

**Tobacco Education and Use Prevention Advisory Council**  
**4052 Bald Cypress Way, Room 301, Tallahassee, Florida**  
**Meeting Minutes**  
**March 1, 2010**

**Advisory Council Members Present:**

Ana Viamonte Ros, M.D., M.P.H., State Surgeon General, Chair	Leslie Beitsch, M.D., J.D. (for John P. Fogarty, M.D.)
Wayne "Chip" Withers, B.S.B.A.	Mathis Becker, M.D., F.A.C.S
Alan Geiger, Esquire	Barbara Richardson (for Michael Good, M.D.)
Danny McGoldrick, M.A.	Fonda McGowan, M.S.
Chet Evans, M.D.	Jeffrey Cece, M.S.
Javier Berezdivin, Ph.D.	Jennifer Harris, B.A.
Kevin Sherin, M.D., M.P.H. (via video conferencing and telephone)	Marshall Deason, Esquire
Mae Waters, Ph.D., C.H.E.S.	Penny Detscher, B.A.
Tim Wilder, M.S.	Ralph DeVitto

**Advisory Council Members Absent:**

James T. Howell, M.D., M.P.H.	Erin Sylvester
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**Department of Health – Management Present:**

Kimberly A. Berfield, Deputy Secretary for Advocacy & Policy	Janine B. Myrick, J.D. Director Division of Health Access and Tobacco
Janet K. Baggett, M.S., C.H.E.S. Chief, Bureau of Tobacco Prevention Program	

**Department of Health Staff Present:**

Betsy Howell	Joanna Colburn	Sam Samlal
Dave Garison	Laura Corbin	James Lewis
Dave Powell	Michelle Beard	Steve Radford
Ron Davis	Robby Leggett	Terri Stone
Donna Williams	Betsy Woods	Erin Singerman
Jane Parker	Joe Scarfone	Kelly Martin
Ron Metcalf	Manny Arisso	Chuck Wells
Gregg Smith	John Cowell	Jennifer Babcock

**Others Present:**

Allison Kennedy (University of California at San Francisco)	Monica Corbett, Erin Cole, Karyn Cardona, and Curtis Zimmerman (The Zimmerman Agency)
Paul Hull and Jared Ross (American Cancer Society, FL Division)	Glenda Stanley and Wayne McDaniel AHEC (Area Health Education Centers)
Brenda Olsen (American Lung Association)	Lauren Coffman and Kahreem Golden (SWAT and Tobacco Youth Advocacy Board)
Shelly Robertson (Robertson Consulting Group)	Kevin O'Flaherty (Campaign for Tobacco-Free Kids)
Laura Deeb (The Delta Project)	Stephen Rose (Rose Consulting Services)
Stephen Harwick	

## ***Welcome and Introductions***

**Ana Viamonte Ros, M.D., M.P.H.,  
State Surgeon General, Chair**

The State Surgeon General welcomed everyone to the meeting. Division Director Jan Myrick called the roll of the Tobacco Education and Use Prevention Advisory Council (TAC).

## ***December 7, 2009 and January 4, 2010***

### ***Minutes***

The State Surgeon General asked if there were any comments or corrections to the December 7, 2009 and January 4, 2010 minutes. Mr. Tim Wilder was present on January 4, 2010, and the minutes were adopted with this correction.

## ***Recommendations from the January 4, 2010 TAC Meeting***

The State Surgeon General discussed the January 4, 2010 TAC recommendations. Marshall Deason, Esquire, questioned the council's media review before media is forwarded through the complete review process. Division Director Jan Myrick explained the media hub is available to any council member who wants to review media. Mr. Deason stated the initial advertising plan was not reviewed by the council before it was approved. Director Myrick said she remembered the initial advertising plan was approved before the council was created. She said the media hub is available for media review and cautioned the council on violating the Sunshine Law. Dr. Mathis Becker remembered a discussion at an early council meeting on the original Zimmerman campaign and Truth Campaign problems. There was consensus to move forward on this issue.

After speaking with Donna Williams, marketing coordinator, Director Myrick explained for this fiscal year, new creative will not be developed. The Department is in the competitive solicitation process for the 2010-2013 media campaign. Director Myrick stated council members are assisting in the process. As said in previous meetings, the council would participate in the selection and they are. Director Myrick said the Invitation to Negotiate focused on using materials from the Centers for Disease Control and Prevention and other states. She explained by using materials already created, more funds are available for additional media buys to increase reach.

Ralph DeVitto suggested youth review new media campaign materials. A motion was made that the approval process for new media campaigns includes a youth review and their input. The motion was seconded and approved by voice vote.

