

**TESTIMONY OF
YALE NEW HAVEN HEALTH SYSTEM
SUBMITTED TO THE
PUBLIC HEALTH COMMITTEE
Monday, March 4, 2019**

**HB 7200, An Act Prohibiting The Sale Of Cigarettes, Tobacco Products,
Electronic Nicotine Delivery Systems And Vapor Products To
Persons Under Age Twenty-One**

Yale New Haven Health System, Connecticut's leading healthcare provider, and the State's largest private employer, appreciates the opportunity to submit testimony concerning **HB 7200, An Act Prohibiting The Sale Of Cigarettes, Tobacco Products, Electronic Nicotine Delivery Systems And Vapor Products To Persons Under Age Twenty-One**. Yale New Haven Health System supports this bill and respectfully requests a definitional change to eliminate current confusion related to the use of vapor products that are medical devices.

Yale New Haven Hospital has been an integral partner of the Tobacco Free New Haven Coalition. For five years this partnership between the New Haven Health Department and local organizations has advocated for cessation efforts, most notably working to enact local ordinances to stop tobacco use in public parks and school grounds, as well as supporting local colleges and universities in implementing tobacco-free campuses. The Tobacco Free New Haven Coalition members are currently working to support local legislation about raising the age to 21 in order to purchase tobacco products. In similar efforts, Bridgeport Hospital partnered with the local community and Health Department which resulted in successful passage of an ordinance to raise the age to 21.

Among other provisions, HB 7200 would raise the statewide legal age to buy tobacco – including vaping and Electronic Nicotine Delivery products – from 18 to 21. We know that the best way to reduce health-associated harm caused by smoking is to abstain from smoking altogether or, at a minimum, delay the start of smoking. Recent data show that more than 10 percent of Connecticut high school students smoke, and 1,300 Connecticut children under the age of 18 become new daily smokers each year.¹ National data show that about 95 percent of adult smokers began smoking before they turned 21, and approximately 80 percent of adult smokers first tried smoking before the age of 18.² Tobacco use is a pediatric epidemic, as most tobacco use starts in the high school years.² Eighty percent of youth smokers will become adult smokers, and one-half of adult smokers will die prematurely from tobacco-related diseases.²

HB 7200 would also ban the use of flavoring in tobacco and vaping products. Flavoring is added to tobacco and vaping products to make an otherwise unpleasant experience for young and first-time users more tolerable, thus increasing the opportunity for repeat usage, which will ultimately lead to addiction, a lifetime of decreased health, and an untimely death.

Although Yale New Haven Health System remains supportive of HB 7200, we share CHA's concern that the definition of vapor product in various statutes referenced or amended by HB 7200 is too broad and will interfere with patients and providers being able to purchase legitimate therapeutic and medical products, such as nebulizers for asthma.

In an effort to ensure that nicotine alone is not the only deciding factor in identifying and controlling smoking and recreational vaping products, various laws have included a very broad definition of "vapor product." Unfortunately, the definition is too broad because it extends to necessary and safe medical products and equipment that providers and consumers need to be able to access freely.

We urge that every statutory definition that seeks to limit use and access for "vapor products" include an express exemption for medical and therapeutic products and equipment. We therefore join CHA, and respectfully request that the definition of vapor product in 19a-342a (a public health statute addressing smoking and vaping, which is referenced in HB 7200) be changed to read as follows:

(4) "Vapor product" means any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine, that is inhaled by the user of such product, but shall not include a medicinal or therapeutic product that is (A) used by a licensed health care provider to treat a patient in a health care setting; (B) used by or administered to a patient, as prescribed or directed by a licensed health care provider in any setting; or (C) FDA-approved as a drug, biological product, device, or combination product.

For clarity, we also ask that the above definition be included in lines 557-561 (Section 11, which amends section 53-344b), 682-686 (Section 12, which amends section 21a-415) and lines 886-887 (Section 14, which amends section 21a-416).

On a daily basis, caregivers at Yale New Haven Health System see firsthand the impact of smoking-related disease and illness and, because of this, we endorse common sense public policy initiatives that reduce or delay the start of smoking by youths. If passed into law, Connecticut would join a number of major American cities, including New York City, Chicago, Cleveland, Portland (Maine), Albany (New York), and the two Kansas Cities (Missouri and Kansas), as well as in the states of Massachusetts, California, Hawaii, Maine, New Jersey, and Oregon in raising the age from 18 to 21 for the purchase of tobacco and vaping products.

Thank you for your consideration of our position.