

Kentucky Cancer Consortium
Lung Cancer Network
MINUTES



Thursday, June 28th, 2018
10:30 am – 11:30 am EST
Webinar

Action Steps:

- **Review** information on Pegasus institute
 - <https://www.courier-journal.com/story/opinion/columnists/2018/05/29/conservatives-stop-claiming-you-believe-local-control/650532002/>
 - <https://www.pegasuskentucky.org/>
 - <https://www.pegasuskentucky.org/team>
 - <https://medium.com/@CityResearch/how-to-pass-yourself-off-as-a-think-tank-1647b650b6f>
- **Participate** in *Kentucky Cancer Summit: Cancer Policy in the Commonwealth on Thursday, August 23rd, 2018*. (we didn't discuss this but it's a great opportunity for us all!). Registration is here: <https://www.acscan.org/events/2018-kentucky-cancer-summit-cancer-policy-commonwealth>
- **Participate** in Lung Cancer & Smoking Cessation Symposium with Northeast KY AHEC, September 14, 2018 in Morehead. Registration is here: http://www.neahec.org/continuing_education/lung_cancer_smoking_cessation_symposium_registration.aspx
- **Participate** in upcoming *Foundation for a Healthy KY Workshop on Smoke-free Campaigns, Thursday, September 27, 2018 from 9-12 pm EST*. During this workshop, discussion will include challenges (including opposition to local control per our discussion today). Registration: <http://events.r20.constantcontact.com/register/event?oeidk=a07efg9amqc9899bbe0&llr=xcplgacab> Contact **Alexa Kerley** for more information, akerley@healthy-ky.org
 - Also see link for other workshops and webinars: <https://www.healthy-ky.org/events/health-for-a-change>
- **Terri Taylor**, KDPH Tobacco Prevention and Cessation Program will develop a brief resource for health professionals to know where they can connect consumers to free or low-cost NRT, particularly for the uninsured
- **Need for a webinar** on "What do we do when someone is ready to quit smoking, don't want to call the quitline (may have limited minutes on phone) and there isn't an upcoming 'Freedom from Smoking Class' for another two weeks?"
 - **Tami Cappelletti, American Lung Association**
 - **Terri Taylor, KDPH Tobacco Prevention and Cessation**
 - **Others interested in presenting?**
- **Promote** Certified Tobacco Treatment Specialist Training more broadly throughout Kentucky: <http://www.uky.edu/breathe/tobacco-treatment/tobacco-treatment-specialist-training>
 - 500 Freedom From Smoking Facilitators – through their newsletter, **Tami Cappelletti**
 - Develop a webinar/video to highlight who should participate/how to participate – Jarone Farley, others?
 - **Other ideas?**
- **Update and Promote** additional resources re: tobacco treatment for health professionals/clinicians

- KCC Coverage FAQ – **Jennifer Redmond Knight**
- New Law Provides Tobacco Cessation Coverage to KY Patients (KCP) – needs to be finalized – **Celeste Worth**
- First-line Medications (KY LEADS Collaborative and KCP) – needs to be updated with latest version – **Celeste Worth**
- **Develop public-friendly versions of Coverage FAQ**
 - If you are interested in helping with the development of these, please contact Jennifer, jredknight@kycancer.org
- In order to improve communication and coordination of efforts related to reducing barriers to tobacco treatment, please **share information** on what you are doing and who you are reaching to Jennifer, jredknight@kycancer.org
 - **Please review the draft attached and let me know if you have suggestions on the kind of information we collect.**
 - Let Jennifer know if you have suggestions on ways we can **evaluate** this as well!

Meeting Highlights:

- **Discuss Tobacco Tax in KY: What happened and what is next?**
 - KY Legislature passed \$0.50 – in effect July 1st, 2018 – total tax \$1.10 in KY; National average is now \$1.75
 - Only cigarettes are taxed as part of this legislation, not e-cigarettes or other tobacco products
 - The tax increase was part of HB366 now KRS 138.140 which includes additional language modified risk tobacco products – taxes imposed shall be reduced by 50%
 - Re: a “modified risk product”and more. Exact language included at the end of the minutes.
 - KY is 2nd state in the U.S. to pass “modified risk tobacco products” type of legislation
 - Coalition for a Smoke-free Tomorrow press on increased tobacco tax: <https://www.smokefreetomorrow.org/>
 - Pegasus institute, <https://www.pegasuskentucky.org/> and <https://www.pegasuskentucky.org/team> is attempting to weaken argument for local control – self governance
 - There is currently retail pre-emption on tobacco products (local governments cannot pass policies stronger than the state)
- **Discuss Smoke-free Communities: What is happening and what is next?**
 - HUD
 - July 30th HUD smoke-free housing ruling implemented
 - Each community has at least one public housing authority that reports directly to HUD
 - In August 2017 CDC convened KY representatives to develop a plan to support implementation of smoke-free policy:
 - Assess needs of KY public housing authorities
 - Provide technical assistance to the public housing authorities including:
 - Meeting with KY housing association, listening sessions with LHD, funded 14 mini grants to LHD, \$224,000, TA to housing authorities, Freedom from Smoking (free from ALA), Signage, etc.

