December 3, 2011

Kathleen Sebelius
Secretary
U.S. Department of Health & Human Services
200 Independence Ave S.W., Washington, DC 20201

RE: Comments on the Draft 2012 HHS Environmental Justice Strategy

Secretary Sebelius:

First, I would like to acknowledge the hard work and thoughtfulness that are apparent in the Draft 2012 HHS Environmental Justice Strategy. Your analysis of relevant statutes and policies, training opportunities, research efforts and services that could be used to achieve environmental justice demonstrates a level of agency introspection and consideration that the public can be proud of as you address this urgent matter.

We have provided two categories of comments to improve the thoughtful strategy that has been presented—both comments in general and comments on three of the four strategic elements of the HHS Environmental Justice Strategy. Overall we consider our comments as positive and constructive.

General Comments

In his 2010 article in the American Journal of Public Health, HHS Assistant Secretary of Health Dr. Howard Koh described a social determinants approach to translating research evidence into practice to reduce health disparities. While citing the World Health Organization’s Commission on Social Determinants of Health (CSDH), Dr. Koh noted the importance of complementing the efforts of the health sector with involvement by other “diverse and critical sectors of society.”

As HHS finalizes its Environmental Justice strategy, it is important that the agency keeps in mind a range of community organizations and other entities that are uniquely poised to assist in their efforts. On such entity that is designed to address issue of environmental justice that impact the health of individuals and communities would be Medical Legal Partnerships (MLPs).

MLPs reorient health and legal services to early detection and preventive care through the training of students, residents and practicing physicians and legal providers. MLP teams leverage health and legal expertise to improve local, state and federal laws and regulations that impact the health of vulnerable populations. Currently, these MLPs work collaboratively at 83 sites in 34 states to advocate for justice and the well being of their clients and patients.
As MLPs are an excellent example of organizations with whom HHS could partner in its Environmental Justice strategy, the remainder of this comment will focus on specific strategic elements and the types of enhancements that could be achieved through such collaboration.

**Strategic Elements**

1. **Policy Development and Dissemination**

HHS should take advantage of the role of attorneys—particularly those operating in an MLP setting—as allies in the effort to disseminate and enforce existing policies. The first goal in the strategy’s *Policy Development and Dissemination* section was to “strengthen the application of health and environmental statutes and policies in minority and low-income populations and Indian tribes.” By acknowledging the role of non-governmental entities—particularly lawyers—as an adjacent to the agencies efforts to enforce these statutes and policies, HHS would be encouraging the participation of these useful partners. Moreover, by drafting models for such public-private partnerships, states would have additional guidance on how to tap into this resource to accomplish shared goals.

2. **Education and Training**

The strategy should incorporate language in the *Education and Training* section to encourage multidisciplinary approaches to achieving environmental justice. This strategic element referenced a goal of building a health workforce prepared to prevent and diagnose conditions associated with disproportionately high and adverse environmental exposures and to provide high quality, culturally competent care. Under the MLP model, this diagnosis and prevention is combined with the tools offered by the law to ensure justice for these patients experiencing adverse health outcomes. Under “Actions” letter B (*Professional Education and Training*) the strategy should explicitly acknowledge the importance of education and training for practitioners beyond the healthcare sector.

4. **Services**

Legal services are desperately needed for minority and low-income populations as they seek justice in the built environment. **HHS should explicitly acknowledge the critical role of legal services in achieving environmental justice for these populations.** While the strategy notes that HHS will utilize its resources and collaborations to “improve the quality of primary and behavioral health care in minority and low-income populations and Indian tribes with disproportionately high and adverse environmental exposures,” collaborations with legal partners or MLPs are essential to such efforts to improve quality of health care. Through MLPs, patients who are wrongfully denied access to health care services find advocates to overturn this denial. Additionally, patients with chronic exposures in their living environments find recourse that could not be accomplished through their healthcare provider alone. For these patients, the quality and effectiveness of care available to them is contingent on the elimination of these environmental triggers of illness.

Similarly, MLPs are able to assist in the second goal of *Services*, as they can directly advance the economic potential and social well being of minority and low-income populations with disproportionately high and adverse environmental exposures. Beyond attorneys, the role of
social workers in connecting these individuals with social supports and resources is a great tool to accomplish this goal.

The funding opportunities listed in Strategy D to advance the economic potential and social well being of minority and low-income populations and Indian tribes with disproportionately high and adverse environmental exposures should be extended to partners such as MLPs and other legal aid organizations.

We thank you for your consideration of these comments as you finalize the HUD 2012-2015 Environmental Justice Strategy. It is no exaggeration that your efforts in this strategy will be the foundation for the building of stronger, healthier communities throughout the country. Organizations like the Health Justice Project stand prepared and excited to serve as a partner to HUD in the execution of this critical strategy.

Sincerely,

Bryant Cameron Webb  
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Health Justice Project*  
Loyola University Chicago School of Law

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* The Health Justice Project at Loyola University Chicago School of Law is a medical-legal partnership in which JD students and attorneys collaborate with community healthcare providers to identify and address social and legal issues that negatively impact the health of low-income patients. Once identified, law students and pro bono attorneys in the Health Justice Project provide legal representation, advice, and referrals to remedy the legal and social issues that negatively impact health.