

Legal governance of rural public health risks based on information and behavioral expectations

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Abstract: As the key and difficult point of grass-roots governance, rural public health risk management is faced with the realistic dilemma of insufficient power of the main body of governance, relatively backward governance concept, insufficient innovation of governance means and governance efficiency can not meet the needs. In the process of comprehensively promoting the modernization of Chinese-style governance, legal governance guarantees the effective way of monitoring, early warning, control and compensation of rural public health risks. Its fundamental role is to ensure the controllability of risk information and the anticipation of participating behaviors, and minimize the waste of governance resources and the conflict of governance relations. Thus, the organic unity of the Party's leadership, the people's ownership of the country and the rule of law can be realized in the practice of grassroots rule of law. This requires continuous improvement of the legal literacy of the cadres and the masses, the formation of a rapid response mechanism to risks, the regulation of the limits of the use of public power, the solution of public health risks of the "ride" problem, the formation of an effective relief and compensation mechanism for vulnerable groups and other measures.

Key words: legal governance; Countryside; Public health risks; Information early warning; Behavior anticipation

As a key measure to achieve high-quality development, the rural revitalization strategy must "effectively prevent and control major public health risks to ensure people's life safety and health". Limited by China's long-term urban-rural dual governance pattern, public health risk management work "emphasis on urban, light rural, heavy treatment, light prevention" misunderstanding has long existed, the vast rural areas in the central and western regions, based on the risk management awareness assessment, mechanism response, resource supply, pre-control ability and other subjective and objective conditions of constraints, it is of great significance to continuously improve the capacity of public health risk management.

1. Rural public health risk types and research overview

Public health risk is based on the concept of public health. The more widely accepted view is that "public health is a science and art, which is to prevent diseases, prolong life and health through social organized efforts" put forward by American scholar Acheson. It may come from every process of life and production in rural areas. According to the content of risk, it can be divided into epidemic prevention risk, medical risk, food safety risk and other categories. Specifically speaking: first, rural epidemic prevention risk. It refers to the potential of diseases that cause damage to the public health of rural society. Such as respiratory infectious diseases; The second is the rural medical risk. It refers to the uncertainty of patients in rural medical services, which may lead to damage or disability events. The risk sources include psychological factors, environmental factors and pathological factors. Third, rural food safety risk. It refers to the public health problems that there may be toxic and harmful substances in food that affect human health.

The academic circles have launched many discussions on this, in order to provide more choices for practice. Domestic studies mainly focus on risk prevention, risk management, risk communication, etc. Some scholars believe that the value of digital management of public health emergencies mainly focuses on reducing the risk of epidemic spread, improving the ability to respond to crises, and reducing the uncertainty of crises. For example, villagers' self-governing organizations (Wen Jun, 2016), village committees (Shi Quanzeng, 2021), and rural public (Kang Simin, 2019). In addition, scholars also studied rural risk governance in different periods, such as environmental health risk governance in the construction of beautiful villages (Liu Xinyao, 2020), rural social risk and its risk management system in the transition period (Yang Yasha, 2013), and rural community risk and governance in the process of modernization (Li Zengyuan and Yin Yanjun, 2020).

Foreign research mainly focuses on risk governance with environmental factors as the research object, such as Air quality and public health risks (Sui Xiao; Qi Kaili; Nie Yuqi et al.): Strontium in public drinking water and its associated public health risks (Hao Peng; Yao Feifei; Shuangxiong et al.): Public health risk assessment of Typhoon disasters (Wang Z: Li Yonghong et al.): Public health risks for Arsenic species in chicken tissues from live poultry markets (Hu Yuan-An; Zhang WF; Cheng, He-fat, et al.) The emergence of E-Cigarettes and the public health risks to young people (Jane Mitchko; Sarah Lewis, etc.) and so on.

Based on the above research, at present, public health risk management in rural areas of our country needs to be institutionalized and ruled by law. In this process, the management method based on modern information technology can adapt to the public health risks and basic medical security problems faced in China's rural development. It has a strong guiding role in accelerating the implementation of the shortcomings of rural infrastructure and public services, and doing a solid job in rural planning and construction and social governance. At the same time, to better manage public health risks in rural areas, further meet the people's expectations for a better life, and overcome various risks and challenges on the road ahead, we must make greater efforts to uphold and improve the socialist system with Chinese characteristics and promote the modernization of the national governance system and governance capacity. The legal governance of rural public health risks has not only improved China's modern governance system, but also narrowed the gap between urban and rural public health systems and improved China's modern governance capacity.

2. Realistic reasons for the current difficulties in preventing and controlling public health risks in rural areas

In reality, rural public health risks themselves are not terrible, and rural order has shown strong resilience. However, there is still a big gap between the people's expectations and the scientific level, which is mainly reflected in the following aspects:

1. Lack of subjectivity based on insufficient "autonomy" ability

Rural public health risk management is a systematic project that requires the participation of the whole society. In the traditional administrative model, the government is usually "in charge", and the government organization is the main body of risk prevention and control. Often, the effect of risk prevention and control depends on the supply level of local economic and social resources and the personal quality of the implementors. Social organizations, trade associations and mass teams have a certain degree of professionalism and flexibility. Through collaborative guidance and resource sharing, their socialized governance bodies can play a greater role.

