Legal Epidemiology Competency Model v. 1.0
Concept Paper
<mark>**DRAFT**</mark>
<mark>**For Limited Distribution**</mark>
(Updated as of December 29, 2016)

Project Goal

Competencies are the knowledge and skills workers need to perform their work well—a set of statements that workers use to define their accomplishments and work goals.[1] A *competency model* is a list of competencies, organized into groupings or domains, which describe the range of skills needed for satisfactory to exceptional employee performance. Some governmental agencies refer to these as core competencies.

The goal of the Legal Epidemiology Competency Model (LECM) project is to develop guidelines for minimum competencies in *legal epidemiology*,[2] including research and translation knowledge and skills required of public health practitioners, lawyers, and policy experts working in state, Tribal, local, or territorial health departments.   The LECM is neither comprehensive nor prescriptive; in most cases, competencies used from this model to create job-related standards will depend on the practitioner's area of study. Rather, the aim of this project is to present a <u>user-friendly model of a minimum set of law-specific skills and legal knowledge</u> in legal epidemiology that is necessary for effective public health research and practice across STLT jurisdictions.

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[1] Competency Models-Communicating Industry's Education and Training Needs: Competency Model Development and Use: A Technical Assistance Guide. (2015). Retrieved December 21, 2016 from https://www.careeronestop.org/competencymodel/Info_Documents/TAG.pdf.

[2] Legal epidemiology is the scientific study of law as a factor in the cause, distribution, and prevention of disease and injury. *See* S. Burris et al., "A Transdisciplinary Approach to Public Health Law: The Emerging Practice of Legal Epidemiology," *Annual Review of Public Health* 37 (2016): 135-148.

Background and Purpose

The LECM is designed to be a user-friendly model of <u>specific skills and knowledge necessary to effectively develop, implement, or oversee legal epidemiology studies.</u> The organization of the model in three tiers (entry level, program management or supervisory level, and senior management or executive level) reflects three distinct stages of legal epidemiology career development and provides guidance in identifying appropriate competencies for the relevant career stage.

The LECM development team is hopeful that the LECM will:

1. Provide a common language to describe the critical skills and knowledge of practitioners engaged in the scientific study of law as a factor in the cause, distribution, and prevention of disease and injury.
2. Drive the development of legal epidemiology-focused curricula, scholarly support, and additions to the literature.
3. Create a tool to guide the development of products related to public health law research and training under federal capacity-building cooperative agreements.

The LECM will be the standard that practitioners can use to ensure legal epidemiology deliverables, including trainings, are competency-based. For instance, under the umbrella cooperative agreement managed by the CDC Office for State, Tribal, Local, and Territorial Support, ChangeLab Solutions has been tasked with developing a Public Health Law Academy (\the Academy) by the fall of 2017.[3] The Academy will be a central repository that holds innovative, interactive, high-quality, and engaging trainings and a Legal Epidemiology Center that directs users to federally-funded legal research and translation tools and examples. These products will use the LECM to build legal epidemiology capacity in the public health workforce.

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[3] The Academy is a web-based learning portal connected to CDC TRAIN, which gives access to more than 1,300 courses developed by CDC programs, grantees, and other funded partners.

Anticipated uses for the Legal Epidemiology Competency Model:

- Provide a foundation for national standards of knowledge, skills, and abilities in legal epidemiology
- Updating and revising job descriptions
- Career planning and self-assessment by employees
- Career guidance and exploration for students
- Developing competency-based training and learning outcome objectives
- Curriculum development, evaluation, and planning

Methodology

The project will be completed in approximately one year between December 2015 and January 2017, in five phases as described below.

Step 1: Build a competency library

PHLP compiled a menu of existing, related competencies and examples of other health research competency models. Researchers conducted a review of existing statements of competencies, performance benchmarks, and other related standards for scientific research and translation. Twenty-five competency sets were identified as related to the project including principles outlined in *Public Health Law Research: Theory and Methods* (2013), Policy Surveillance Competencies, The American Association of Law Libraries Legal Research Competencies, and practice-based competencies such as CDC Public Health Analyst GS-685 and HHS Core Competencies. The competency sets were compiled into a *competency library*, which researchers reviewed for redundancies. Six subject matter experts (SMEs), all nationally recognized as experienced in legal epidemiology, convened as a Competency Library Panel to determine appropriateness and identify gaps in the library. PHLP used the Panel's suggestions to improve and increase the competencies subject for review and built a comprehensive competency library.

