

Tobacco Use Prevention and Control  
Commission Meeting Minutes  
July 25, 2008

Urbandale Library Meeting Room A  
10:00 a.m. to 2:00 a.m.

**Voting Members Present**

Gary Streit, Iowa City  
Dr. Chris Squier, Iowa City  
Dr. Bob Russell, Des Moines  
Aaron Reister, JEL member  
Melissa Nelson, JEL member  
Cathy Callaway, American Cancer Society-Via phone

**Voting Members Absent**

Nora Kurtovic, Waterloo  
Abby Brookbank, JEL member  
Steven Soddors, Marshalltown

**Non-voting Members Present**

Senator Herman Quirnbach  
CJ Petersen, JEL President  
Representative Ro Foege  
Lynn Walding, ABD  
Jim Kuhlman, ABD  
Matt Gannon, Attorney Generals Office  
Dennis Janssen, Dept. of Human Services

**Non-voting Members Absent**

Elizabeth Calhoun, Dept. of Education  
Julie Pottorff, Attorney Generals Office  
Gary Kendell, Office of Drug Control

**Tobacco Division Staff:** Bonnie Mapes, Aaron Swanson, Maggie O'Rourke, Jerilyn Quigley, Jeremy Whitaker, Rob Semelroth, Brent Saron, Garin Buttermore, Jackie Ellis (temp.)

**Welcome and Introductions**

Gary Streit brought the meeting to order at 10:05 a.m.

**Approval of Previous Meeting Minutes**

A quorum was not present so approval of the minutes from the May 30, 2008 meeting was postponed until the September Commission meeting.

**Old Business**

The letter from the University of Iowa officially withdrawing their appeal of the award of the Quitline Iowa contract was distributed to Commission members by Gary Streit.

**Smokefree Air Act Update**

Matt Gannon discussed the lawsuit filed on July 1, 2008 on behalf of the Iowa Bar Owner's Coalition and COBRA (Clinton Organized Bar and Restaurant Association). The lawsuit is seeking temporary and permanent injunctive relief from the Smokefree Air Act on the grounds the act and the rules are unconstitutional. Deputy Attorney General Jeff Thompson is leading the litigation team for the AG's office.

Brent Saron described the enforcement process. He demonstrated the on-line system for tracking violations and compliance checks, housed at the Alcoholic Beverages Division and explained the process for verification of complaints and notification of businesses found to be in potential violation. Businesses will be given essentially three opportunities to come into compliance before a compliance check is conducted: the first notice of potential violation; an educational site visit conducted by a community partnership; a second notice of potential violation. Brent then provided an update on the number of complaints received and notices sent and usage of the Smokefree Air Act Website.

Bonnie Mapes provided an update on other issues related to implementation of the law. The tobacco division sent a mailing with information about the law and a free sign to all food service license holders in the state and a mailing to all law enforcement agencies which included information from ABD about the enforcement process. Smokefree Air Act brochures were also sent to all Chambers of Commerce, local public health departments, and Community Partnerships. An ICN training was completed with all current community partnerships about how to conduct educational site visits with businesses that had received a notice of potential violation. Reflective metal, outdoor signs are being provided free of charge to schools that have instituted a tobacco free campus policy.

Bonnie also reported that the Racing and Gaming Commission has sent the division maps of the interior of all the casinos in the state with the gaming floor indicated. The Division of Inspections and Appeals has now incorporated inspecting for smokefree air act violations as part of their ongoing inspection system. A meeting has been scheduled for August 7 with other state agencies that have ongoing inspection programs to talk about how they can incorporate the smokefree air act inspection process into their programs. The Department of Human Services has issued a policy that daycare facilities must be tobacco free, including all outdoor play areas.

### **Alcoholic Beverages Division**

Jim Kuhlman provided a summary of tobacco retail sales compliance data for FY08. He said that 2008 was a “record year” for the program with a compliance rate of 92% and two compliance checks completed with approximately 70% of retailers. Lynn Walding added that by doing a second check helps to ensure better compliance. Jim reported that implementation of the online tobacco retailer training system is expected by the end of the fiscal year 2009.

### **Department of Human Services**

Dennis Janssen reported on the distribution of cessation pharmaceutical by Medicaid stating that the most popular is Chantix. He said he believes the smokefree air act has contributed to an increase in the request for nicotine replacement therapies.

### **JEL**

CJ Petersen introduced himself as the new JEL President, as well as Aaron Reister, Abby Brookbank and Melissa Nelson as the JEL voting commission members. CJ also reported that since JEL was selected as a national runner up for the youth prevention program of the year,

two JEL members were invited by the Campaign for Tobacco Free Kids to Washington DC to attend their recognition event with other youth from across the country.

Garin Buttermore reported on the JEL Summit held June 17, 18, 19 and Simpson College in Indianola. This year attendees were divided by experience levels so those that those who had previously attended a summit followed a more advanced track than those who had not attended previously. More youth attended from areas of the state, particularly in the southwest, that have been under represented at previous summits. Garin also discussed plans for the State Fair street marketing event scheduled for August 14.

### **Cessation Services**

Jeremy Whitaker presented FY 2008 year end usage statistics for Quitline Iowa. 23,243 individuals called the Quitline, more than the total of the previous six years combined. At IA/NEPCA community health centers, June had the highest number of participants (221) enrolled in the cessation program so far, with Chantix as the most popular choice for nicotine replacement pharmaceuticals.

Jeremy reported that due to flooding the IA/NEPCA clinic, Linn Community Care, was ruined and will probably not rebuild in the same location. The Columbus Junction clinic was also damaged by the floods.

### **Director's Report**

Bonnie Mapes reported that all applications have been received for community partnership grants. Three counties will not be funded this year: Floyd, Franklin, Van Buren. Five new Priority Population Network grants were awarded: Aberdeen Area Tribal Network (Native American), Employee & Family Resources (Asian and GLBT), Proteus (Hispanic/Latino) and Urban Dreams (African American). The network grantees will be attending training on September 18 & 19 concentrating on community assessment, coalition building and strategic planning.

Bonnie reported that the Division lost \$93,000 worth of educational materials when the Clearinghouse [Iowa Substance Abuse Information Center] was flooded in June. There is no information yet as to if and when the division might be compensated for the loss. Some of the materials will need to be replaced in the meantime.

Bonnie distributed a revised FY 2009 budget which re-allocated funding to purchase of replacement materials, as well additional funding for the Clerk Specialist position. The budget couldn't be approved due to the lack of a quorum.

Bonnie provided a sample of a new Legislative Services Agency financial report that the division must now submit quarterly and asked the Commission if they would like to receive a copy of these reports. The consensus was that this is not necessary.

### **Public Comment & Adjournment**

There was no public comment.

The Commission meeting adjourned at 1:45 p.m.

The next Commission meeting will be held September 26, 2008.

Respectfully submitted,  
Jackie Ellis  
Department of Public Health  
515-281-6225