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## **NORTH DAKOTA TOBACCO PREVENTION AND CONTROL EXECUTIVE COMMITTEE MEETING MINUTES - FINAL**

2:00 p.m. to 4:00 p.m., Wednesday, March 25, 2015

North Dakota Center for Tobacco Prevention and Control Policy – Offices, 4023 State Street, Bismarck, ND

**PARTICIPANTS: Executive Committee members:** Dr. Beth Hughes, Dr. Eric Johnson, and Mr. Jay Taylor. **Executive Director:** Ms. Jeanne Prom. **Center staff:** Mr. Larry Shireley, Ms. Samantha Doll, Ms. Susan Simonson.

<b><u>AGENDA ITEMS</u></b>	<b><u>DISCUSSION</u></b>	<b><u>OUTCOME/ACTION</u></b>
Call to order, welcome of new member, determination of quorum		Chair Dr. Beth Hughes called the meeting to order at 2:13 p.m. Dr. Hughes welcomed Mr. Jay Taylor as a new Executive Committee member; and Mr. Larry Shireley, Ms. Samantha Doll, and Ms. Susan Simonson as new Center staff. Executive Director Ms. Jeanne Prom took roll and determined that a quorum was present.
Adoption of agenda		Dr. Eric Johnson moved to approve the agenda as distributed. Mr. Jay Taylor seconded. Motion carried.
Approval of minutes from November 13, 2014 meeting		Mr. Jay Taylor moved to approve the minutes from the November 13, 2014 meeting as distributed. Dr. Johnson seconded. Motion carried.
Old business		
Meeting schedule		The Executive Committee schedule as set at the beginning of 2015 remains in place, as meeting dates on times continue to work for all three committee members. It was noted that

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		the next Advisory Committee meeting is June 18, 2015.
<b>New business</b>		
Advisory Committee evaluation of the State Plan	The committee discussed that changes from the Advisory Committee were added to the evaluation report. A new format for the report was developed by Mr. Shireley and Ms. Barbara Andrist. Dr. Johnson noted that Ms. Andrist provided an excellent summary.	Dr. Johnson moved to accept the evaluation of the State Plan report as updated with input from the Advisory Committee at their March 23, 2015 meeting. Mr. Taylor seconded. Motion carried.
Fiscal report –October, November, December 2014; January and February 2015	Ms. Prom explained the reports.	Dr. Johnson moved to approve the fiscal reports from October, November, and December 2014 and January and February 2015. Mr. Taylor seconded. Roll call vote: Dr. Johnson – aye; Mr. Taylor – aye; Dr. Hughes – aye. Motion carried.
Center updates and approvals	<p>Mr. Larry Shireley was hired January 15, 2015 as Evaluation Programs Manager, fulltime, permanent/classified, \$6,465/month. The offer letter provides up to a 5% salary increase upon successful completion of a 6-month probationary period.</p> <p>Ms. Susan Simonson was hired March 23, 2015 as Health Communications Coordinator, fulltime, temporary/not classified, \$32/hour up to 40 hours/week, overtime at 1.5 times hourly rate, and up to a 5% hourly wage increase after successful completion of a 6-month probationary</p>	<p>Dr. Johnson moved to approve the hiring of Mr. Larry Shireley as Evaluation Programs Manager as outlined in the signed offer letter. Mr. Taylor seconded. Roll call vote: Dr. Johnson – aye; Mr. Taylor – aye; Dr. Hughes – aye. Motion carried.</p> <p>Mr. Taylor moved to approve the hiring of Ms. Susan Simonson as Health Communications Coordinator as outlined in the signed offer letter. Dr. Johnson seconded. Roll call vote: Dr. Johnson – aye; Mr. Taylor – aye; Dr. Hughes – aye. Motion carried.</p>