Step 2: Convene an Expert Review Workgroup (ERW)

PHLP convened a multi-disciplinary Expert Review Workgroup that met monthly from June through November of 2016 to help guide the competency model development process. The primary purpose of the ERW was to provide input on the relative importance of each of the statements in the competency library in terms of achieving desired results, offer individual comments on those that are most critical to legal epidemiology practice, and provide edits and comments on the behavioral statements for each competency across three tiers of legal epidemiology practice. The ERW participants represented all three tiers of career development envisioned for the LECM, as well as the many of the professions typically seen in the current transdisciplinary public health law workforce.

Step 3: Develop the model

PHLP used the feedback it gathered from the ERW and the statements in the competency library to develop domains, competency statements, and behavioral statements. Each competency contains behavioral statements for each tier of career development that reflect the skills necessary to meet the minimum standards for legal epidemiology-based research and translation. Each competency statement and its corresponding behavioral statements are drafted to be demonstrable and measureable. The LECM started with five domains and four competency statements. After each ERW meeting, PHLP narrowed and edited the competency model until it captured the skills the ERW determined were necessary to be minimally competent in legal epidemiological work. The Final Working Draft of the LECM, depicted in Figure 1, has three domains. Each domain contains four to five competency statements that reflect the activities practitioners currently undertake in the field of legal epidemiology.

Step 4: Validate the model

The Public Health Foundation will validate application of the competency model through a virtual town hall process.[4] The validation process aims to verify the accuracy and relevance of the content of the LECM and identify gaps or issues in its structure and framework. Although the model was developed through an extensive review of the literature and based on SME input, validation will provide additional quantitative data about the content of the model from a large sample of public health practitioners.

Step 5: Finalize the model

Once validation findings have been collected and shared, PHLP will revise, finalize, and disseminate the LECM for use in the field in late 2017.

Key Assumptions of the LECM:

The Legal Epidemiology Competency Model is meant to reflect the practice of legal epidemiology. As such, PHLP and the ERW understood that certain assumptions must be made in a growing, diversifying, and developing field:

- Legal epidemiology recognizes that generating, analyzing, and communicating information about law through quantitative and qualitative analysis is essential to the promotion of population health.
- The LECM competencies support desirable legal epidemiology-related knowledge and skills for public health practitioners, lawyers, and policy experts at progressive stages of their careers, and are designed to build upon each other.
  - Tier 1 reflects competencies applicable to those who directly implement legal epidemiology research tasks, and are not in management or supervisory positions. Responsibilities of these professionals may include collecting, analyzing, and coding legal data.

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[4] This work will be funded through a contract with ChangeLab Solutions under the OSTLTS umbrella cooperative agreement with CDC.

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- o Tier 2 reflects competencies applicable to the mid-tier practitioner who is in a program management, team lead, or supervisory role. Responsibilities of these professionals may include developing, implementing, and evaluating a legal epidemiology study or program.
  - o Tier 3 reflects those competencies which apply to professionals at a senior management or principal investigator level. Tier 3 professionals are responsible for overseeing major programs or operations, and setting an overall strategy or vision for legal epidemiology related studies and projects, and usually have staff who report to them.
- Legal epidemiology practitioners, including non-attorneys, should possess basic competencies in public health law,[5] including understanding the process for the creation and implementation of law and policy, as well as basic principles of administrative and constitutional law.
- Competencies do not limit the practice of legal epidemiology. They are meant to reflect basic competencies at three tiers of practice within each domain, but not all of the necessary skills for every job would be represented in the model, and every person working in the field would not necessarily need all of the competencies listed. As such, the model was created to provide a broad set of skills and will have to be tailored for individual job descriptions and uses.

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[5] The Public Health Law Competency Model describing these competencies can be found here.

