

**Tobacco Education and Use Prevention Advisory Council
4052 Bald Cypress Way, Room 301, Tallahassee, Florida
Meeting Minutes
January 4, 2010**

Advisory Council Members Present:

Commissioner Wayne "Chip" Withers, B.S.B.A.	Mathis Becker, M.D., F.A.C.S
Alan Geiger, Esquire	Nancy Hardt, M.D. (for Michael Good, M.D.)
Danny McGoldrick, M.A.	Fonda McGowan, M.S.
James T. Howell, M.D., M.P.H.	Jeffrey Cece, M.S.
Javier Berezdivin, Ph.D.	Jennifer Harris, B.A.
Erin Sylvester	Marshall Deason, Esquire
Kevin Sherin, M.D., M.P.H.	Penny Detscher, B.A.
Mae Waters, Ph.D., C.H.E.S.	Ralph DeVitto
Chet Evans, M.D.	Tim Wilder, M.S.

Advisory Council Members Absent:

Ana Viamonte Ros, M.D., M.P.H., State Surgeon General, Chair	John P. Fogarty, M.D.
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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	Kalinda Powell	Sam Samlal
Dave Garison	Kristina Zachry	Carissa Hickok
Dave Powell	Laura Corbin	Steve Radford
Ron Davis	Lauren Porter	Terri Stone
Donna Williams	Mary Phillips	Erin Singerman
Jane Parker	Michelle Beard	Kelly Martin
Doug Freer	Robby Leggett	Jessica Leggett
Ashley Rudd	Chastity McCarthy	Joe Scarfone
Joanna Colburn	Marianne Arbulu	

Others Present:

Steven Rose and Emmy Lou Slaughter (Rose Consultation Services)	Monica Corbett, Carrie Poole, Erin Cole, Matt Thompson (The Zimmerman Agency)
Paul Hull and Jared Ross (American Cancer Society, FL Division)	Cindy Selleck, Kathy Nichols, Barbara Richardson, Andrée Aubrey (Area Health Education Centers)
Brenda Olsen (American Lung Association)	Ansley Pentz and Kahreem Golden (Tobacco Youth Advocacy Board)
Shelly Robertson (Robertson Consulting Group)	

Welcome and Introductions

**Kimberly A. Berfield,
Deputy Secretary for Advocacy & Policy**

Deputy Secretary Kimberly Berfield welcomed everyone to the meeting and introduced the new Tobacco Education and Use Prevention Advisory Council (TAC) member, Tim Wilder, M.S. who was appointed by the Commissioner of Education. Mr. Wilder is the Superintendent of Gulf County Schools and has been the keynote speaker at national anti-tobacco conferences. Mr. Wilder will serve on the Surveillance and Evaluation Subcommittee.

Division Director Jan Myrick announced the following new staff in the Bureau of Tobacco Prevention: Betsy Howell, Contract Manager, Kalinda Pyles, Tobacco Disparities Coordinator, and Jane Parker, TAC Liaison.

August 31, 2010 and September 1, 2010 Minutes

**Janine B. Myrick, J.D., Director
Division of Health Access and Tobacco**

Division Director Myrick asked if the members had reviewed the August 31 and September 1, 2009 minutes and if the TAC had any comments or corrections. Mr. Ralph DeVitto said the word "Esquire" following his name in the minutes was incorrect. The minutes were approved with the correction.

Area Health Education Centers (AHEC) Network Presentation

**Cynthia Selleck, A.R.N.P, D.S.N,
Director, USF AHEC Program
Andrée Aubrey, L.C.S.W., Director
FSU AHEC Program
Kathy Nichols, B.A., Assistant Director, UF
AHEC Program**

Dr. Cynthia Selleck, Ms. Andrée Aubrey and Ms. Kathy Nichols presented on the AHEC Tobacco Training and Cessation Program. The presentation focused on the AHEC Program's tobacco prevention training component for current and future health care professionals. The AHEC's training is based on the U.S. Public Health Service *Treating Tobacco Use and Dependence Clinical Practice Guideline 2008 Update*. Dr. Selleck discussed online training options and reported there are modules available on the AHEC website. Ms. Aubrey discussed the training's four sequential levels that provide the foundation to develop effective tobacco dependency treatment skills. She mentioned the Florida Quitline is promoted during training. Ms. Aubrey detailed the AHEC Systems Change, which includes the following: 1) implement user identification systems, 2) provide education, resources, and feedback, 3) dedicate staff and evaluate staff performance, 4) promote hospital policies that support and provide tobacco dependence services, 5) include cessation treatment for all members of health insurance packages, and 6) reimburse clinicians for tobacco dependence treatment. Mathis Becker, M.D., F.A.C.S. stated physician's time with patients is limited and he suggested resources should be identified for follow up with patients to ensure they are compliant with tobacco cessation instructions. Ms. Kathy Nichols reported that the AHEC Network prepared a written update on the Tobacco Training and Cessation Program and that the information was in the meeting notebook. Ms. Nichols showed an AHEC media montage that had not been seen before and will be posted to their website.