- American Lung Association grant money – offering other incentives for housing authorities and LHD offering classes - \$50 off rent if they quit smoking after 8 sessions, \$50 gift cards (Kroger, Walmart); healthy substitution bags (adult coloring, cinnamon toothpicks, stress balls, etc.), self-help books, NRT, \$ for Marketing – wrap a bus to advertise freedom from smoking
 - February 2018 – Annual meeting for KY Housing association,
 - Team presented on impact of SHS, developing smoke-free policies, resources available to support implementation
 - **Concerns** from housing authorities:
 - Accommodations for smokers within the housing authorities with limited mobility – case by case basis but not allowing tenants to smoke
 - **Enforcement Plans:** Use a graduated approach, warning, referrals, cessation and similar to other lease violation – eviction is last resort; may include cleaning fees
 - Housing authority required to submit a 5-year plan to HUD due July 2018
 - must contain language from smoke-free policy and that it’s been implemented
 - **Next steps:** LHD surveys, implementation, violations, LHD applying for funds for cessation efforts – Freedom from Smoking, evaluating implementation public housing authorities, reconvene state team in mid/late July
 - Connecting Kentucky HEALTH MyRewards? Yes points to be earned – Freedom From Smoking or Quitline
 - KY Cities and Counties
 - Owensboro Health Foundation– requires applicant to have a tobacco free policy in order to apply for grant funding in 14 county region
 - 34.7% of Kentuckians are now protected by a comprehensive smoke-free ordinance (will be higher after September when Murray goes into effect)
 - Including Murray, there are now 30 comprehensive smoke-free ordinances in Kentucky
 - Strengthened
 - E-town added e-cigarettes to their comprehensive smoke-free policy in June (originally passed in 2006)
 - Paducah amended their partial smoke-free ordinance (originally passed in 2006) to include all workplaces and many outdoor places (playgrounds, parks) and e-cigs. Passed April 2018, implemented in May 2018
 - Oldham county’s partial smoke-free ordinance passed in 2006 was strengthened to remove a smoking room exemption and added e-cigs in April 2018. Although this law has been implemented and is currently being enforced, it is being challenged by a local vape shop owner as well as challenged by someone who wants to open a cigar bar
 - New policies
 - Salyersville – partial smoke-free ordinance, includes e-cigarettes and all public places – passed in February 2018 and implemented in April 2018
 - Murray – comprehensive, includes e-cigarettes and hookah – passed on June 18th, 2018 and will be implemented in September 2018
- Discuss Tobacco Treatment Implementation
 - Coverage FAQ
 - Editing the resource with Dept. of Insurance to confirm we are accurate if we make any changes
 - Need to develop a public-friendly version