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Figure 1. Legal Epidemiology Competency Model: Final Working Draft

Domain #1 General Legal Epi Competencies			
Competency Statement #1: **Articulate and apply legal epidemiology principles and concepts to inform health, fiscal, administrative, legal, social, and political research and discourse.**	**Tier 1**	**Tier 2**	**Tier 3**
	Define and describe basic legal epidemiology principles and concepts for use in transdisciplinary legal epidemiology research	Assemble and support a transdisciplinary legal epidemiology research team, contributing to study processes and outcomes (timeline, IRB coordination, publications)	Provide guidance to a transdisciplinary legal epidemiology research team
	Perform assigned tasks as a member of a transdisciplinary legal epidemiology research team	Manage legal epidemiology research teams across disciplines, including assignment of roles and responsibilities	Promote transdisciplinary collaborations, partnerships, and team building to accomplish legal epidemiology program objectives
	Identify opportunities to include legal epidemiology in existing organizational activities	Apply for and create funding opportunities, cross-sector collaborations, peer review, and outreach using legal epidemiology principles and concepts	Allocate funding for legal epidemiology studies within new or existing programs
	Collaborate across relevant disciplines to effectively use the resources allocated for specific legal epidemiology studies	Assign available resources to activities needed to support high quality legal epidemiology research	Promote legal epidemiology principles and concepts in organizational strategic planning processes and in policy agendas for federal, state, tribal, local, territorial, and global public health programs, as well as NGOs and academic programs

Competency Statement #2	Tier 1	Tier 2	Tier 3
Incorporate methodologies and iterative processes into well-designed legal epidemiology research.	Conduct background research and draft scoping statements for sound legal epidemiology studies.	Identify opportunities to address population and research needs and through legal epidemiology methodology and processes (e.g. developing research questions).	Choose best approaches to ensure methodology and processes are tailored to research gaps and study questions.
	Record all pertinent scoping information for future reference and replication, such as: a. resources and methods used, b. information considered, and c. reasons for selecting or rejecting various authorities or resources	Apply knowledge of legal epidemiology principles and concepts to make specific recommendations regarding coding schemes and research protocols	Apply knowledge of legal epidemiology principles and methods to make decisions regarding coding schemes and research protocols
	Draft supporting documentation, including coding scheme, legal epidemiology research protocols, codebooks, and data sheets	Finalize legal epidemiology documentation to reflect methodology	Oversee the accurate completion of legal epidemiology study documentation

Competency Statement #3:	Tier 1	Tier 2	Tier 3
Develop and disseminate materials and recommendations based on legal epidemiology research findings for public health, legal, and other audiences.	Draft research papers, articles, or reports that describe how legal epidemiology findings inform the practice of law, policy, and public health	Synthesize current and previous legal epidemiology study findings to inform the practice of law, policy, and public health	Guide the development of research papers, articles, or reports which describe how legal epidemiology findings inform legal frameworks and contribute to health outcomes
	Draft abstracts for presentations on legal epidemiology findings	Collaborate with communication and informatics specialists in the design of legal epidemiology translational tools which convey variation in laws and legal processes	Identify actionable next steps based on legal epidemiology findings to improve future research and advance health outcomes
	Convey findings in laws and legal processes in written, visual, and graphical depictions tailored to discrete audiences	Explain legal epidemiology methodologies and findings to public health, legal, and lay audiences	Explain the significance and impact of legal epidemiology methodologies and findings to decision-makers
	Convey variation in laws and legal processes in visual depictions.	Choose and appropriate communication format and style to educate non-lawyers.	Partner with stakeholders to ensure legal epidemiology findings are used to inform public health practice

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Competency Statement #4: **Monitor and evaluate the use of legal epidemiology findings to inform health, fiscal, administrative, legal, social, and political activities.**	Tier 1	Tier 2	Tier 3
	Document evidence about the influence of legal epidemiology studies in informing ongoing debate or reform of related laws or legal mechanisms.	Identify needs for legal epidemiology studies to impact ongoing debate and reform of related laws or legal mechanisms	Develop mechanisms to monitor and evaluate legal epidemiology studies for their effectiveness and quality
			Identify opportunities for replication, update, and/or expansion of existing legal epidemiology studies