Ms. Penny Detscher stated the Department of Education (DOE) had seen a decrease in the number of schools requesting tobacco prevention education. Ms. Detscher requested a comprehensive list of schools that receive tobacco education from the AHECs. It was announced that the Florida State University AHEC Program is presenting a three-day Tobacco Treatment Specialist Training on February 22-24, 2010, in Tallahassee. The colleges of medicine in the

AHEC network are providing faculty for this training. The presentation concluded with the AHEC's future plans.

FDA (U.S., Food and Drug Administration) Regulation of Tobacco – What Does It Mean? **Danny McGoldrick, Vice President, Research, Campaign for Tobacco-Free Kids**

Mr. Danny McGoldrick, Vice President, Campaign for Tobacco-Free Kids and a TAC member, spoke on the new federal legislation regulating the tobacco industry. Mr. McGoldrick stated this federal legislation is a complement to Florida's tobacco control efforts, not a replacement. He said that for the first time the tobacco industry will be regulated by a science based agency. The legislation includes key substantive elements that: 1) requires the tobacco industry to provide information to the government to better inform consumers; 2) restricts marketing that appeals to kids, misleads adults, deceptively encourages tobacco use and discourages quitting; and 3) strengthens restrictions on sales and youth access. The legislation contains provisions that: 1) limits marketing and sales of tobacco products; 2) improves efforts to prevent illegal sales to minors; 3) eliminates prior exemption from FDA protections; 4) provides FDA authority to set toxicant standards; 5) prohibits the tobacco industry from making unproven health claims; and 6) protects and expands states rights. Mr. McGoldrick explained that the legislation expands and preserves states rights to: 1) implement and enforce smoke-free laws; 2) fully fund effective comprehensive tobacco control programs; 3) provide coverage of cessation services; 4) increase tobacco taxes, and 5) take action to restrict sale and distribution of tobacco.

Mr. McGoldrick stated the legislation provides for its implementation in stages that begins in:

- three months – no candy-flavored cigarettes.
- 12 months – no “light” “low” “mild” descriptors, youth access provisions, marketing restrictions (magazines, points of sales, sponsorship, etc.), new warning labels on smokeless tobacco and a Scientific Advisory Committee to be appointed within 15 months.
- 15 months or longer – larger, stronger graphic warning labels on cigarettes (rule issued in two years), Menthol Study and Report (one year after the Scientific Advisory Committee is appointed), Dissolvable Tobacco Products Study and Report (two years after the Scientific Advisory Committee is appointed).

A discussion ensued on what should be done now that the FDA will be regulating tobacco. Mr. McGoldrick said the best thing Florida could do is to continue to raise taxes on tobacco products and do what we know works. Mr. Jeffrey Cece raised a concern that Florida's community partnerships could be generating legislation that will not stand up in court. Division Director Myrick reinforced that the Bureau of Tobacco Prevention Program does not lobby for legislation and the community grantees are educating or recommending policy change. It was mentioned that national organizations are working on new interventions and more information will be forthcoming. Division Director Myrick voiced concern that the Bureau of Tobacco Prevention Program has not effectively communicated to the TAC its comprehensive tobacco control program and activities. Ms. Fonda McGowan raised a question about TAC members attending local partnership meetings. Division Director Myrick stated she has spoken with the DOH General Counsel's office and attorneys for county health departments and if more than one TAC member attends, the meeting must be noticed, not in local papers, but in the Florida Administrative Weekly and on the Internet. Mr. McGoldrick suggested that a local partnership be invited to present at a future TAC meeting so the members can become informed of local initiatives.

