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Title: Dangers of Vaping

Introduced by: Annette Mercatante, MD, for the St. Clair County Delegation

Original Author: Ron Balboa, MD

Referred to: Reference Committee D

House Action: **APPROVED AS AMENDED**

Whereas, electronic nicotine delivery systems (ENDS) produce an aerosol by heating a liquid that usually contains nicotine, flavorings and other harmful chemicals, and

Whereas, nicotine is an addictive drug that can harm the developing adolescent brain¹, and

Whereas, ENDS aerosol can contain harmful and potentially harmful substances, including nicotine, ultrafine particles, volatile organic compounds, cancer-causing chemicals, and heavy metals such as nickel, tin, and lead¹, and

Whereas, the health impacts of inhaling such chemicals is still being investigated but preliminary reports indicate that some ingredients could be harmful to the lungs in the long-term¹, and

Whereas, the United States Surgeon General recently declared youth e-cigarette use an epidemic², and

Whereas, the percentage of St. Clair County high school students who reported past 30-day use of e-cigarettes increased from 20 percent in 2015-16 to almost 32 percent in 2017-18³, and

Whereas, although the impact of such utilization remains to be fully appreciated, it is clear the health impacts and the potential of creating significant health risks parallels the early years of tobacco, and

Whereas, big tobacco markets to youth via sweet flavoring, product design and ads with deliberate intent on addicting future adult users; therefore be it

RESOLVED: That MSMS make educational materials available to health care providers similar to those used in campaigns against traditional tobacco products that strongly deter vaping; and be it further

RESOLVED: That MSMS lobby for stronger regulations and enforcement, including but not limited to banning the sale of electronic nicotine delivery systems (ENDS) to minors, including ENDS in legislation seeking to raise the legal age of the purchase of tobacco to age 21, and requiring clear warning labels on all ENDS; and be it further

RESOLVED: That MSMS update existing policies, "Electronic Cigarette Legislative and Policy Gaps" and "Raise Minimum Legal Age to Purchase Tobacco Products to 21," to include electronic nicotine delivery systems (ENDS); and be it further

RESOLVED: That the Michigan Delegation to the American Medical Association (AMA) ask our AMA to amend existing policy H-495.986, "Sales and Distribution of Tobacco Products and Electronic Nicotine Delivery Systems (ENDS) and E-cigarettes," to include clear a requirement for warning labels on all ENDS.

WAYS AND MEANS COMMITTEE FISCAL NOTE: \$25,000 or more as the Resolution calls for legislative advocacy and potentially the development of educational materials.

Relevant MSMS Policy:

Ban e-Cigarettes from Public Venues

MSMS supports banning the use of e-cigarettes and any nicotine delivery devices in public places. (Res66-11)
– Edited (Board-April14)

Electronic Cigarette Legislative and Policy Gaps

MSMS supports banning the use of e-cigarettes in public places and opposes the marketing and sale of e-cigarettes and any tobacco products to minors. (Res18-15)
– Reaffirmed (Res66-17)

Raise Minimum Legal Age to Purchase Tobacco Products to 21

MSMS supports raising the minimum legal age to purchase tobacco products, including e-cigarettes, to age 21. (Res22-15)
– Reaffirmed (Res84-16)

Relevant AMA Policy:

Sales and Distribution of Tobacco Products and Electronic Nicotine Delivery Systems (ENDS) and E-cigarettes H-495.986 Our AMA:

- (1) recognizes the use of e-cigarettes and vaping as an urgent public health epidemic and will actively work with the Food and Drug Administration and other relevant stakeholders to counteract the marketing and use of addictive e-cigarette and vaping devices, including but not limited to bans and strict restrictions on marketing to minors under the age of 21;
- (2) encourages the passage of laws, ordinances and regulations that would set the minimum age for purchasing tobacco products, including electronic nicotine delivery systems (ENDS) and e-cigarettes, at 21 years, and urges strict enforcement of laws prohibiting the sale of tobacco products to minors;
- (3) supports the development of model legislation regarding enforcement of laws restricting children's access to tobacco, including but not limited to attention to the following issues: (a) provision for licensure to sell tobacco and for the revocation thereof; (b) appropriate civil or criminal penalties (e.g., fines, prison terms, license revocation) to deter violation of laws restricting children's access to and possession of tobacco; (c) requirements for merchants to post notices warning minors against attempting to purchase tobacco and to obtain proof of age for would-be purchasers; (d) measures to facilitate enforcement; (e) banning out-of-package cigarette sales ("loosies"); and (f) requiring tobacco purchasers and vendors to be of legal smoking age;
- (4) requests that states adequately fund the enforcement of the laws related to tobacco sales to minors;
- (5) opposes the use of vending machines to distribute tobacco products and supports ordinances and legislation to ban the use of vending machines for distribution of tobacco products;
- (6) seeks a ban on the production, distribution, and sale of candy products that depict or resemble tobacco products;
- (7) opposes the distribution of free tobacco products by any means and supports the enactment of legislation prohibiting the disbursement of samples of tobacco and tobacco products by mail;
- (8) (a) publicly commends (and so urges local medical societies) pharmacies and pharmacy owners who have chosen not to sell tobacco products, and asks its members to encourage patients to seek out and patronize pharmacies that do not sell tobacco products; (b) encourages other pharmacists and pharmacy owners individually and through their professional associations to remove such products from their stores; (c) urges the American Pharmacists Association, the National Association of Retail Druggists, and other pharmaceutical associations to adopt a position calling for their members to remove tobacco products from their stores; and (d) encourages state medical associations to develop lists of pharmacies that have voluntarily banned the sale of tobacco for distribution to their members; and
- (9) opposes the sale of tobacco at any facility where health services are provided; and
- (10) supports that the sale of tobacco products be restricted to tobacco specialty stores.

¹ Centers for Disease Control and Prevention. (2018). Quick Facts on the Risks of E-cigarettes for Kids, Teens, and Young Adults. Retrieved from https://www.cdc.gov/tobacco/basic_information/e-cigarettes/Quick-Facts-on-the-Risks-of-E-cigarettes-for-Kids-Teens-and-Young-Adults.html

² U.S. Department of Health and Human Services. (2018). Surgeon General releases advisory on E-cigarettes epidemic among youth. Retrieved from <https://www.hhs.gov/about/news/2018/12/18/surgeon-general-releases-advisory-e-cigarette-epidemic-among-youth.html> 2015-2016 and 2017-2018

³ St. Clair County Michigan Profile for Healthy Youth (MiPHY)