

Testimony of Lani Graham, MD, MPH

IN SUPPORT OF LD 1215

An Act to End the Sale of Flavored Tobacco Products

Sponsored by Senator Jill Duson

Before the Health and Human Services Committee: April 25, 2023

Good day Senator Baldacci, Representative Meyer, and Honorable Members of the Committee. My name is Lani Graham. I am a retired family practice physician and former Chief Public Health officer for Maine. Currently I serve on the Public Health Committee for the Maine Medical Association (MMA), and I am here representing the Maine Medical Association in support of LD 1215. The passage of this bill would be a big step forward in the effort to address the tobacco pandemic.

I have been involved in tobacco prevention and control for at least 30 years, but over the years I have been consistently impressed by the creativity and determination of the Tobacco Industry to assure the continued use of its product. With flavored products the industry can lure in the very best customers, youth, and create a strong addiction before someone is even out of high school. For the health of Maine's next generation, the invention of flavored tobacco products has been a public health disaster and we have been "asleep at the switch" until the last several years when a few forward-thinking Maine cities and towns have moved against these deadly products.

As of 2023, the United States and Maine are getting beyond the Covid pandemic. But ironically the Tobacco Epidemic continues to rage and without strong action, as represented by this bill, is likely to get worse. In 2020 the leading killer in Maine was not Covid, but cancer, followed closely by heart disease,¹ both strongly linked to tobacco use.² During

¹ <https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/data/documents/2020%20Mortality%20Report%20Final%20071722.pdf>

² https://www.aicr.org/cancer-prevention/healthy-lifestyle/other-lifestyle-risks/?gad=1&gclid=Cj0KCQjwXyOiBhC9ARIsANiEIfYX8v3qXCxErznRenaWY0jVZNgVRz_ygVIKJC9Ucn7ckmKMxIEP-6MaAuYaEALw_wcB#1579723955856-4437ecce-54a4

Covid, there has been justifiable concern about overwhelming health care resources. Continuing to turn a blind eye to the addiction of Maine youth to flavored products will almost guarantee that health care resources will continue to be overwhelmed by preventable illness for decades to come.

Having been born in Portland and lived there for many years, I was so proud when that city moved to ban flavored tobacco products. And I was similarly impressed by Brunswick, where I myself could have been lured to use flavored tobacco products had they been available when I went to Brunswick high school. But these jurisdictions, as courageous as they are, cannot do the task alone. We must go statewide!

It has been said that if we ban these products, we may lose tax revenue. Aside from being a cynical argument, it seems like a price worth paying for a new generation of healthy Mainers. But if you are seeking solutions for offsetting that loss of revenue, raising the tobacco tax would bring in all the revenue needed and reduce smoking among youth as well. I attach a sheet of information about that.

Thank you for your attention. I would be pleased to answer any questions you might have.



Erik N. Steele, DO, President Paul R. Cain, MD, President-Elect R. Scott Hanson, MD, MPH, Chair, Board of Directors
Andrew B. MacLean, JD, CEO Dan Morin, Director of Communications & Government Affairs

●SUPPORT Maine Physicians ●ADVANCE the quality of medicine in Maine ●PROMOTE the health of all Maine People

Support Public Health with Tobacco Tax

BACKGROUND

As we consider this legislative session as well as actions needed in the next Congress, it appears that there is an overwhelming array of issues to be addressed. But, thanks to the tragedy of Covid-19, there is one issue that must surely be considered at the top of the list. That would be on-going, solid, **financial support for public health.**

After several years of cuts to Maine CDC, the agency was left with about 100 fewer employees in 2019 than in 2011 - a 25% reduction in staff. Insufficient support for public health here in Maine and the nation has not only left us vulnerable to an infectious disease pandemic but has also resulted in the neglect of all public health services, including a failure to control other epidemics such as opioid addiction, vaping, traffic fatalities, obesity, and suicide. Furthermore, hospitals are becoming overwhelmed by illnesses that might reasonably be reduced by a strong public health system—late stage cancer, hypertension induced strokes, out of control Diabetes, chronic obstructive lung disease and cardiac failure.

Even in these difficult financial times, a source of funding is needed. While there would potentially be many choices, the most obvious one for Maine in 2023 is an increase in the tobacco tax which will not only support Maine's public health system but also reduce tobacco use, particularly among vulnerable youth.

KEY POINTS

- Tobacco remains our #1 underlying cause of premature death.
- On average, smokers die 10 years earlier than non-smokers.
- On average, about half of all tobacco users will die from tobacco.
- Smoking costs the U.S. \$300 billion per year, including about \$170 billion in direct medical care for adults.
- Nationally, estimated smoking-caused health costs and lost productivity totals \$19.16 per pack, far lower than the ~\$3 in federal and state excise taxes on each pack.
- 17% of Maine's high school students vape (use e-cigarettes), higher than the national rate of 14%.
- There are 4,200 Maine high school students who smoke cigarettes, higher than the national rate.
- 29% of the cancer deaths in Maine are attributable to smoking
- \$811 million dollars of annual health care costs are directly caused by smoking

Frank O. Stred Building 30 Association Drive PO Box 190 Manchester, Maine 04351
TEL: 207-622-3374 FAX: 207-622-3332 www.mainemed.com

- Smoking costs Medicaid in Maine (MaineCare) about \$262 million per year.
- \$647 million dollars of productivity in Maine is lost to smoking each year
- There are 27,000 kids under 18 alive today who will ultimately die prematurely from smoking
- Maine's tax on a pack of cigarettes has not changed since 2005.
- Maine's current tax of \$2.00 on a pack of cigarettes is the second lowest in New England
- Maine's tobacco tax used to be one of the highest, it is now #19, while Maine's smoking rate of 17.3% is the highest in New England and higher than the national rate
- Raising state cigarette taxes always increases state revenues and always reduces smoking.

LEGISLATIVE REQUEST

We respectfully propose consideration of a \$2 per pack increase in the state excise tax as well as proportionate increases in other nicotine products, including e-cigarettes, cigars, and chew tobacco. The resulting \$4 per pack excise tax would result in Maine's having the third highest rate in New England (now 5th). It would result in millions of dollars in state revenues for public health. The last time Maine raised the tobacco tax was in 2005.

Most important is preserving a fair share of the generated funding for public health work in Maine. We ask that drafted legislation support assuring that at least fifty percent (50%) of the funds generated from this tax be directed to public health support for the Maine Centers for Disease Control and Prevention.

Increasing the tobacco tax is a win-win-win solution for states: a public health win that reduces smoking and saves lives, a financial win that reduces smoking-caused health care costs and raises much-needed revenue, and a political win because tobacco taxes have the strong support of the public. Even the tobacco industry acknowledges that raising tobacco taxes reduce smoking, which is why they fight so hard to oppose them.

Resources:

<https://www.tobaccofreekids.org/assets/factsheets/0097.pdf>
<https://www.tobaccofreekids.org/factsheets/0097.pdf>
<https://www.tobaccofreekids.org/factsheets/0097.pdf>
<https://www.tobaccofreekids.org/factsheets/0097.pdf>

<https://www.tobaccofreekids.org/assets/factsheets/0097.pdf>

State excise taxes as of June, 2020

CT: \$4.35
 RI: \$4.25
 MA: \$3.51
 VT: \$3.08
 ME: \$2.00
 NH: \$1.78

<https://www.tobaccofreekids.org/assets/factsheets/0097.pdf>