Domain #2: Competencies for Legal Mapping Studies			
Competency Statement #1: **Identify needs for evidence-based legal research for a specific public health topic to inform the process, nature, and impact of existing and potential policies and laws on public health.**	**Tier 1**	**Tier 2**	**Tier 3**
	Describe the need for a legal mapping study through problem definition with input from a subject matter expert	Compare the precise public health law issues with gaps in policy surveillance to determine areas for further investigation	Predict legal mapping research priorities based on current knowledge of partners and activities in the field
	Research the legal and policy framework and new legislative and regulatory developments related to the particular public health problem or area	Select jurisdictions, populations, or outcomes in order to tailor the scope of legal mapping research	Identify and finalize legal mapping study objectives
	Use multiple data sources to obtain health and law-related background or data for analysis to create a legal mapping research question	Determine feasibility of the legal mapping study and develop a research question	Apply for and allocate resources and develop transdisciplinary partnerships
Competency Statement #2: **Design policy surveillance or legal assessment studies to address specific research questions.**	**Tier 1**	**Tier 2**	**Tier 3**
	Collect laws or policies iteratively using online search platforms based on background research	Critique methods and instruments for collecting valid and reliable legal or health data	Guide research agenda across multiple legal mapping studies
	Generate search string, variables of interest, scope definitions, and coding system based on initial review of collected information	Organize tasks in a legal mapping study based on administrative requirements and resources	Confirm the appropriateness of the legal mapping study scope and coding scheme of the research paradigm with subject matter experts
		Consult with stakeholders, accrediting bodies and other partners regarding the progress of development of standards, measures, and metrics	

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Competency Statement #3:	Tier 1	Tier 2	Tier 3
Track and assess laws, policies, and political and programmatic priorities using evidence-based or empirical guidelines (including health-related principles or trends, stakeholder or special interests, and other key developments or concerns).	Apply coding system to collected laws and policies using an iterative process	Standardize and perform quality review of coding and surveillance procedures and systems	Track legal mapping study progress and provide objective feedback on research strategy using institutional knowledge and experience
	Quantify variation in laws or policies between jurisdictions or over time on a regular schedule	Evaluate research strategies against program objectives and outcomes and revise them as needed	Foster communications with partners to provide review of legal mapping study methodology, progress, and findings
	Operates local, national, and global law and policy databases using data from surveillance, investigations, or other sources	Identify opportunities for innovation and enhancement of methods or use of new technology or resources for legal epidemiology studies	Pursue opportunities for innovation and enhancement of methods or use of new technology or resources
Competency Statement #4	Tier 1	Tier 2	Tier 3
Analyze, validate, and synthesize results and findings that compare and contrast meaningful variations in law and policy related to health.	Resolve ambiguities, discrepancies, and conflicts in data	Synthesize findings from legal mapping studies based on the current legal, public health, and political context	Develop systems to monitor and evaluate legal mapping programs for their effectiveness and quality
	Identify the variations in and limitations of research findings	Apply legal epidemiology principles and concepts to make recommendations regarding the validity of data	Ensure that legal mapping study design, process, and findings have met original research objectives
	Describe the methods for and basic findings from the legal mapping study	Confirm the variations in and limitations of research findings	Examine findings in the context of the current state of knowledge on the subject

Domain #3: Competencies for Legal Evaluation Studies			
Competency Statement #1: Identify needs and feasibility for a legal evaluation study based on existing legal, health, or other data.	Tier 1	Tier 2	Tier 3
	Identify existing data sources available for legal evaluation research, such as legal mapping and other surveillance data that pertain to the issue	Identify multiple data sources and analytical tools for the research topic	Establish research priorities based on evidence, potential for improving population health, socioeconomic or cultural needs or priorities, and professional standards
	Review and assess relevant literature, public health laws, regulations, and policies related to specific programs, and other evidence	Articulate significance of interventional, infrastructural, or intersectional laws to the legal evaluation	Identify specific legal evaluation study aims
		Report needs or requirements for data collection, e.g., legal mapping studies	