The recommendation on contacting drug store chains regarding tobacco placement and sales was discussed. The pharmacy trade organizations' contact information will be sent to the TAC.

## ***Overview of Video Conferencing Equipment***

**Ron Metcalf, Network Systems,  
Division of Information Technology**

Mr. Ron Metcalf discussed the video conferencing equipment broadcasting the meeting to approximately ten county health departments (CHD). He said by the end of summer 2010, this equipment will be in all CHDs. Director Myrick said the equipment will be used by CHDs and the Department's partners for trainings and interactive meetings.

## ***Review of Tobacco Research Programs***

**Charles Wells, M.S., Assistant  
Director, Office of Public Health Research**

Mr. Charles Wells spoke on the James and Esther King Biomedical Research Program (King Program). He said the King Program and the William G. "Bill" Bankhead, Jr. and David Coley Cancer Research Program expire this year. Bills were filed for the programs to be reenacted by the House and Senate. Both programs are state funded and split \$50 million dollars per year. Mr. Wells said the federal government funds about 15 percent or less of research grants.

Mr. Wells explained the King Program is exclusively for research relating to the prevention, diagnosis, treatment, and cure of diseases related to tobacco use. The King Program has an 11-member advisory council representing peer groups, rather than institutions. The competitive peer review process for awarding grants is overseen by the advisory council and facilitated by the Lytmos Group. Mr. Wells stated the King Program builds capacity for new researchers and directs them into tobacco-related research. Ms. Penny Detscher asked if youth tobacco-related research was funded. Mr. Wells said behavioral grants were funded and he was not sure if there was one for youth. For fiscal year 2010 – 2011, 146 applications were received and the amount requested was \$90.7 million. He said estimates are that 66 grants would be funded for about \$40.8 million.

***Making Use of Evaluation Data and Recommendations***

***Matthew Farrelly, PhD  
Research Triangle International (RTI)***

Dr. Farrelly said during strategic plan development, evaluators can identify helpful resources. During the evaluation, evaluators can suggest useful course corrections and interventions. Also, evaluators can educate stakeholders on how to use evaluation information. Dr. Farrelly explained that evaluation information should be used as part of program planning. He emphasized that evaluators are not program people and work in a different environment. Director Myrick explained she asked Dr. Farrelly to provide education on preliminary data reports, in relationship to final evaluation reports. Dr. Farrelly reported that if he had complete data instead of the early data when he spoke to the TAC in December, he would have softened some of his comments.

***Correspondence from the University of California at San Francisco***

***Division Director Jan Myrick***

Director Myrick discussed correspondence the TAC members received from Dr. Stanton Glantz and his researcher, Alison Kennedy. Director Myrick said she did not receive the information. She reported Dr. Glantz levied serious attacks against the Department and her. She said Dr. Glantz wrote the Department and especially Director Myrick were obstructing his research and hiding serious problems with the program's management. She said his accusations were untrue. Director Myrick stated she found it offensive that an academic researcher would make personal attacks. She said Dr. Glantz was attempting to bring the TAC and the Department into an adversarial position and trying to drive a wedge between them. Director Myrick stated this situation stems from a disagreement regarding money. The University of California refuses to pay a \$1,400 search fee for work performed on one of their public records requests.

Director Myrick explained the Department has responded to several of Dr. Glantz's requests. She said Dr. Glantz asked for thousands of records, including one request that resulted in over 187,000 emails. She explained Florida law includes fees related to public records requests, including searching for records and for work done to fulfill the request. Florida law also requires confidential information is redacted before public records are released. She said several staff members were interviewed and there were requests for more. According to the Department's legal counsel, staff does not need to participate until the outstanding fee is received.

Director Myrick said she was shocked an independent scientific researcher (Ms. Kennedy) would email the TAC and analyze a piece of proposed legislation. Ms. Kennedy's email included comments as to the legality or illegality of the legislation's provisions. Director Myrick explained as an attorney and advocate, it would be difficult for her to be impartial after making such statements. Director Myrick discussed her hopes the TAC is committed to work together to make the tobacco prevention program the best in the nation. Director Myrick said, along with the Surgeon General and Deputy Secretary Berfield, she appreciates the TAC's expertise.

Mr. Ralph DeVitto said as a new TAC member, he has seen nothing but good faith on Director Myrick's part. Mr. DeVitto said for 14 years he has known Stan and has been on the receiving end of his comments. He said while Dr. Glantz is well intended, he is also bombastic and crosses lines. He said Dr. Glantz is known in many public health circles as one who might cross lines. A further discussion ensued on the matter.

