

RESEARCH SUMMARY

When Regulations Turn Deadly: The Connection between Federal Regulation and Mortality in the 50 States

The express purpose of many regulations is making Americans safer by targeting hazards in the workplace, in the home, and in the environment. Some regulations, instead, are counterproductive in that they increase (rather than decrease) mortality by making Americans poorer. In “[Federal Regulation and Mortality in the 50 States](#),” James Broughel and Dustin Chambers estimate the impact of US federal regulations on state-level mortality.

AS REGULATION LEVELS RISE, SO DOES MORTALITY

The regressive effects of regulation include increased poverty and higher levels of income inequality. Given the strong positive association between income and health, it is reasonable to expect that regulations could have unintended harmful impacts on health outcomes among vulnerable populations. Broughel and Chambers provide evidence for one of the most pernicious unintended consequences of regulation: increased mortality.

Using a dataset for the period 1995–2014, the authors find the following:

- A 1 percent increase in binding federal regulations increases a mortality index constructed by the authors by between 0.53 and 1.35 percent.
- Mortality effects of regulations seem to be strongest in southern states, which tend to be poorer than the rest of the United States.
- The relationship between regulation and mortality may be causal, because the authors control for many factors and run a variety of robustness checks.

THE NEED FOR MORTALITY RISK ANALYSIS

For the most part, policymakers have resisted the adoption of mortality risk analysis—that is, the weighing of expected lives saved from a new rule against expected lives lost from that rule. There are several ways in which they could better account for the mortality effects of regulations:

1. Regulatory agencies should explicitly calculate the gross number of expected fatalities induced by a regulation.
2. Estimates of lives lost from regulation should be compared to estimates of lives saved.

KEY TAKEAWAY

There are many unintended consequences associated with regulations—but some of these are foreseeable. The finding that an increase in binding federal regulations is associated with higher measures of state mortality is of particular concern. The failure of policymakers to identify and address such counterproductive regulations, given available tools, is hard to justify. It is time for policymakers to weigh lives saved and lost due to proposed and existing regulations.