

# **Tobacco Use Prevention and Cessation Advisory Committee**

April 9, 2002

## **Minutes**

### **Members Present:**

Dr. Leslie Beitsch, Sherry Bynum, Ben Brown (designee for Dr. Terry Cline), Gary Davidson, Sue Ellis, Gayle Jones (designee for Sandy Garrett), Lynne Kennedy, Lacy Masterson, Dr. Mike Morgan, Jacqueline Myles, Dr. Gary Watson, and Dr. Francene Weatherby.

**Members Absent:** Richard Barnes, Dr. Matthew Britt, Becky Childers, Dr. Frank Collins, Dr. Heather Huszti, Sallie McLaughlin, Dr. Sheila Simpson, and Mike Thornbrugh.

**Visitors:** Dawn Billings of the To Touch A Life organization.

**OSDH Staff Present:** Tracey Strader, Pam Charboneau, Dr. Joyce Morris, Maurice Sebastian, and Dave Wattenbarger.

Dr. Beitsch called the meeting to order at 3:15 p.m. and welcomed the 12 Committee members present.

Dr. Gary Watson made a motion to accept the February 25<sup>th</sup> meeting minutes as written, and Lynne Kennedy seconded the motion. The twelve members present voted unanimously to accept the minutes.

Dr. Beitsch facilitated a discussion of the Advisory Committee members who had attended the Public Hearings between March 25<sup>th</sup> and April 4<sup>th</sup>. The review of the public hearings revealed that the majority of attendees were in favor of banning smoking in public places, with few exceptions. There was good media coverage (television and/or newspaper) at all five locations. Sue Ellis related that she believed that approximately 75% of the attendees were from the health community, and approximately 25% were concerned citizens within the communities.

Among the interesting comments heard at the public hearings were those from a woman who had moved from California and related that the smoking restrictions in that state were well accepted by the public, and had actually improved business. Another person commented that restaurant owners might favor smoking bans if a state law banned smoking in all restaurants, creating a level playing field. Dr. Mike Morgan mentioned that the issue of spit tobacco was addressed at two of the locations.

Tracey Strader stated that there were 114 people signed in at the public hearings. Approximately 10-15 letters were also provided to the Advisory Committee at the McAlester public hearing. Many of the comments and letters contained stories of people unable to access numerous public places because of secondhand smoke exposure. Tracey also informed the Committee that she received some information from an out-of-state vendor, TriCom Communications, who works with states to put barcodes or other sort of scannable item on drivers' licenses so that retail outlets can scan them to verify age for alcohol and tobacco. A news article that accompanied the material suggested that this approach takes the guesswork out of checking ID's, but that some people are skeptical about implementing the technology, as a good deal of information on individuals could be acquired and used for other purposes.

Tracey provided award ribbons to Sue Ellis, Richard Barnes, and Gary Watson for attending the most Public Hearings, and to Pam Charboneau for her excellent assistance in coordinating the logistics of each hearing. Due to Richard's absence at the meeting, his ribbon was mailed to him.

The finalization of the State Plan was discussed. Tracey distributed a handout with a suggestion that the current Forward, Preface and Overview be combined into one Preface. The Executive Summary and the remainder of the document would follow this. Dr. Watson suggested that item number six of the Preface be changed to reflect that there are more than "millions of dollars" spent by the tobacco industry on marketing their products. He suggested that the wording be changed to state "hundreds of millions of dollars".

Tracey pointed out that on the "Measures and Outcomes" pages, the baseline figure listed for reducing the illegal buy rate among minors through enforcement of laws against the sale of tobacco products is 20%, but the latest reports from the ABLE Commission indicate that the figure is 23%, so this needs to be updated. Tracey requested approval to look at the latest statistics throughout the State Plan and update them. In addition, the Smoking Attributable Morbidity and Mortality Economic Costs (SAMMEC) data from the CDC is scheduled for release April 12<sup>th</sup> and that will provide the most current economic information.

Tracey also stated that on page 7, under Obstacles to Solutions, tribal issues are listed as an obstacle, and there is no discussion of the sacred use of tobacco in Native American culture. This section only discusses the smoke shop and excise tax issue. The excise tax and smoke shop issues are also discussed on the Business Considerations page. Tracey suggested that the Committee rename the "Obstacles" section to "Other Considerations", strike the word "obstacle" off each of the subheadings in that section and strike tribal issues from that section altogether. Tracey informed the Committee that Doug Matheny suggested that a subcommittee of the Advisory Committee work in collaboration with NATCO develop a page on Native Americans and Tobacco, and that the page be included in the section of the State Plan near the "Business Considerations" and "Readiness" pages.

