



February 25, 2013

The Honorable State Representative Mitch Greenlick  
Chairman, House Committee on Health Care  
900 Court St. NE, H-492  
Salem, OR 97301

**RE: Support HB 2896**

Dear Chairman Greenlick,

As President of the American Society for Dermatologic Surgery Association (ASDSA), a surgical specialty organization representing over 5,700 physician members, I am writing to urge the support of yourself and the members of the House Committee on Health care for HB 2896, an act to prohibit minors from indoor tanning under the age of 18.

This bill is an important step in improving the health of the citizens of your state. Diagnoses of skin cancer have increased by more than 5% annually since 2006. I would ask that you respectfully consider an amendment to the proposed legislation that would strike Section 2(b) and all of the subsections contained within 2(b), pertaining to physician prescription exemptions. As stated, allowing a physician to prescribe indoor tanning for treatment could allow teens to circumvent the law as intended in this proposal by seeking prescriptions from a physician to tan. We recommend that any physician exemptions for teens to tan to contain language that would allow physicians to prescribe phototherapy to be performed by a licensed physician in a physician's office or place of practice.

The indoor tanning industry has fought hard to include provisions that would allow a physician to prescribe a teen to use a tanning facility for a medical purpose, as it provides the indoor tanning lobbyists with a weak argument that declares indoor tanning devices to have a medical purpose. Phototherapy treatments are performed using smaller devices that limit the UV exposure to the skin to the area undergoing treatment under supervision by licensed and trained physicians. An indoor tanning device would expose the entire body to harmful UV radiation with limited control of the dosage and exposure timers.

Recent studies show a disturbing trend – there is a steady rise in the number of young women diagnosed with melanoma, and at more advanced stages. It is not coincidental that this demographic is also significantly more likely to use tanning beds than their male counterparts.

**Indoor Tanning is ranked within the World Health Organization's highest cancer-risk category.** In 2009, the International Agency for Research on Cancer, the cancer division of the World Health Organization, classified tanning beds as "carcinogenic to humans" — the agency's highest cancer-risk category, which also includes asbestos, plutonium, and tobacco smoking. Total doses of ultraviolet rays from a tanning bed may be as much as five times more than natural sunlight, meaning that just 20 minutes spent in a tanning salon may be equal to 2-3 hours in the noontime sun, according to a 2008 scientific article from *Dermatologic Surgery*.<sup>1</sup>

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<sup>1</sup> Ibrahim, S; Brown, M; Tanning and Cutaneous Malignancy. *Dermatol Surg.* 2008;34:460–474.

Acknowledging the popularity of indoor tanning amongst teens, the World Health Organization and the International Commission on Non-Ionizing Radiation Protection have recommended that indoor tanning be restricted to only those ages eighteen and older.

**Indoor tanning is a threat to the health and safety of our youth with no signs of slowing down.** A 2006 study of the 100 most populous cities in the United States found that there was an average of 42 tanning salons per city—exceeding the number of Starbucks or McDonald's. The same study demonstrated that 76% of teens lived within two miles of a tanning salon.<sup>2</sup> Not only are minors more susceptible to misinformation about indoor tanning, minors are increasing their use of indoor tanning devices and consequently, increasing their incidence of melanoma.

**Melanoma, the most deadly form of skin cancer, has been repeatedly linked to indoor tanning.** As a common cause of melanoma, the deadliest form of skin cancer, consumers should be protected from the sea of misinformation about this dangerous activity. A scientific paper entitled *Recent Tanning Bed Use: A Risk Factor for Melanoma* stated that sun or UV radiation is one of the primary causal factors in the development of melanoma and that indoor tanning increases one's risk of melanoma.<sup>3</sup>

**The Federal Trade Commission has ruled against claiming health benefits for indoor tanning.** Members of the indoor tanning industry have tried repeatedly to discredit the medical research linking indoor tanning to cancer, instead advertising health benefits, including the prevention of lung, kidney, and liver cancers through use of UV devices. In a 2010 ruling, the Federal Trade Commission (FTC) found that such claims constitute unfair or deceptive acts or practices, and that the making of false advertisements, in or affecting commerce is in violation of the Federal Trade Commission Act.<sup>4</sup>

**Model legislation has passed in California and Vermont.** On October 9, 2011, California passed SB 746, becoming the first state to ban the use of indoor tanning beds for all minors under the age of 18. Vermont passed HB 157 on May 2, 2012, banning minors from tanning. Nationwide, 33 states have enacted some level of indoor tanning prohibitions for minors. Of the 17 states with no indoor tanning prohibitions for minors, 8 states (including Washington DC) considered an indoor tanning bill in the previous (2011-2012) legislative session.

**The ASDSA urges you to support HB 2896.** This is an issue focusing on public health and wellness, public education, and public safety. By passing this bill, the state is proactively committed to protecting its citizens from additional risk from skin cancer, and helping educate the public on the risks of any level of exposure to artificially-emitted ultraviolet radiation.

I urge you to support this act in committee, and to send this bill to the Senate floor for a vote with favorable support. Should you have any questions please do not hesitate to contact John Geahan, Public Policy Specialist, at (847) 956-9121, or by email at [jgeahan@asds.net](mailto:jgeahan@asds.net).

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<sup>2</sup>2006: Number of Tanning Salons. CITY 100: Controlling Indoor Tanning in Youth. Retrieved from: <http://indoortanningreportcard.com/numberofsalons.html>

<sup>3</sup> Buckel, T; et al; Recent Tanning Bed Use: A Risk Factor for Melanoma. *Arch Dermatol.* 2006; 142: 485-488.

<sup>4</sup> File No. 082-3159; United States of America Federal Trade Commission Complaint in the Matter of Indoor Tanning Association, a Corporation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Timothy C. Flynn, MD'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Timothy C. Flynn, MD  
President

cc: Mitchel P. Goldman, MD, President-Elect, ASDSA  
George J. Hruza, MD, Vice President, ASDSA  
Thomas E. Rohrer, MD, Secretary, ASDSA  
Abel Torres, MD, Treasurer, ASDSA  
Susan H. Weinkle, MD, Immediate Past President, ASDSA  
Katherine J. Duerdoth, CAE, Executive Director, ASDSA  
Lisle Soukup, Director of Advocacy and Public Policy, ASDSA

# Indoor Tanning Restrictions by State

- No Tanning Restrictions
- Only Requires Parental Consent
- Underage Tanning Banned\*
- Underage Ban & Parental Permission Required\*\*

