

Dr. Ron Davis Smokefree Air Law: One Year Later

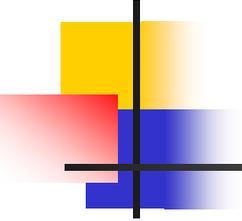
Speakers:

Matthew Phelan, American Cancer Society

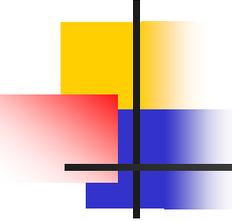
Orlando Todd, Farid Shamo and Teri Wilson, Tobacco
Section, Michigan Department of Community Health

Regina Calcagno, Tobacco Free Michigan

1 year Overview

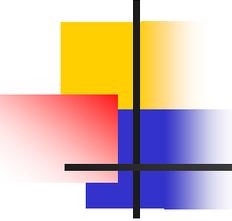


- The public continues to support the Smoke Free Law
- The compliance rate for the Law has been high
- Surveillance and Evaluation of the Law continues
- Legal issues have surfaced and are being appropriately addressed
- To date, early studies show the Law has not had a negative impact on the economy
- Since passage of the Law, quit attempts have increased



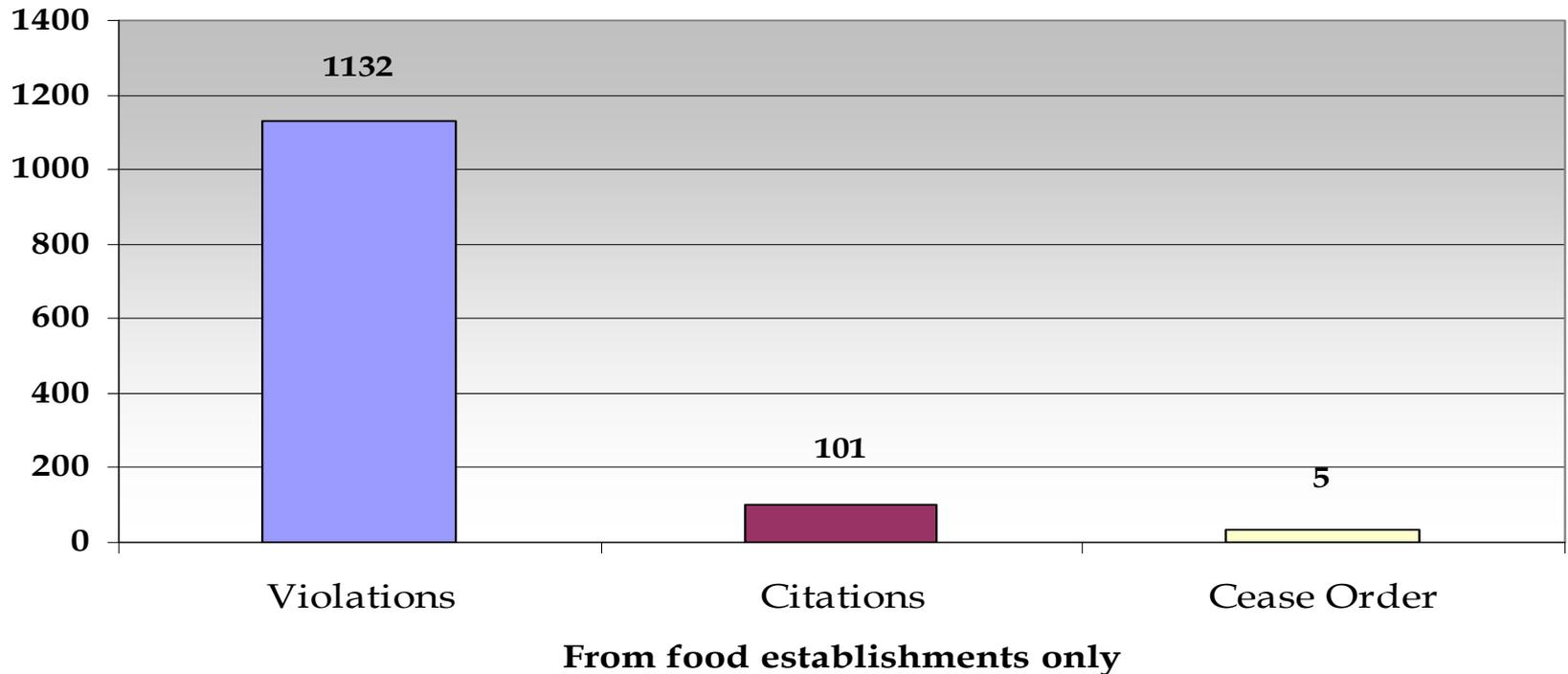
Enforcement

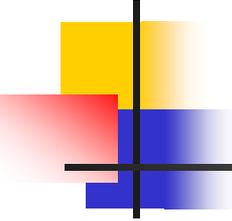
- Health Officers and Environmental Health Directors throughout the state report enforcement is going well in their counties.



Enforcement-Part 129

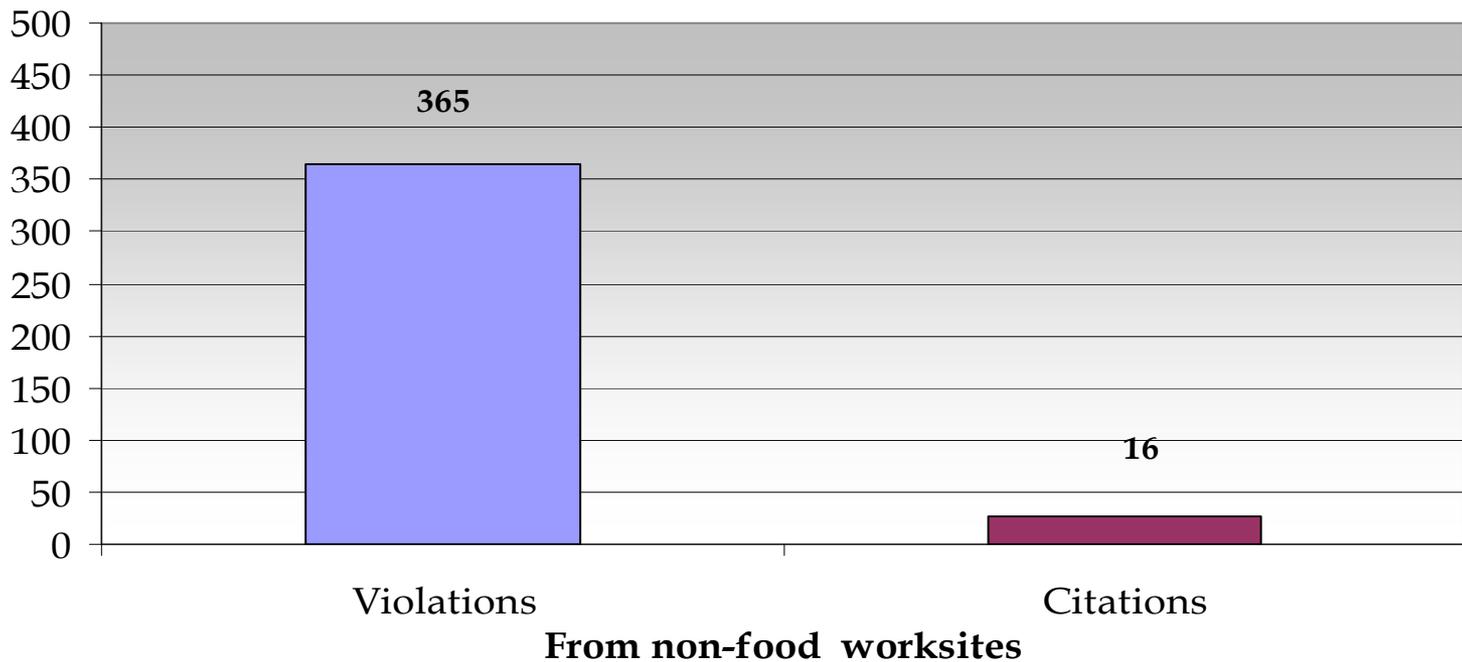
One year total complaints for part -129 of the " Michigan Smoke Free Air Law" from all (83) Michigan's Counties.

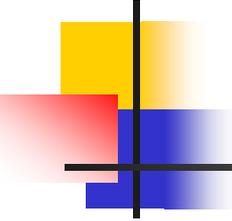




Enforcement-Part 126

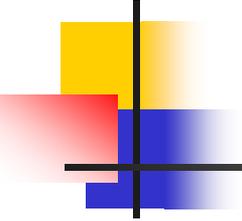
One year total complaints for part-126 of the
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Enforcement Cont...

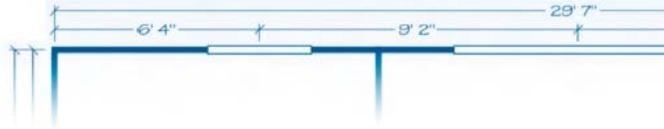
- Local law enforcement agencies have issued approximately 5 citations to individuals who have violated the law.



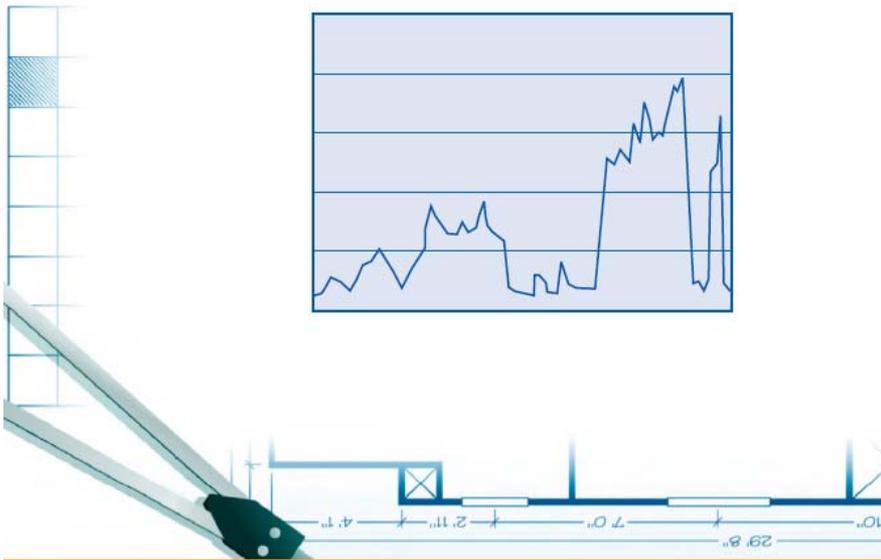
Evaluation

Teri Wilson and Farid Shamo
Tobacco Section, MDCH

Types of Evaluation for SF Law:



Evaluation Toolkit for Smoke-Free Policies



1. Public Support
2. Air Quality
3. SHS exposure/Health
4. Compliance Rate
5. Economic

http://www.cdc.gov/tobacco/secondhand_smoke/evaluation_toolkit/index.htm

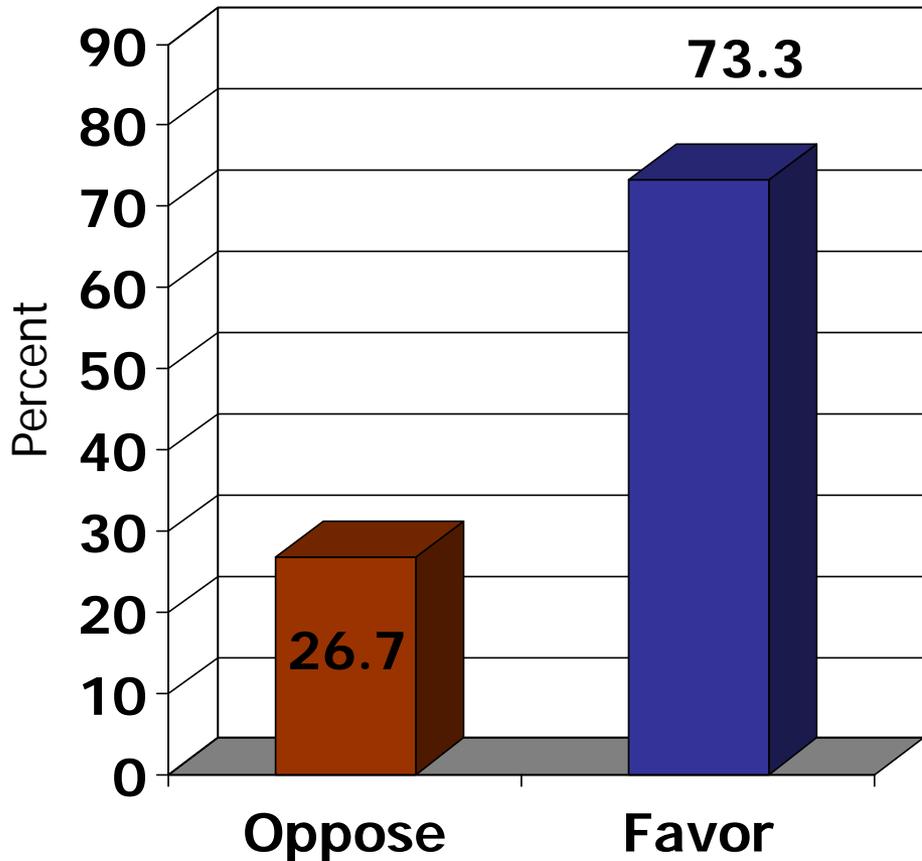


U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
CENTERS FOR DISEASE CONTROL AND PREVENTION

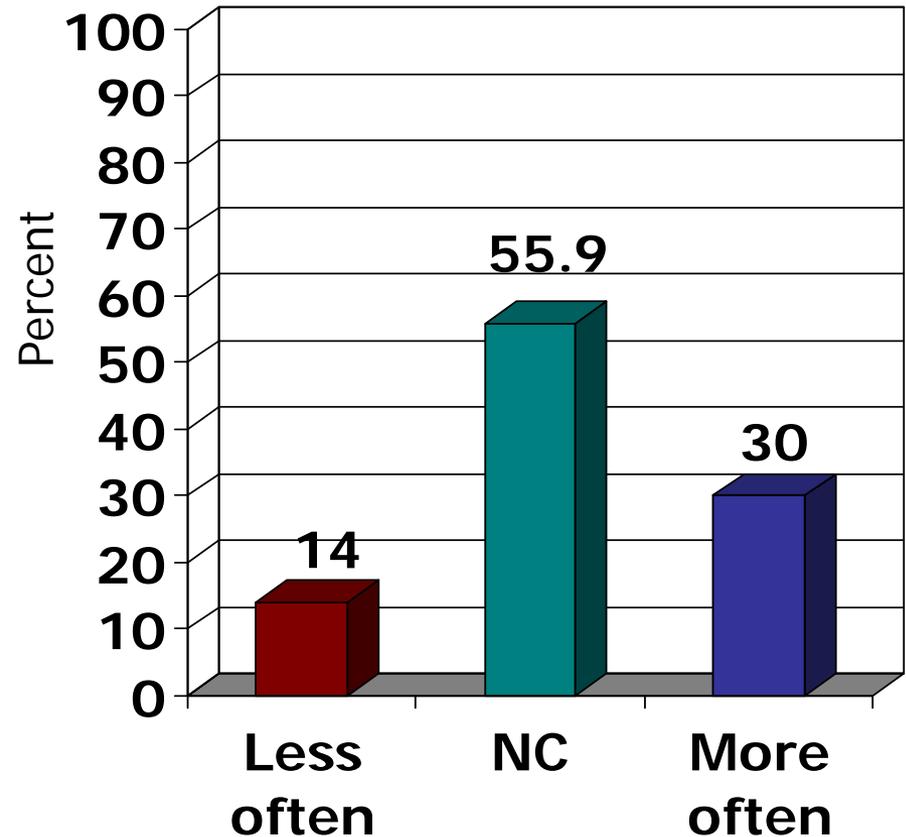


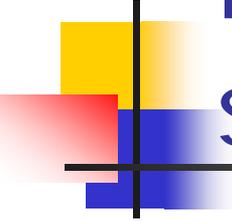
Public Opinion Study – August 2010

Support of state law



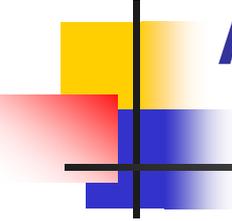
Out to eat in bars and restaurants
since May 1st, 2010





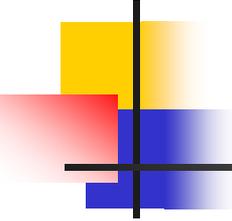
Public Opinion Study – Did any smokers quit because of the law?

- 55.4% of smokers reported quitting or making a quit attempt
 - ~50% of these participants reported quitting



Air Monitoring Study

- Pre/post-law measurement
 - Pre-law 2005-2008; Post-law 2011
 - PM_{2.5} in same six establishments
- 14 sites
 - Ann Arbor, Detroit, Flint, Grand Rapids, Kalamazoo, Lansing/E. Lansing, Marquette, Midland, Novi, Saginaw, Sault Ste. Marie, Traverse City, West Branch
- Preliminary statewide results
 - 66% to 96% ↓ SHS - 6 to 13 mos post-law

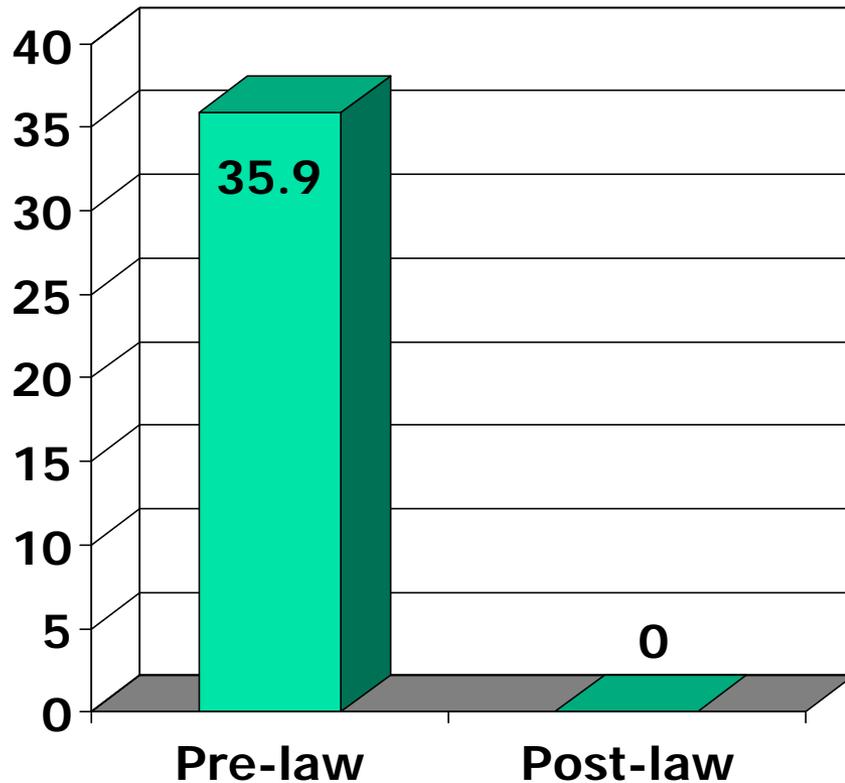


Health – Secondhand Smoke Exposure (Cotinine Study)

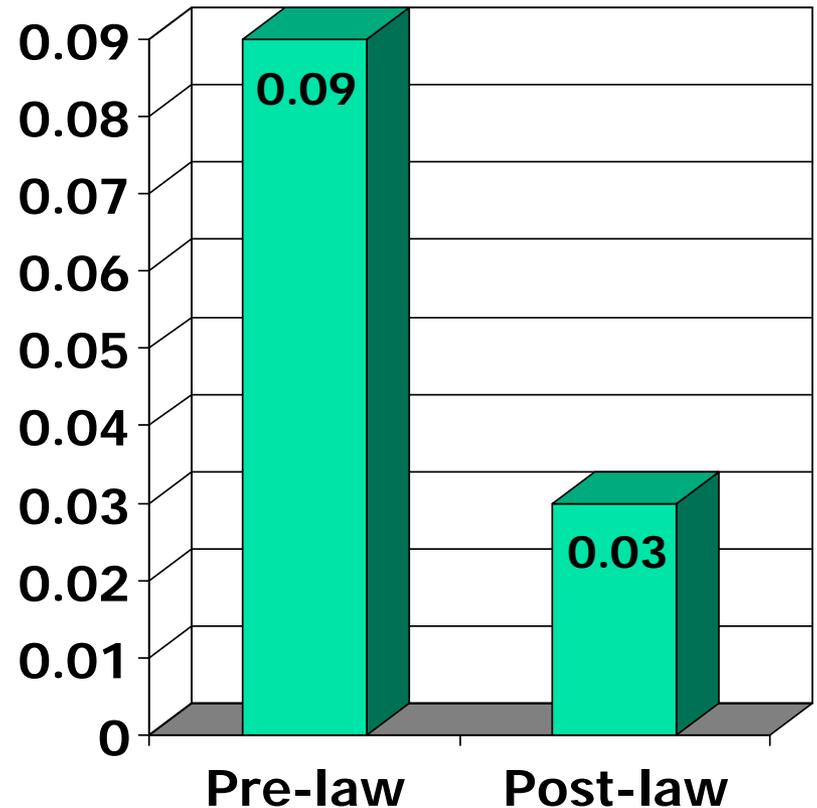
- Demographics
 - 40 bar employees
 - Ages: 21 – 73
 - 70% female, 30% male
 - White (95%), Arab-American, Hispanic/Latino
 - Benzie-Leelanau, Berrien, Delta-Menominee, Genesee, Ingham, Marquette, Muskegon, Emmet, Ottawa, St. Clair, Wayne

