Research Protocol for CDC Local Policy Surveillance Project

Prepared by Health Department and Policy Surveillance Program Staff

October 2016
CDC Local Policy Surveillance Project

I. **Date of Protocol:** October 2016

II. **Scope:** The Local Project is a pilot program to assist local health departments in select jurisdictions conduct policy surveillance of their own laws, regulations, and policies. The Local Project involved nine initial jurisdictions separated into two cohorts:

- **Cohort 1:** Chicago, IL; Multnomah County, OR; San Diego County, CA; Tulsa, OK; and Washington, DC
- **Cohort 2:** Denver, CO; Nashville, TN; Oklahoma City, OK; and Philadelphia, PA

Health department staff in each jurisdiction led the scoping and research on a single topic within their cohort. Relevant laws in other jurisdictions within those cohorts were coded. Denver, CO was added to the other cohort for the purposes of the dataset on recreational marijuana laws. The individual topics and jurisdictions with records in each are as follows:

<table>
<thead>
<tr>
<th>Air Toxics/Pollution Enforcement</th>
<th>Complete Streets</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chicago, IL</td>
<td>Denver, CO</td>
</tr>
<tr>
<td>Multnomah County, OR*</td>
<td>Nashville, TN*</td>
</tr>
<tr>
<td>San Diego County, CA</td>
<td>Oklahoma City, OK (no law)</td>
</tr>
<tr>
<td>Tulsa, OK</td>
<td>Philadelphia, PA</td>
</tr>
<tr>
<td>Washington, DC</td>
<td></td>
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<tr>
<th>E-Cigarette Control</th>
<th>Communicable Disease Reporting</th>
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<td>Chicago, IL</td>
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<tr>
<td>San Diego County, CA*</td>
<td>Oklahoma City, OK*</td>
</tr>
<tr>
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<td>Philadelphia, PA</td>
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<tr>
<td>Washington, DC</td>
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<th>Isolation and Quarantine</th>
<th>Food Operations Licensure</th>
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<td>Oklahoma City, OK</td>
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<tr>
<td>Washington, DC</td>
<td></td>
</tr>
</tbody>
</table>
Recreational Marijuana

- Chicago, IL (no law)
- Denver, CO
- Multnomah County, OR
- San Diego County, CA (no law)
- Tulsa, OK (no law)
- Washington, DC

Laws Related to Equitable Access to Food

- Denver, CO*
- Nashville, TN
- Oklahoma City, OK
- Philadelphia, PA

Tobacco Control

- Chicago, IL*
- Multnomah County, OR
- San Diego County, CA
- Tulsa, OK
- Washington, DC

III. Primary Data Collection

a. **Project dates:** November 2015 – October 2016

b. **Dates covered in the dataset:** June 2016 – August 2016

c. **Search strategy:**

Health departments and PSP employed several search strategies for each topic. We briefly describe each type of search strategy below and show which strategies were used for each topic.

- **Keyword searches (KS):** State and/or local municipal law databases are searched with specific keywords to find relevant legal text.
- **Table of contents scan (TS):** Whole directories of state or local laws are systematically reviewed to find any relevant legal text.
- **Internal expert request (IR):** An expert in the same health department or municipality is personally requested to locate the legal text based on their institutional knowledge of the topic area and its laws.
- **Visual scan (VS):** Online file directories of unorganized PDFs that are not in ASCII format are identified through special Google domain-level search operators. The PDFs are then read manually without keyword searches to find any relevant legal text.
- **Investigatory searching (IS):** Public information pages on municipal websites containing relevant non-legal text on that topic are traced to their author or program and any relevant legal texts are requested.
<table>
<thead>
<tr>
<th>Topic</th>
<th>Search strategy used</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air toxics/pollution enforcement</td>
<td>KS, TS, IR</td>
</tr>
<tr>
<td>Complete Streets</td>
<td>KS, IR, IS</td>
</tr>
<tr>
<td>Communicable disease reporting</td>
<td>KS, VS</td>
</tr>
<tr>
<td>E-cigarette control</td>
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</tr>
<tr>
<td>Tobacco control</td>
<td>KS, TS</td>
</tr>
</tbody>
</table>