A question was raised on the proposed legislation, HB 1023, the subject of Alison Kennedy's email. Deputy Secretary Berfield said the agenda includes a legislative update and HB 1023 is not the Department's legislation. Ms. Alison Kennedy asked to respond. She said the University's research began in 2007. She said her two predecessors previously interviewed several Department staff. Ms. Kennedy said her initial contact with Jan Myrick was when Ms. Kennedy was questioned regarding obtaining approval from Florida's Institutional Review Board (IRB). She said Ms. Myrick sent an email to staff and some TAC members advising them not to speak with her. Ms. Kennedy said the IRB issue was cleared up and staff was free to speak with her. She mentioned \$17,000 in fees for various requests and discussed wording in some of the requests. Ms. Kennedy said it was their obligation to bring this matter to the TAC's attention and she hoped the situation would be discussed.

Director Myrick said she thought Ms. Kennedy's response included mischaracterizations and discussed them. Director Myrick explained the Department is following Florida's public records law. She said in the past, the Department provided Dr. Glantz public records at no charge. Dr. Chet Evans said Dr. Glantz's targeting anyone is out of line and he would like to see the Department's response. A discussion continued on Dr. Glantz's methods and correspondence. The State Surgeon General requested Ms. Myrick draft correspondence for her signature in response to Dr. Glantz. The council members requested that they receive a copy of the Surgeon General's response.

### ***Legislative Update***

### **Manny Arisso, Legislative Planning Director, Office of Legislative Planning**

Mr. Manny Arisso discussed the 2010 Legislative Session. He said as it is a campaign year, the session will be more political. He said the legislators are looking at ways to reduce expenses. He explained HB 1023 was filed by Representative Planas. Ms. Penny Detscher asked the representative's intent and what force is behind the change in the TAC's scope of responsibility. Mr. Arisso said he was unable to answer the question. Deputy Secretary Berfield stated several programs are under intense scrutiny and expense reductions are a priority.

Director Myrick explained the Department contracted with Oklahoma State University to study the economic impact of the \$63 million tobacco prevention dollars. The tentative results indicate 1, 291 (direct and secondary) new jobs were created. The \$63 million had an economic impact of \$95.6 million dollars. The study, now being reviewed by Deputy Secretary Berfield, will be sent to the TAC. A discussion ensued on increasing cigarette taxes.

### ***Hookah Overview***

### **Tracey Barnett, PhD, Assistant Professor, Department of Behavioral Science and Community Health, University of Florida**

Dr. Tracy Barnett spoke on hookah (using a water pipe to smoke special tobacco). She said hookah originated about 400 years ago. Hookah is more popular now because the new tobacco is sweet and very aromatic. She said water pipe smoking, like cigarette smoking, delivers nicotine. Hookah smokers may absorb a higher concentration of toxins found in cigarette smoke because they puff more, inhale deeper, and smoke longer.

Dr. Barnett presented data showing hookah smoke, compared to cigarette smoke has 72 times more tar, 4 times more nicotine, and 11 times more carbon monoxide. She explained hookah tobacco and smoke contain numerous toxic substances known to cause lung, bladder, and oral cancer. She mentioned pipe sharing can expose the users to increased risk of tuberculosis, viruses (herpes or hepatitis) and other illnesses. She said during the past year when surveyed, 35.4 percent of the people who smoked hookah have never smoked a cigarette. She said hookah bars are usually found in college towns (Gainesville has eight) and urban areas.

Dr. Barnett said the Florida Youth Tobacco Survey data showed high school students who have used hookah increased from 10.5 percent in 2005, to 15.8 percent in 2009. She explained some hookah myths, such as the misconception that hookah is safer because the water filters the tobacco. She said hookah use rates for high school students are almost as high as rates for college students. Dr. Barnett explained research found that more college students have tried hookah than cigarettes. The TAC members discussed hookah and thanked Dr. Barnett for her presentation.

***Recommendation/Motions from  
Subcommittees***

**Ralph DeVitto, Surveillance and  
Evaluation Chair**

Chair Ralph DeVitto moved that due to the public health dangers associated with hookah use, staff should add hookah use to the Bureau of Tobacco Prevention Program's scope of work. Motion seconded and carried by voice vote.

**Marshall Deason, Health Communications  
Chair**

Chair Marshall Deason recommended during the 2010 Session, the TAC receive timely updates on HB 1023 and its companion bill, SB 2744, or any other legislation altering the advisory council's role and responsibility.