Secondhand Smoke Exposure (2 Biomarkers)

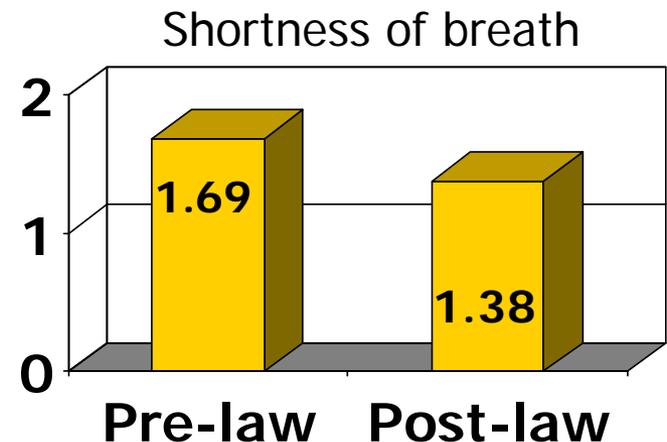
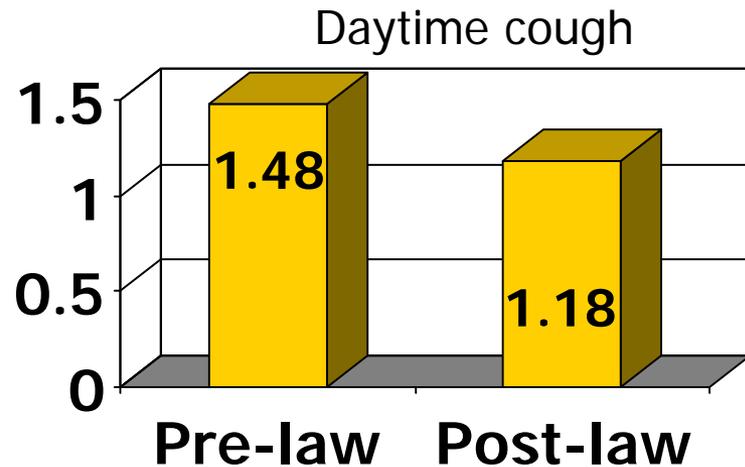
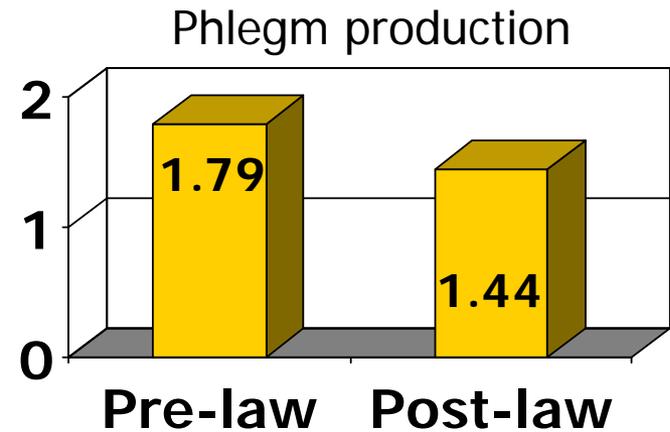
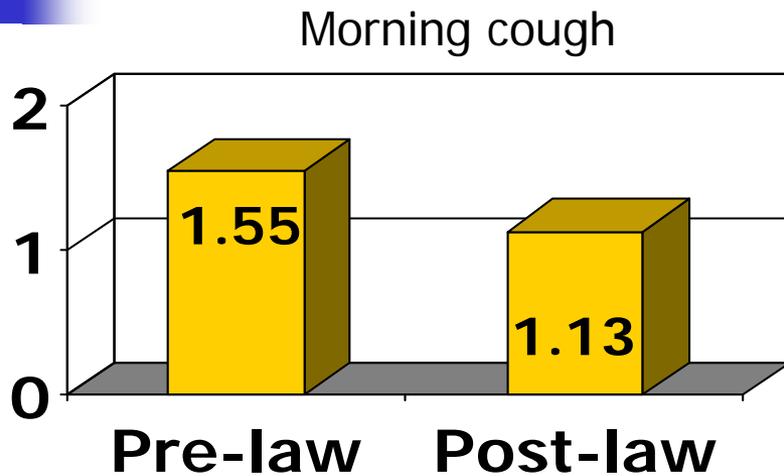
Cotinine



NNAL

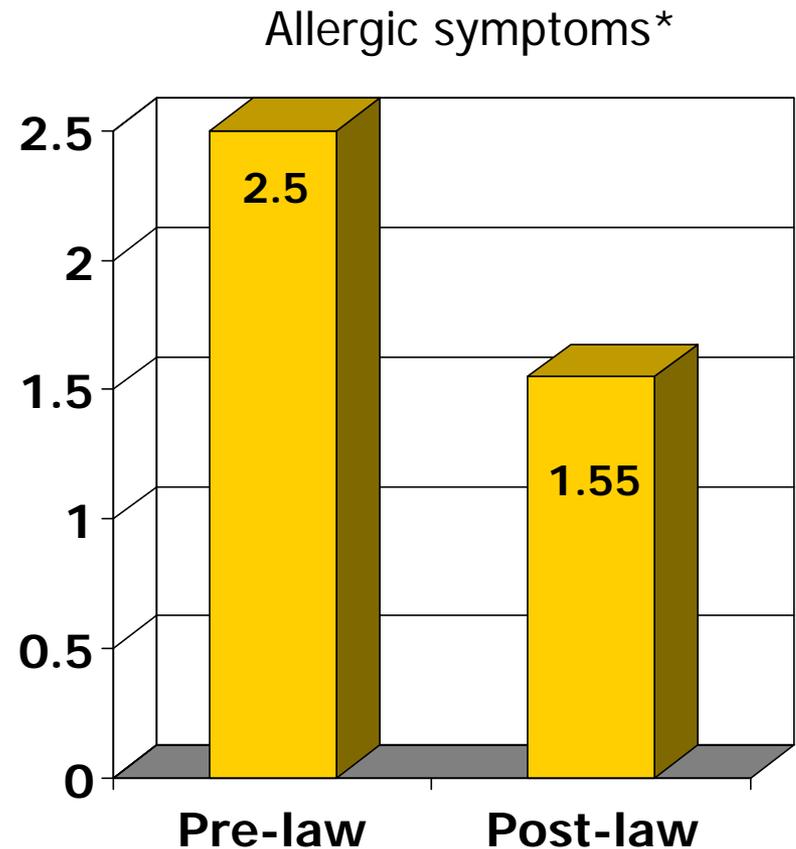
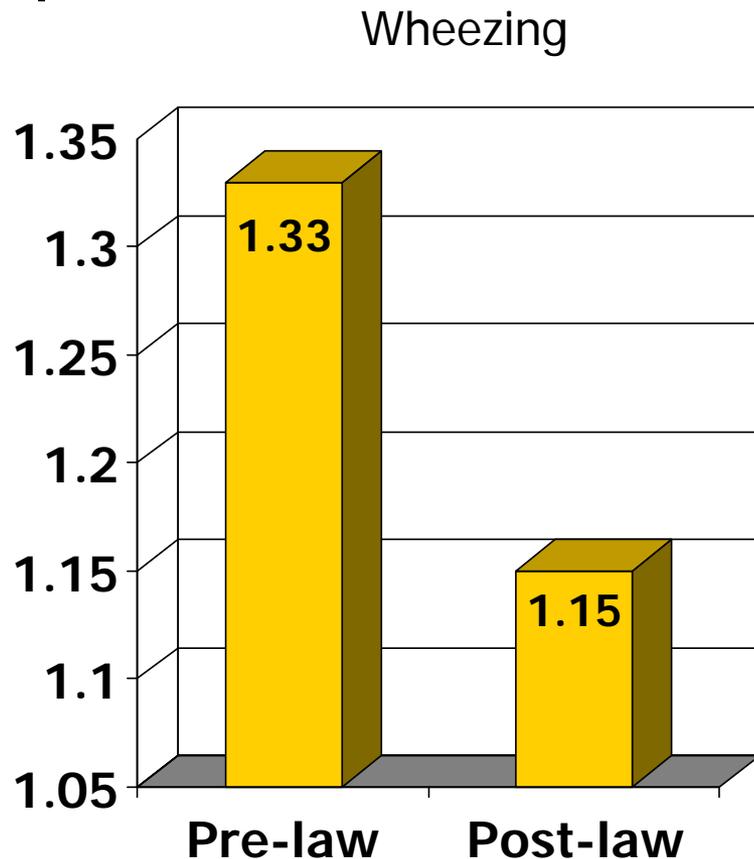


Secondhand Smoke Exposure – Respiratory Symptoms*



* Self-report

Secondhand Smoke Exposure – Respiratory Symptoms



*Respiratory symptom with the greatest reported difference pre-law vs. post-law.

Outcome # 4: Compliance Rate

1- Observational Compliance checks:

- ✓ A collaborative work with ALL of our Contractors
- ✓ Observational surveys have been completed by volunteers in away that :
“No one should realize them are conducting this survey”.
- ✓ Randomly selected samples of restaurants, bars and bowling alleys in each county(1st round N=**964**, 2nd round N=**1058**)
- ✓ Data from **72** out of **83** counties in Michigan:
- ✓ The survey was conducted in 3 rounds : After **3** months, **6** months and after **1** year of the Smoke Free Law.

