

Tobacco Use Prevention and Control
Commission Meeting Minutes
September 18, 2009

AARP Boardroom, 600 E. Court Street, Des Moines
9:00 a.m. to 12:00 p.m.

Voting Members Present

Cathy Callaway-Chair
Dr. Chris Squier, Iowa City
Tim Hungerford
Gary Streit
Alisa Holverson, JEL
Aaron Swailes, JEL President
CJ Petersen, JEL

Non-Voting Members Present

Dennis Janssen, Dept. of Human Services
Matt Gannon, Attorney General's Office
Elizabeth Calhoun
Rep. Lisa Heddens, Hse. Chair

Voting Members Absent

Nora Kurtovic
Jenna Zimmer-JEL
Bob Russell

Non-Voting Members Absent

Lynn Walding, Alcoholic Beverage Div.
Julie Pottorff
Senator David Hartsuch
Gary Kendall
Senator Herman Quirmbach

Tobacco Use Prevention and Control Staff: Bonnie Mapes, Ramona Ubaldo, Garin Buttermore, Jerilyn Quigley, Sheri Stursma, Aaron Swanson, Maggie O'Rourke, Jeremy Whitaker, Brent Saron, Rob Semeroth, , Sieglinde Prior, Joann Muldoon

Guests: Jim Kuhlman-ABD; Deborah Helsen, Legislative Services Agency; Mel Gonnerman, UNI-CSBR; Disa Cornish-UNI-CSBR; Micki Sandquist-American Lung Association; Stephanie Baker-Employee & Family Resources; Deb Kazmerzak-IA/NE PCA; Peggy Huppert-American Cancer Society; Amber Martin-Urban Dreams; Warren Dukes-Urban Dreams; Rep. Kent Sorenson

Welcome and Introductions

Cathy Calloway, Chair called mtg. to order at 9:30am and began with introductions. Approval of the previous meeting minutes were postponed until the end of the meeting due to lack of a quorum.

Old Business

No old business to report or discuss

Legislative Report

Rep. Lisa Heddens provided the legislative report. She reported that there are several upcoming meetings to discuss the budget, which is the first priority this session. There is a meeting with the

chairs of the both the House and Senate to look at department level budget and stimulus money. The second round of stimulus money is on the way, meetings to discuss where the money should be applied.

Legislative Update

Cathy Callaway, Chair asked about the CDC stimulus money? Bonnie Mapes, TUPC reported that there was a webcast on 9/17 regarding the CDC money and guidance. No state level funding yet. There is still \$200 million available at the federal level. All money going out to local level the focus is on the local health departments. Small city/community level, all focus on wellness activities. Bonnie reported that the money the division receives may be used on media and she is not sure who will be on the review committee to decide where the money goes. This is the first time that we will be allowed to spend money on nicotine prevention. Money will not come directly to the Department of Health.

Cathy Callaway stated that we will need to coordinate our efforts to make ensure the best use of the money we receive. Bonnie suggested we focus on policy issues, waiting for more guidance from the feds.

Cathy Callaway further reported that the lobbyist is aware of the budget situation. Consensus among tobacco alliances is to hold off on more SmokeFree Air Act changes as far as casinos and focus on the budget issues this session and protect the SFAA law as it is. Look at future taxes because they provide reduction of smokers and increase in revenue. Ms. Heddens stated that she is looking forward to the upcoming session and working with Cathy and her groups and providing the link between the Commission and the legislatures.

Aaron Swailes-JEL, asked if JEL chapters could get any of the money that is available. Bonnie stated that the JEL chapters need to get involved with the commission in their area.

Bonnie agreed to send the guidance to the Legislative Representatives and is also available on their website, www.FDA@CDC.gov .

Alcoholic Beverage Division

Jim Kuhlman provided report for ABD. Tobacco activities, at a glance report, FY 2010 results show that they will meet their goals.

