

Tobacco Use Prevention and Control
Commission Meeting Minutes
December 11, 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
Gary Streit
Tim Hungerford
Alisa Holverson, JEL

Voting Members Absent

Nora Kurtovic
Jenna Zimmer
Dr. Bob Russell
CJ Petersen

Non-Voting Members Present

Senator Herman Quirmbach
Matt Gannon, Attorney General's Office

Non-Voting Members Absent

Lynn Walding
Aaron Swailes
Julie Pottorff
Senator David Hartsuch
Dennis Janssen
Elizabeth Calhoun
Rep. Lisa Heddens

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 Semelroth, Sieglinde Prior, Joann Muldoon, Cole Johnson

Guests: Jim Kuhlman-ABD; Nick Grant & Jason Boucher (ZLR); Deb Kazmerzak, Dr. Bery Engelbretson & Sara Dixon-Gale (IA/NEPCA); Peggy Huppert (Am. Cancer Society); Candace Brings Plenty (Nat/Am PP Network); Daniel Zinnel (Hispanic PP Network); Cheng Xiong (Asian PP Network), Disa Cornish (UNI)

I: Introductions

II: Approval of Last Minutes: A quorum was not present

III: Old Business: None

IV: Legislative Report:

Sen. Quirmbach said that he doesn't anticipate any legislation on tobacco this session, including any changes to the Smokefree Air Act. The theme of year is the budget.

V: Legislative Update

Peggy Huppert reported on discussion she and other advocates had had with members of legislative leadership. It will be a "fast moving session" with policy decisions moving quickly at the beginning. The first funnel has been moved to February 2 with the second funnel three weeks after that. The Revenue Estimating Council meets again in March. After that meeting the budget process will begin in earnest. The session is scheduled to end March 31, 2010.

She stressed the importance of Division contractors spending down their budgets. Bonnie Mapes responded that new language added to the Community Partnership RFP and to contracts, as well as the recent budget cuts, should help to reduce unexpended funds.

VI: Attendee Reports

A. Alcoholic Beverages Division

Jim Kuhlman distributed a “Tobacco At A Glance” report containing data on tobacco retailer and Smokefree Air Act enforcement activities through 12/10/09. Jim commented that they often hear during their site visits with law enforcement partners that law enforcement agencies would like to see a system similar to tobacco sales enforcement developed to enforce youth alcohol sales.

ABD is still on track to have online training for tobacco retail sales clerks bid out in January 2010 with an expected implementation date of July 2010.

B. Attorney General’s Office

Matt Gannon provided an update on litigation of Larry Duncan’s suit against the Smokefree Air Act. There was a hearing in the case in November. After judicial review, a decision is expected within a month. Appeals are available to both sides.

There is also litigation being pursued by tobacco companies who are parties to the Master Settlement Agreement Second in an attempt to lower settlement payments due to what they assert is a lack of diligent enforcement by states of non-participating manufacturers. Iowa doesn’t have any non-participating manufacturers.

CLP (a tobacco company out of Virginia) recently pleaded guilty to federal charges of smuggling and tax evasion. Matt feels there may be more cases like this.

Staff from the Iowa Attorney General’s Office will be meeting with representatives from the Food and Drug in January to discuss FDA regulations of tobacco products and marketing.

In response to a question about E-cigarettes, Matt said that the Attorney general believes that there is nothing in state law that makes them illegal. The FDA believes they are a drug delivery device and should be under FDA control. E-Cigarette manufacturers and the FDA are in court over this assertion.

C. Department of Human Services: Not present

D. Department of Education: Not present

VII: TUPC Program Updates

A. Priority Population Networks

Native American

Ms. Candace Brings Plenty, representing the Aberdeen Area Tribal Chairman’s Health Board, described their efforts to complete the community assessment in Iowa. She noted that assessments are sometimes difficult to do because of the sovereign nation status of individual tribes. As part of the assessment, respondents were asked to rank tobacco use in terms of its

importance as a problem in their community. The assessment showed that education, drug abuse and alcohol abuse are more important issues than tobacco use for Iowa tribes. She also reported that in discussions with Meskwaki leaders, they were receptive to initiating a JEL youth prevention program on the settlement.

Hispanic/Latino

Daniel Zinnel from Proteus presented details about their community assessment process and results and the goals in their two-year strategic plan. (See attached presentation.)



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Asian/Pacific Islander:

Cheng Xiong from Employee & Family Resources presented results from their community assessment, data about tobacco use in the Asian community in Iowa, and the goals in their two-year strategic plan. (See attached presentation.)



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B. JEL

Alisa Holverson discussed some recent JEL program activities. JEL had a booth at a recent Miley Cyrus concert in Des Moines which reached many young girls. Instead of street marketing event in Des Moines for the Great American SmokeOut, JEL staged an event at two high school football games in Cedar Falls. Alisa commented that this was a better way to reach youth. Youth (22) from northwest Iowa attended the regional JEL summit in Spencer. She said they received “excellent help” from Clay County Community Partnership

“See the Connection” campaign:

Jason Boucher from ZLR (media contractor) discussed the focus in the coming year on promotion of JEL as a brand along with the tobacco use prevention message. He presented the major components of the “See the Connection” campaign: the new logo, JEL television and billboard ads, materials for the JEL Battle of the Bands contest, and changes to the JEL website. (See attached Powerpoint.)