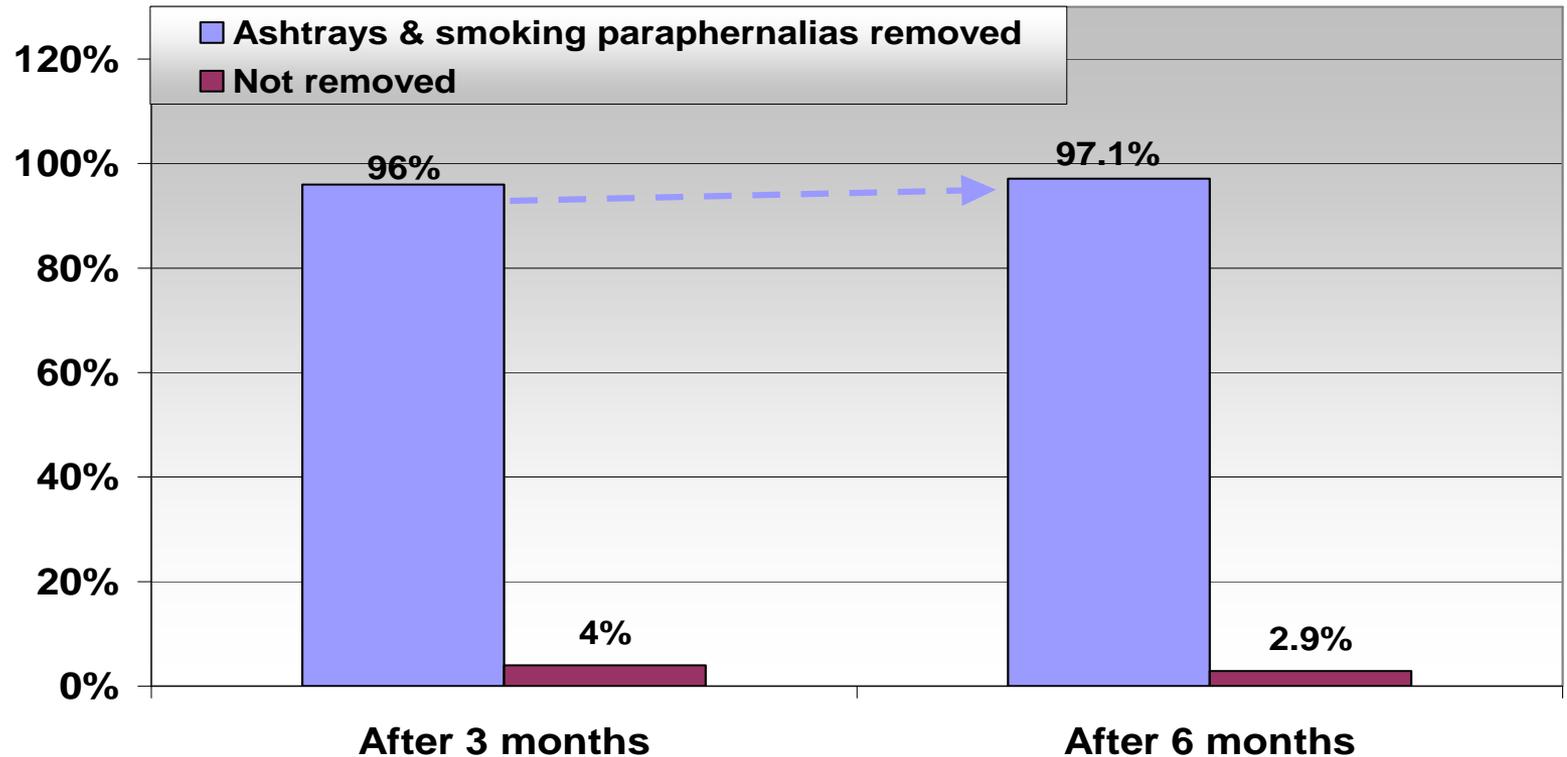
Outcome # 4: Compliance Rate

"No smoking" sign visibly posted in the establishment after 3 and 6 months of the implementation



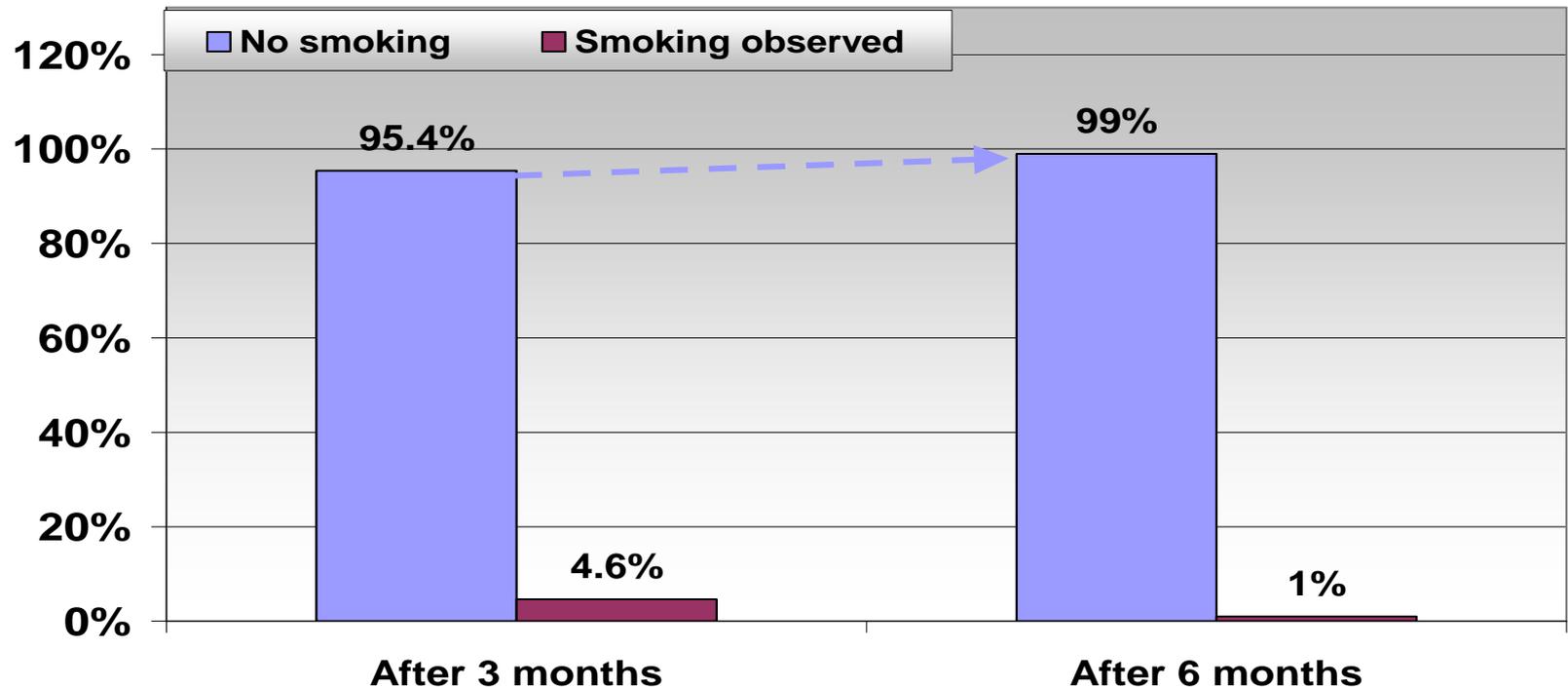
Outcome # 4: Compliance Rate

Removal of "ashtrays and other paraphernalia" after 3 and 6 months of the implementation

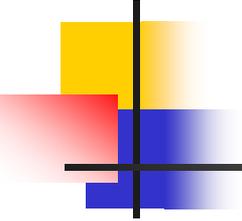


Outcome # 4: Compliance Rate

Whether smoking is observed anywhere in the establishment after 3 and 6 months of the implementation



Outcome # 4: Compliance Rate



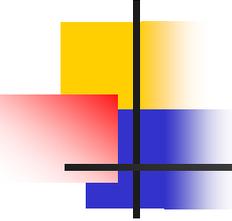
2. Environmental Health –periodic Inspection (food services sites)

- ✓ Regular restaurant and bars inspections will assume an ongoing compliance role.

3. Complaint- Driven “Compliance data base”

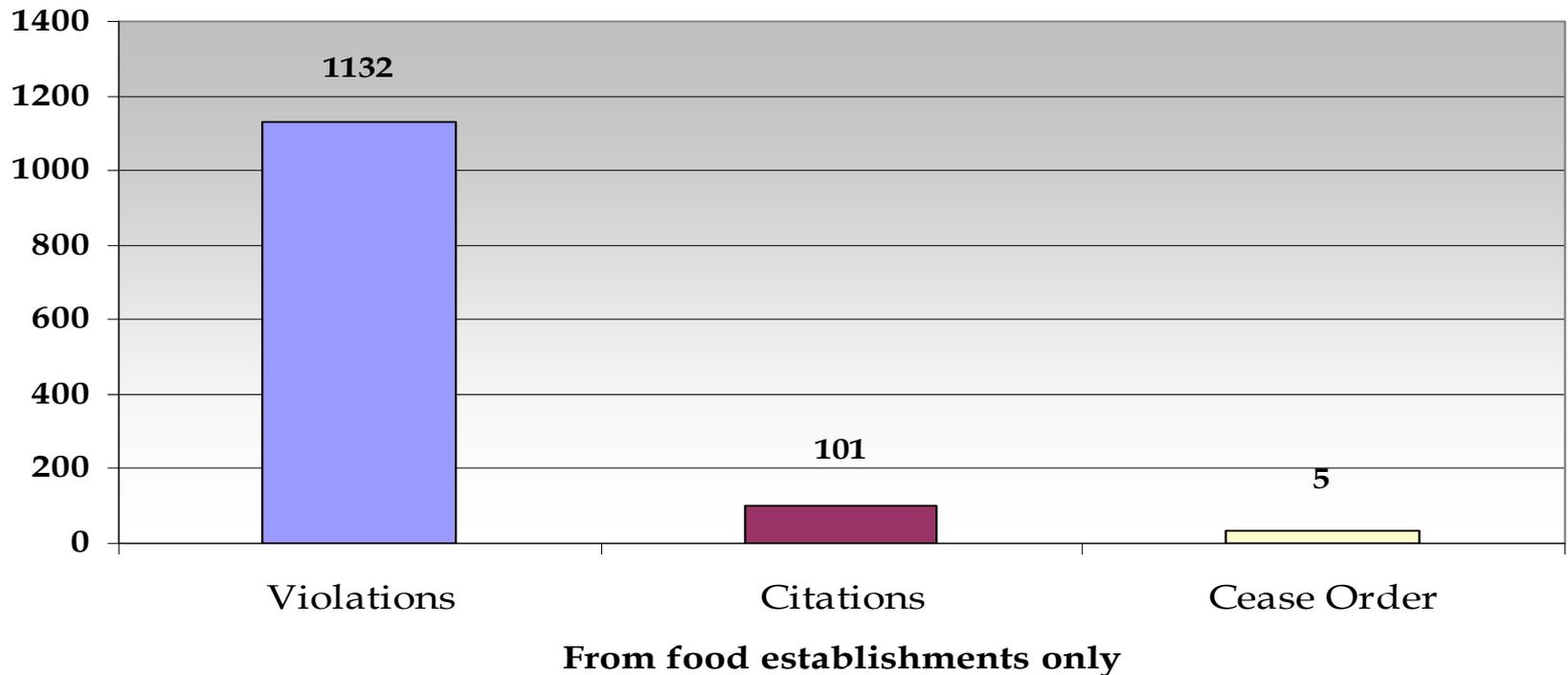
- ✓ Data collected from Health Departments according to the Compliant- Compliance data base.