2. The rigidity of mechanisms caused by traditional working methods

In the field of public health risk prevention and control, the state has issued relevant institutional documents in recent years, but in practice, the effectiveness varies greatly among regions. Due to differences in prevention and control awareness among regions, imbalance in prevention and control resources, and differences in experience and technical conditions, especially the weak foundation in less developed regions, the results are not satisfactory. At the same time, the coordination mechanism and efficiency among grassroots regions are also challenged by the traditional governance pattern, and it is difficult to form a synergy in a relatively short time.

3. Limited mobilization capacity of public health prevention and control resources in rural areas

Due to the multiple impacts of natural environment, historical tradition, culture and psychology in rural areas, especially in less developed areas, these characteristics are particularly prominent, which leads to greater dependence on rural resources for prevention and control. For example, in some rural areas, personnel investigation and information reporting are still mainly filled in manually, which is easy to cause information lag due to the huge workload. Leading to a low level of information technology for infectious disease management in rural areas: at the same time, there are generally insufficient professional social workers in rural areas, and grass-roots government personnel are also multi-functional, and have spent a lot of energy in the face of complex daily management affairs, resulting in further difficulty in prevention and control mobilization organization.

3. Legal management of rural public health risks based on information early warning and behavioral expectations

At present, the academic research on the prevention and control of rural public health risks mainly focuses on the fields of epidemic prevention medicine, political science, communication and other fields, with specific contents focusing on risk assessment, measurement, control and public opinion handling. In practice, although different countries differ greatly in terms of governance concepts, mobilization methods and performance effects, the basic consensus is that law-based governance is the basic way to prevent, control and manage public health risks at the grass-roots level.

1. Risk monitoring mechanism. This is the daily monitoring of public health risks in rural areas, mainly including the preparation and management of emergency plans, daily health risk monitoring, public health emergency materials reserve and guarantee, and risk information exchange platform construction and management. First of all, the rural public health emergency plan system at least includes the preparation, evaluation, release, filing, implementation, revision, education, training and exercise of emergency plans. Secondly, daily health risk monitoring is mainly a dynamic monitoring of daily rural life and production to reduce the probability of risk occurrence and the possibility of risk exposure. At the same time, limited by the lack of health and medical resources in rural areas, a public health emergency material reserve system should be established to combine with neighboring areas and share, so as to maximize the utilization of resources. Finally, public health is characterized by high communication. Risk communication is listed as one of the core competence areas in the International Health Regulations of the World Health Organization.

2. Risk early warning mechanism. The risk early warning mechanism mainly functions when risks are about to occur but have not yet occurred, as well as the time stage at the beginning of occurrence. Rural public health emergencies can be divided into dual-track early-warning mechanisms according to whether they can be forewarned. For rural public health emergencies that can be forewarned, they can be divided into several grades according to the emergency degree and harm degree, and they are marked with different colors. According to the actual situation of the village, the relevant departments carry out measures such as research and judgment, prevention and disposal, emergency preparedness, material dispatch and public opinion guidance, and use the risk exchange information platform to carry out incident information exchange and medical material dispatch in the surrounding administrative areas. For rural public health events that cannot be forewarned, the emergency plan is directly launched, the event is quickly investigated and judged, and the risk level is determined. Such events require the disposal system of "rapid response and orderly action", so the construction of the early warning mechanism is also put forward higher and faster requirements.

Third, risk control mechanism. The risk control mechanism mainly acts after the occurrence of risks. In this stage, the initial investigation of the cause of the risk, emergency monitoring, on-site disposal and information reporting can prevent the expansion of the result of the risk and harm, and reduce the loss of life and property. According to the requirements of the emergency plan, the competent administrative department shall immediately organize the investigation of the time, place and cause of the rural public health time. At the

same time, the first time to report to the relevant departments of the higher government. Determine the monitoring sites and frequency in the affected areas, deploy monitoring equipment and other emergency monitoring to provide basis for emergency decision-making.

Fourth, risk compensation mechanism. The risk compensation mechanism is the stage when the risk is under control or has been eliminated. The competent administrative department shall, according to the real-time status of the risk, terminate the emergency measures in a timely manner in accordance with the conditions for termination of emergency measures set by the emergency plan or other relevant provisions, and make an emergency summary. Designing a reasonable emergency summary work framework, responsible subjects, health measures, core capacity building, etc., is of great significance for evaluating emergency response work and improving emergency plan. At the same time, it is also necessary to pay attention to the establishment of risk compensation mechanisms, raise barriers such as the allocation and scheduling of urban and rural and regional health resources, promote the resilience of rural communities and residents in the whole process before, during and after risks, and promote the comprehensive and free development opportunities for rural residents in the post-risk era.

Rural public health risk management is an important field to promote the national governance capacity system and governance modernization construction, but also an important issue of rural governance modernization, the introduction of the concept of “legal governance” is the current construction of “rule of law country, rule of law society” the inevitable requirements and realistic path.

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