

# Public Health Committee JOINT FAVORABLE REPORT

**Bill No.:** SB-115

AN ACT PROHIBITING THE SALE OF CIGARETTES, TOBACCO PRODUCTS, ELECTRONIC NICOTINE DELIVERY SYSTEMS AND VAPOR PRODUCTS BY HEALTH CARE FACILITIES, PHARMACIES AND PLACES OF BUSINESS WITH

**Title:** A PHARMACY LOCATED THEREIN.

**Vote Date:** 3/26/2021

**Vote Action:** Joint Favorable Substitute

**PH Date:** 2/8/2021

**File No.:** 482

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## **SPONSORS OF BILL:**

Public Health Committee and Senator Saud Anwar

## **REASONS FOR BILL:**

To ban the sale of cigarettes, tobacco products, electronic nicotine delivery systems and vapor products by health care facilities, pharmacies and businesses with pharmacies located in the same building.

## **RESPONSE FROM ADMINISTRATION/AGENCY:**

### **Michelle Seagull, Commissioner, Department of Consumer Protection (DCP):**

The Department of Consumer Protection (DCP) is the regulatory agency overseeing pharmacies in Connecticut. SB 115 as currently written, would prohibit the sale of cigarettes, tobacco products, ENDS or vapor products in health care facilities and pharmacies.

The DCP recommends that clarifying language be added to the bill to make it clear if the prohibition for pharmacy sales means "the actual pharmacy where medicine is stored, or also includes the front of the store where these products are sold but is not by definition the "pharmacy". Also, clarifying language is needed if the intent of the bill is to prohibit the sale of current vapor products that are considered medical products.

The Department of Consumer Protection might require additional resources for the implementation and enforcement provisions of this bill.

## **NATURE AND SOURCES OF SUPPORT:**

### **Ruth Canovi, MPH, Director of Public Policy, American Lung Association, CT:**

The American Lung Association in Connecticut strongly supports eliminating the sale of tobacco products in Connecticut pharmacies. The use of tobacco products use is a serious health hazard. Pharmacies are considered places where consumers purchase products and medications to get well. The selling of tobacco products that kills more than 480,000 Americans each year, is contrary to that mission and sends mixed messages to consumers.

The Journal of the American Medical Association published a study showing 1 in 20 consumer purchased cigarettes while filling prescriptions for chronic illnesses that are related to smoking. Also, the American Journal of Preventive Medicine found that after CVS Health stopped selling tobacco products in September 2014, the sale of cigarette pack decreased, and the purchase of nicotine patch increased in states where the chain had a large retail presence.

Adolescents and young adults are at risk for nicotine dependence which can cause adverse effects on brain development. In Connecticut, 28.7% of youth use at least one tobacco product. Since 2008, there are 235 municipalities across four states to prohibit the sale of tobacco products in pharmacies. In 2018, Massachusetts became the first to pass a Tobacco-Free Pharmacy law and in April 2020, New York followed suit.

The American Lung Association believes this legislation has the potential to significantly reduce tobacco use and save thousands of lives.

### **Connecticut Hospital Association (CHA):**

Connecticut Hospital Association (CHA) supports SB 115 to prohibit the sale of cigarettes, tobacco products, electronic nicotine delivery systems, and vapor products in healthcare facility or pharmacy. CHA supports strong tobacco-control measures, whether through municipal ordinances, workplace policies, or state and federal laws.

Caregivers at Connecticut hospitals see firsthand the impact of tobacco-related disease and illness and we wholeheartedly endorse initiatives, such as SB 115.

CHA request that the prohibitions does not apply to any product that has a documented medicinal use or is otherwise FDA-approved as a drug, device, or biological product.

### **Geralyn Laut, Glastonbury CT Resident & Board Member of Amplify:**

Amplify is one of the Connecticut's 5 Regional Behavioral Health Action Organizations. As a certified tobacco treatment specialist and a prevention professional, I agree that pharmacies and other health care facilities should not be selling tobacco products because it creates a convenient point of sale for consumers who are already suffering with illnesses related to smoking and chronic diseases.

Nicotine replacement products and other approved cessation medications are displayed next to packs of cigarettes, cigars and electronic devices. This is a marketing strategy that is not helpful for the person who are struggling to quit.

Please vote favorably on SB 115 to prohibit the sale of all tobacco related products in pharmacies and other health care facilities.

**NATURE AND SOURCES OF OPPOSITION:**

None submitted

**Reported by: Beverley Henry**

**Date: 4-13-2021**