

Central District Coordinating Council Quarterly Meeting



Public Health
Prevent. Promote. Protect.
Central District
Coordinating Council

April 30, 2019



Central District Coordinating Council (DCC) Infrastructure:



Public Health
Prevent. Promote. Protect.
Central District
Coordinating Council

- ▶ **State Coordinating Council for Public Health (SCC)**
– Joanne Joy
- ▶ **Workgroup & Project Updates**
 - **Infectious Disease update** – Donna Guppy
 - **District-wide Prevention Messaging** – Nicole Poulin, Jim Wood
 - **Oral Health** – Jane Allen
 - **ACEs/Resiliency** – Elizabeth Barron, Denise Delorie
 - **Partners for Recovery Grant** – Shane Gallagher, Brie Karstens
 - **Shared CHNA (Community Health Needs Assessment)**



Selected Reportable Diseases in Maine, Year to Date (YTD) and Five Year Median through March 2019

Table 1: High volume diseases (more than 50 cases in 2018)

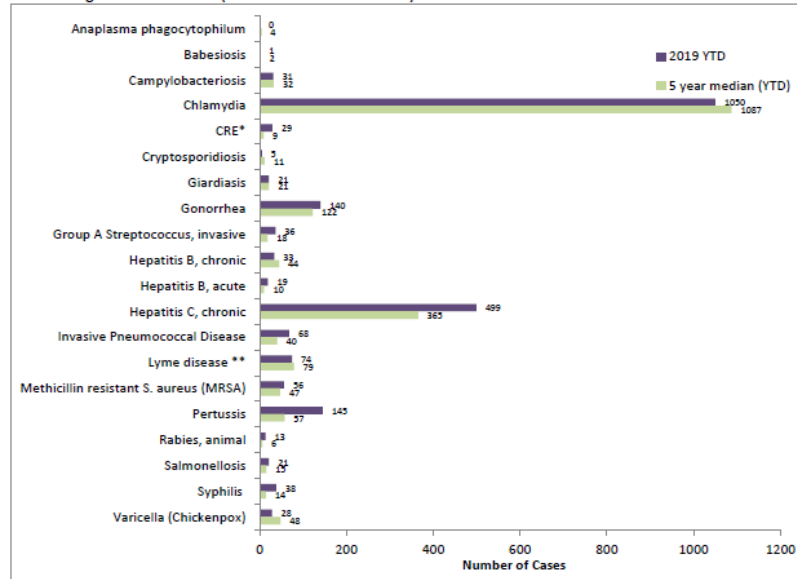
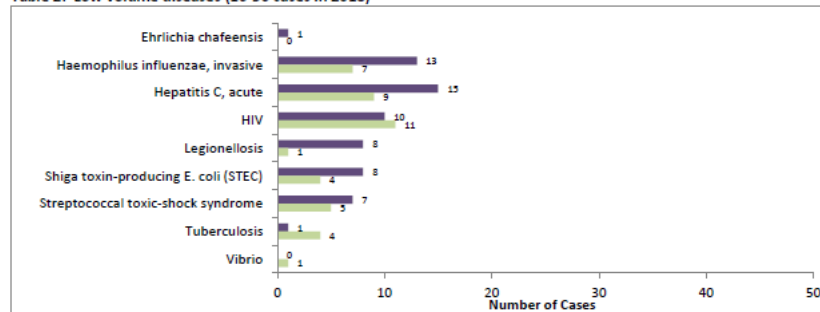


Table 2: Low volume diseases (10-50 cases in 2018)



*Carbapenem-resistant Enterobacteriaceae (CRE) does not have a 5-year median available so 2018 YTD is used

**Lyme disease surveillance is a passive system and make take several months for cases to be counted

Data are preliminary as of 4/17/2019

<https://www.cdc.gov/measles/about/photos.html>

Central District Coordinating Council (DCC) Infrastructure:



► *Prevention Services Contracts – any questions?*

- *Substance Use Prevention*
- *Tobacco Use & Exposure Prevention*
- *Youth Engagement*
- *'Let's Go' / Obesity Prevention*

Maine Center for Disease Control and Prevention

Central District Coordinating Council (DCC)



E-Cigarettes & Vaping: Use, Marketing, and Implications

*Kristen McAuley, Director, Prevention & Training,
Center for Tobacco Independence,
Maine Health Center for Health Improvement*

Maine Center for Disease Control and Prevention

E-Cigarettes & Vaping: Use, Marketing & Implications



MAINE
PREVENTION
SERVICES

Maine Center for Disease Control & Prevention
Department of Health and Human Services

Overview

- Maine Tobacco Statutes
- ENDS Use & Implications
- Marketing, Flavors & Youth
- Help is Available

Tobacco Products



“...any product made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed...”

