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Legal Tabletop Exercise Summary

On February 24, 2004, the Office of Public Health Preparedness, Michigan Office of Attorney General office and Michigan Supreme Court sponsored a tabletop exercise focusing on legal issues related to a smallpox outbreak.

The exercise was largely successful and gave all the participants and observers an increased level of awareness to the potential legal issues related to a smallpox outbreak in the State of Michigan.

Exercise participant and observers represented a broad range of disciplines:

- Michigan Office of Attorney General and Michigan Supreme Court System – 8
- Federal participants (FEMA, FBI, HHS, US Customs, CDC, Department of State, US Attorney General) – 10
- State participants (MDCH - BOL, BPE, OPHP, MSP EMD, MSP OPS, MVA) – 18
- Local participants (LHD, LHD legal, hospital, hospital legal, MCA,) – 13
- Canadian participants (EMD operations, EMD exercise, City of Windsor Fire, Canadian Border Security) - 8

Summaries of the evaluations are as follows:

- Total number of participants and observers – 79
- Total number of evaluations completed – 62
- Overall exercise rating – (scale 1-10 high) – 8.3
- Number of questions to be resolved by AG office – 38

Strong Points:

1. On the pre-exercise evaluation – 72% of the attendees indicated that they had some previous knowledge of the legal issues related to a smallpox outbreak. On the post exercise evaluation – 100% indicated that the exercise increased their knowledge of the complex legal issues involved. Since one objective of the exercise was to increase participant's knowledge of legal issues, the exercise's outcome was successful.
2. The main exercise objective was to assist the AG office in identifying the legal questions and situations that confront public health, hospitals and emergency responders. During the post exercise meeting with the design committee, the AG office confirmed that they received numerous questions and situations that need to be addressed for all health partners.
3. All participants at each table felt that the exercise allowed for great interaction and discussions on legal issues that affected their agency whether at a local, state, federal or Canadian table."
4. The scribes that were supplied at the tables enabled the participants to focus on the discussions and ensured that the important issues and questions were noted.
5. The Attorney General's office activated their EOC and tested their communication and legal references' procedures during the tabletop.
6. AG agreed to publish answers to questions on the web for all partners

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Issues that created difficulties: (identified by the design team during the post exercise meeting)

1. The local and state participant tables were too large with too many people. This caused difficulty in hearing everyone during discussions and encouraging small group discussions, creating too much extra noise. *It was decided that a larger room would be more beneficial as opposed to smaller tables.*
2. The table facilitators reported that the pre-exercise facilitators' meeting did not inform them well enough of the anticipated outcomes we were looking for from the participant tables. *In future exercises, more time will be devoted to training of exercise facilitators.*

After Action items:

The Office of the Attorney General is compiling the legal answers and situations from the questions that were generated during the exercise and the final report will be posted on their website. The expected posting date is March 24, 2004. When OPHP is advised that the posting is completed, a notice will be sent out to all participants and OPHP partners via the Guardian Update.

It is expected that legal issues may require legislative changes to assure full protection to Michigan's citizens. The Attorney Generals' and MDCH staff will continue to work collectively to address these issues.