

Social Determinants of Health: Legal Frameworks for Addressing Inequities

Mehmet Çevik^{1*}, Hulya Toker¹

¹ Department of Social Sciences, Ankara University, Türkiye

* Corresponding author email address: mehmetcevik@asbu.edu.tr

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This article explores the dynamic interplay between legal frameworks and social determinants of health (SDH), underscoring the pivotal role of law in addressing health inequities. Through a comprehensive literature review, including an analysis of health-justice partnerships, digital health equity, and antiracist pedagogies in healthcare education, the study highlights innovative legal interventions that have demonstrated success in mitigating health disparities. The methodology adopted encompasses a descriptive, critical, and comparative analysis, drawing on empirical studies and case examples to assess the effectiveness of legal frameworks in various contexts. The findings reveal that while legal interventions offer significant potential for improving health outcomes, challenges such as scalability, the rapid evolution of digital health technologies, and the need for intersectional approaches to SDH persist. The article concludes with recommendations for policy integration, investment in digital health equity, enhanced training for healthcare professionals, and multi-sectoral collaboration to address these challenges. The implications for policy, practice, and future research emphasize the necessity of a collaborative, interdisciplinary approach to leveraging legal frameworks for health equity. This study contributes to the burgeoning discourse on the legal determinants of health, offering insights and strategies for harnessing the power of law to create more equitable health outcomes.

Keywords: Social Determinants of Health, Legal Frameworks, Health Equity, Public Health Policy, Legal Interventions.

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1. Introduction

The exploration of social determinants of health (SDH) has increasingly become a pivotal area of study within the realm of public health, shedding light on the multifaceted influences that societal structures have on individual and community health outcomes. The legal frameworks governing these determinants present a complex yet crucial frontier for addressing health inequities. At its core, the concept of social determinants of health encompasses a broad range of socio-economic factors, including but not limited to education, housing, income, and environmental conditions, all of which play

a significant role in determining health outcomes (Solar & Irwin, 2006). It is well-documented that disparities in these determinants contribute to unequal health outcomes, further exacerbated by a healthcare system that often fails to address the root causes of these inequities (Marmot & Bell, 2012). Legal determinants, as outlined by Gostin et al. (2019), refer to the laws and policies that govern these social conditions, impacting health through mechanisms that either facilitate access to the resources necessary for maintaining health or create barriers that perpetuate inequality (Gostin et al., 2019).



The significance of integrating a legal perspective into the discussion of social determinants of health cannot be overstated. As highlighted by Beardon et al. (2021), health-justice partnerships have emerged as innovative models that aim to tackle health inequities at their source, providing compelling evidence on the positive impacts of legal intervention in public health initiatives (Beardon et al., 2021). These partnerships exemplify the potential for legal frameworks to act as powerful tools in the fight against health disparities, offering a structured approach to addressing the social determinants of health in a manner that is both comprehensive and actionable. The advent of digital technology, particularly in the wake of the COVID-19 pandemic, has further underscored the importance of considering legal frameworks in the context of health equity. Crawford and Serhal (2020) discuss the digital divide as a significant social determinant of health, where innovations in healthcare technology run the risk of reinforcing existing health inequities if not governed by inclusive and equitable legal policies (Crawford & Serhal, 2020). This perspective is crucial in understanding how legal determinants can either mitigate or exacerbate health disparities in the digital age.

Moreover, the role of antiracist and antidiscriminatory pedagogies in nursing education, as discussed by Garneau et al. (2017), exemplifies the intersection of legal frameworks with educational policies and their collective impact on health outcomes. By embedding principles of equity and justice into the fabric of healthcare education and practice, legal frameworks can play a pivotal role in cultivating a healthcare workforce that is equipped to address health inequities at their roots (Garneau et al., 2017).

Ethnic disparities in health, particularly in the prevalence and management of chronic conditions such as type 2 diabetes, further highlight the critical role of legal determinants in health. Goff (2019) emphasizes the need for targeted legal and policy interventions to address these disparities, suggesting that an understanding of the legal determinants of health is essential for developing effective public health strategies (Garneau et al., 2017).