Jason provided an update on Quitline Iowa promotion. In a comparison of radio versus cable advertising conducted earlier at the request of the Division, it was shown that calls to the Quitline decreased in counties where only radio ads were run and calls were up in counties where only cable ads were run. Consequently, radio advertising will not be a component of this year’s Quitline campaign. The new Quitline television ad was presented and the results of a Google ad word test for the new Quitline promotion on Google.

Cathy Callaway asked that the Division develop a one-page sheet about why promotion of JEL and Quitline are important for preventing and reducing tobacco use and how the budget cuts have impacted the reach and effectiveness of the campaigns.

C. Smokefree Air Act

Brent Saron reported that complaints about violations of the law are down significantly, from 150 to 56 complaints per week in FY 2009 to 15-20 complaints per week so far in FY 2010. He said that he will be bringing an 18-month enforcement report to the Commission in January.

A request was made that the Division prepare a one-page fact sheet on SFAA enforcement.

D. Cessation Services

Disa Cornish reported that UNI had finished the chart reviews of IANPECA patients as part of the Division's cessation services evaluation.

Sarah Dixon Gale delivered the IANPECA 2009 annual report, *Iowa Community Health Cessation Program*. (The document is too large to attach. It is available upon request.) The report details the services provided in the past year (including prescriptions for cessation pharmaceuticals), results from the program evaluation, patient demographics, and quality improvement initiatives.

VIII: Director's report:

A. Federal Stimulus funding applications

Bonnie Mapes updated the Commission on IDPH applications for federal stimulus funding available through "Communities Putting Prevention to Work" grants. There were two separate FOAs (federal funding announcements) with multiple opportunities. The Department has applied for four grants.

FOA #2:

Component 1: State-wide Policy and Environments Change (non-competitive). This grant requires states to pursue a statewide policy issue. The objective of the Division's application is passage of a tobacco free schools law in FY 2011. The Department of Education supports this initiative.

Component 2: Special Policy and Environmental Change Initiatives (competitive) The objective of this application is to establish a statewide system to monitor tobacco industry marketing activities utilizing GPS and GIS technology. This initiative supports enforcement of the new FDA regulations. Only about 15 grants will be awarded nationwide.

Component 3: Tobacco Cessation Through Quitlines and Media (noncompetitive.) This grant was limited to specific required initiatives which could not supplant current state or federal funding for quitlines. Iowa's application includes a limited amount of additional funding for NRT (5% total allowed), additional Quitline promotion targeted to priority populations, and expansion of web-based cessation services.

FOA #1: State-Coordinated small cities and rural areas (competitive). This grant required that the state health department partner with local health departments on two separate sets of initiatives: 1) to promote physical activity and better nutrition and 2) to reduce tobacco use. The award may include one or both of these initiatives. Linn and Ringgold counties will be the partners with IDPH and the bulk of funding will go to the counties.

All the projects have a 24-month funding period. Grants awards should be announced by February.

B) FY 2010 Budget

Bonnie Mapes informed the Commission that due to the AFSCME agreement to accept a 5-day furlough for all union members, no layoffs are anticipated in Division this fiscal year.

A Draft document showing anticipated changes to the FY 2010 budget was distributed. The changes showed the impact of the recent 10% ATB state budget cut, but they did not include the \$350,000 in backfill for cessation services announced by the Governor. It is unclear at this point when or how much of this backfill will actually be realized. Also unclear is how the salary savings from staff furloughs are to be accounted for, so these were not reflected on the document.

Bonnie discussed how the budget cut and noncompetitive federal stimulus funding would impact each Division program and contract. She said it was expected that more information would be available by the time the Commission meets in January.

In response to a question about the FY2011 budget, Bonnie said that the guidance so far was that the FY 2011 budget would be a status quo budget based upon Division funding at the end of FY 2010.

Bonnie announced that the 50% federal match of administrative costs for services provided to Medicaid clients by Quitline Iowa was anticipated to begin in January 2010 and could result in as much as \$200,000 in new federal funding to support the quitline next year.

C) Recommendations to legislature about efficiencies for tobacco/SA/gambling prevention programs.

Bonnie summarized the required recommendations being submitted by IDPH to the legislature on December 15 for increasing collaboration and efficiencies between IDPH tobacco prevention, substance abuse prevention, and gambling prevention programs. Recommendations include:

Service Contracts:

- Combining separate contracts for tobacco and gambling prevention health promotion campaigns.
- Reducing the number of separate IDPH contracts for prevention services for local contractors
- Securing the new federal drawdown for Quitline Iowa services to Medicaid

Training/Workforce Development

- Consolidation of the annual state tobacco control and substance abuse prevention conferences.
- Increasing collaborations between JEL and other state youth programs such as Elevate

Infrastructure:

- Institute a system to enforce Iowa code prohibiting both alcohol sales and tobacco sales to minors. [Bonnie mentioned that there is the possibility of bringing lottery sales into this system.]

X. New Business: None

XI. Public Comment: None

XII. Adjournment: The meeting was adjourned at 12:41 on a motion by Alisa Holverson and a second by Cathy Callaway.

Next Meeting: January, 22, 2010. 9 a.m. to 12 p.m. AARP Boardroom, 600 E Court, Des Moines