

# Tobacco Use Prevention and Cessation Advisory Committee

## **Minutes**

February 3, 2004

Oklahoma State Department of Health

1000 N.E. 10<sup>th</sup>, Room 806

Oklahoma City, OK

**Members Present:** Richard Barnes, Marta Patton (designee for Keith Burt), Marshall Cheney, Larry Didier (designee for Dr. Terry Cline), Dr. Mike Crutcher, Dr. Dianne Gasbarra, Sallie McLaughlin, Dr. Mike Morgan, Dr. Sheila Simpson, Dr. Gary Watson, Danny Wesley, and Koorosh Zahrai.

**Members Absent:** Sherry Bynum, Deonte Douglas, Sandy Garrett, Dr. Robin Gurwitch, Jackie Myles, and Dr. Francene Weatherby.

**Visitors:** Tracey Strader (Tobacco Settlement Endowment Trust), Doreen Robinson (School Nurse, Elk City), and Lesa B. Byford (Cherokee Nation).

**OSDH Staff Present:** Sally Carter (Director of Planning & Administration and Executive Director of the Oklahoma Tobacco Use Prevention & Cessation Advisory Committee), Pamela Charboneau (Administrative Assistant), Bob Miner (Clean Indoor Air Coordinator), Debbie Shandy (Community Outreach Coordinator), Janet Love (Director of Program Services), Linda Eakers (Cessation Systems Coordinator), Doug Matheny (Chief, Tobacco Use Prevention Service), Joe Mallonee (Deputy Commissioner, Disease & Prevention Services), Misty Worley (Health Educator for Chronic Disease's Cardiovascular Program), and Carla Parnacher (Maternal & Child Health),

Dr. Crutcher, Chair, called the meeting of the Advisory Committee to order. He welcomed everyone and asked for introductions.

The meeting minutes for December 16<sup>th</sup>, 2003 were presented for approval. Richard Barnes made the motion to approve the minutes and Marshall Cheney seconded the motion. The minutes were approved unanimously.

**Public Policy Update:** Discussion ensued regarding the expected activity during this legislative session surrounding the tobacco excise tax. Mr. Matheny provided a handout with tobacco facts and information that has been distributed widely at the Capitol. The information in the handout was provided by the Campaign for Tobacco Free Kids. Legislation discussed included HB 2660, authored by Speaker of the House Larry Adair and President Pro Tempore Cal Hobson. This is the vehicle used to call for a vote of the people to increase the tobacco excise tax by a net 52-cents. Proceeds from the tax would help fund a cancer research center, supplement the trauma center, and increase funding for Medicaid. Also mentioned were two other bills with tobacco-related language. SB 1344 adds to the places exempted from the 2003 Smoking in Public Places and Indoor Workplaces Act to include any retail business where the Act would "impose an undue burden on the operation of such business." SB 1353 adds "pool halls" to the exempted list. HB 2679 and SB 1256 are identical bills that would extend penalties to store owners, including temporary license suspensions, for repeated tobacco sales to youth.

The bills would also prohibit self-service displays and placement of cigarette vending machines in areas accessible to minors. HB 2474 and SB 1538 both apply to the Master Settlement Agreement Complimentary Act, and HB 1867 modifies the definition of tobacco products to prohibit sales to minors of smoking materials used as drug paraphernalia. Mr. Matheny discussed letters to the editor as a good way to get messages out for support or opposition of tobacco legislation.

Dr. Crutcher asked for reports from each of the teams.

- **Prevention team** – Marshall Cheney said the team had met prior to the Advisory Committee meeting. They are discussing a 5-year strategic plan and whom they can bring into the team as a facilitator to assist with the process.
- **Cessation team** – Linda Eakers reported that the team would meet next week. They are working on their Strategic Plan. They welcome any suggestions.
- **Protection team** – Bob Miner provided a handout and stated the team had established their objectives and will establish their Strategic Plan over the next few weeks. They also welcome comments or recommendations.

**The Five Year Strategic Plan for the Oklahoma State Plan for Tobacco Use Prevention and Cessation:** Doug Matheny stated that the State Plan is required by law, while the Strategic Plan is a companion piece that, although not required by law, would offer much more detail on how to achieve the long-term goals in the State Plan. The 5-year Strategic Plan will take some time for the teams to draft and would not be presented to the full Advisory Committee for possible formal approval until the August 3<sup>rd</sup> meeting, with the 5-year plan becoming effective on January 1, 2005. A rough draft of the Strategic Plan was made available to those present. Sally Carter stated she was hopeful that the Advisory Committee members would take the draft document back to their organizations and obtain some input. She would also like to obtain letters of endorsement from their organizations.

**Tobacco Use Prevention and Cessation Advisory Committee By-laws:** A final draft of the proposed by-laws was provided and each member was asked to review them. A vote will be entertained at the April 6, 2004 meeting to adopt.