- FQHC preferences
 - 8 FQHCs participated
 - Bluegrass Community Health
 - Breathitt County Juniper Health
 - Lee County Juniper Health
 - Foothills Health & Wellness Center
 - Healthpoint Family Care
 - Park DuValle Community Health Center
 - Sterling Health Solutions
 - Role of health professionals
 - 4 Primary Care Physicians (additional roles were Clinical Quality Manager, Chief Medical Officer and CEO)
 - 2 Nurse Practitioners
 - 1 Physician Assistant
 - 1 Nurse
 - Most common tobacco treatment/cessation services they provide:
 - Recommend/prescribe medication (7)
 - One-on-one counseling (6)
 - Provide Educational Materials (6)
 - Refer to Quit Now Kentucky (5)
 - When asked if they would use 7 different types of resources, they said “YES” to the following:
 - **New Law Provides Tobacco Cessation Coverage to KY Patients (KCP) Tobacco treatment and coding information (7)**
 - **First-line Medications (KY LEADS Collaborative and KCP) summary of medications used in the treatment of tobacco dependence – also known as the “pharmacotherapy chart” (7)**
 - Implementing Ask-Advise-Refer (Rx for Change) (5)
 - Treatment of Tobacco Addiction Resource for Lung Cancer Screening (KY LEADS Collaborative) (4)
 - Quitnow KY KRS 304:17A Fact sheet (4)
 - 7 Myths about SB89 (KMA) (3)
 - Their preferred format was both EHR and Downloadable Resource (could be printed)
 - Interested in the following types of patient resources:
 - Adverse effects + other reasons to quit
 - Alternative ways to deal with stress and anxiety
- Who is doing what?
 - Jennifer proposed a “worksheet” of sorts that folks can use to fill in information related to tobacco treatment dissemination/education for both health professionals and consumers.
 - Link to lung cancer screening sites, champions and others, lung nodule clinics
 - Promote Tobacco Treatment specialist training – get this training throughout healthcare system
 - Consider a webinar and/or video on the training - who should be trained and who meets the criteria
 - Monitor the CTTS who have been trained and associated outcomes

Attendees:

Alexa Kerley, Allyson Yates, Amanda Bucher, Amy Barkley, Amy Christian, Angela Criswell, Connie Buckley, Courtney Blair, Debbie Zuerner Johnson, Debra Dixon, Ellen Schroeder, Erica Palmer Smith, Hilary Deskins, Jack Hillard, Jamie Studts, Jennifer Redmond Knight, Jenny Frantz, Jerone Farley, Kara Sedoris, Lisa Maggio, Maria Gomez, Mindy Rogers, Nancy Alvey, Nazenin Assef, Rob Arnold, Robin Potter, Rudy Bess, Sandi Knight, Tami Cappelletti, Terri Taylor, Tim Mullett, Tonya Chang, Tonya Pauley

*We believe every Kentuckian can be free from tobacco-related disease.
We believe in protecting all Kentuckians from secondhand smoke and radon.
We believe lung cancer screening can save lives.
We believe in a Kentucky without lung cancer.*

For more information on Kentucky Cancer Action Plan goals and objectives related to Lung Cancer, please go to: <http://www.kycancerc.org/canceractionplan/canceractionplan.pdf>

Additional information on 2018 Tobacco Tax Legislation

The following excerpts are both from Section 27 of the bill, amending KRS 138.140:

Pg. 80:

(3)(a) The taxes imposed by subsections (1) and (2) of this section:

1. Shall not apply to reference tobacco products; and
2. Shall be paid only once, regardless of the number of times the cigarettes, or tobacco products may be sold.

(b) The taxes imposed by subsection (1)(a) and (b) and subsection (2) of this section shall be reduced by:

1. Fifty percent (50%) on any product as to which a modified risk tobacco product order is issued under 21 U.S.C. sec. 387k(g)(1); or
2. Twenty-five percent (25%) for any product as to which a modified risk tobacco product order is issued under 21 U.S.C. sec. 387k(g)(2).

Pg. 81:

(7) Any person subject to the taxes imposed under subsections (1) and (2) of this section that:

- (a) Files an application related to a modified risk tobacco product shall report to the department that an application has been filed within thirty (30) days of that filing; and
- (b) Receives an order authorizing the marketing of a modified risk tobacco product shall report to the department that an authorizing order has been received.

(8) Upon receipt of the information required by subsection (7)(b) of this section, the department shall reduce the tax imposed on the modified risk tobacco product as required by subsection (3)(c) of this section on the first day of the calendar month following the expiration of forty-five (45) days following receipt of the information required by subsection (7)(b) of this section.

The references to federal law (U.S.C. sec...etc.):

Section g(1) deals with products that FDA finds meet the standards for modified risk (i.e., they are lower risk than other products). Section g(2) deals with products that FDA finds are reduced exposure (i.e., not necessarily that the risk of disease is reduced but just that the product has been found to reduce exposure to HPHCs (harmful or potentially harmful constituents). The standards for granting an application under g(2) are somewhat less demanding than the standards for g(1). Theoretically, products that are able to meet the g(1) standard might be more desirable than products that are only able to meet the g(2) standard so, again theoretically, it might be rational to give g(1) products a bigger tax break than g(2)--but only if you accept the proposition that there should be differential tax rates based on relative degree of risk.