For keyword searches, the following keywords were used for each topic:

<table>
<thead>
<tr>
<th>Topic</th>
<th>Keywords used</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air toxics/pollution enforcement</td>
<td>Air and hazard! or pollut! or toxic! and enforc!</td>
</tr>
<tr>
<td>Complete Streets</td>
<td>Complete and street! or sidewalk or curb</td>
</tr>
<tr>
<td>Communicable disease reporting</td>
<td>Commun! or infect! and report! or disclos! or inform! or document or notif! or record or publish</td>
</tr>
<tr>
<td>E-cigarette control</td>
<td>Electronic and cigar! or nicotine or smok! or vap! or devic!</td>
</tr>
<tr>
<td>Isolation and quarantine</td>
<td>Isolat! or quarant! or detain! or sequest! or seclu! or detent! or confin! and health</td>
</tr>
<tr>
<td>Food operations licensure</td>
<td>Food and licens! or permit! or grant or allow! or approv! or authoriz! or certif!</td>
</tr>
<tr>
<td>Laws related to equitable access to food</td>
<td>Community or urban or citizen or home or private or personal and agricult! or garden or farm! or plot or greenhouse or nursery</td>
</tr>
<tr>
<td>or animal or goat or horse or cow or chicken or livestock or apiary or bee or &quot;farm! market!&quot;</td>
<td>or animal or goat or horse or cow or chicken or livestock or apiary or bee or &quot;farm! market!&quot;</td>
</tr>
<tr>
<td>Recreational marijuana</td>
<td>Marijuana or marihuana or cannabis</td>
</tr>
<tr>
<td>Tobacco control</td>
<td>Tobacco or cigar! or smok! or nicotine and prohib! or ban! or sale! or licens!</td>
</tr>
</tbody>
</table>

Laws were sourced from the following municipal and state websites:

**Chicago:**

**Denver:**
- [https://www.denvergov.org/content/dam/denvergov/Portals/646/documents/Zoning/DZC/DZC_112715_web.pdf](https://www.denvergov.org/content/dam/denvergov/Portals/646/documents/Zoning/DZC/DZC_112715_web.pdf)
- [www.denvergov.org](http://www.denvergov.org)
- [http://tornado.state.co.us/gov_dir/leg_dir/olls/colorado_revised_statutes.htm](http://tornado.state.co.us/gov_dir/leg_dir/olls/colorado_revised_statutes.htm)
- [https://www.sos.state.co.us/CCR/Welcome.do](https://www.sos.state.co.us/CCR/Welcome.do)

**Multnomah County:**
- [https://multco.us/county-attorney/multnomah-county-code](https://multco.us/county-attorney/multnomah-county-code)
- [https://multco.us/board/ordinances](https://multco.us/board/ordinances)
- [https://www.oregonlegislature.gov/bills_laws/Pages/ORS.aspx](https://www.oregonlegislature.gov/bills_laws/Pages/ORS.aspx)

**Nashville:**
- [http://sos.tn.gov/effective-rules](http://sos.tn.gov/effective-rules)
Oklahoma City:
- http://www.okc.gov/AgendaPub/docs.aspx
- http://www.oar.state.ok.us/oar/codedoc02.nsf/frmMain?OpenFrameSet&Frame=Main&Src=_75tnm2shfcdnm8pb4dthj0chedppmcbq8dttmmak31ctijujrgcln50ob7ckj42tbkdt374obdcli00_