**Oklahoma State Medical Association, Smoke Free Beginnings:** Sarah Jane Carlson, Project Coordinator of the Oklahoma Medical Association's Smoke Free Beginnings Project, was not in attendance, so no report was provided.

**Tobacco Settlement Endowment Trust (TSET):** Tracey Strader, Director of the Tobacco Settlement Endowment Trust, stated that the Board of Directors values the Advisory Committee's strategic planning process as the board looks to the Advisory Committee for programmatic and funding recommendations related to tobacco use prevention and cessation programs. The organizations represented on the Advisory Committee are essential to the success of a statewide, comprehensive tobacco control program in Oklahoma. Tracey explained the strategic planning process is timely because the endowment's earnings are certified each year in August. While the Board of Directors has committed to funding in four primary areas within tobacco control, including the Helpline, Youth Prevention Counter-marketing campaigns, Comprehensive Community Projects, and Public Education Campaigns, strategic recommendations will be needed in each of these areas as funds become available to expand these efforts and to initiate grants that target specific populations. Tracey also informed the committee that the Board of Directors is very supportive of the increase in the proposed excise tax on tobacco products because of the impact it will have on reducing youth smoking. The TSET will place ads in newspapers throughout the state in an effort to educate the public and opinion

leaders about the impact of a price increase on youth smoking prevention. The TSET is also developing a Request for Proposals (RFP) for the comprehensive community programs, and will make a broad announcement as soon as the RFP is available. Finally, Tracey stated that some elected officials had questioned, in news articles, how the Master Settlement Agreement funds were being used. She explained that each settlement payment is distributed to the State Legislature, and the endowment, and (a small portion) the Attorney General's evidence fund. The legislature has appropriated its entire share to health and human services agencies, including approximately 50% to the Oklahoma Health Care Authority for Medicaid. The Endowment receives increasing portions of each settlement payment annually and will receive 75% of all settlement payments beginning 2007. All funds received by the endowment are invested according to the provisions of the Oklahoma Constitution, and the Board of Directors is limited to spending only the earnings. With the limited earnings available, the endowment's Board of Directors will focus all of the earnings for at least the next three to five years on funding programs to help implement the Oklahoma State Plan for Tobacco Use Prevention and Cessation.

**Tobacco Use Prevention Service (TUPS) Update:** Doug Matheny reiterated that they are looking at reductions in their overall budget. The American Legacy grant ended on September 30<sup>th</sup>, 2003, but had some limited funds to carry over into 2004. The very last of the Legacy Grant funding is expected to be expended to October 2004 for a SWAT Youth Summit. The Tulsa Demonstration Project is ending this year, so it will be scaled back. Some of the more expensive aspects of comprehensive demonstration project in Tulsa County are now being implemented statewide. State funding will keep the SWAT program going. CDC has always put a high priority on infrastructure development, so staff will be moved to federal funds, and most programs will be funded with state funds.

Dr. Watson questioned the stability of federal funding for staffing. The Advisory Committee was assured that although there are no guarantees for the future, Oklahoma has done well in the past in receiving the maximum funding available from the CDC for a state our size. When asked about using TSET money for funding infrastructure, Dr. Watson was told that TSET preferred not to use the money for this purpose. They would prefer using existing infrastructure, although there TUPS may soon need to request dedicated TSET funding to hire two new staff members to handle the additional workload of helping to coordinate the new TSET initiatives.

The CDC is encouraging states to emphasize focusing on disparities. Through their contract with Oklahoma State University, TUPS will be conducting an Adult Tobacco Survey to provide extensive data that can be used for the disparities planning group, to be convened.

**New member orientation appointments:** Sally Carter stated that she had met with three of the new Advisory Committee members, Diane Gasbarra, Danny Wesley, and Marshall Cheney. Dr. Gasbarra was asked to join the Advisory Committee as a board-certified pulmonary disease medical doctor, and will be an asset on the Cessation Team. Mr. Wesley serves as a retailer who also has some tribal affiliations. Marshall Cheney represents the Oklahoma Public Health Association (OPHA) and also works with the Oklahoma City County Health Department.

**Tobacco Industry Documents:** Doug Matheny provided a handout from the Campaign for Tobacco Free Kids that has several quotes from the tobacco industry pertaining to the effectiveness of increases in tobacco prices.

**New Business and Announcements:** The Governor's office will hold a press conference at the Capitol on Monday, February 9. Governor Henry would like members of the medical community to

attend. He will be addressing the tobacco excise tax. Sally mentioned the yellow and green handouts that provided dates for upcoming Advisory Committee meetings and dates of interests.

**Public Comment:** Linda Wright Eakers announced the state Helpline had reached 5000+ calls. The next TSET Board of Directors meeting is scheduled for February 13, 2004. The Board of Investors meets on February 12<sup>th</sup> at the Capitol. Dr. Crutcher introduced Joe Mallonee, the Deputy Commissioner of Disease and Prevention Services, which is over the Tobacco Use Prevention Service.

Next meeting is scheduled for April 6, 2004.

Dr. Crutcher adjourned the meeting.