



NORTH DAKOTA TOBACCO PREVENTION & CONTROL ADVISORY COMMITTEE MEETING – FINAL

1:00 p.m. to 3 p.m., Thursday, January 21, 2016

ND Center for Tobacco Prevention and Control Policy conference room, 4023 State Street, Suite 15, Bismarck, North Dakota

PARTICIPANTS:

Advisory Committee members present: Mr. Jay Taylor – Chair, Dr. Beth Hughes, Dr. Eric Johnson, Ms. Sarah Leingang, Ms. Hannah Rexine, Mr. George Keiser.

Advisory Committee members absent: Dr. John Warford, Ms. Becky Anderson, Ms. Clara Sue Price.

BreatheND Center staff present: Ms. Jeanne Prom, Executive Director

AGENDA ITEMS	DISCUSSION	OUTCOME/ACTION
Call to order and introductions – Chair Mr. Jay Taylor Roll call and determination of a quorum – Ms. Jeanne Prom		Chair Mr. Jay Taylor called the meeting to order at 1:03 p.m., and reminded all present to refrain from using cell phones, including texting, during the meeting. Executive Director Ms. Jeanne Prom called the roll and reported a quorum present.
Adoption of agenda		Mr. George Keiser moved to approve the agenda as distributed. Dr. Beth Hughes seconded. Motion carried.
Approval of minutes – October 15, 2015		Mr. Keiser moved to approve the minutes from the October 15, 2015 meeting. Dr. Eric Johnson seconded. Motion carried.
OLD/UNFINISHED BUSINESS	DISCUSSION	OUTCOME/ACTION
Biennial report and Trans-Pacific Partnership – Ms. Prom	At the October 15, 2015 meeting, Chair Mr. Taylor, Ms. Sarah Leingang, Ms. Hannah Rexine, and Ms. Becky Anderson indicated they may be available for meeting with the Governor and/or his staff to discuss the biennial report. All committee members may attend this meeting when it is scheduled.	Ms. Prom will schedule a meeting with Governor's office and inform all committee members of the meeting.

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	<p>At the October 15, 2015 meeting, the Advisory Committee approved sending the letters and attachments on the Trans-Pacific Partnership to the North Dakota Congressional delegation. Ms. Prom is waiting for feedback on the letters and materials from three members who were absent from the meeting when the committee took that action. Mr. Keiser asked a question about Medicaid costs on a North Dakota tobacco fact sheet attached to the letters to our congressional delegation, and agreed that the letters and materials should be sent.</p>	<p>Ms. Prom will follow up with the remaining two committee members and request their approval of the letters and attached materials on the Trans-Pacific Partnership. Once Ms. Prom receives approval from all Advisory Committee members, she will send letters to the North Dakota congressional delegation, requesting that they support the tobacco control language in the final negotiated version of the Trans-Pacific Partnership trade agreement.</p> <p>Ms. Prom distributed a letter that the Center sent to the federal Housing and Urban Development agency, supporting the proposed smoke-free HUD housing policy.</p>
NEW BUSINESS	DISCUSSION	OUTCOME/ACTION
Budget and State Plan Progress reports -- Year 7 Quarters 1 and 2 – Ms. Prom	Ms. Prom reviewed the summary of expenditures and progress for fiscal year 2016 quarters 1 and 2 (July 1, 2015 through December 31, 2015).	The Advisory Committee reviewed and discussed expenditures and progress documented in these quarterly reports. Mr. Keiser noted that it is expected that work will be implemented as indicated in the State Plan and its annual work plan, and that the main role of the Advisory Committee is to advise when work is not proceeding as planned.
Evaluating the Effectiveness of the State Plan – Ms. Prom and Ms. Barbara Andrist	Mr. Keiser noted the economic downturn has increased vacancy rates in multi-unit housing and that this possibly could impact demand for smoke-free housing. The committee discussed how to improve State Plan progress by having evaluation metrics for regions of the state, with regions determined by Center staff, rather than just one statewide goal. This is especially appropriate for Goal 1, Objective 2 (tobacco-	The Advisory Committee reviewed two documents prepared by Center staff: <i>State Plan Effectiveness Notes for January 21, 2016 Review</i> ; and the <i>Evaluation of N.D. Comprehensive Tobacco Prevention and Control Policy State Plan Effectiveness and Implementation, Year 7, 2015-2016, presented at Advisory Committee Meeting, January 21, 2016</i> .