Dr. Beitsch called for a vote on each of the following items:

- Combine the Preface, Forward, and Overview into one new Preface page, as presented during the meeting. The 12 members present voted to approve the new Preface page, and to change item #6 to read, "In Oklahoma alone, hundreds of millions of dollars are spent..."
- Include the Executive Summary behind the new Preface in the State Plan.
- Change the sub-title of page 7 from "Obstacles to Solutions" to "Other Considerations", strike "tribal issues" from the "Obstacles" section on page 7, include a separate page on Native Americans and Tobacco near the "Business Considerations" and "Readiness" pages, and to form a subcommittee to work with NATCO representatives to create the new page.
- Amend item #7 of the Preface stating "Tobacco companies still find it beneficial in Oklahoma...to employ former state legislators as their lobbyists" to say "well-connected or influential lobbyists."
- Update the statistical information within the State Plan.

Each of the changes listed above were approved unanimously.

Sue Ellis made a motion that the Advisory Committee approve and finalize the State Plan with the understanding that the statistics throughout the document will be brought to current accuracy

and that the other changes suggested during this meeting would be made. Sherry Bynum seconded the motion. The motion passed unanimously.

Dr. Beitsch went on to provide an update on policy initiatives, including SB1553 and the Board of Health Rules. He said the House of Representatives focused more on the procedural aspects of the Board of Health rules, rather than the health issues. Governor Keating signed five of the seven Board of Health Rules approved on February 14<sup>th</sup> and “reluctantly rejected” the remainder of the Rules because they were in conflict with state law. In his April 5<sup>th</sup> press conference, the Governor challenged the legislature to pass meaningful legislation to restrict secondhand smoke exposure, and stated that if such legislation was not passed this session he would work with the Board of Health to re-write rules that would be compliant with state law.

Dr. Beitsch had to excuse himself from the meeting and asked Dr. Mike Morgan to Chair the remainder of the meeting.

Dr. Morgan asked for volunteers to form a sub-committee to work with NATCO representatives to prepare the “Native Americans and Tobacco” page of the State Plan before April 30, 2002. Sue Ellis and Sherry Bynum volunteered.

Dr. Morgan called for announcements and Tracey Strader asked those Advisory Committee members serving one-year terms to let her know by May 17<sup>th</sup> if they would be willing to continue to serve. Those who are agency members are considered permanent members and do not need to be reappointed.

Tracey Strader announced that Dr. Heather Huszti and Becky Childers have resigned from the Advisory Committee and that she will be working with the Governor’s office to re-fill their positions as soon as possible.

Tracey also suggested that the Advisory Committee might want to meet again in mid-May to discuss options for funding of the State Plan, and any other policy issues that may need to be addressed near the end of the legislative session. The Advisory Committee agreed to meet on May 14<sup>th</sup> at 3 p.m. Pam Charboneau will try to locate an available meeting room within the Oklahoma State Department of Health, or alternate location.

Gayle Jones stated that about 7% of the calls to the Department of Education’s toll-free Safe Call Hotline are reports of violations of the no tobacco use policy. The Safe Call Hotline can be used by students, teachers, parents, or concerned citizens to report anything that is a dangerous or unsafe condition in school. She also mentioned that in almost all training events the Department of Education staff have been reminding school officials of the 7-4 no smoking on campus policy, encouraging the schools to strengthen their policies to cover 24 hours a day, seven days a week, and to post “no smoking” signs. They are also encouraging more SWAT activities in the schools that do not have the time to present tobacco prevention curricula.

Tracey Strader announced that Michelle Mangan, the Oklahoma State Health Department’s SWAT Coordinator was no longer on staff, but has moved to Wisconsin and accepted a position with the American Cancer Society. She also introduced Maurice Sebastian as the new Data Analyst for the Tobacco Use Prevention Service.

When asked for public comments, Dawn Billings thanked the Advisory Committee for all the hard work they are doing. She has a young child with respiratory problems and one adult child in California who smoked, but is quitting due to the restrictions of smoking in public in that state. Sue Ellis made a motion to adjourn the meeting and Sherry Bynum seconded the motion. The motion passed unanimously.