



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: 6/9/2014)

Board Clerk Use Only

Meeting Date: 2/12/15
Agenda Item #: R.1
Est. Start Time: 9:30 am
Date Submitted: 2/4/15

Agenda Title: Adopting a Policy Supporting Regulation to Reduce Minor Access and Exposure to Inhalant Delivery Systems and Directing the Local Public Health Authority to Promulgate Rules to Implement the Policy.

Note: Title should not be more than 2 lines but sufficient to describe the action requested. Title on APR must match title on Ordinance, Resolution, Order or Proclamation.

Requested

Meeting Date: February 12, 2015 Time Needed: 15 minutes
Department: Non-Departmental Division: Chair's Office
Contact(s): Liz Smith Currie
Phone: 503-988-4435 Ext. 84435 I/O Address: 503/6

Presenter

Name(s) & Title(s): Dr. Jennifer Vines, Multnomah County Health Department
Dr. Jae Douglas and Bernadette Nunley, Assistant County Attorney

General Information

1. What action are you requesting from the Board?

To meet as the Board of Health to vote on a policy order in support of regulation of inhalant delivery systems (for example, e-cigarettes) and tobacco products to reduce youth access to these products.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The Board of Health will vote on a policy order in support of regulation of retail sales and use of inhalant delivery systems in the County. The policy gives guidance for regulations, including education, for retailers about local, state and federal laws pertaining to the sales of inhalant delivery systems, enforcement mechanisms and penalties for violations. The policy supports prohibitions on the use of inhalant delivery systems in any place where smoking and the use of tobacco products is prohibited. The policy also supports the Board of County Commissioners' consideration of action on licensing tobacco and inhalant delivery system retailers if the Oregon Legislature does not pass such legislation during the 2015 legislative session. The policy directs the Health Department to promulgate rules to implement and enforce these policies, and the Board of Health will vote on those policies prior to their implementation.

The Multnomah County Health Department testified on Nov. 13 and Nov. 25, 2014 before

the Board of Health about youth access to and the health impact of the emerging e-cigarette market and best practices for addressing youth access to tobacco and nicotine products. The Health Department also presented this information to east County elected officials on Nov. 14th and at city council meetings in Fairview and Troutdale in January 2015, and the City of Portland on Feb. 11, 2015. On Dec. 18th, 2014, members of the Oregon Health Equity Alliance briefed the Board of Health on the disproportionate impact of tobacco and emerging products on communities of color and asked that elected officials take action to address these issues.

Among the issues of concern to the Board of Health are:

- Current use of e-cigarettes (i.e., in the last month) among Oregon eleventh-graders has almost tripled recently: from 1.8% in 2011 to 5.2% in 2013, even as cigarette smoking appears to decline.
- Nationally, 6.8% of all youth between 6th and 12th grade report trying inhalant delivery systems.
- In Multnomah County, 10.1% of high school students have tried inhalant delivery systems.
- Nationally, 9.3% of youth who have used inhalant delivery systems have never smoked conventional cigarettes.
- Between 2010 and 2011, rates of both awareness and use of unregulated inhalant delivery systems by adults also increased significantly.
- The ingredients of cartridges, refill solutions, and aerosol sometimes include harmful or potentially harmful chemicals.
- Nicotine, a primary ingredient in most e-cigarettes, is highly addictive and is known to interfere with adolescent brain development.
- Some examples of e-cigarette flavors that could particularly appeal to youth are Bubble Gum, Snicker Doodle, Gummi Bear, Skittles, Mountain Dew, and the children's cereal Captain Crunch.
- Some cartridges used by inhalant delivery systems can be re-filled with liquid nicotine solution, creating the potential for exposure to dangerous concentrations of nicotine. Poisonings from inhalant delivery systems have increased dramatically in the last three and half years from one a month in September 2010 to 215 a month in February 2014. Analysis of reports of poisonings from inhalant delivery systems finds that calls reporting exposure to inhalant delivery systems are much more likely to involve adverse health effects when compared to calls reporting exposure to conventional cigarettes.
- Multnomah County retailers continue to sell tobacco to underage consumers evidenced by 2014 Synar results finding 31% of tobacco retailers unlawfully selling to minors.

3. Explain the fiscal impact (current year and ongoing).

N/A

4. Explain any legal and/or policy issues involved.

N/A

5. Explain any citizen and/or other government participation that has or will take place.

There have been two Board of Health meetings to get feedback from the community on possible actions on January 27th and February 5th, 2015. The Board of Health also heard three briefings from the Health Department and the Oregon Health Equity Alliance in Nov. and Dec. of 2014. The Health Department has presented information on the impact of e-cigarette on youths to the cities of Fairview, Troutdale and Portland on January 21st, January 27th and Feb. 11th, respectively. On February 12th, in addition to this policy order, the Board of County Commissioners will have a first reading of an ordinance related to the regulation of inhalant delivery systems. The second reading is planned for February 19th.

Required Signature

**Elected
Official or
Department
Director:**

Nancy Bennett /s/

Date: 2/4/15

Note: Please submit electronically. Insert names of your approvers followed by /s/ - we no longer use actual signatures. Please insert date approved.