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	<p>free Local Education Associations, or LEAs), where implementation success varies by geographic area.</p> <p>Ms. Prom and Ms. Barbara Andrist answered several questions asked by committee members about the objectives by detailing the action steps for those objectives. For example, tobacco-free grounds policy enactment is an action step of Goal 3, Objective 3, providing treatment in behavioral health programs. The \$500,000 grant provided to the N.D. Department of Health will be incorporated into the appropriate area of the work plan.</p> <p>In response to other questions, Ms. Prom reported that:</p> <ol style="list-style-type: none">1) Fargo Cass Public Health held a community forum on electronic cigarettes. Some vape shop owners attended and said they had approached a legislator about removing electronic cigarettes from the state smoke-free law. The State Plan has included an objective and activities to uphold the strong smoke-free state law since the law passed in November 2012.2) The proposed U.S. Food and Drug Association rules to deem electronic cigarettes, cigars, pipe tobacco and certain dissolvable products to be tobacco products under the regulatory authority of the FDA are still pending.	<p>Mr. Keiser moved to approve all suggestions for changes to the State Plan, including adding or adjusting:</p> <ol style="list-style-type: none">1) language on Goal 1, Objective 1 (tax increase) to allow for an amount of increase that could be achieved through a legislative or citizen-initiated process, pending review by the Executive Committee;2) regional metrics replacing a statewide metric for Goal 1, Objective 2 (tobacco-free Local Education Associations, or LEAs), with rationale for the regional metrics presented to the Executive Committee for their final approval;3) language in Goal 1, Objective 4 (point-of-sale) to define electronic nicotine and emerging products in North Dakota Century Code;4) language on Goal 3, Objective 3 (mental health) to reflect that addiction and mental health treatment are part of behavioral health;5) language in Goal 4, Objective 4 (surveillance and evaluation) to reflect the elimination of the requirement to establish an expert evaluation committee. <p>Seconded by Dr. Johnson.</p> <p>Discussion: The evaluation reports provided by Center staff incorporated recommendations by RTI International, as noted in their independent evaluation of the comprehensive program and documented in the 2013-2015 biennial report. All recommendations by RTI were accepted except the recommendation to incorporate Goal 2, Objective 2 (prevent pre-emption) into another objective. The Advisory Committee agreed with the staff recommendation to reflect the importance</p>
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		<p>of preventing pre-emption by maintaining it as a separate and distinctive objective.</p> <p>Roll call vote: Ms. Becky Anderson – not present; Dr. Hughes – aye; Dr. Johnson – aye; Mr. Keiser – aye; Ms. Clara Sue Price – aye; Ms. Hannah Rexine – aye; Mr. Taylor: aye; Ms. Sarah Leingang – aye; Dr. John Warford – absent.</p> <p>Motion carried.</p> <p>Center staff will present these recommendations to the Executive Committee for their final approval at the Executive Committee meeting scheduled for March 9, 2016, to meet the statutory April 1, 2016 deadline.</p>
BreatheND update – Ms. Prom	<p>Ms. Prom provided an update on BreatheND activities, referencing data showing support for policies from the latest public opinion survey by RTI International. Ms. Prom has been working closely with Assistant Attorney General Dave Schaibley, tax department staff, and key legislators on a price increase bill for the 2017 legislative session. Ms. Prom and Mr. Schaibley are also working with an interested legislator on versions of bills to raise the minimum legal age of tobacco purchases. Public support remains high for the: Center, state smoke-free law, and a significant increase in the price of tobacco. Therefore, 2017 legislative priorities will be: continuation of the strong laws that provide both a comprehensive program through the Center, and smoke-free places, as well as a significant increase in the price of tobacco. Together, these are the “three-legged stool” from which a state can begin to see more rapid</p>	<p>A proposal review committee including Center and Department of Health staff, a local public health unit administrator and Advisory Committee member Dr. Hughes, selected Washington University in St. Louis as the new comprehensive program evaluator.</p>

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	improvements in public health through reduced tobacco use. Ms. Donna Thronson has been working with Mr. Schaibley and the Public Health Law Center on a model local ordinance to reduce youth access to tobacco through a pass-through license process. Local policy grant work continues to focus on these local policies.	
OTHER BUSINESS	DISCUSSION	OUTCOME/ACTION
2016 meeting schedule		The next meeting of the Advisory Committee is 1-3 p.m., Thursday, March 31, 2016 at the Center or by phone. Other future meetings are 1-3 p.m., Thursdays: June 23, October 20 and December 15. Each member received another copy of the 2016 meeting schedule with this meeting's materials.
Remuneration		The Advisory Committee members should complete their remuneration forms and submit by email, fax, regular mail or in person to the Center.
Adjourn		Dr. Hughes moved to adjourn the meeting. Ms. Rexine seconded. Chair Mr. Taylor adjourned the meeting at 3:10 p.m.