. Mexican health law (e.g. Ley General de Salud) is entirely federal and not yet translated into English. On-line Mexican law resources in English include the following:

- Electronic Guide to Mexican Law by Francisco Avalos and Elisa Donnadieu
<http://www.llrx.com/features/mexican.htm>

- Introduction to the Mexican Legal System by Francisco Avalos
http://www.law.arizona.edu/Library/internet/publications/library/documents/mexican_legal_sys.htm

- Mexican Legal Materials in English, Southern Methodist University Underwood Law Library <http://library.law.smu.edu/resguide/mexico.htm>

Translation of Mexican health law into English would provide an important tool for American public law practitioners in the creation of Mexican-American mutual aid agreements between state and local entities on both sides of the Mexico-US border.