The legal determinants of health provide a foundational lens through which the complexities of social determinants can be understood and addressed. As Gostin et al. (2019) articulate, harnessing the power of

law for global health and sustainable development necessitates a comprehensive approach that integrates legal policy with public health objectives (Gostin et al., 2019). This integration is paramount for advancing action on health equity, as advocated by Schram et al. (2021), who propose a sociolegal model of health as a framework for advancing health equity through legal and policy mechanisms (Schram et al., 2021).

In summary, the interplay between social determinants of health and legal frameworks presents a multifaceted challenge and opportunity for addressing health inequities. Through a critical examination of legal policies and their impact on social determinants, this article seeks to contribute to the ongoing discourse on health equity, advocating for legal reforms that are informed by a deep understanding of the societal foundations of health disparities. The legal determinants of health, as a concept and practice, offer a promising avenue for transformative change, emphasizing the need for a collaborative, multidisciplinary approach to dismantling the structural barriers to health equity.

2. Methodology

2.1. Research Design

The research design for this study is structured around a comprehensive literature review, supplemented by a critical analysis of case studies that illustrate the application and outcomes of legal interventions aimed at addressing social determinants of health. The selection of literature and case studies was guided by relevance to the research objectives, with an emphasis on works that provide empirical evidence of the impact of legal frameworks on health outcomes.

2.2. Data Sources

The primary data sources for this study include:

Academic Journals: Peer-reviewed articles from public health, legal studies, and interdisciplinary journals were selected to ensure a robust theoretical and empirical basis for the analysis.

Legal Documents and Policies: Relevant laws, regulations, and policy documents were reviewed to understand the legal frameworks underpinning interventions aimed at addressing social determinants of health.

Case Studies: A selection of documented interventions from various jurisdictions was analyzed to assess the practical application and effectiveness of legal frameworks in real-world settings.

The literature and case studies were sourced from academic databases, legal repositories, and governmental and non-governmental organization websites, ensuring a comprehensive overview of the field.

2.3. Analysis

The analysis employed in this study is incorporating descriptive, critical, and comparative approaches: Descriptive analysis involves a detailed description of the identified legal frameworks and interventions, including their objectives, implementation mechanisms, and targeted social determinants of health. This step serves as the foundation for understanding the scope and nature of the legal interventions under consideration. The critical analysis evaluates the effectiveness of the legal frameworks in achieving their health equity goals. This involves assessing the empirical evidence on health outcomes associated with the interventions, as well as examining the challenges and limitations encountered. The critical analysis also considers the broader socio-political and economic contexts in which these legal frameworks operate, providing insights into the factors that influence their success or failure. The comparative analysis juxtaposes different legal frameworks and interventions to identify distinguishing features, strengths, weaknesses, and outcomes. This approach facilitates the identification of best practices and innovative strategies that have shown promise in addressing social determinants of health. Additionally, it highlights areas where legal frameworks may require modification or enhancement to better serve health equity objectives.

3. Literature Review

3.1. Theoretical Frameworks and Models Linking Social Determinants to Health Outcomes

Understanding the relationship between social determinants and health outcomes necessitates a robust theoretical framework that captures the complex interplay of socioeconomic factors, health inequities, and legal frameworks. Solar and Irwin (2006) provide a

foundational perspective on this relationship, emphasizing the historical context of social determinants of health (SDH) and the role of political contexts and civil society action (Solar & Irwin, 2006). Their work underlines the importance of recognizing social determinants not just as individual factors but as intertwined elements within broader socio-political and economic systems that influence health outcomes. This perspective is crucial for framing subsequent discussions about the impact of legal determinants on health.

Gostin et al. (2019) expand on this foundational understanding by specifically addressing the legal determinants of health. They argue that law and policy are pivotal in shaping the conditions that influence health outcomes, advocating for a comprehensive approach that harnesses the power of law for global health and sustainable development. Their framework for the legal determinants of health provides a critical lens through which to examine the efficacy of legal interventions in addressing SDH, setting the stage for a detailed exploration of how legal frameworks can either mitigate or exacerbate health inequities (Gostin et al., 2019).

Marmot and Bell (2012) contribute to this theoretical foundation by delineating the principles of a "Fair Society, Healthy Lives" framework. They highlight the gradient of health inequities across socioeconomic statuses, underscoring the need for interventions that address the root causes of health disparities. This framework reinforces the argument for integrating legal determinants into the broader discourse on social determinants of health, as it acknowledges the role of policy and legislation in creating fairer societies that promote healthier lives (Marmot & Bell, 2012).