“...an electronic smoking device and any component or accessory used in the consumption of a tobacco product...whether or not they contain nicotine.”

E-Cigarettes & Maine Law

- “Public Places” (M.R.S. §1541)
 - Updated in 2015 to include Electronic Products
 - Public place is defined as any place not open to the sky into which the public is invited or allowed
 - Definition is different for Worksites (under 22 M.R.S. §1580-A), and use of e-cigs is not prohibited UNLESS the worksite is also a public place
- School Grounds
 - E-cigs are not explicitly prohibited on school grounds – but the template maintained by MSMA includes them
 - LD 152: An Act to Prohibit Use and Possession on School Grounds
- Internet Sales
 - The sale of any tobacco product – with the exception of premium cigars – through the internet is prohibited in Maine
 - To sell tobacco products, a license must be maintained through the Maine Health Inspection Program

Tobacco 21



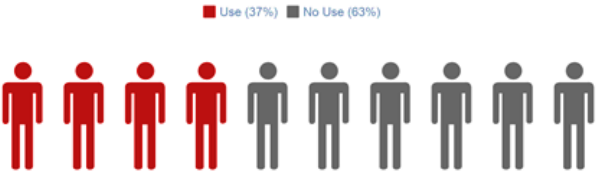
WARNING
Tobacco Products cannot be sold to any person under 21 unless the person is 18 years of age as of July 1, 2018
MAINE STATE LAW TITLE 22 M.R.S. §1551 AND §1555-B

 Hookah	 Electronic Cigarettes*	 Dissolvable
 Smokeless Tobacco	 Cigarettes	 All Cigars
 Rolling Papers	 Pipe Tobacco	*Electronic Smoking Devices, whether or not they contain nicotine, including, but not limited to: JUUL Accessories Components Liquids

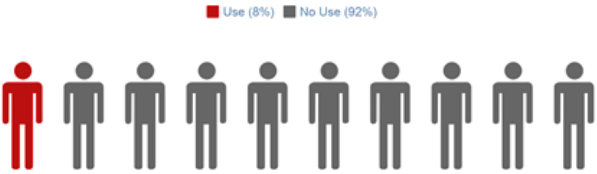
State of Maine Office of the Attorney General | Maine State Seal | **NO BUTS!** for kids here | 1-800-287-1238

The Good News...

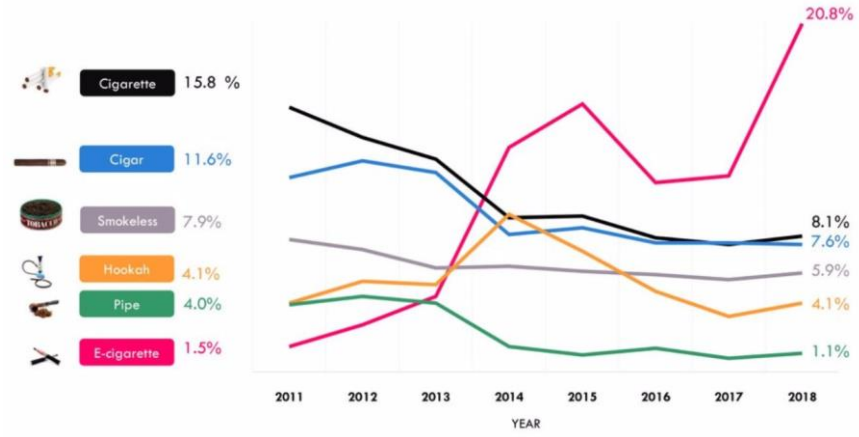
Combustible Tobacco Product Use, High School, 1997