Competency Statement #2: Design a legal evaluation research strategy to study potential correlations using public health surveillance or legal mapping studies.	Tier 1	Tier 2	Tier 3
	Collect measurable, meaningful, and manageable data relevant to an issue and test its reliability	Identify appropriate research questions in light of need and feasibility	Select research questions for legal evaluation study.
			Gather support for research plan through stakeholder engagement
	Identify legal evaluation study designs with proximal and distal impacts to issue	Develop a logic model incorporating proposed legal evaluation study designs to inform the legal evaluation research plan	Finalize a logic model, incorporating the mechanisms through which the law can deter, encourage, or compel health-related behaviors
		Operationalize key constructs and concepts in a draft legal evaluation research plan	Ensure legal evaluation study design includes potentially underrepresented or underprivileged groups
	Propose options for conducting legal evaluation study, including extramural funding and staff and stakeholder involvement	Finalize research plan for the legal evaluation study using available resources and incorporating evaluation theory	Develop a fiscally sound budget that will support the activities defined in the research plan and that is consistent with the financial rules of the agency

Competency Statement #3: Collect and analyze qualitative and quantitative study data using generally-accepted research methodologies.	Tier 1	Tier 2	Tier 3
	Adhere to the legal evaluation study protocol in the collection and management of data	Follow legal and ethical principles and concepts within the design for the legal evaluation study (e.g., Institutional Review Board requirements prior to data collection, if necessary)	Monitor legal evaluation research progress and quality against specific targets
	Collaborate with team members to review initial results and confirm correct scoping of the data	Develop an explicit quality review and control plan to standardize analytic codes used in legal evaluation studies	Manage available resources such as staff, time, and budget for specific legal evaluation studies
	Ensure validity and reliability of the data		
Competency Statement #4: Interpret results, draw conclusions, and formulate key findings toward the improvement of public health.	Tier 1	Tier 2	Tier 3
	Identify key findings and limitations from the data collection and analysis.	Apply criteria to evaluate the reliability of information through cross-checks, external review, etc., including but not limited to: authority, credibility, currency, and authenticity.	Analyze research results using institutional knowledge and experience on the topic, as well as general knowledge of legal principles
	Describe patterns or trends in data across sources"	Apply standardized population categories or variables when performing data analysis	Interpret findings according to geographic, socioeconomic, political, or cultural factors identified through stakeholder engagement
	Apply principles of epidemiology and informatics, including data collection, processing, and analysis, in support of legal epidemiologic practice	Interpret point estimates and confidence intervals of measures of central tendency and dispersion, disease or event frequency, and measures of association and impact	

Glossary:

Behavioral Statements

Behavioral statements are demonstrable and measurable indicators of an individual's knowledge, skill, and ability.

Codebook

A codebook for a legal dataset (also known as a data dictionary) defines the variables and correlating values in the legal data. Codebooks for legal datasets include a brief description of the study and scope of data collection, any relevant technical information about the files, definitions for each variable, and definitions for each possible value of the variables. *(Wagenaar and Burris, Public Health Law Research: Theory and Methods)*

Coding

Coding is the process of converting textual into numerical information, focusing on objectively measurable features, i.e. dates, parties, and penalties, *(Wagenaar, Law and Global Health: Current Legal Issues)*

Legal dataset

A collection of coded legal provisions for scientific analysis.

Legal epidemiology principles

Legal epidemiology principles are the work of conceptualizing, implementing, and evaluating laws to change behaviors and environment. (*Burris and Ashe, A Transdisciplinary Approach to Public Health Law: The Emerging Practice of Legal Epidemiology*)

Legal epidemiology practitioners

Public health lawyers, public health scientists, and public health practitioners who study the relationship of law as a factor in a population's health. (*Burris and Ashe, A Transdisciplinary Approach to Public Health Law: The Emerging Practice of Legal Epidemiology*)

Protocol

A legal epidemiology protocol is a clearly defined description of the type of law to be studied, search methods for databases, and coding scheme identifying features of laws. *(Wagenaar and Burris, Public Health Law Research: Theory and Methods)*

Scoping

Scoping is a method used to define the parameters of population, disease, and law to be studied in order to develop effective coding schemes.