**Tim Wilder, Youth Acting Chair**

Acting Chair Tim Wilder said the Youth Subcommittee acknowledges Florida's economic downturn and supports travel for SWAT youth and Youth Advocacy Board (YAB) members. Annually, the subcommittee supports travel to four one-day regional, three statewide, and two YAB meetings.

***Florida Clean Indoor Air Act Update  
and Tobacco Enforcement***

**Sonja Bradwell, Clean Indoor Air  
Coordinator  
Director John Powell and Special Agent  
Carrie Bruce, Division of Alcoholic  
Beverages & Tobacco, Department of  
Business and Professional Regulation**

Ms. Sonja Bradwell discussed the Florida Clean Indoor Air Act. She explained its purpose is to protect people from the health hazards of secondhand smoke exposure by prohibiting smoking in enclosed indoor workplaces. She explained the exceptions to the law and that it is enforced by both the Department and the Department of Business and Professional Regulation (DBPR). There was a question on outdoor restaurants and this regulation. Ms. Bradwell said for an outside restaurant to be covered under the Florida Clean Indoor Air Act, it must have a covering from above and around the sides that blocks more than 50 percent of the air flow from the top and sides. In 2009, the Department collected \$7,500 in administrative fines for violations. She explained that recently, the Avis Budget Group began prohibiting smoking in their rental cars.

Director John Powell, head of the Division of Alcoholic Beverages & Tobacco within DBPR, said he appreciates the opportunity to speak with the TAC. He indicated DBPR is very interested in

enforcing the tobacco laws. He then introduced Special Agent Carrie Bruce who discussed the Florida Clean Indoor Act. She also discussed actions resulting from a complaint. Violations include failure to: meet criteria, post no smoking signs, and implement policy. Other violations are allowing smoking in workplaces and smoking in licensed prohibited premises.

Special Agent Bruce discussed compliance checks for selling tobacco products to underage children. Director Powell said resource allocation limits the numbers of officers enforcing tobacco regulations. A discussion ensued on tobacco enforcement. The TAC thanked the speakers for the presentation.

***Tobacco Youth Prevention Update  
and the Artful Truth Project***

**Laura Corbin, Youth Coordinator  
Kahreem Golden and Lauren Coffman,  
Florida Swat and Youth Advocacy Board**

Ms. Laura Corbin and Mr. Kahreem Golden provided updates and progress on SWAT priorities for the fiscal year 2009 – 2010. Mr. Golden discussed the recently filmed recruitment commercial which featured SWAT youth and the Youth Advocacy Board members. Ms. Corbin and Mr. Golden discussed comprehensive tobacco free policies for schools, scheduling additional meetings, and the fiscal year 2010 -2011 policy focus.

Ms. Lauren Coffman explained the Artful Truth Project that began in 1998. In Bay County during the summer of 2009, the project was redesigned to reach children in grades one through twelve. Two unique pieces were created during the initiative and featured at a Visual Art Center exhibit. The MPOWER Quilt was inspired by the World Health Organization and its MPOWER mission. This quilt shows the countries around the world that the tobacco companies targeted. Two anti-tobacco silk quilts were created to provide information about tobacco silks. These fabrics were used in the late 1800s by tobacco companies to promote tobacco. Some students used a sewing machine for the first time during the project. Ms. Coffman explained the quilts will be shown tomorrow, March 2, at the Capitol. Ms. Coffman led the TAC and meeting attendees in the Artful Truth Pledge. The TAC thanked the speakers for the presentation.

***Media Update***

**Monica Corbett, Curtis Zimmerman, and  
Erin Cole, The Zimmerman Agency**

Mr. Curtis Zimmerman began the third quarter activation update. He mentioned the Olympic coverage and the strong media penetration. Two new television spots were discussed and shown. "Vampire Moon" is a youth prevention spot and "Real Life" is a young adult cessation spot. Ms. Monica Corbett said there was an increase to the Quitline the first week the spots aired, but they have not had time to see if the increase is in the targeted age group.

Ms. Corbett discussed the SWAT public service announcement and the "rough cut" of the television spot was aired. Mr. Zimmerman mentioned that in the past nine months, there is a powerful interaction between the agency and the grantees. Ms. Corbett discussed the updated tobaccofreeflorida.com website. The NASCAR co-branded partnership was featured in Daytona when a tobaccofreeflorida car participated in a race. Youth prevention billboards are scheduled to launch statewide and will be visible from February through April. The update concluded with an overview of Tobacco Free Florida Week and grantee toolkits. The TAC thanked the speakers for the presentation.

There being no further business before the TAC, the meeting was adjourned