



STATE OF CONNECTICUT
DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES
A Healthcare Service Agency

Dannel P. Malloy
Governor

Patricia A. Rehmer, MSN
Commissioner

**Testimony by Patricia Rehmer, MSN, Commissioner
Department of Mental Health and Addiction Services
Before the Children's Committee
February 27, 2014**

Good morning Senator Bartolomeo, Representative Urban, and distinguished members of the Children's Committee. I am Commissioner Patricia Rehmer of the Department of Mental Health and Addiction Services (DMHAS), and I am here this morning to speak in favor of SB 24 AN ACT CONCERNING THE GOVERNOR'S RECOMMENDATIONS REGARDING ELECTRONIC NICOTINE DELIVERY SYSTEMS AND YOUTH SMOKING PREVENTION. I would like to thank the committee for giving me the opportunity to testify in support of this proposal.

The proposal before you is part of the Governor's legislative package and the Department worked very closely with OPM on this legislation.

Youth access laws are considered an important element of a long-term, well-funded, and comprehensive strategy to reduce cigarette use among youth, and Connecticut, along with the other 49 states and the District of Columbia, have met our overall goal of reducing illegal tobacco sales to minors as set forth in the federal Synar Amendment.

Electronic cigarettes represent a new phase of the nicotine epidemic and a new route to nicotine addiction for minors. Studies from the Center for Disease Control and the University of California San Francisco reported a doubling of e-cigarette use among middle and high school students in 2011-12, and that youth using e-cigarettes were more likely to be trying to quit, but also were less likely to have stopped smoking and were smoking more, not less. We also know anecdotally (from a February 17th National Public Radio article) that teens are attracted to e-cigarettes because of the "cool" flavors, the reduced costs, and the ease of use. However, use of e-cigarettes is associated with heavier use of conventional cigarettes and may increase harm by creating a new pathway for youth to become addicted to nicotine and by reducing the odds that an adolescent will stop smoking conventional cigarettes.

If passed, this law would add electronic cigarettes to the list of products that will result in a fine if sold, given or delivered to persons under 18 years old. Connecticut will also join the 27 other states

that have prohibited the sale of electronic cigarettes or vaping alternative tobacco products to minors.

I would also ask your support for the requirement of the completion of an on-line tobacco prevention education program for those who sell, give or deliver tobacco products to minors for the first time. Educating retail merchants on youth access issues, legal responsibilities and liabilities of selling tobacco in Connecticut is an important strategy to obtain compliance with the state's tobacco laws. The on-line training will be administered by DMHAS and is intended to help tobacco retailers, clerks, and store owners learn more about state and federal tobacco laws, and the associated legal requirements. The interactive learning components are designed to build on the trainees' skills and knowledge to prevent merchant sales of tobacco products to youth under the age of 18. We are also proposing to lengthen the time frame in which a higher penalty can be assessed for repeat violations from 18 to 24 months. This increased time frame will allow for the completion of all return inspections within the higher penalty period and bring the state more in line with the FDA's fine structure.

In addition, the bill before you allows for the fining of individuals for the sale of loose cigarettes to anyone giving law enforcement the power to act where these violations are witnessed. Single cigarettes are easier and cheaper to purchase and may increase smoking initiation in young people and continued addiction for older individuals. DMHAS would ask that you support this change as well.

Finally, I am supportive of the proposed changes to the operation of the Board of Trustees of the Tobacco and Health Trust Fund. Specifically, the bill restores operation of the Board during FY 2016. It also raises the maximum amount that the Board may recommend to be disbursed from the Fund when reporting each year to the Joint Standing Committees on Appropriations and Public Health. Increasing this amount to equal the unobligated balance in the Fund, subject to a \$12 million cap, will allow for enhanced programming intended to combat tobacco abuse.

I respectfully request that the Committee take favorable action on this bill as it will complement our comprehensive tobacco efforts and increase the likelihood of reduced underage tobacco use and nicotine addiction in our state.

Thank you for your time and attention to this matter. I would be happy to answer any questions you may have regarding this proposal.