- Active retailers are down; taverns are dropping their tobacco retail permits.
- Training is on schedule, with 97% passing rate for clerks who take the training.
- SFAA-update, 4 new establishments have been referred to the AG for administrative processing, 78 referred to AGs office since law went into effect. Many settle before hearing and receive a lighter sentence. (7/days & \$1000, 30/day & \$7000)
- Burlington update-ABD last trip to Burlington showed 100% compliance.
- Daltons Pub has an upcoming hearing, a 2nd hearing after they had settled. It will be interesting to see how the judge will rule.
- Online Training program update-ABD worked with DAS to bid out the job. The winning bid was \$87,000 available 24/7 take training and receive certificates. Training will be 2 hours with

refresher training. We predict that in less than 3 years will pay for itself. Will be working on implementation over the next 12 months.

Yearly audits of inspectors to see how it is working with retailers, two checks on retailers are inspectors per year.

Final note- SINAR activity matched rate of 92% designated retailer's compliance rate. This is a big gain on compliance rate and able to maintain that rate for several years.

Attorney General's Office

Matt Gannon provided the AGs update. The litigation filed a year ago by the Freedom Fighters was dismissed and switched to ALJ. Otis Campbell's brief due today, expect hearing later this fall. All dates listed on ABD website. Fro's in Wilton IA on the same schedule for hearing and their brief is due two weeks from today.

Matt also reported on the law suits filed against the new FDA legislation. Several manufacturers have filed suit in KY asking for restraint regarding advertising issues. The Feds are handling for now. States are not involved at this time.

Effective Tuesday 9/22 flavored cigarettes are banned in the USA. Does not include all flavored products. AG has sent letter to manufacturers and retailers regarding sales of these products and has gotten good response. Hope that the sale reps of these products get the word out to the smaller retailers.

Final point-AGs office is working in conjunction with law enforcement on an internet sting operation regarding online cig sales. Hoping companies will cease after several companies get caught.

Cathy Callaway asked if any FDA money is coming for enforcement of SFAA. The FDA has hired staff to do actual enforcement and litigation of cases.

Matt stated that any progress on UPS company and distribution of smoking material and products through the mail will be something administrative at the federal level. Specifically, internet site sales without a sales tax stamp and paying the tax. States are concerned because the manufactures has made some deals with UPS/Fedx not to ship these products. Postal Service has not yet agreed. PACS Act, in the house passed, next to the senate for debate and vote.

Lisa Heddens asked is Hookah Bars are covered under the act. Matt stated that they must have a retail sale permit, so they would be covered. However the actual hookah that is smoked would not be covered because it is not a "Flavored Cig" and the bill specifically states "flavored cig". The FDA is clarifying the definition.

Cathy Callaway stated we would hope the FDA would make the definition broad to cover all flavored tobacco.

Department of Human Service

Dennis Janssen provided DHS report. There are no survey results yet, they should be ready for the next meeting. Provided numbers on month of August. 270 patches given out, 14 gum, 340 prescriptions for Chantx. 527 unique people approved for Chantx which is down a little from May. Medicare program is covering nicotine patches.

Department of Education

Elizabeth Calhoun provided report for the department of education. There was an email regarding the IA Youth Survey and results are now available. She will attach email with website where results to next minutes for review.

Bonnie asked are there any policies included as part of review during site visits? Do you check or are they required for accreditation.

Elizabeth will check to see if we can incorporate that piece to the next survey.

Priority Populations

The Division funds 5 Priority Population networks. Several will give presentations today.

LGBT

Sieglinde Prior, TUPC introduced presenters, Stephanie Baker-Employee & Family Resources, who provided a presentation (hand outs available) on smoking and the LGBT community. Ms. Baker also reported that they were applying for a 1 year grant to study what the LGBT communities need/want. They have identified several targets for improvement:

- Making more LGBT homes smoke free,
- Access to QuitLine and cessation programs
- Work with JEL and focus on the school aged community
- Provide culturally based activities.

In a survey to the LGBT community tobacco rated number 8 when listed importance. A lot of results come from the western part of the Iowa. Not many resources in the Eastern side of Iowa. Trying to target the areas where we have the data.