2010 Activation Plan Update – January 4, 2010

**Monica Corbett, Matt Thompson,
Erin Cole, The Zimmerman Agency**

Ms. Monica Corbett's update included the information on Tobacco Free Florida's brand platform and personality. Ms. Corbett provided data illustrating the direct link between Quitline call volume and the level of broadcast (cessation) media purchased. The Zimmerman Agency is participating in biweekly telephone conference calls with the evaluators and uses the findings to form media decisions. Mr. Matt Thompson discussed the web-based media through TobaccoFreeFlorida.com and Floridaquitline.com. Mr. Thompson explained the Facebook site accounts for 50 percent of all time spent on the internet. He said Tobacco Free Florida's Facebook page has 77,000 fans (78 percent of fans are under 25 years old) and is in the top 75 non-profits on Facebook. Ms. Corbett discussed using sports media, which is a strategic part of the media plan. Ms. Corbett explained the added value of using major athletic figures who volunteer their time. Erin Cole discussed Tobacco Free Florida Week (March 21-28, 2010) with the primary objective of increasing cessation rates and the secondary objective of raising awareness on secondhand smoke's impact on at-risk populations.

Mr. Marshall Deason, Esquire, questioned the DOH using a less "edgy" campaign than was recently recommended by the independent evaluators. Division Director Myrick explained the process as follows: 1) initially the Bureau of Tobacco Prevention Program contracted with Macro International to do focus groups to assist The Zimmerman Agency in developing a campaign; 2) The Zimmerman Agency developed a campaign with various alternatives; 3) The DOH reviews and vets through its chain of command up through the Governor's Office, the media campaign and its various alternatives. Then DOH decides, with input from The Zimmerman Agency and focus groups, on the campaign that will be aired. Division Director Myrick explained the Department of Health is an Executive Branch Agency under the Governor's Office. Mr. Deason said that the TAC should be the first group to review media campaigns and make recommendations. He expressed concern that the Governor's Office is vetting media campaigns without the benefit of the TAC's advice and in his opinion; this is contrary to the TAC statutory responsibility. Further discussion ensued and Division Director Myrick stated she would convey this request to the Surgeon General for her consideration.

Recommendations from Subcommittees

**Ralph DeVitto, Surveillance and
Evaluation Chair**

Ralph DeVitto moved that a policy be in place that prior to awarding or renewing tobacco-related contracts, the vendor's past performance on tobacco-related initiatives should be considered as part of the vendor selection process. The motion was seconded and approved. The Surveillance and Evaluation Subcommittee recommends the next TAC meeting agenda include a presentation on the issue of Hookah use, including data, trends, etc.

**Marshall Deason, Health
Communications Chair**

There was no recommendation from the Health Communications Subcommittee.

Erin Sylvester, Youth Chair

The Youth Subcommittee moved that the Departments of Health and Education collaborate and discuss tobacco prevention training activities targeting elementary age students. The motion was approved. The Youth Subcommittee moved that research continue on having tobacco-related questions included on the FCAT. The motion was approved.

Discussion Regarding Drug Store Chains

Ralph DeVitto, Surveillance and Evaluation Chair

The Surveillance and Evaluation Subcommittee recommended that large drug stores be approached to discuss tobacco product placement and sales in their stores. Dr. Howell led the discussion regarding large drug stores and tobacco product placement and sales. Additional discussion ensued and Division Director Myrick explained the DOH regulates pharmacies within the Division of Medical Quality Assurance. Division Director Myrick stated she will speak with the lawyers for Medical Quality Assurance regarding non-regulatory discussions on tobacco product placement and sales in large drug stores.

Policy Change at the Local Level

Ron Davis, Regional Tobacco Prevention Coordinator

Mr. Ron Davis showed the TAC cigars that look like cigarettes and said they are not regulated under recently enacted FDA tobacco legislation. Mr. Jeffrey Cece said he was reviewing policies the community-based grantees are working on and he was concerned there are grantees working on policies that are addressed by the FDA regulation. Discussion ensued and it was explained that the grantees prepared their work plans well before the FDA regulation was passed. Division Director Myrick assured the TAC that the grantees will not have policies addressed by the FDA in their 2010-2011 work plans.

Bureau of Tobacco Prevention Program Update

Janet Baggett, Chief, Bureau of Tobacco Prevention, Kalinda Pyles, Contract Manager and Disparity Coordinator, Laura Corbin, Youth Coordinator, and Joanna Colburn, Contract Manager and Cessation Manager

Chief Janet Baggett provided the State and Community Interventions updates. Ms. Kalinda Pyles provided an update on tobacco-related disparities, which is required by the Centers for Disease Control and Prevention grant. Ms. Laura Corbin began the youth update and then turned her presentation over to two Tobacco Youth Advocacy Board members, Ansley Pentz and Kahreem Golden, SWAT Chair, to provide their updates to the TAC. Joanna Colburn then provided an update on cessation activities.

There being no additional business before the advisory council, the meeting was adjourned.