Hammond and Maddox (2019) further refine the theoretical understanding of SDH by proposing a framework for the clinical implementation of social determinants of health. Their work bridges the gap between theoretical models and practical application, suggesting that healthcare systems and providers play a critical role in addressing SDH through clinical practices. This perspective introduces the concept of operationalizing legal determinants within healthcare settings, providing a tangible approach to leveraging legal frameworks for health equity (Hammond & Maddox, 2019).

These theoretical frameworks and models illuminate the multifaceted nature of social determinants and their impact on health outcomes. By integrating the principles outlined by these scholars, it becomes evident that addressing health inequities requires a comprehensive approach that encompasses legal interventions, policy reforms, and clinical practices. The theoretical groundwork laid by these studies sets the stage for a deeper exploration of the specific legal frameworks and interventions that have been implemented to address social determinants and health inequities.

3.2. *Empirical Studies on Legal Interventions and Their Effectiveness*

The empirical evidence on the effectiveness of legal frameworks and policies in addressing social determinants of health and mitigating health inequities is both diverse and illuminating. Beardon et al. (2021) provide a comprehensive overview of health-justice partnerships, a notable example of legal intervention aimed at addressing health inequities at their root. Their systematic scoping review showcases international evidence on the impact of these partnerships, highlighting their potential to improve health outcomes through the integration of legal services within healthcare settings (Beardon et al., 2021). This innovative approach demonstrates the tangible benefits of addressing legal issues that are intertwined with health concerns, showcasing a successful model of cross-sector collaboration.

Luchenski et al. (2018) expand on this discourse by presenting a broad overview of effective interventions for marginalized and excluded populations, which often bear the brunt of health inequities. Their research underscores the importance of inclusion health strategies, which seek to address the needs of those who are most at risk of poor health due to socio-economic factors, stigma, or discrimination (Luchenski et al., 2018). The inclusion of legal support as part of these strategies is critical, as it directly addresses the legal determinants of health that contribute to exclusion and marginalization.

On the digital front, Crawford and Serhal (2020) delve into the realm of digital health equity in the context of the COVID-19 pandemic, highlighting the risk of digital health innovations reinforcing existing social gradients of health. Their study is a poignant reminder of the need

for equitable legal frameworks that ensure digital health technologies do not exacerbate health inequities (Crawford & Serhal, 2020). This is particularly relevant in an era where technology plays a significant role in healthcare delivery and access.

Libman, Adler, and Musburger (2022) introduce an intriguing perspective on cooperative ownership within the U.S. childcare system as a health justice intervention. By analyzing cooperative ownership as a legal structure aimed at advancing health equity, their work exemplifies how legal frameworks can be leveraged to create social and economic conditions that are conducive to health. This approach underscores the breadth of legal interventions that can influence social determinants of health beyond traditional healthcare policies (Libman et al., 2022).

The effectiveness of legal interventions in addressing health inequities is further underscored by the work of Garneau, Browne, and Varcoe (2017), who advocate for antiracist and antidiscriminatory pedagogies in nursing education. By highlighting the legal and educational frameworks that can combat racism and discrimination within healthcare settings, their research points to the significant impact of legal and policy reforms in shaping health outcomes through education and professional practice (Garneau et al., 2017).

These empirical studies collectively illustrate the diverse mechanisms through which legal interventions can address social determinants of health and mitigate health inequities. From health-justice partnerships to inclusive digital health policies, and from cooperative ownership models to antiracist pedagogies, the scope of legal frameworks that influence health is broad and multifaceted. These examples not only provide evidence of the effectiveness of legal interventions but also highlight the innovative ways in which law and policy can be harnessed to promote health equity.

3.3. *Gaps in Literature and Future Research Directions*

Despite the significant strides made in understanding and implementing legal frameworks to address social determinants of health, the literature reveals notable gaps that offer avenues for future research. These gaps highlight the complexities of translating legal principles into practice and underscore the need for comprehensive evaluations of existing policies and their impact on health equity.

One major gap identified in the literature is the scarcity of longitudinal studies that assess the long-term effects of legal interventions on health outcomes. While studies like Beardon et al. (2021) provide valuable insights into the immediate impacts of health-justice partnerships, the enduring effects of such interventions, particularly in diverse geopolitical contexts, remain underexplored. Future research should aim to track the long-term health outcomes associated with various legal frameworks, offering a more nuanced understanding of how legal determinants influence health over time (Beardon et al., 2021).

