



Maryland  
Hospital Association

## **House Bill 3 – Business Regulation - Flavored Tobacco Products - Prohibition**

**Position: *Support***

February 6, 2020

House Economic Matters Committee

### **MHA Position**

Maryland's 61 nonprofit hospitals and health systems care for millions of people each year, treating 2.3 million in emergency departments and delivering more than 67,000 babies. The 108,000 people they employ are [caring for Maryland](#) around-the-clock every day.

Under Maryland's Total Cost of Care agreement with the federal government, Maryland's hospitals also are working to lower costs and improve population health. In addition to treating illness and injury, hospitals are reaching out beyond their four walls to keep people well and improve the health of the communities they serve.

That includes tobacco prevention strategies that can help lower risks of cardiovascular disease and diabetes in our communities.

In the United States, smoking is a leading cause of preventable disease, disability and death.<sup>i</sup> Recent data from the Maryland Department of Health show the use of electronic smoking devices by youth is increasing at an alarming rate—five times as high as adults.<sup>ii</sup> This is a public health concern that affects all Marylanders, especially our youth.

House Bill 3 targets one of the root causes of youth smoking. Compared with adults 25 and older, young adults are more likely to try e-cigarettes and report having used e-cigarettes in the past 30 days.<sup>iii</sup> Increased advertising for electronic smoking devices is tied to a similar spike in use of the devices among youth.<sup>iv</sup> HB 3 would prohibit the manufacturing, shipping, importing or selling of flavored tobacco products in Maryland.

FDA data show 70% of youth who use electronic smoking devices reported they use the product due to the enticing flavors.<sup>v</sup> Additionally, 81% of youth who have used tobacco reported starting with a flavored product.<sup>vi</sup> Studies show young people who use electronic smoking devices are four times more likely to begin smoking combustible cigarettes.<sup>vii</sup>

Understanding the risks associated with adolescence and electronic smoking devices is an important factor in youth prevention. Youth and young adults are more at risk for long-term and long-lasting effects of nicotine exposure. Risks include nicotine addiction, mood disorders and permanent diminished impulse control. Additionally, because the brain is still developing and addiction is a learned behavior, nicotine in e-cigarettes and other tobacco products can prime the adolescent brain—increasing the risk they'll use other drugs.<sup>viii</sup>

Aside from the health risks associated with tobacco products, the economic loss from health care costs and productivity are substantial. Smoking related health care costs were estimated to be \$2.71 billion per year, while smoking related productivity losses were estimated to be \$2.22 billion annually.<sup>ix</sup> HB 3 is a step in the right direction to address this multi-faceted problem and improve the health of our youth and all Marylanders.

For these reasons, we urge a *favorable* report.

For more information, please contact:

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<sup>i</sup> National Center for Chronic Disease Prevention and Health Promotion. (n.d.) Tobacco Use.

<https://www.cdc.gov/chronicdisease/resources/publications/factsheets/tobacco.htm>

<sup>ii</sup> Maryland Department of Health, Preliminary data from *Youth Tobacco Product Use 2018-2019*.

<sup>iii</sup> Truth initiative (November 11, 2019) E-cigarettes: Facts, stats and regulations. <https://truthinitiative.org/research-resources/emerging-tobacco-products/e-cigarettes-facts-stats-and-regulations>

<sup>iv</sup> Centers for Disease Control and Prevention (accessed January 27, 2020). E-cigarette Ads and Youth.

<https://www.cdc.gov/vitalsigns/ecigarette-ads/index.html>

<sup>v</sup> FDA. (March 14, 2019) Guidance for Industry: Modifications to Compliance Policy for Certain Deemed Tobacco Products.

<sup>vi</sup> FDA. (March 15, 2017) The Flavor Trap: How Tobacco Companies are Luring Kids with Candy-Flavored E-cigarettes and Cigars. [https://www.tobaccofreekids.org/microsites/flavortrap/full\\_report.pdf](https://www.tobaccofreekids.org/microsites/flavortrap/full_report.pdf)

<sup>vii</sup> Truth initiative (November 11, 2019) E-cigarettes: Facts, stats and regulations. <https://truthinitiative.org/research-resources/emerging-tobacco-products/e-cigarettes-facts-stats-and-regulations>

<sup>viii</sup> Surgeon General.(accessed January 27, 2020). Know the Risks. <https://e-cigarettes.surgeongeneral.gov/knowtherisks.html>

<sup>ix</sup> Truth Initiative (June 28, 2019) Tobacco use in Maryland 2019. <https://truthinitiative.org/research-resources/smoking-region/tobacco-use-maryland-2019>