

DATE: March 30, 2017
TO: Senate Committee on Health Care
FROM: Stacy Michaelson, Association of Oregon Counties
SUBJECT: SB 799

Chair Monnes Anderson, Members of the Committee:

For the record, I'm Stacy Michaelson, Health & Human Services Policy Manager for the Association of Oregon Counties. We represent county government collectively, and have a vested interest in public health issues as our county boards have statutory responsibility for acting as the Local Public Health Authority (LPHA). Our commissioners and judges have a responsibility to look out for the health of their communities and take measure to protect population health, but they are also concerned about individual health impacts.

As such, AOC values a strict adherence to the Oregon Indoor Clean Air Act (OICAA), one of the most momentous public health policies to pass in recent decades. There is a plethora of research on the impacts of tobacco use on health, and as a society we have come a long way in understanding the role tobacco plays in community health, not simply the impacts to individual smokers. We understand the danger of second-hand smoke and have prioritized protecting the health and safety of workers who previously did not have a choice regarding their level of exposure. While there is less research (and, I would note, less regulation) on nicotine inhalant delivery systems, we do know that there are adverse health impacts from nicotine. For this reason, we have supported including these devices under OICAA.

I understand that this bill focuses specifically on samples that do not include nicotine, but I would argue we are far from understanding the effects of inhaling "e-juice" regardless of the nicotine content. It took years for our society to recognize the harmful effects of smoking cigarettes. Our lesson learned should be to err on the side of caution and not assume that something is safe until proven otherwise. So, at this time, we believe that sampling – even of nicotine free substances – should not be allowed as an exemption under the OICAA. We believe in strengthening the OICAA, not creating additional loopholes and opportunities for adverse health impacts.

This is illustrated by the fact that local governments have considered this issue from the perspective of passing local ordinances banning such sampling. And that highlights a broader issue that AOC has with SB 799, which is that it does not allow for local control and decision-making regarding the public health decisions that are best for our communities. Our members take very seriously their role as the Board of Health in their communities, and the ability to pass ordinances such as this to protect their citizens is an important tool in the toolbox.

I ask you to support your county partners in their work as the Local Public Health Authority, by opposing SB 799. Thank you.