
Prevention Action Alliance

Lifetime Prevention | Lifetime Wellness

Ohio Senate Finance: Health & Medicaid Subcommittee Prevention Action Alliance 5.16.2019

Good morning, Chairman Hackett, Vice Chairman Huffman, Ranking Member Thomas, and members of the Senate Finance Health and Medicaid Subcommittee. Thank you for the opportunity to provide testimony as an interested party in consideration of Substitute House Bill 166 (“Sub HB 166”) the state’s biennial budget. My name is Marcie Seidel and I am the Executive Director for Prevention Action Alliance. Prevention Action Alliance (PAA) is a nonprofit and certified Prevention Partner with the Ohio Department of Mental Health and Addiction Services (OhioMHAS). Based in Columbus, Ohio, we are dedicated to leading healthy communities in the prevention of alcohol, tobacco, and other substance misuse as well as the promotion of mental health wellness.

The budget as it stands currently is a good step forward, and PAA applauds the work of the General Assembly, and the Governor, in making the behavioral health improvements of this bill a reality. However, if we truly want to invest in prevention and stop crises like the opioid epidemic from happening in the future, the state needs to increase investments in prevention.

In the interest of time and efficiency I ask that the members of this committee take time outside of this hearing to read Prevention Action Alliance’s written-only testimony which asks for increased funding in 4 essential areas.

Moving on, I come before this committee today to discuss the Tobacco 21 language that currently exists in the most recent version of the budget. We as prevention advocates want to support what the the General Assembly and Governor are trying to do in this space, and also make sure that the policy changes that are implemented are effective and address the root causes of the issue.

According to the U.S. Surgeon General’s *Know the Risks* campaign, e-cigarettes contain ultrafine particles, flavorants linked to serious lung disease, volatile organic compounds, and heavy metals like nickel, tin, and lead that are inhaled with each puff.

Nicotine also impacts the developing brain of young people and increases their risk of addiction. When young people report using e-cigarettes, they are also more likely to use other tobacco products, like cigarettes and smokeless tobacco. In fact, seven out of ten high school cigarette smokers also use e-cigarettes.

Current Ohio youth access laws fall short and are clearly not as effective as they were meant to be. We at Prevention Action Alliance appreciate the General Assembly’s commitment to the health and safety of our young people and understand the good intentions that are behind the Tobacco 21 language as it

currently reads. That said we would be remised if we did not highlight the fact that simply raising the age from 18 to 21 is not attacking the heart of the issue. We must acknowledge that due to the current level of enforcement, the increase in age will do very little to combat adolescent nicotine addiction and the Juul epidemic.

This is the reason why companies such as Altria and Juul have come forward to support tobacco 21 policies throughout the nation as it creates the perception that they are working in the interest of public health and our children. Many Ohio cities have already enacted tobacco 21 regulations in concert with laws that implement a strong enforcement system, and we ask that the state do the same.

Essential additions to the current Tobacco 21 language that would greatly strengthen the bill are as follows:

- Adding active enforcement by local health departments, under civil rather than criminal law as health departments already have the relationships, motivations, and expertise needed to hold tobacco retailers accountable.
- Requiring a license for retailers of vapor products or e-cigarettes, including the Juul or other tobacco products.
- Increasing the penalties for illegal sales for retail owners rather than on the clerk or the youth. Penalizing the youth is not an effective means of reducing youth smoking as many youth smokers are addicted making it difficult for them to quit. Penalties for repeated violations should result in meaningful fines for retailers, license suspension for those retailers that refuse to comply, and compliance checks.

If done correctly, Ohio can become a shining example nationally as a state that values and fights to protect the health of our most vulnerable citizens, our children.

Thank you for the opportunity to provide testimony as an interested party in consideration of Sub HB 166, the state's biennial budget. I am happy to answer any questions that the committee may have.