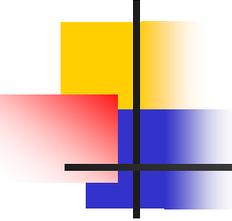
We have the results of the 1st year



Outcome # 4: Compliance Rate

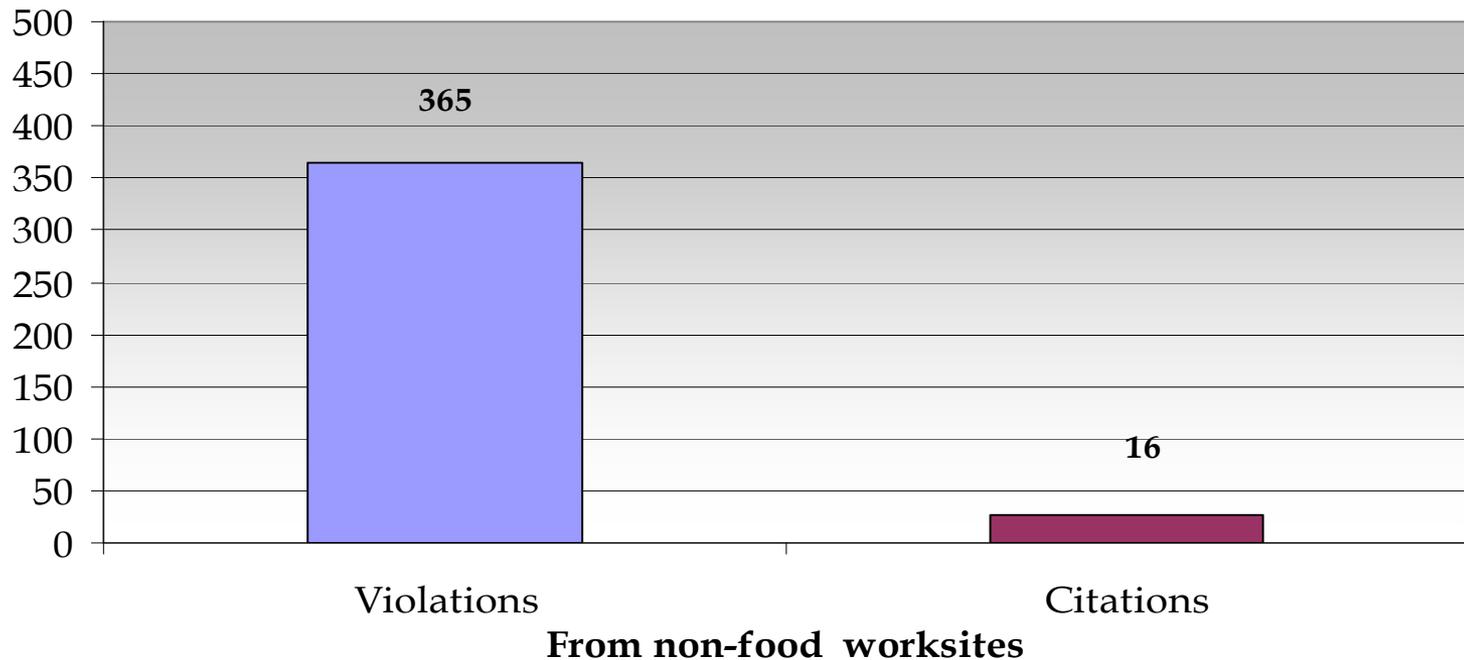
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Outcome # 4: Compliance Rate

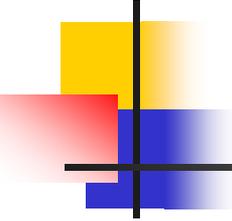
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Outcome # 5 Economic Impact

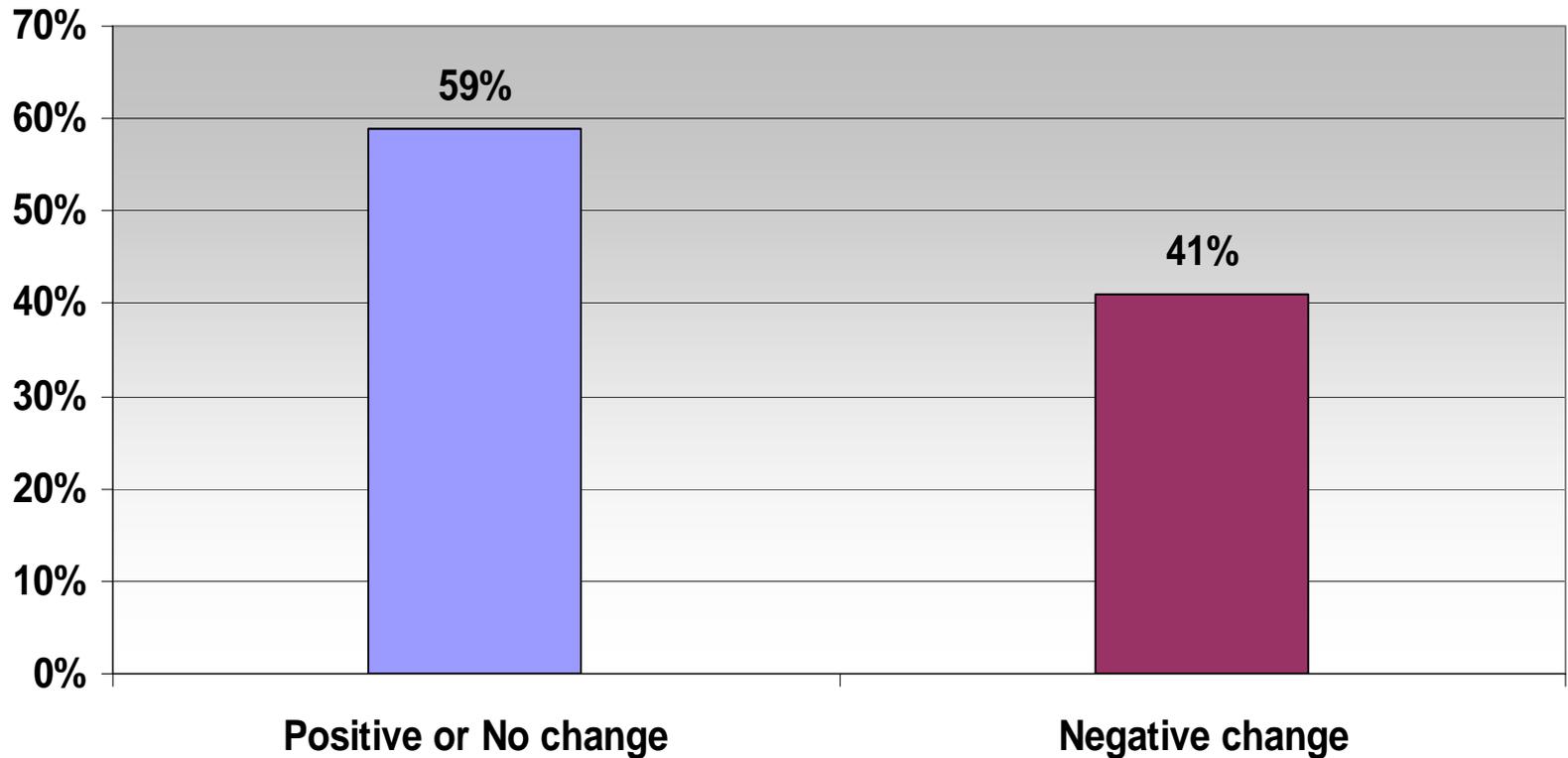
1- Business Impact : Owners/Managers survey after 6 months)

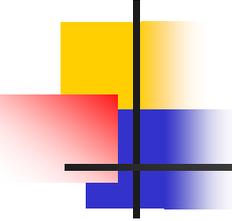
- ✓ To assess the owner's perception about their businesses
- ✓ Data were collected from 557 randomly selected food establishments (in 54 Counties).