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	<p>period. The offer letter also provides family health insurance 100% paid by employer; no paid holidays or paid time off with leave time without pay is available. Ms. Simonson can participate at her own costs in state retirement, and life insurance programs, and can participate in COBRA dental and vision insurance at her own costs for 18 months.</p> <p>Ms. Kory Schauer Hagler completed 6 months as temporary administrative assistant. Ms. Prom recommended that Ms. Hagler's hourly rate increase to \$20/hour, effective 6 months after start date, or March 2, 2015. Ms. Hagler works 15-20 hours/week and is temporary/not classified, and receives no benefits.</p> <p>Ms. Prom updated the committee on health communications programs, including new ads and an updated health communications plan based on updated CDC recommendations for best practice spending. Plans also include a pilot smoke-free state law compliance survey in western North Dakota. Western North Dakota was chosen because of documented high non-compliance with the state smoke-free law, higher tobacco use rates and the two westernmost health units</p>	<p>Mr. Taylor moved to approve the hourly wage increase of Ms. Kory Schauer Hager as outlined in the signed wage increase letter. Dr. Johnson seconded. Roll call vote: Dr. Johnson – aye; Mr. Taylor – aye; Dr. Hughes – aye. Motion carried.</p> <p>Dr. Johnson moved to approve the use of two ads, “Nathan” (secondhand smoke exposure victim) and “Cessation” (positive effects of quitting), effective March 16, 2015. Mr. Taylor seconded. Discussion: The ads are part of the U.S. Centers for Disease Control and Prevention’s Tips from Former Smokers campaign. Roll call vote: Dr. Johnson – aye; Mr. Taylor – aye; Dr. Hughes – aye. Motion carried.</p>
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	<p>have large geographic areas to cover and have relatively few staff. Costs will be covered by current local policy grants.</p> <p>Ms. Prom provided an update on local policy grants spending.</p>	<p>Mr. Taylor moved to approve the updated plans to meet the new CDC-approved spending for the Center for Best Practice categories of health communications and cessation, as outlined in the proposal to encumber funds and in the PETF Funding Amounts Amended. This motion includes approval of additional funds as needed within current agency budget for a possible pilot smoke-free state law compliance survey. Dr. Johnson seconded. Roll call vote: Dr. Johnson – aye; Mr. Taylor – aye; Dr. Hughes – aye. Motion carried.</p> <p>The Executive Committee reviewed the letter forwarded to us by the Department of Health. The letter from the federal Food and Drug Agency invites a North Dakota agency to apply for funding to conduct statewide enforcement of the FDA law prohibiting retail sales of tobacco to minors. The Executive Committee determined that this activity was not within the mission of the agency.</p> <p>Dr. Johnson left the meeting at this time.</p>
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	<p>Ms. Prom explained the federal recommendations to the N.D. Department of Human Services after its “Synar” site visit last year. “Synar” federal law requires all states prove less than 20% of retailers sell tobacco to minors each year. If not, a state can lose up to 40% of its Substance Abuse Block Grant, which our Department of Human Services receives. The site visit by the federal substance abuse agency found that North Dakota has no statewide enforcement of its state youth access law. This is primarily because the state law doesn’t mandate enforcement with specific language. Only some cities with local ordinances enforce local laws. Our agency may be asked to fund statewide enforcement of youth-access laws. This does not include e-cigarettes.</p> <p>Ms. Prom provided an update on investing. The State Investment Board (SIB) meets March 27, 2015, and also met February 20 and January 23, 2015. Our agency’s request to have SIB invest our trust fund was discussed at January SIB meeting. Because we require a tobacco-free portfolio, SIB asked for legal clarification, which they received just prior to their February meeting. Because of timing, the legal clarification was not added to the</p>	
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	<p>February SIB meeting agenda but will be discussed March 27. Legal clarification outlined that SIB must provide investment services to our agency, and our agency mission requires tobacco-free investing. Pending SIB approval March 27, the plan will need approval by Industrial Commission. Investing can begin at an appropriate time after approvals and management of the investment is in place, likely during summer 2015.</p>	
<p>Legislative update</p>	<p>The committee discussed legislation: HB 1024 (agency budget), two e-cigarette bills (1078 and 1186), HB 1004 (Department of Health budget). The Department of Health has requested from the Executive Committee about \$250,000/year for the next biennium to make up for comparable reduction in their CDC grant. Ms. Prom and the department made this request to both the House and the Senate appropriations committees. The House did not act on this request. The Senate could act on this if it chooses.</p> <p>Discussion points on 1024, our budget bill: The Executive Committee was comfortable with 1024 budget as changed by House. 1024 as changed by House is 1% more than current biennial budget.</p>	<p>Without additional funding, the comprehensive program is \$115,000 less than the CDC Best Practice recommendation. The Executive Committee agreed that Ms. Prom can request this if needed.</p>

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	<p>The \$250,000/year for two years request from Department of Health must follow our agency law and be used only for CDC Best Practices. Budget bills should explicitly address this requirement.</p> <p>The Office of Attorney General was requesting \$200,000 in master settlement annual payments. Additional funding would be used if needed to defend the state's agreement in lawsuits currently filed against the state by the tobacco industry. The request does not affect the Center budget request in 1024.</p>	
<b>Other business</b>		
Remuneration		Committee members should print the FY2015 remuneration form from the website, complete and submit to the Center.
Adjourn		Dr. Hughes adjourned the meeting at 4:46 p.m.