Another significant gap is the limited research on the intersectionality of social determinants of health and legal frameworks. Although Goff (2019) discusses ethnicity and health disparities, particularly in the context of type 2 diabetes in the UK, there is a need for more comprehensive studies that examine how intersecting identities (e.g., race, gender, socio-economic status) are affected by legal interventions. Understanding the multi-layered impacts of legal determinants requires an intersectional lens that accounts for the diverse experiences of individuals and communities, particularly those that are marginalized or vulnerable (Goff, 2019).

The effectiveness of digital health technologies and their regulation, as explored by Crawford and Serhal (2020), points to another research gap: the evolving nature of digital health equity. As digital health innovations continue to advance, ongoing research is needed to evaluate the legal and ethical frameworks that govern these technologies, ensuring they promote health equity and do not widen existing disparities. The rapid pace of technological change necessitates a dynamic approach to legal and policy analysis, one that can adapt to emerging challenges and opportunities in digital health (Crawford & Serhal, 2020).

Moreover, the literature calls for more studies on the role of education and training in implementing legal determinants of health. Garneau et al. (2017) touch upon the potential of antiracist and antidiscriminatory pedagogies in nursing, yet the broader implications for healthcare education and professional development remain largely unexplored. Research in this area could provide critical insights into how healthcare professionals can be better equipped to address social

determinants of health through legal literacy and advocacy (Garneau et al., 2017).

Finally, there is a notable absence of research on the integration of legal determinants into clinical practice. While Hammond and Maddox (2019) propose a theoretical framework for the clinical implementation of social determinants of health, empirical studies that demonstrate how these frameworks can be applied in real-world healthcare settings are lacking. Future research should focus on developing and evaluating practical tools and strategies for healthcare providers to address legal determinants of health, bridging the gap between theory and practice (Hammond & Maddox, 2019).

In conclusion, the literature on social determinants of health and legal frameworks provides a solid foundation for understanding the complex interplay between law, policy, and health outcomes. However, significant gaps remain, offering fruitful directions for future research. Addressing these gaps requires a multidisciplinary approach that encompasses legal studies, public health, healthcare practice, and technology. By exploring these avenues, future research can contribute to the development of more effective, equitable, and sustainable legal frameworks that address social determinants of health and mitigate health inequities.

4. Findings

4.1. Overview of Legal Frameworks Addressing Social Determinants of Health

The analysis begins with a foundational understanding that legal frameworks play a critical role in shaping the conditions that influence social determinants of health (SDH). Gostin et al. (2019) underscore this by highlighting how law and policy serve as fundamental drivers in creating environments conducive to health (Gostin et al., 2019). This perspective is reinforced by the detailed examination of health-justice partnerships (HJPs) presented by Beardon et al. (2021), which illustrates how integrating legal assistance within healthcare settings can directly address SDH and reduce health inequities. These partnerships not only provide immediate legal aid to individuals facing health-harming legal needs but also work towards systemic changes by addressing the underlying legal obstacles contributing to health disparities (Beardon et al., 2021).

Moreover, the role of digital health equity has emerged as a significant aspect of legal frameworks in the context of SDH, particularly highlighted by Crawford and Serhal (2020). The COVID-19 pandemic has accelerated the adoption of digital health technologies, making the regulation of these technologies and the protection of digital health equity critical components of modern legal frameworks. This includes ensuring access to digital health resources across different socio-economic groups to prevent the exacerbation of existing health inequities (Crawford & Serhal, 2020).

4.2. *Case Studies of Legal Interventions and Their Outcomes*

Several case studies provide concrete examples of how legal frameworks have been deployed to tackle SDH and health inequities effectively. For instance, Luchenski et al. (2018) detail interventions aimed at marginalized and excluded populations, demonstrating that legal strategies, when aligned with healthcare services, can significantly improve access to care and health outcomes for these groups (Latulippe et al., 2017). This aligns with the observations of Libman, Adler, and Musburger (2022), who explore cooperative ownership in the U.S. childcare system as a health justice intervention, suggesting that legal innovations can create supportive environments that positively impact health (Libman et al., 2022).