Outcome # 5: Economic Impact

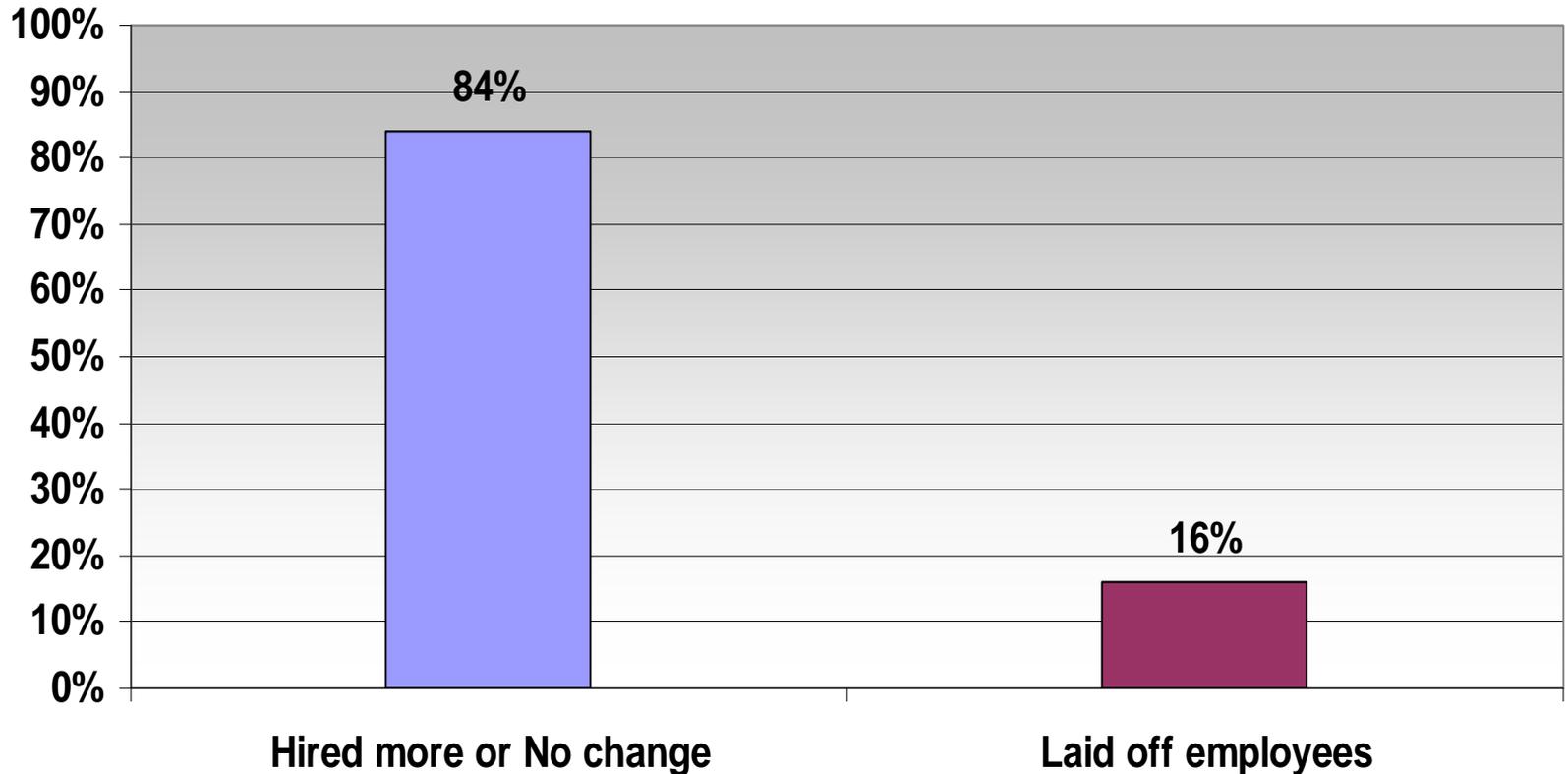
Owner's Perceptions: Financial Changes Noticed in Their Businesses

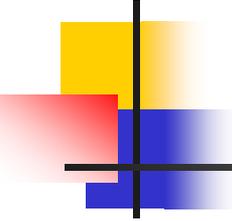




Outcome # 5: Economic Impact

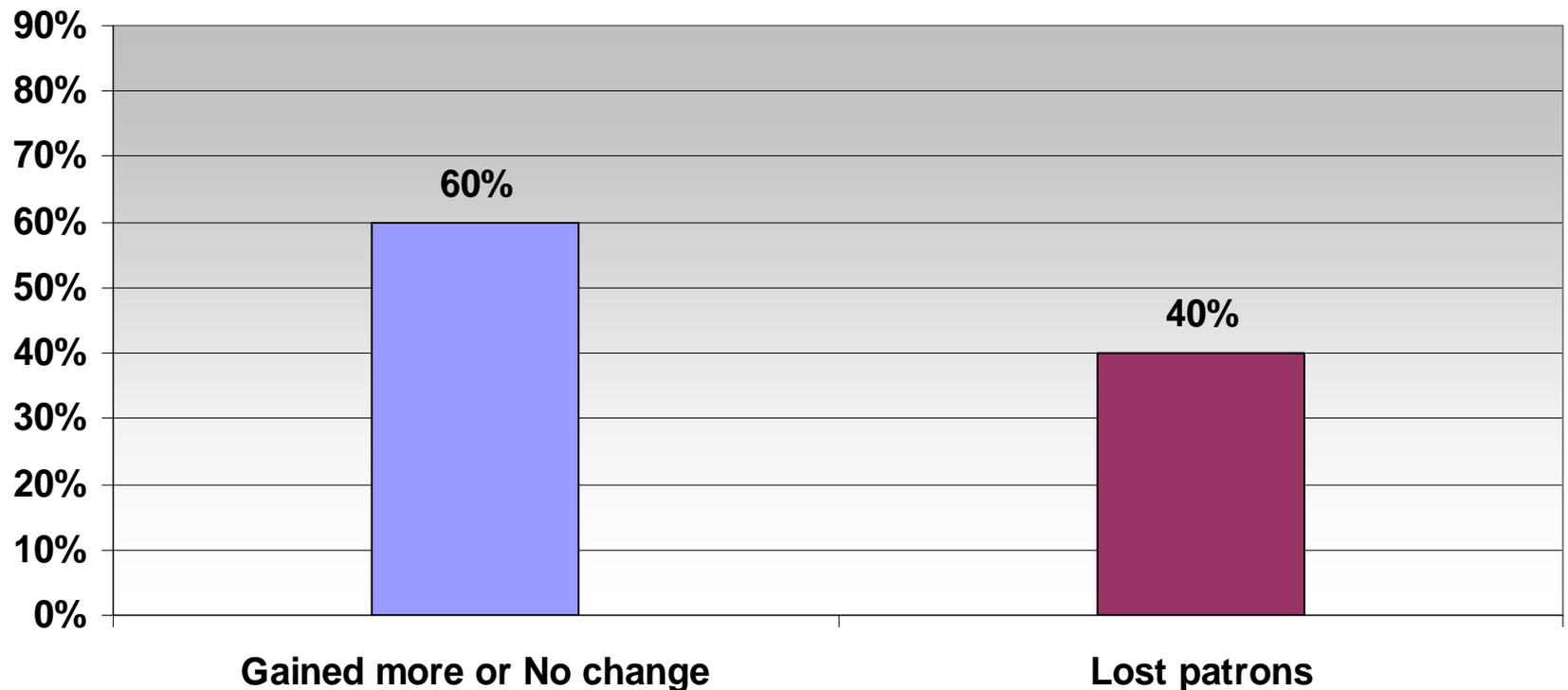
Owner's Perceptions: Hiring Employee After Smoke Free Law - October 2010





Outcome # 5: Economic Impact

Owner's Perception: Patron's Status in Their Establishments



Outcome # 5 Economic Impact

2- Sound Scientific Economic impact Study

- ✓ Analysis of existing data on ALL businesses.
- ✓ analysis essential to a
 - Revenues (sales tax revenues, total revenues)
 - Employment

- ✓ Partnering with a well-respected, economist from any University!

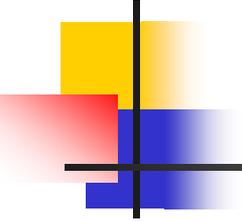
- ✓ Sufficiently long period before and after the policy change to allow assessment of underlying trends.

- ✓ Accounts for other factors that affect outcomes of interest
 - e.g. underlying economic and labor market conditions such as unemployment & population changes

How Tobacco Smoke Causes Disease: 2010



1. Brief exposure to tobacco smoke causes immediate harm to the body, damaging cells and blood vessels, and inflaming tissue in ways that can lead to serious illness and death.
2. Tobacco smoke damages DNA, leading to cancer.
3. Chemicals in tobacco smoke inflame the delicate lining of the lungs and can cause permanent damage, reducing the ability of the lungs to exchange air efficiently and leads to chronic obstructive pulmonary disease (COPD).
4. Secondhand smoke triggers heart attacks.



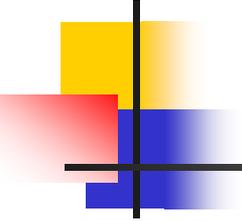
Health Impact on the general Public

Institute of Medicine-

Report (IOM)–2009 Conclusions:

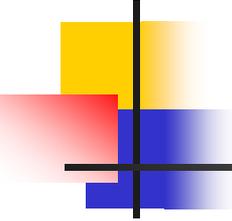
- ✓ There is a **causal** relationship between smoking bans and decreases in acute coronary events.
- ✓ There is a **causal** relationship between secondhand-smoke exposure and acute myocardial infarction.
- ✓ A **brief** exposure to secondhand smoke can precipitate an acute coronary event.

Health Impact on the general Public



“Hospital admissions for acute myocardial infarction (AMI) after one year of the implementation of Dr. Ron Davis Smoke Free Air Law in Michigan”.

- ✓ MDCH has developed committee from tobacco program, Bureau of epidemiology and MSU.
- ✓ Data will be : Hospital discharges occurring between January 1, 2007 and June 30, 2011.
- ✓ Assess AMI discharge rates before and after the implementation of the Dr. Ron Davis Smoke Free Air Law.
- ✓ study protocol has been submitted to IRB for approval.



