



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.

SB 249 SUPPORT

Tobacco Product Licensees - Additional Licensure for Electronic Smoking Devices

Finance Committee

February 5, 2026

Greetings, Chair Beadle and members of the committee,

A separate license for the manufacturer, distribution or sale of ESDs (Electronic Smoking Devices) is clearly needed as a step toward combating the ongoing, and very worrisome youth vaping epidemic. **Otherwise, regulators would be without the basic information on how many of these devices are distributed, where, and by whom. Any guidance, regulation or enforcement specific to these devices would be very difficult.**

Up to 85% of e-cigarette devices and pods sold in U.S. retail outlets are illegal products, and remain the most commonly used tobacco product among middle and high school students, with more than 1.6 million youth reporting current use in 2024. (1) (HHS Press Release, September 2025)

"The effects of nicotine are particularly potent in children and young adults . . . E-cigarettes can deliver high concentrations of nicotine. . . "The use of e-cigarettes is a risk factor for future cigarette use in young adults." **(2)**

"If the younger generation begins using e-cigarettes as a result of targeted marketing, appealing flavors and 'safer alternative' perception, decades of progress made in conventional tobacco control will be negated. . . "strong e-cigarette regulation measures are needed for prevention." **(2)**

ESDs can help with tobacco/nicotine cessation in individuals with existing nicotine use disorder, so regulation should be nuanced. But their overall public health effects are overwhelmingly harmful. The epidemic of youth vaping is believed to increase the development of tobacco/nicotine use disorder, with well-known, devastating public health consequences.

(continued . . .)

(... continued)

ESDs can create a perception that the “harmless vapor” is safe. Nicotine exposure during brain development affects, attention and memory, impulse control, and vulnerability to other substance use in adolescents and young adults. And long-term impact on the development of cancer, chronic lung disease, and cardiovascular outcomes are still unknown.

"Vaping-Associated Pulmonary Injury" leading to a surge in Intensive Care Unit peaked in 2019, but is still occurring. **(3)**

Also, harms of these devices are related to their common use for illicit drug delivery including K2/Spice, THC concentrates, with reported use for methamphetamine, synthetic stimulants, and possibly fentanyl.

Respectfully,

Joseph Adams, MD, FASAM, addiction & internal medicine; Co-Chair, MDDCSAM Public Policy Committee

REFERENCES:

(1) HHS Press Release September 15, 2025: HHS Makes Push to Stop Youth Vaping

<https://www.hhs.gov/press-room/hhs-youth-vaping-resource-guide-illegal-vapes.html#:~:text=WASHINGTON%E2%80%94SEPTEMBER%2015%2C%202025%E2%80%94,press%20conference%20highlighting%20the%20seizure>.

(2) Bhalerao A, et al. Public Health Policies on E-Cigarettes. Review Curr Cardio's Rep. 2019 Aug 28;21(10):111.

(3) Zulfiqar H, et al., StatPearls, StatPearls Publishing; 2025 Jan.

https://www.ncbi.nlm.nih.gov/books/NBK560656/?utm_source=chatgpt.com