Urban Dreams

Amber Martin from Urban Dreams gave presentation (slides available) on FY activities. Urban Dreams receives a grant from IDPH. Areas chosen as target areas: Cedar Rapids, Davenport, Des Moines, Sioux City and Waterloo. In these areas will work with local coalitions and community leaders and local churches, community events and local health departments. In a survey that was performed across the state, Sioux City tobacco was rated the most important because most feel it might be a gateway to try everything else. Urban Dreams strategic plan for FY09-10: Improve JEL participation and FY10-11: Recruit 3AA youth and send to summit and add a faith based youth group. Currently working on a campaign for youth 4th-12th grades, create faith based policy, promote our TARGET message and JEL recruitment, engage with coalition members, increase tobacco knowledge

throughout the community.

JEL

Aaron Swailes provided the JEL update. Introduced the new JEL logo, which was voted on via website, there were 5 to choose from and over 200 voted on line. The JEL advertising campaign message this year is “Through the Generations”. JEL awareness is down and focus will be on raising awareness and trying to reinvigorate the message.

New commercials being filmed over the next few weeks. Focusing on generational smoking and how it is passed on to youth, basically handed off through the years. Ads were approved by Commission executive committee.

Upcoming events: Battle of the Bands-this is still in the planning phase, want to do at spring 2010. Rodeo in Osceola this upcoming weekend, and in Spencer next weekend and Marshalltown next spring. Trying to something lined up for the Miley Cyrus concert.

JEL is currently developing state wide event focusing on foster kids in conjunction with DHS. JCAP grants are being offered. JEL council members are looking at utilizing the internet for JEL message and awareness.

Re-Introductions of new JEL commission members. Aaron Swailes, President elect, Alissa Holverson, CJ Peterson-out going JEL president and voting member.

CJ Peterson, JEL reported that he attended a Vanderplatts event and Mr. Vanderplatts is pro Smokefree air.

Cathy Callaway reported that ITPA is working with all candidates on tobacco issues and will be at many candidate forums.

Smokefree Air Act

Bonnie Mapes, TUPC provided 1st year report copies for commission and audience members, the report was presented at the previous commission meeting. Reiterated that complaints continue to drop off. Bonnie announced the Golden Dome award winner for individual excellence; Brent Saron has won this award. Dr. Squires congratulated Bonnie and the staff on a job and report very well done.

Cessation Services

Jeremy Whitaker, TUPC provided cessation update. Numbers are down, typical for the summer months, down about 7%. Anticipate an increase in December. Still waiting to see how much is any stimulus money Quitline will receive. If money is received have several areas where would like to use it; Online services, more advertising, expand NRT available. And would love to offer some free things to attract more callers.

Upcoming events: Medicare representatives will present at the next commission meeting. Workshops coming up for health care providers. There are New Quitline commercials targeting women 18-24 starting in October. Cathy Callaway reminded everyone that the GASO event is in November. New national campaign will run in Iowa. Bonnie will contact the legacy board to discuss future endeavors.

Jeremy Whitaker, TUPC introduced Disa -Cornish-UNI-CSBR who reported on FY activities for the Iowa Tobacco Cessation Program evaluation. Desa reported that they had great response, showing 98% cigarette smokers with a 20% cessation rate, which is standard. Feel they are making an impact because they are seeing a reduction in number of cigarettes smoked per day which indicates a progress in quitting. Cathy Callaway asked what variations in cessation NRT used? Desa stated that they do not ask that question and would add to next evaluation. Currently the survey shows Medicaid vs. non-Medicaid callers.

Desa stated that there are concerns about the use of smokeless tobacco after quitting smoking, and the data shows they did not start using smokeless tobacco. Data showed that most people could stay quit with help and only ¼ go through the coaching. Most do not call back after initial intake call and receiving NRT. In both programs most satisfied with call and most were using Chantx and were satisfied. No real difference in higher/lower income groups and 90% of health care visits had smoking questions during regular doctor visits. The next evaluation will have a new module added at the end of the survey targeting those who have not quit smoking. 14% of IA still smoking and we want to work to reduce that number. INEPCA report will be available on the IDPH website.