Expert Review Workgroup

ANDERSON, Evan Anderson, JD
Core Faculty, MPH Program
Center for Public Health Initiatives
University of Pennsylvania

BAKER-WHITE, Andy, JD, MPH
Associate Director
The Network for Public Health Law Mid-State Region
University of Michigan School of Public Health

BERMAN, Micah, JD
Assistant Professor
Health Services Management & Policy
College of Public Health & Moritz College of Law
Ohio State University

CHRIQUI, Jamie, PhD, MHS
Professor, Division of Health Policy and Administration
Fellow, Institute for Health Research and Policy
Co-PI, UIC Physical Activity Policy Research Network +
Collaborating Center
Co-I, Illinois Prevention Research Center
Director of Policy Surveillance and Evaluation
School of Public Health
University of Illinois at Chicago

DAVIS, Corey, JD
Senior Attorney
National Health Law Program

ELDER, Randy, MEd, PhD
Health Scientist
Guidelines and Recommendations Activity
Office of the Associate Director for Science
Centers for Disease Control and Prevention

FAROOQUI, Zain, JD
Associate General Counsel
Georgia Department of Public Health

FARQUHAR, Doug, JD
Program Director
National Conference of State Legislatures

FOSTER, Lindsay, JD
Senior Policy Surveillance Manager
Policy Surveillance Program
Center for Health Law, Policy, and Practice

GARCIA, Andrea, JD, MPH
Senior Policy Analyst
American Medical Association

GAY, Marva, JD
General Counsel/Sr. Assistant County Attorney
Harris County Attorney's Office
Public Health and Environmental Services

GLADSTONE, Ellie, JD, MPH
Senior Staff Attorney
ChangeLab Solutions

HITCHCOCK, Laura, JD
Project Manager, Policy Research & Development
Assessment Policy Development & Evaluation Unit
Chronic Disease & Injury Prevention Unit Public Health
Public Health - Seattle & King County

ANGUS-HORNBUCKLE, Carolyn, JD
Senior Program Manager
Policy Research Center

HOSS, Aila, JD
Staff Attorney Carter Counseling, Inc.
Public Health Law Program
Center for Disease Control and Prevention

HUNTER, Ed, JD
President/CEO
De Beaumont Foundation

IBRAHIM, Jennifer, PhD, MPH
Associate Dean for Academic Affairs
College of Public Health
Temple University

KATZ, Rebecca, MPH, MPA, PhD
Associate Professor
Health Policy and Emergency Medicine
George Washington University School of Public Health and
Health Services
Consultant
Biological Weapons Convention
U.S Department of State

O'FALLON, Shannon, JD
Senior Assistant Attorney General
Oregon Department of Justice

PIERCE, Matthew, JD, MPH
Program Officer
Robert Wood Johnson Foundation

PRESLEY, David, JD
Public Health Analyst
Chenega Professional and Technical Services
Public Health Law Program
Centers for Disease Control and Prevention

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RUTKOW, Lainie, JD, PhD
Associate Professor, Health Policy Management
Health, Behavior and Society Center for Law and the Public's Health
Center for Mental Health and Addiction Policy Research
Institute for Global Tobacco Control
Johns Hopkins Center for Injury Research and Policy
Johns Hopkins Center for Public Health Preparedness
Johns Hopkins Bloomberg School of Public Health

SILVERMAN, Ross, JD, MPH
Professor
Health Policy and Management
Richmond M. Fairbanks School of Public Health
Public Health Law
Robert H. McKinney School of Law
Indiana University-Purdue University Indianapolis

TYNAN, Michael
Public Health Analyst
Office on Smoking & Health
Centers for Disease Control and Prevention

VAN NOSTRAND, Elizabeth, JD
Director
Pittsburg Summer Institute
Director, JD/MPH Program
Graduate School of Public Health
Associate Director for Law and Policy
Center for Public Health Practice
Associate Professor
Department of Health Policy and Management
Adjunct Professor
School of Law
University of Pittsburgh

WEINER, Sarah, MPH, CPH
Program Manager, Education and Practice
Association of Schools and Programs of Public Health