

SB 220 MD-DC Society of Addiction Medicine FAV.pdf

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MDDCSAM is the Maryland state chapter of the American Society of Addiction Medicine whose members are physicians and other health providers who treat people with substance use disorders.

Senate Bill 220

FAVORABLE

Senate Finance Committee Hearing: January 30, 2024

In 2019, federal legislation eliminated the exemption to the prohibition of tobacco sales to people under age 21. This bill will bring Maryland in alignment with federal law, and address confusion among retailers that has resulted.

Also, eliminating this exemption is a simple but powerful step that will prevent tobacco addiction and its long-term complications in these individuals, who deserve to have their health preserved as much as others in their age group.

Historically, smoking rates have been high among those serving in the military. For many decades, Veterans Administration hospitals have been known for a high proportion of patients with tobacco-caused diseases such as chronic lung disease, heart disease, cancer in various organs, stroke, peripheral vascular disease, amputations, and other manifestations of atherosclerosis.

Thank you for your support,

Joseph A. Adams, MD, FASAM
Board certified in addiction medicine and internal medicine
Public Policy Committee

7b - SB 220 - FIN - Health and Wellness Council -

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Position: FAV

MARYLAND STATE ADVISORY COUNCIL ON HEALTH AND WELLNESS

January 23, 2024

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LDN*

The Honorable Pamela Beidle
Chair, Senate Finance Committee
3 East, Miller Senate Office Building
Annapolis, MD 21401-1991

RE: SB 220 - Public Health - Public Health Services and Protections - Revisions

Dear Chair Beidle:

The Maryland State Advisory Council on Health and Wellness (the Council) is submitting this letter of support for Senate Bill 220 (SB 220), titled: "Public Health - Public Health Services and Protections – Revisions." The purpose of SB 220 would be to update or repeal several sections of obsolete statute governing Maryland Department of Health (MDH) programs. This includes updating the State tobacco 21 law to remove the exemption allowing the sale of tobacco products to active-duty military members under the age of 21.

The Council supports SB 220 as it brings Maryland into compliance with federal tobacco youth access laws. In 2019, both Maryland and the US federal government enacted laws that raised the minimum legal sales age for all tobacco products from 18 to 21 years old. The Maryland law that went into effect on October 1, 2019 included a military exemption which permits tobacco retailers to sell tobacco products to active-military service members ages 18 to 20 with a valid military identification. Under the federal law, however, it is illegal for a retailer to sell any tobacco product to an individual under age 21, with no exceptions. Because there are no exemptions in the federal law any states with a military exemption, including Maryland, are violating the federal law. In addition, the differences between the federal and state laws complicate efforts for tobacco retailers to comply with, and government agencies enforce, tobacco sales laws in Maryland. SB 220 will reduce confusion for retailers, making it easier for them to comply with the law.

It is important to note special resources do exist for service members and veterans who use tobacco products and want to quit. In fact, individuals who currently use and are ready to quit tobacco products, including electronic smoking devices, can contact the Maryland Tobacco Quitline (1-800-QUIT-NOW), a free service that is available 24 hours a day, seven days a week, year-round to Marylanders ages 13 years and older. More information is available at www.SmokingStopsHere.com. Also, military veterans with health insurance through the US Department of Veterans Affairs can call 1-855-QUIT-VET (1-855-784-8838). Additional resources are available through the Department of Defense and the "You Can Quit 2" campaign at <https://www.ycq2.org/>.

The Council recognizes there are other aspects of the bill that impact the Department, and respectfully urges this Committee to approve SB 220 as it seeks to ensure the State of Maryland consistently implements best practices for preventing youth access to and use of tobacco products, including military service members under the age of 21.

Sincerely,

Teresa Titus-Howard

Teresa Titus-Howard, PhD, MHA, MSW, CCM
Chair, State Advisory Council on Health and Wellness

7a - SB 220 - FIN - MDH- LOSWA.pdf

Uploaded by: Jason Caplan

Position: FWA



Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

January 30, 2024

The Honorable Pamela Beidle
Chair, Finance Committee
3 East Miller Senate Office Building
Annapolis, MD 21401-1991

RE: SB 220 – Public Health – Public Health Services and Protections – Revisions – Letter of Support with Amendments

Dear Chair Beidle:

The Maryland Department of Health respectfully submits this letter of support for Senate Bill (SB) 220 – Public Health – Public Health Services and Protections – Revisions.