Exemptions and Legal Challenges

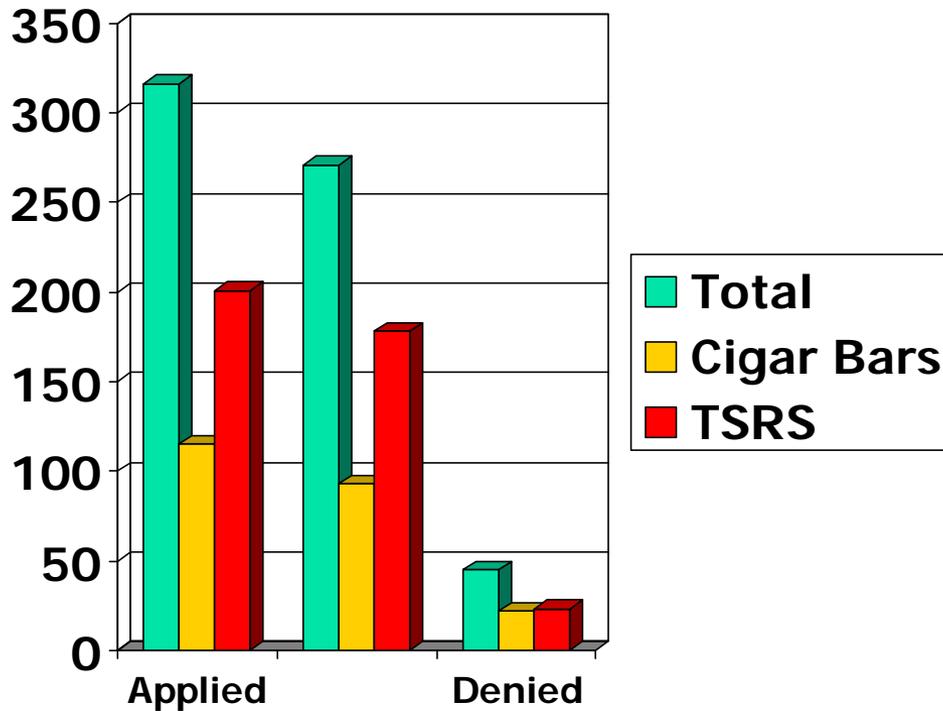
Regina Calcagno
Tobacco Free Michigan



Exemptions from the Smoke Free Law

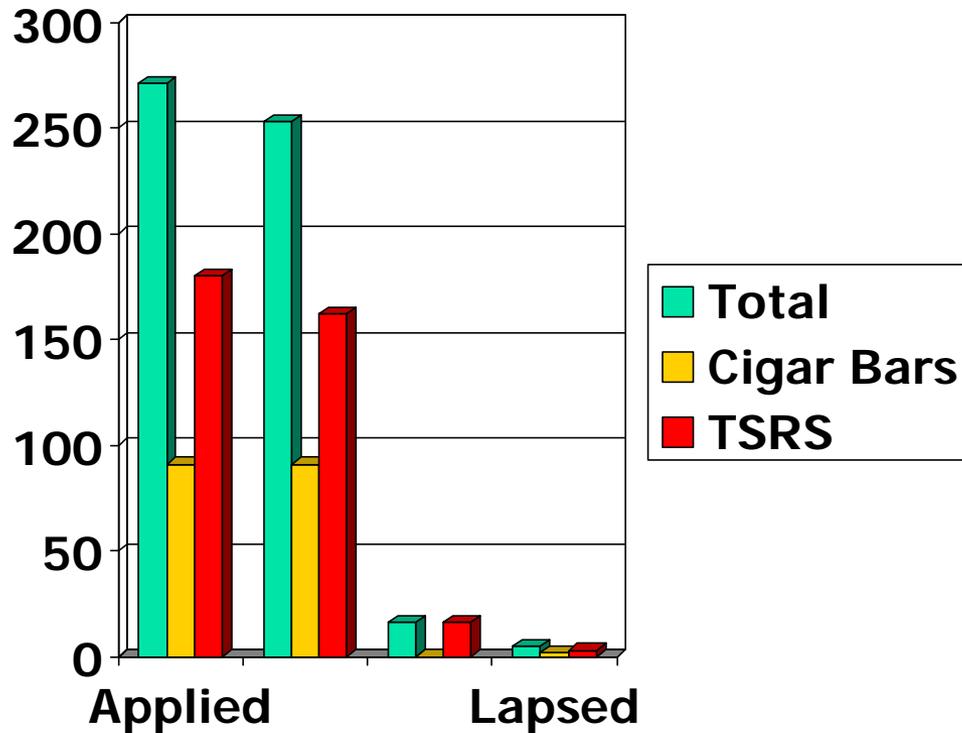
- Cigar Bars
- Tobacco Specialty Retail Stores
 - Smoke Shops
 - Hookah Lounges

2010



- Total Applications:
 - 115 Cigar Bars
 - 201 Tobacco Specialty Retail Stores
- Cigar Bars:
 - 93 Approved
 - 22 Denied
- Tobacco Specialty Retail Stores:
 - 178 Approved
 - 23 Denied

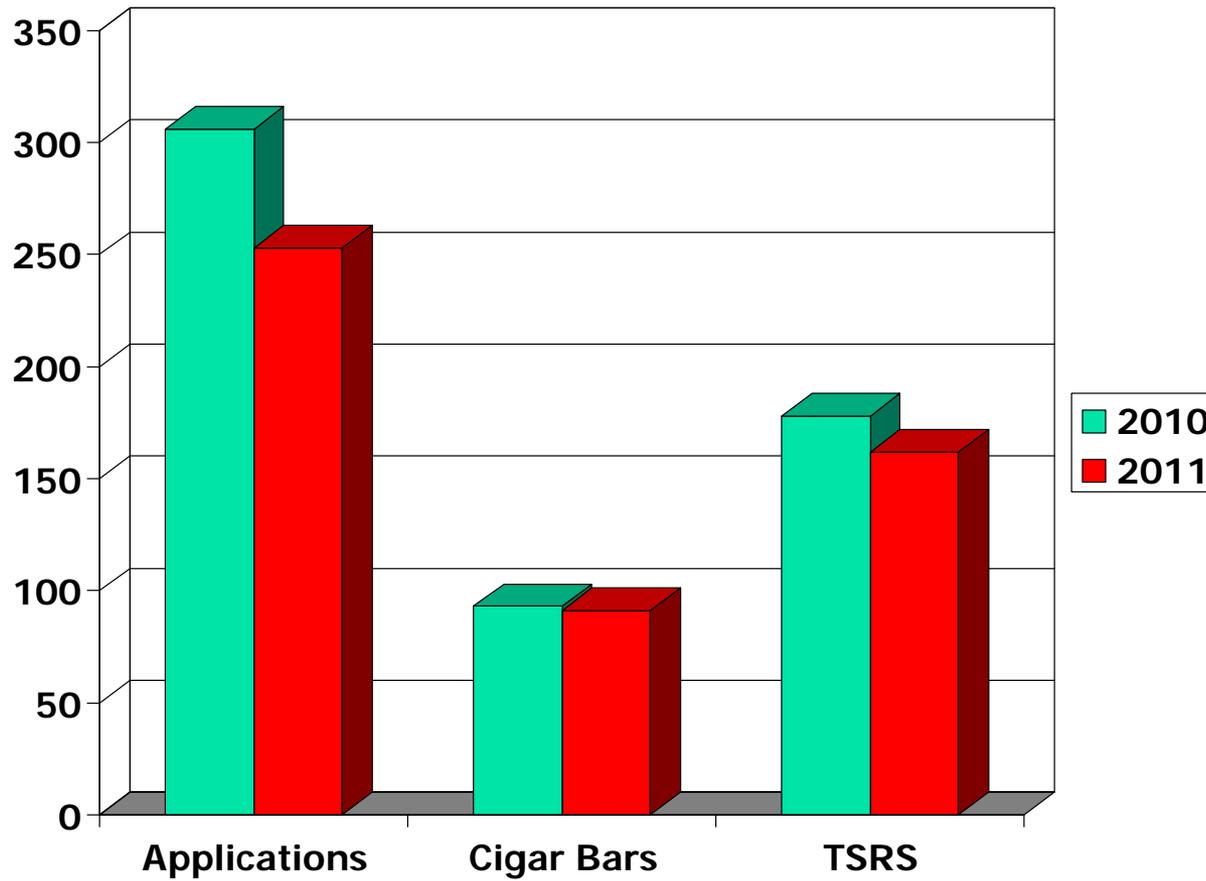
2011



- Total Applications
 - 91 Cigar Bars
 - 180 TSRS
- Cigar Bars
 - 91 Approved
 - 2 Lapsed
- Tobacco Specialty Retail Stores
 - 162 Approved
 - 16 Revoked
 - 2 Pending



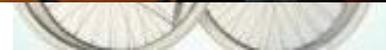
Year to Year Comparison





Legal Challenges

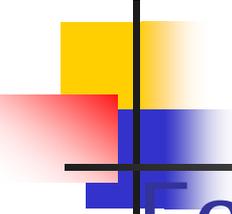






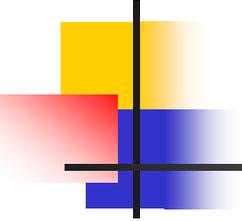
The Reality





Facts & Figures
Legislative Action
Next Steps

Matt Phelan, American Cancer
Society

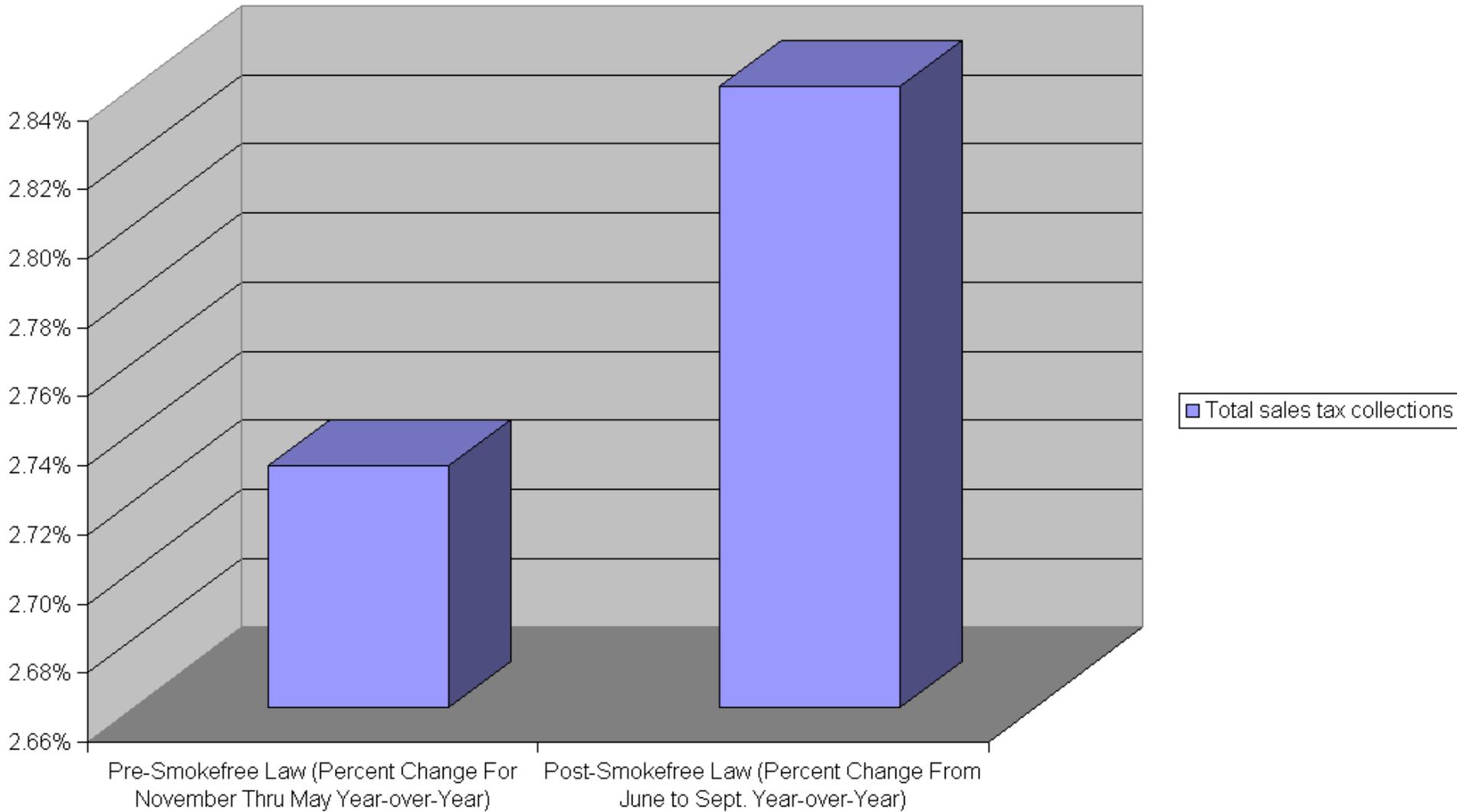


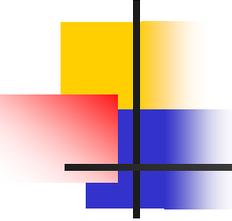
Facts are stubborn things; and whatever may be our wishes, our inclinations, or the dictates of our passions, they cannot alter the state of facts and evidence.

