



Association of State and Territorial Health Officials

Social Distancing Law Project

May 2007

The Association of State and Territorial Health Officials (ASTHO) has received funding from the Centers for Disease Control and Prevention (CDC) to assist states in conducting an assessment of their legal preparedness to implement social distancing measures in both declared and undeclared public health emergencies.

Rationale for the Project

Pursuant to Homeland Security Council and Department of Health and Human Services (DHHS) priorities, CDC's Influenza Coordinating Unit and Division of Global Migration and Quarantine have asked the CDC Public Health Law Program to administer this project as part of CDC's initiative to improve the nation's preparedness for pandemic influenza and other public health emergencies involving highly infectious emerging diseases. The CDC Public Health Law Program has asked ASTHO to implement the project.

The purpose of this project is to determine the legal preparedness of jurisdictions to address a potential influenza pandemic through certain social distancing measures, such as restricting the movement of persons or closing public gatherings, as well as to accept federal assistance or provide support for federal efforts to institute such measures. The project seeks to ensure the presence of effective legal authorities for social distancing measures, to establish and sustain the competencies of public health professionals to apply those laws, to provide coordination of such efforts across jurisdictions and sectors, and to make accessible information about best practices.

Project Activities

Eighteen jurisdictions that either host CDC quarantine stations or border jurisdictions with quarantine stations can participate. The 18 participating jurisdictions will be asked to: (1) identify and assess the sufficiency of their legal authorities to implement social distancing measures and issue blanket prescriptions in the event of a pandemic; (2) identify any gaps or uncertainties in those authorities; and (3) the 13 jurisdictions with federal quarantine stations will also hold "legal consultation meetings," which will be one-day tabletop exercises to work through a scenario incorporating social distancing measures. Each jurisdiction will prepare a written report of the results of its legal assessment and/or legal consultation meeting. ASTHO, and its consultant, Karen McKie, JD, MLS, will provide participating jurisdictions with funding and technical assistance in completing the legal assessment and legal consultation meeting.