Mel Gonnerman from UNI-CSBR provided report on the Online Pilot program for the Tobacco Youth Survey results. All states participate in the survey. There are 3 phases to implementation of the online YTS, began in spring 2007 and had to receive the buy in from IA schools to participate. Spent time collecting data and comparing the 2 systems (online vs. hard copy, written) Results were reviewed and problem area identified. Next expanded the survey from the initial 2 schools to 12 schools and picked up the middle schools. 602 students add more flexibility to add specific questions. Had focus better on specific groups to address each issue, reviewed all collected web data. After review had recommendations for improvement, which was continued discussions with CDC regarding web based application. Iowa is the only state pursuing this online pilot program. CDC is very interested in how these results compare to the written survey. If implemented will require a change to CDC protocol.

Bonnie stated that our goal is to get online for schools in 2010. Not sure if will happen; a lot depends on the CDC. Report on Border States is not a finished product. Need more funding to complete final stage of study.

Maggie O'Rourke, TUPC introduced Joann Muldoon, TUPC to report on the results of the IYTS 2008 findings, in which 50 schools participated. Findings show that high school students use more tobacco than middle school students, with a 9% difference in males vs. female use. Trend on cigars and smokeless has stayed the same. Remaining flat overall since 2004. Showing higher % of males vs. females use smokeless. Cigarette smoker's rate is pretty close male vs. female. End result shows that middle school and high school aged are smoking less. Study also shows that people who see smoking

on TV are more likely to use tobacco products. Study also shows that JEL awareness in schools shows a drop in last couple of years. Data also shows that social sources providing cigarettes to school kids. Marketing to teens is shifting towards flavored tobacco products, including menthol use, which the study shows is up.

Director's Report

Bonnie Mapes, TUPC provided directors report on Sales tax survey, scheduled to begin and will run for 16 months and will look at the 3 years prior to the SFAA and the time after the law was passed, to be completed by March 2010. This will be a state wide comparison analysis. Will look at the casino exemption impact and the boarder state comparison.

Bonnie updated commission on CDC FOA guidance for next year coming out in November. She will provide to commission or will be available on website.

Bonnie provided budget update to commission, there were a few changes to the budget. INEPCA had some additional money added. Some funds moved to educational materials. Unallocated money moved to CP org due to flexibility for spending. Budget total, Health Care trust fund total is MORE than before due to fiscal error, has been added back into the budget.

ABD has some money returning to budget from the enforcement piece that was over estimated. Cessation services money returned from National Jewish-U of IA, higher Medicaid callers that usual. The Priority networks did not spend down all of their money due to late start with some of their programs. Money returning from CPs only one spent down all of their money to date, approximately \$153,000 reverting back from partnerships. The JEL summit money reverting is \$13,000. ZLR reverted 52% in monies, savings not reallocated due to next year's budget. Adm/Operating budget is status quo, no changes. Currently waiting for more information from CDC regarding additional stimulus money. Final budget looks at \$1 million in carryover and \$50,000 reverting back to budget. Possible budget cuts before next commission meeting after Governors report in October. Hope to have finalized 2010 budget at next meeting.

NEW BUSINESS

Dr. Squires reminded commission of the new date for next commission meeting due to scheduling conflicts. The next meeting date is **December 4, 2009, will be held at same location (AARP boardroom) 9am-12pm.**

MOTION

Motion made by CJ Peterson to approve July 2009 commission meeting minutes, Alisa Holverson seconded the motion. July 2009 minutes were approved.

Public Comment & Adjournment

No questions/comments from the audience.

Cathy Callaway motioned to adjourn meeting, Bonnie Mapes seconded the motion.

Meeting adjourned at 12:16p.m.

Respectfully submitted by,
Ramona L. Ubaldo