Additionally, Garneau, Browne, and Varcoe (2017) highlight the importance of antiracist and antidiscriminatory legal frameworks in nursing education, showing that such frameworks can lead to more equitable healthcare practices. These case studies not only underscore the direct impact of specific legal interventions on health outcomes but also illustrate the broader potential of legal reforms to foster systemic changes that advance health equity (Garneau et al., 2017).

4.3. *Comparative Analysis of Legal Approaches*

A comparative analysis of different legal approaches to addressing SDH reveals both successes and areas for improvement. While HJPs have shown promising results in bridging the gap between legal aid and healthcare, as evidenced by Beardon et al. (2021), the scalability and sustainability of these models across different health systems and legal contexts remain challenging (Beardon

et al., 2021). Similarly, the rapid evolution of digital health technologies outpaces existing legal frameworks, pointing to an urgent need for adaptive legal regulations that can ensure digital health equity, a concern raised by Crawford and Serhal (2020) (Crawford & Serhal, 2020). This comparative analysis also highlights the innovative potential of legal frameworks that go beyond traditional healthcare policies. For instance, the exploration of cooperative ownership models as a mechanism for advancing health equity (Libman et al., 2022) opens new avenues for legal interventions in sectors indirectly related to healthcare but profoundly impacting SDH.

4.4. *Challenges and Limitations of Current Legal Frameworks*

While legal frameworks have demonstrated potential in addressing social determinants of health and reducing health inequities, our analysis identifies several challenges and limitations that hinder their effectiveness and broader application. These challenges not only reflect on the complexities inherent in legal and health system interactions but also on the broader socio-political and economic environments within which these frameworks operate.

Scalability and Sustainability: One of the primary challenges identified in the literature, particularly in the context of health-justice partnerships (HJPs) as discussed by Beardon et al. (2021), is the issue of scalability and sustainability. While HJPs have shown significant success in localized settings, expanding these programs to wider jurisdictions poses logistical, financial, and regulatory hurdles (Beardon et al., 2021). The integration of legal services within healthcare settings demands robust funding models, cross-sector cooperation, and legislative support, which may not be readily available in all regions or health systems.

Adapting to Technological Advances: The rapid pace of digital transformation in healthcare, accelerated by the COVID-19 pandemic, presents another challenge. Crawford and Serhal (2020) emphasize that digital health equity is an emerging concern that requires dynamic legal responses to ensure that technological innovations do not exacerbate existing health inequities. Legal frameworks must evolve in tandem with technological advances to address issues such as access to digital health services, privacy, and the digital divide (Crawford & Serhal, 2020).

Intersectionality and Comprehensive Coverage: The literature also highlights a gap in addressing the intersectionality of social determinants and their cumulative impact on health outcomes. Legal interventions often target specific determinants without fully accounting for the interconnected nature of social, economic, and environmental factors that influence health. This oversight can lead to fragmented approaches that may not effectively address the root causes of health inequities.

Evidence-Based Policy Making: Furthermore, there is a need for more evidence-based policy-making in the realm of legal determinants of health. While case studies and localized interventions provide valuable insights, comprehensive data on the long-term outcomes and effectiveness of legal frameworks across different contexts are lacking. This gap in evidence hampers the ability of policymakers and stakeholders to make informed decisions about the implementation and scaling of legal interventions.

4.5. *Innovations and Best Practices*

Despite these challenges, the review of legal interventions reveals several innovative approaches and best practices that have shown promise in addressing social determinants of health effectively.

Multi-Sectoral Partnerships: The success of health-justice partnerships underscores the value of multi-sectoral collaboration in addressing complex health inequities. By bringing together legal professionals, healthcare providers, and community organizations, these partnerships create a holistic approach to health that addresses both immediate and systemic legal needs impacting health outcomes.

Legal Empowerment and Education: Initiatives that focus on legal empowerment and education, such as antiracist approaches in nursing education highlighted by Garneau, Browne, and Varcoe (2017), demonstrate the importance of integrating legal literacy and advocacy into healthcare training. Empowering healthcare professionals with knowledge about legal determinants of health enhances their ability to address these issues within clinical settings (Garneau et al., 2017).

Innovative Funding Models: Addressing the sustainability challenge, some legal frameworks have explored innovative funding models, such as social impact bonds or public-private partnerships, to support

the integration of legal services in health interventions. These models offer a pathway to scaling successful interventions by leveraging investment from multiple stakeholders.

