

MEETING NOTES

Local Health Improvement Coalition TOBACCO WORKGROUP

Monday, April 27, 2015, 8:30 am

Havre de Grace Municipal Building, 711 Pennington Avenue, Havre de Grace

Attendees: Vickie Bands, Chair (UM/UCHS)
Greta Brand (Independent Health Promotion Trainer/Educator)
Karen Goodison (UM/UCHS)
Chuck Johnson (City of Aberdeen)
Susan Kelly (HCHD, Health Officer)
Bari Klein (HCHD / UM/UCH Grants Administrator)
Mark Lewis (UM/UCHS)
Mallory McCloskey (HCHD, Health Policy Analyst)
Russell Moy (HCHD, Dep. HO)
Charles Odhiambo (for Susan Twigg, HCHD)
Kristie Willats (UM/UCHS)
Bill Wiseman (HCHD, Public Health Education)
Richard Slutzky (President, Harford County Council)

- **General Business:**

- Chairperson, Ms. Bands called the meeting to order and members were invited to re-introduce themselves. Copies of the summary of the March 23rd meeting in Bel Air were distributed and approved with a minor correction (regarding the date of our next meeting).
- Several informational handouts were distributed to members, including:
 - Mr. Wiseman distributed the most recent update received from the UM LRC on the status of tobacco-related legislation in Annapolis.
 - The MD General Assembly guide to “*Legislative Lingo*”
 - Another copy of the “Save the Date” for the *MD-DC-VA Smoke-Free Housing Symposium* at the Anne Arundel Medical Center on May 21, 2015
 - *Distribution of Tobacco Products to Minors: Local Ordinances (in Maryland)*
- Some new members who were invited and expected to participate in the April meeting, did not attend. Invitations will again be extended to those persons.
- Ms. Bands reminded the membership about the upcoming *MD-DC-VA Smoke-Free Housing Symposium*. Ms. McCloskey, Mr. Wiseman and she plan to attend.
- Ms. Bands reported on the changes to UM/UCHS Tobacco policy that includes a section on employment and testing protocols.
- Members who are interested were directed to the CDC resource, “Info Graphs.” Ms. Bands and Dr. Moy also referenced the recent *Weekly Morbidity and Mortality Review* referencing a “tripling of e-cigarette use by middle-school youth.” A discussion of e-cigs and CDC’s current position/wording regarding “harm reduction” followed and the membership agreed on the need to revisit our E-Cigarette Position Paper in the near future. Ms. McCloskey related a story about a recent restaurant experience in which she observed a patron using an e-cig inside, before going outside to smoke a tobacco cigarette, thereby reinforcing the notion that many e-cig users are using vaping apparatus “in addition to,” rather than “instead of” traditional tobacco cigarettes.

- The Chairperson transitioned to the primary focus of the meeting, to discuss “criminal” versus “civil” enforcement of underage sales of tobacco to minors by retail vendors, summarizing the recent meeting between UM Legal Resource Center representative, Kathleen Hoke, Susan Kelly, Dr. Moy, Mr. Wiseman, County Council President Slutzky and the Council attorney.
 - Dr. Moy presented an excellent summary of the history of federal Synar enforcement activities including recent results of illegal sales that exceeded the mandatory threshold of 20%, resulting in strict penalties to substance abuse funding among non-compliant States. He also spoke to HCHD’s history of tobacco vendor compliance since 2000 that ceased in FY2010 as a result of significant budget cuts to local CRF programs. Since the time of enforcement cuts, we have seen an increase in the rate of illegal sales to minors.
 - Clarity is desirable on three major points: (1) Does the process reduce illegal tobacco sales to youth? (2) Does compliance reduce youth tobacco use? And (3) To achieve compliance, which (i.e., criminal or civil enforcement) works best? What criteria are available to demonstrate success of the civil enforcement process?
 - Mr. Slutzky reiterated the importance of creating a “definable and definitive” process; that the process is tight enough to pass the rigor of the Council’s attorney as well as the County Executive and that legal department.
 - It was noted that Council, acting as the Board of Health, can pass an ordinance that would apply throughout the County (including inside local municipalities). Have any other local Boards of Health passed action in this fashion?
 - Mr. Lewis spoke to raising levels of fines that would incentivize compliance and suggested ensuring a means by which fines levied under civil enforcement to retail violators could stay in “enforcement.”
 - Mr. Odhiambo questioned whether, if the transition is made from criminal to civil enforcement, that would affect any cases as yet not adjudicated. This must be researched.
 - Ms. McCloskey questioned whether vendor illegal sales rates were any better or worse in counties employing civil enforcement? Also, to be researched.
 - Dr. Moy reasserted the value and importance of vetting the question of civil vs. criminal enforcement to various groups.
 - Ms. Bands individually polled members regarding their position on whether or not to transition from criminal to civil enforcement; the general consensus was to move forward seeking means of civil enforcement. Mr. Slutzky recommended targeting September for presentation to County Council.
 - A subcommittee will be established for this purpose. Ms. Brand, Ms. Bands, Ms. Kelly, Dr. Moy and Mr. Wiseman have so far volunteered to participate.
- Ms. Willats inquired whether there was any evidence of effective enforcement of illegal e-cig or vaping products. Discussion followed, wherein Ms. Klein and others recommended leaving this out of our equation, at this point, pending state or federal action in this regard.

- **Action Items:**

- Review materials regarding civil enforcement legislation in Harford County in order to move this agenda forward for consideration by County Council.
- Dissemination and compilation of Employer/Worksite Tobacco Survey results.

- **Next Meeting:**

- The next meeting is scheduled to be held on May 18, 2015 at the Council Chambers conference room located in the “Black Box” in Bel Air.

- **Adjournment:** 10:10am