-John Adams

Michigan Department of Treasury Sales Tax Collections from Retail and Drinking Establishments Year-Over-Year Comparisons

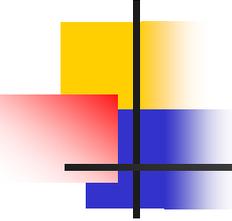
Chart Area





The FACTS using real data

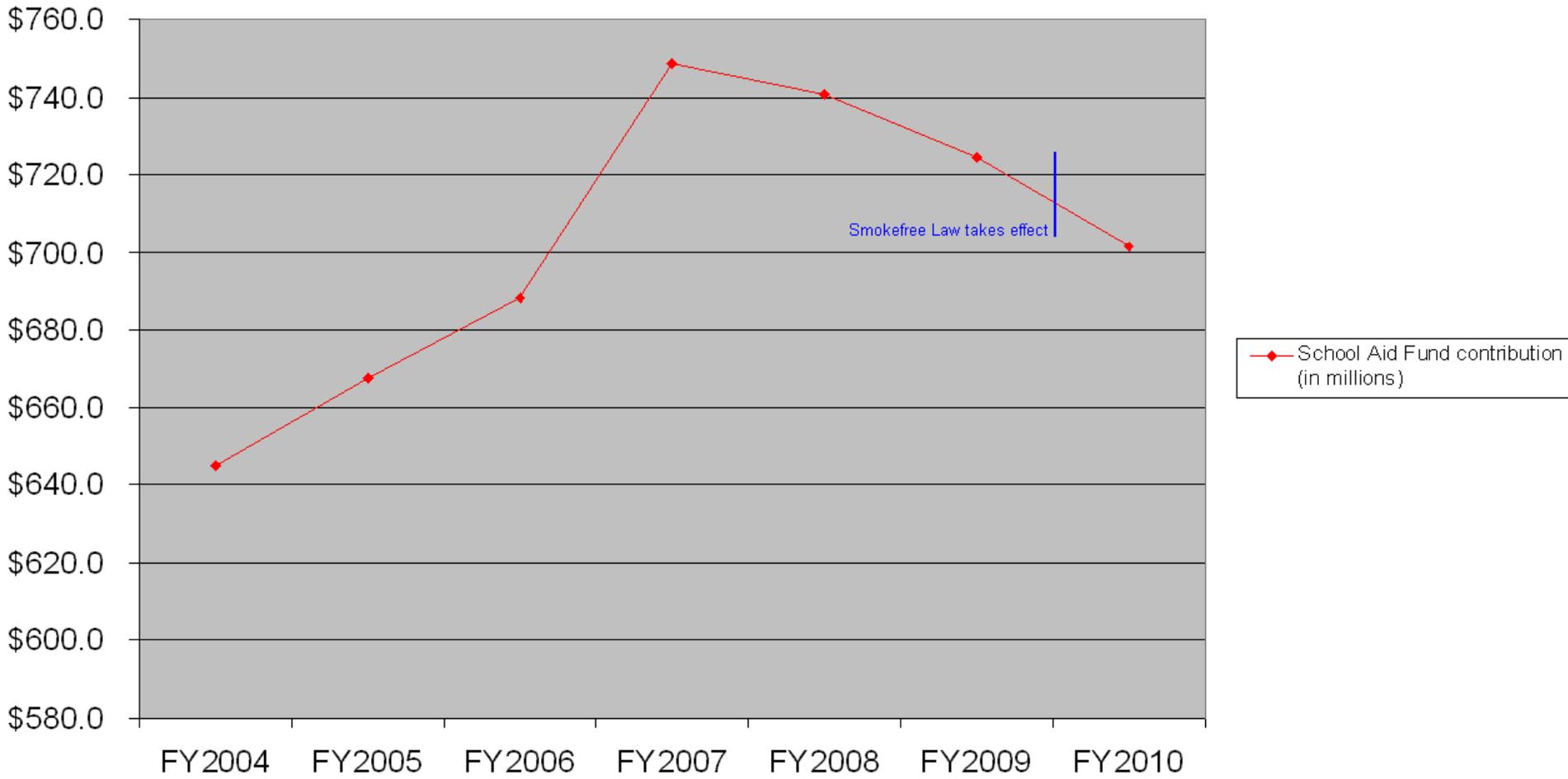
- Sales are **NOT** down industry wide by 20-30% in Michigan like some are saying.
- While taverns with liquor saw a 1.57 percent decrease in year-over-year sales tax collections in the 4 months after the smokefree law took effect, taverns with beer and/or wine only, **saw a 1.54 percent increase.**
- Michigan Dept. of Treasury Report

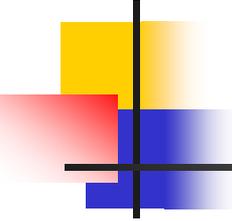


The FACTS using real data

- Bars are **NOT** closing more frequently after the smokefree law.
- The number of liquor licenses that wound up in escrow — an indicator of when places shut down or stop serving alcohol — **decreased from May 1 to November 12, 2010, compared with the same period the previous year, down to 240 from 278.**
- The Michigan Liquor Control Commission

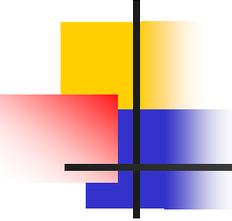
Lottery Totals





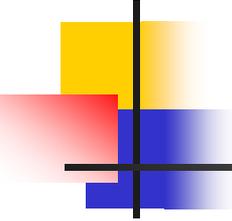
The FACTS using real data

- Public support for the smokefree air law is extremely high. All polls show that nearly 3 out of 4 Michigan residents support the smokefree law.
- Support increased to 74% according to an EPIC MRA poll taken after one year. That shows an increase of 8% over the last statewide poll conducted in March 2009.
- MDCH public opinion polls before and after the law, demonstrated 75% support pre-law and a post-law poll showed 73% support.



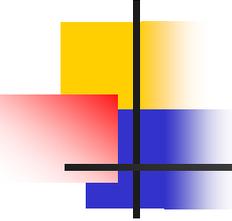
The FACTS using real data

- The EPIC MRA poll also showed that 93 percent of respondents are going out to eat in bars and restaurants just as often (73 percent) or more often (20 percent) than prior to enactment of the law.
- Twenty-three (23) percent of non-smokers polled are more likely to go out to eat in bars and restaurants.
- MDCH polls also found that the majority of residents were either eating out more often or just as often.



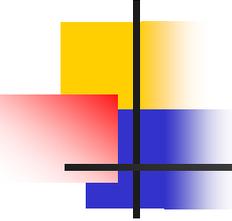
The FACTS using real data

- More people are attempting to quit smoking and cigarette sales have fallen since the law took effect.
- There's been a 66% increase in calls to the Tobacco Quitline since the law took effect. 6,332 residents enrolled from May 1, 2010 to March 30, 2011.
- Taxes from cigarette sales fell 6.2% in the second half of the year, compared with a 3.6% decline in the first half, according to Dept of Treasury estimates.
- For the whole year, which included eight months of the law, the state collected about 4% less than 2009 figures.



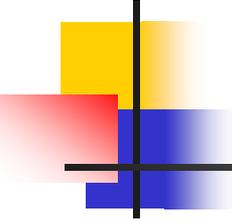
Legislative Action

- **HB 4127 - Doug Geiss (D-Taylor)** - allows smoking rooms, exempts outdoor patios where no food is served, and licensed clubs – referred to the House Committee on Regulatory Reform.
- **HB 4255 - Tim McMillin (R – Rochester Hills)** - exempts war veterans' organizations - referred to the House Committee on Regulatory Reform.
- **HB 4447 - Tim Melton (D - Pontiac)** - exempts outdoor patios of food service establishments - - referred to the House Committee on Regulatory Reform.
- **SB 352 - Rick Jones (R-Grand Ledge)** - allows smoking rooms, exempts outdoor patios - referred to the Senate Committee on Government Operations.



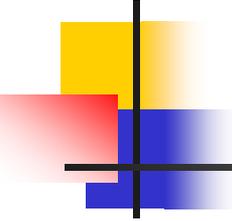
Legislative Action

- We STRONGLY oppose ANY legislation to change the law.
- Even minor changes are a threat to the entire law. If the law is opened up for changes, opposition will jump at the opportunity to make broad exemptions to substantially weaken the law.
- We will closely monitor any movement or proposed changes.



Next Steps

- Use good data to show the success of the law when talking to people and the media.
- Don't believe the "sky is falling" scenarios that opponents are selling.
- Voice your support for the smokefree law.
- The biggest impact on businesses is the economy and individual business practices.



Testimonial

We own the Bullfrog Bar & Grill in Redford, MI

Email, February 11, 2011

Dear Campaign for Smokefree Air,

We own the Bullfrog Bar & Grill in Redford, MI. Not only has our numbers increased since the smoking ban has been put in place but our electric bill has gone down from not running the costly smoke eaters all the time. Our shirt display is not turning yellow and no more complaints about someone's clothing being burnt. Not to mention all the health benefits. Most my staff are non smokers and they are happier and more productive now. My children, 4 and 7, can even come in the bar now just to see where Dad works during the day without breathing in 2nd hand smoke. We did not know in the beginning if this new law would be a good idea but now we can't believe how much better things are. Thank you for all you have done to pass this law! Here's to a healthier and more profitable Michigan!

Thank you,

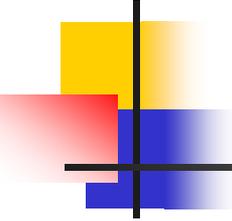
Jim Forner

The Bullfrog

"MI Best Live Music Venue '08, '09" Real Detroit

"MI Best Live Venue 2010" Peoples Choice Music Awards

"4 The Best List" WDIV Channel 4



Conclusion

- The public continues to support the Smoke Free Law.
- Compliance and Enforcement of the Law has been high.
- Legal issues are being appropriately addressed
- Surveillance and Evaluation of the Law continues.
- To date, the Law has not caused a negative economic impact.
- Since passage of the Law, quit attempts have increased.