Policy Integration and Harmonization: Effective legal frameworks often feature a high degree of policy integration and harmonization, ensuring that laws and regulations across sectors align with health equity goals. This approach reduces policy silos and promotes a coordinated response to social determinants of health.

5. Discussion and Conclusion

Our analysis, grounded in a rich array of sources including Gostin et al. (2019) and Beardon et al. (2021), underscores the pivotal role of legal frameworks in shaping the social determinants of health and, by extension, health outcomes across populations (Beardon et al., 2021; Garneau et al., 2017). The success of health-justice partnerships (HJPs) and the emergent focus on digital health equity (Crawford & Serhal, 2020) highlight the transformative potential of integrating legal assistance with healthcare services to address both immediate and systemic health inequities. Moreover, the emphasis on antiracist and antidiscriminatory pedagogies in healthcare education (Garneau et al., 2017) points to the necessity of a workforce that is not only clinically proficient but also adept at navigating and addressing the legal determinants of health.

However, these promising developments are juxtaposed with significant challenges, particularly around scalability, the pace of technological evolution in healthcare, and the intersectionality of SDH. The findings call for a nuanced understanding of how legal frameworks can be effectively tailored and applied in diverse contexts to mitigate health inequities.

5.1. *Theoretical and Practical Implications*

Theoretically, this study contributes to a growing body of literature that recognizes the law as a fundamental determinant of health. The sociolegal model of health advocated by Schram et al. (2021) and the critical discussions by Solar and Irwin (2006) about the role of civil society action in shaping health outcomes through legal avenues provide a conceptual scaffold for our analysis (Schram et al., 2021; Solar & Irwin, 2006). Practically, the insights garnered from the study suggest

actionable strategies for policymakers, healthcare providers, and legal professionals to collaboratively address SDH.

5.2. *Recommendations for Policy and Practice*

Based on the findings, several recommendations emerge for enhancing the impact of legal frameworks on health equity:

Policy Integration and Harmonization: Develop policies that facilitate the integration of legal services within healthcare settings, ensuring that legal aid is accessible to those facing health-harming legal needs.

Investment in Digital Health Equity: Prioritize the development of legal and regulatory frameworks that address the digital divide, ensuring equitable access to digital health technologies and services.

Training and Education: Expand training programs for healthcare professionals to include legal literacy, focusing on the identification and referral of legal needs related to SDH.

Multi-Sectoral Collaboration: Encourage and facilitate collaboration among healthcare providers, legal professionals, and community organizations to address SDH through a unified approach.

5.3. *Concluding Thoughts*

The intersection of legal frameworks and social determinants of health presents a fertile ground for innovation and action in public health. By harnessing the power of law and policy, there is a significant opportunity to address the root causes of health inequities and create more just and healthy societies. However, realizing this potential requires a concerted effort from all stakeholders involved in public health, legal advocacy, and healthcare provision.

The journey towards health equity is complex and multifaceted, involving not only the implementation of effective legal frameworks but also the cultivation of a health workforce that is attuned to the legal determinants of health. As this study suggests, the path forward involves not just the application of law in a traditional sense but a reimagining of how legal tools can be used innovatively to address the social conditions that underpin health disparities. The findings and recommendations outlined in this analysis provide a roadmap for future action, underscoring the need for

collaborative, interdisciplinary strategies that bridge the gap between law, public health, and healthcare practice. In conclusion, while challenges remain, the potential of legal frameworks to significantly impact health outcomes and reduce inequities is clear. Continued research, policy innovation, and practice adaptation are essential to fully leverage this potential. As we move forward, it is imperative that the lessons learned from existing interventions and the insights gained from studies like this one inform a more equitable and effective approach to addressing the social determinants of health through legal means.

Authors' Contributions

Authors contributed equally to this article.

Declaration

In order to correct and improve the academic writing of our paper, we have used the language model ChatGPT.

Transparency Statement

Data are available for research purposes upon reasonable request to the corresponding author.

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Declaration of Interest

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Ethical Considerations

Given the nature of this research as a literature-based study, specific ethical approvals for primary data collection were not required. However, all analyses and interpretations adhere to ethical research practices, including the accurate representation of sources, the maintenance of objectivity, and respect for the intellectual property of the authors and creators of the original works.

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