PUBLIC HEALTH LAW (PHS 402)

DR. VERONICA C. GABRIEL
NATIONAL OPEN UNIVERSITY OF NIGERIA
PLOT 91, CADASTRAL ZONE
NNAMDI AZIKIWE EXPRESSWAY
JABI, ABUJA

Learning Objectives

- Explain The Meaning of Public Health
- The key point you need to know about the function of public health

What is Public Health

- World Health Organization (WHO) defined public health as —the art and science of applying in the context of politics to reduce inequalities in health while ensuring the best health for the greatest number.
- Public health is the art and science of preventing disease, prolonging life and promoting health through the organized efforts of society.
- Public health also includes environmental health and laws because in the prevention of diseases a healthy environment that is pollutant free is essential. It also entails provision of adequate nutrition and housings.

Functions of Public Health Practitioner

The basic function of public health is to determine disease pattern among the population, their causes and ways of preventing and recording deaths births, changes in population and other social behaviour patterns, assessing health needs and evaluating services to ensure better health of the society as a whole and not individual personal health care.

function of Public Health Practitioner

- **The key function of Public Health Practitioner:**
- 1. Promotion of health, including tackling health inequalities
- 2. Quality and clinical standards that is clinical governance
- 3. Protection of public health and the management of risk

Essential Characteristics of Public Health Law

From the meaning of public health law. Five essential characteristics distinguished public health law from the fields of medicine and law are:

I. Public health law are primarily (but not exclusively) the responsibility of government rather than the private sector;

II. Populations: Public Healh Law focuses on the health of populace rather than individual patients for clinical improvement;

III. Association: public health contemplates the relationship between the state and the populace, rather than the relationship

Contd.

- IV. Facilities: public health deals with the provision of public health services to/for the community rather than personal medical amenities and;
- V. Force: Public Healh Law possesses the rule to compel people for the protection of the community as appropriate and within the framework of the international legal standards for protection of human rights

Structure of The Public Health Law

- Consequently, the law can give legal frame, influence the activities of government and societal expectations on the scope and importance of public health, specifically, regarding financial crisis. The structure of the public health law should embrace and defined its functions to include the minimum infrastructure, funding mechanisms and personnel needed which can provide a yardstick for policy-makers in health sectors in the future.

Role of Legistlature in Implementation of Public Health Law

- The legislature should impose responsibilities on health departments to initiate a broad range of activities relating to surveillance, control of communicable and non-communicable diseases, environmental sanitation, and prevention of injuries. It is significant that health officials should maintain flexibility in the used of power to achieve public health goal.

UNIT FIVE :

THE HISTORICAL DEVELOPMENT OF PUBLIC HEALTH LAW; GLOBAL PERSPECTIVE

Learning Objectives

At the end of studying this unit we should be able to:

- Describe The Origin of Public Health Law a Global Perspective
- Discuss the Contribution of The Ancient Greece
- Describe role of Public Health Law in Conquering an Epidemic
- Discuss how Public Health Laws help in Combating Epidemic Diseases
- Explain Enforcement of Sanitary Rules and Regulation
- Describe the Role of International Development Law Organization in Public Health Law

Historical Origin Development of Public Health Law; Global Perspective

Since disease is as old humanity, society has realized from its beginnings that organized efforts by the sovereign power are necessary to cope with plague and pestilence. the sanitary codes ordered by Moses for the government of ancient Hebrews. This code, as given in Chapters 11 to 16 of the Book of Leviticus, was transcribed some five centuries before the Christ dates from about 1500 B .C., and is based in part upon the Code of Hammurabi of 4,000 years ago. The ancient Greeks and the Romans recognized the value of sanitary measures and were "the most sagacious and

Contribution of The Ancient Greece.

Notable figures in ancient Greece such as Plato (427-847 s.c.). Aristotle (384-322 B.C) promulgated laws on rules of health that guided its citizens.

Others such notable figures include : *King John II of France , Edward III of England ,* Edwin Chadwick of England.

NB:Read up what they promulgated in the interest of public health

Role of Public Health Law in Conquering an Epidemic

Commencement of public health in America started with the increase of epidemic diseases such as cholera in the 19th Century, Tuberculosis in the 20th Century including Yellow fever which was claiming lives of innocent citizens, especially those living in poor sanitary conditions. However, in 1866, the organization of the Metropolitan Board of Health, an American community , successfully organised

Role of Public Health Laws help in Combating Epidemic Diseases

Legislative and administrative law can be extremely effective tools in the promotion of public health. In order to ensure the effectiveness of Health Ministries in dealing with the issues of disease prevention and control, as well as promotion of health. Public health laws were established to empower the MDAs to deal with all issues relating to public health. The role of public health laws in public health promotion is very crucial and as such very necessary.