SB 220 improves Departmental operations by:

1. Aligning Maryland law with federal law concerning the sale of tobacco products to active duty military personnel under the age of 21;
2. Allowing the Secretary of Health to reallocate Local Public Health Cancer Grant funds between jurisdictions as needed within a fiscal year;
3. Merging duplicative reporting requirements;
4. Removing a defunct expert panel whose purpose has been completed; and
5. Reassigning regulatory and payment responsibilities to the Governor’s Office of Crime Prevention, Youth, and Victim Services, now the Governor’s Office of Crime Prevention and Policy (GOCPP), emergency treatment in cases of child abuse and neglect, which reflects current practice.

Specifically, in December 2019 the federal government adopted Tobacco 21, which raised the minimum legal sales age for tobacco products from age 18 to age 21 nationwide. Maryland’s Tobacco 21 law went into effect in October 2019—prior to the federal law—and allowed an exemption for retailers to be able to sell tobacco products to active duty military members between the ages of 18 and 20. There are no exemptions in the federal Tobacco 21 law. Federal law prevails over state law in this matter, and these differences between the federal and state laws complicate efforts for tobacco retailers to comply with—and government agencies to enforce—tobacco laws in Maryland. Should retailers sell tobacco to active duty military between the ages of 18–20, they would be violating federal law. This bill amends Business and Criminal Articles to align with the federal law.

Local Public Health Cancer Grants are annual funds provided to the Local Health Departments (LHDs) to support cancer prevention, education, screening, and treatment. Currently, there is no

mechanism for the Department to reallocate excess funds in one jurisdiction to other jurisdictions in need of additional funds. This bill authorizes the Secretary to redistribute funds when necessary, allowing funds to be more effectively used to help Marylanders in need of cancer treatment or screening.

Additionally, the reporting requirements of the Cigarette Restitution Fund's Counter-Marketing Component duplicate the reporting requirements of the larger Cigarette Restitution Fund's Annual Accomplishments and Outcomes Report. Eliminating the requirements of the Counter-Marketing Component will prevent duplicative reporting, while maintaining the current amount and quality of reporting with a positive operational impact on the Department.

There is an expert panel on child abuse and neglect whose mandate is narrowly tailored to data analysis and specific training. This panel has completed its primary purpose but is still legislatively mandated to regularly meet. Its ongoing responsibilities to meet with representatives from emergency rooms, child advocacy centers, and other facilities, as well as annual reporting, can be absorbed by the State Council on Child Abuse and Neglect established under §5-7A-01 of the Family Law Article

Finally, the Department is named as the payor of last resort for emergency treatment in cases of child abuse and neglect under §5-702 of the Family Law Article and given authority to adopt appropriate regulations. This responsibility has since moved from MDH to GOCPP; this bill updates the statute to reflect this change and allow GOCPP to adopt appropriate regulations.

The Department proposes an amendment to the bill to change the name of the Governor's Office of Crime Prevention, Youth, and Victim Services to the Governor's Office of Crime Prevention and Policy (GOCPP) to reflect the recent Executive Order.

Overall, SB 220 will improve operational efficiency, increase productivity, assist local businesses, and help connect Marylanders with cancer screening and treatment.

If you would like to discuss this further, please do not hesitate to contact Sarah Case-Herron, Director of Governmental Affairs at sarah.case-herron@maryland.gov.

Sincerely,



Laura Herrera Scott, M.D., M.P.H.
Secretary

AMENDMENT NO. 1

On page 5, in line 21, strike “Youth and Victim Services” and substitute “AND PREVENTION”.

AMENDMENT NO. 2

On page 5, on line 22 strike “Youth and Victim Services” and substitute “AND PREVENTION”.

AMENDMENT NO. 3

On page 5, on line 26 strike “Youth and Victim Services” and substitute “AND PREVENTION”.