Philadelphia:
- http://library.amlegal.com/nxt/gateway.dll/Pennsylvania/philadelphia_pa/thephiladelphia_publi
code?f=templates$fn=default.htm$3.0$vid=amlegal:philadelphia_pa
- http://regulations.phila-records.com/
- http://www.legis.state.pa.us/cfdocs/legis/LI/Public/cons_index.cfm#
- http://www.pabulletin.com/secure/search.html
- http://www.pacode.com/secure/browse.asp

San Diego County:
- http://www.sandiegocounty.gov/content/sdc/cob/ordinances.html
- http://www.oal.ca.gov/California_Regulatory_Notice_Online.htm
- http://www.leginfo.ca.gov/statute.html
- http://www.leginfo.ca.gov/calaw.html

Tulsa:
- https://www.municode.com/library/ok/tulsa/codes/code_of_ordinances
- www.tulsacounty.org/minutes/
- www.tulsacounty.org/Agenda/
- http://www.oar.state.ok.us/oar/codedoc02.nsf/frmMain?OpenFrameSet&Frame=Main&Src=_75tnm2shfcdnm8pb4dthj0chedppmcbq8dttmmak31ctijujrgcln50ob7ckj42tbkdt374obdcli00_

Washington, D.C.:
- http://dccouncil.us/legislation
- http://dcode.elaws.us/

IV. Coding

Topics were chosen through a three step process. First, all participants were asked to provide five topics with laws they may wish to track using the following criteria:
- Significance of the health problem targeted by the law or policy
  - Problems impacting the whole population or discrete sub-populations merit consideration. The purpose is to focus on pressing health problems.
- Policy salience
The interest the public, interest groups, law-makers, and other stakeholders express in a problem is another important reason to track related laws.

- Priority of the local department of health or municipal leadership
  - Knowing that law/policy exists in formal or informal lists of priorities may be important to track progress toward goals or identify examples of laws passed elsewhere that would be useful tools.

- Health data related to the law/policy or problem
  - Identifying outcome or other data that may be used with legal data on a specific topic enables scientific evaluation.

Second, PSP attempted to locate laws on each topic in each municipality to verify their existence, establish basic scoping parameters for the participants, and understand the type of legal text (e.g., statute, regulation, ordinance, or policy) available in each jurisdiction.

Once verified, municipalities were matched into two cohorts based on the importance of that legal topic to the participant and whether local laws on that topic existed in that jurisdiction.

Participants who could not access the MonQcle software for coding provided coding answers and direction for their datasets. PSP assisted with entering data into the MonQcle software, coding, and caution note generation for the participants.

V. Quality Control

Most records were redundantly researched three times: once by the participants and twice by PSP staff. PSP staff conducted original research for laws under recreational marijuana and tobacco control. PSP assisted with other research as participants requested or required.

100% of all records across all datasets were redundantly coded. Divergence rates were not calculated as the MonQcle software did not yet produce statistical data extracts.

VI. Limitations

Although the legal text collected in each jurisdiction was in effect between June 1, 2016 and August 1, 2016, the effective dates for some municipal laws and policies were not easily discernible. The effective dates listed for each individual jurisdiction are not necessarily a reflection of when that jurisdiction’s laws and policies were passed or amended.

Not all records in local project datasets are exhaustive in scope. The datasets in the local project may contain different types of legal texts, including state and local statutes, regulations, or policies. The type of legal text coded depends on the local health department’s interests and the scope of the law issued by municipal or state governments. In some cases, a local health department may have only wanted to
know where it had exercised legal authority in the past. Others wished to code all legal requirements, regardless of whether it was issued by state or local government. Further restrictions or requirements may exist at the state level in records that do not include legal texts because of conscious decisions by the participants.

Another limitation is that not all relevant texts may have been located and coded. Many statutes, regulations, and policies passed by local governments cannot be found online. Those that are may still be difficult to access or in a format that does not allow for keyword searches and storage as raw text. While all attempts were made to find relevant legal texts within the scope of these datasets, complete accuracy is not guaranteed.