Enforcement of Sanitary Rules and Regulation

The Ministry was set and authorized to work with the police in the promotion of public health and safety, and were latter required to enforce and execute the sanitary rules and regulation. Staff of the ministry usually includes physician, health inspectors, lawyers, engineers and the police. Their duty was to ensure proper erection of buildings, evacuation of refuse, cleanliness of premises through

contd

drainages, removal all public nuisances, serve notices and orders to abate nuisances and appear to answer allegation of violation of public health laws, undertake general and gratuitous vaccination, isolate those having diseases such as small-pox as well as take steps to prevent the occurrence of diseases and control diseases which will threaten

Role of International Development Law Organization in Public Health Law

On 26 April 2010, the International Development Law Organization (IDLO) hosted an international professional talk on the provision of a manual to assist countries engaged in the process of developing, modernizing and improving their public health laws. The discussion took place at IDLO's regional office in Cairo, Egypt. Participants made of twenty-two experts from many countries . International agencies including the United Nations Office of the High Commissioner for Human Rights (OHCHR); WHO's Eastern Mediterranean

UNIT SIX

THE ORIGIN, FOCUS AND VARIOUS PARTS OF PUBLIC HEALTH LAW IN NIGERIA

Learning Objectives

At the end of studying this unit we should be able to:

- Describe The Origin of Public Health in Nigeria
- Explain establishment of Primary health care
- Describe the development of Public Health Law
- Discuss different part, focus & description of Public Health Law

History of Public Health in Nigeria

In Nigeria the history of public health is also traceable to the outbreak of diseases such as Cholera, Yellow fever, Yaws, Chicken pox and Small-pox in the mid-20th century. Although medical service started in Nigeria with the establishment in 1860s when the Sacred Heart Hospital was established by Roman Catholic missionaries in Abeokuta public health was not introduced until later. Throughout the ensuing colonial period, the religious missions played a major role

Contd.

This was followed by the colonial health system which was also largely hospital or curative it was not until the middle of the 19th century that Dr. Williams a Briton carried out the first series of vaccination in Nigeria (Kale, 2006). The increase in epidemic diseases led to establishment of the medical auxiliary schools in Zaria, Jos, Maidugrui and Ibadan to train Rural Health Attendants and Health Inspectors to undertake public health services just similar to those renders in America during the period of their epidemic. This also coincided with enactment of relevant public health laws to

From Public Health Policy to Primary Health Care

In 1978, global history of public health changed gear at Alma-Ata, Kazakh Republic, former USSR, when primary health care (PHC) was universally adopted as the strategy for achieving Health for All.

From Public Health Policy Public Health Law

Nigeria had the Public Health Ordinance designated as public health law in 1948. The ordinance was applicable in the whole of Nigeria which was at that time

unitary government. The public health law became operational in 1959. These public health laws were inherited by the 12 States that were created in 1967 which in turn were inherited by the various states created subsequently. Today, there is a public health law for each of the 36 States and the Federal Capital Territory. It provides the definition of medical officer of health, environmental health officer. It also spells out the power of public health officer (PHO) and defines the general duty of a medical officer of health

Different Parts, Focus and Description of Public Health Law

Part	Focus	Description
i	Introduction	*Application and Interpretation*
ii	MOH or EHO	*Appointment and Functions*
iii	Nuisance	Notice abatement on non-compliance &court order
iv	*Occupier of Premises*	*Duties, power to sell premises, right of entry, Cost of execution relating to nuisance*
v	*Infectious DXs*	*Declaration of infected area and order for evacuation*
vi	Vaccination	Major vaccine preventable diseases

Part	Focus	Description
viii	*Streets& open spaces trading*	*(Market sanitation/Street Trading and Illegal Market Regulation)*
ix	*Food & Food Premises*	*MOH to inspect food exposed for sale and condemn unsound food.*
x	*Local Liquor*	*Spirit, wine and beer licenses in area*
xi	Abattoir	Abattoir and slaughter houses regulations

QUIZ

- Explain from public health policy to public health law

THANK YOU