Combustible Tobacco Product Use, High School, 2017

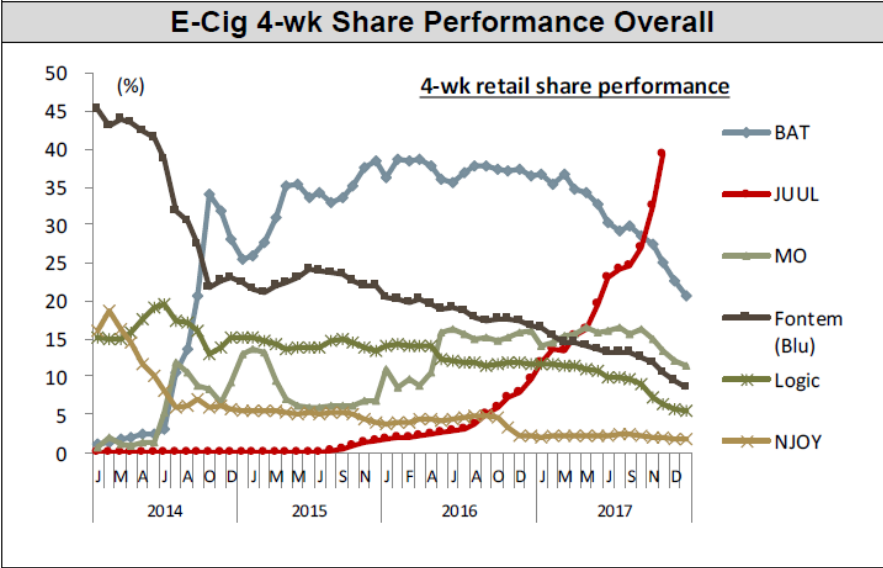


The Bad News...



NYTS: 2011-2018

The rise of JUUL



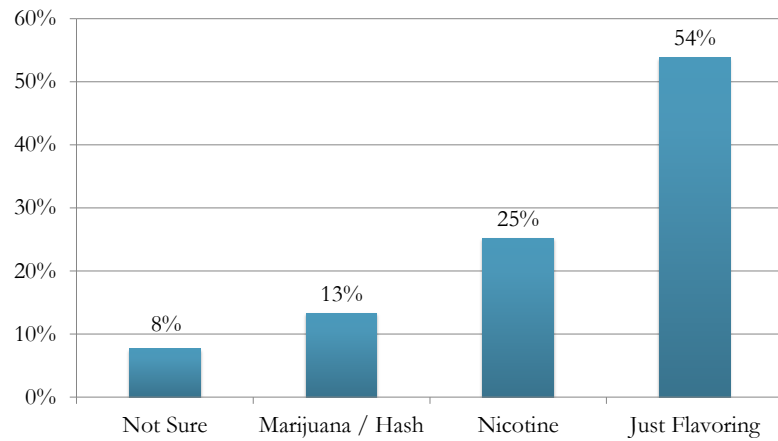


What's really in these products?

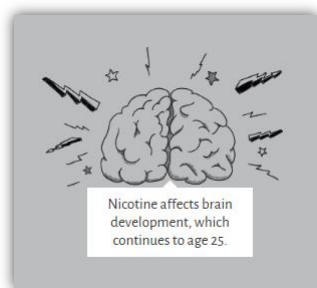
99.6% of **ALL E-CIGARETTE PRODUCTS** sold contain **NICOTINE**

One **JUUL POD** contains the same amount of **NICOTINE** as a pack of **CIGARETTES**

Maine High School Youth: Last Time Vaped, Product Used



Brain & Behavior Risks

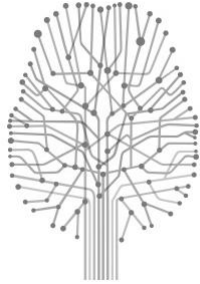


Nicotine is an addictive substance

During periods of brain development, use of nicotine disrupts the growth of brain circuits that control attention, learning and susceptibility to addiction

Nicotine can also lead to mood disorders and permanent lowering of impulse control

Addiction



The nicotine in e-cigarettes and other tobacco products can also prime the adolescent brain for addiction to other drugs.

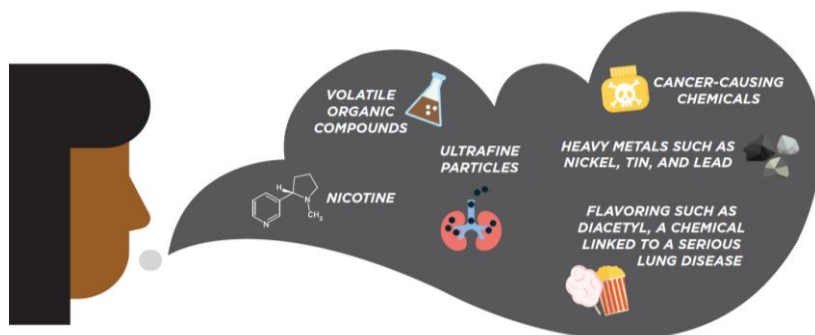
2017 MIYHS – HS w/ past 30 day ENDS use

- 57% had also smoked a cigarette
- 49% had also used marijuana



E-Cigarette Aerosol is Not Harmless

THE E-CIGARETTE AEROSOL THAT USERS BREATHE FROM THE DEVICE AND EXHALE CAN CONTAIN HARMFUL AND POTENTIALLY HARMFUL SUBSTANCES:



Additional Dangers: Unintended Injuries

- Poisonings:
 - Children, pets and adults have been poisoned by swallowing, breathing or absorbing e-cigarette liquid.
- Explosions:
 - Defective e-cigarette batteries have caused fires and explosions, some of which have resulted in serious injuries.

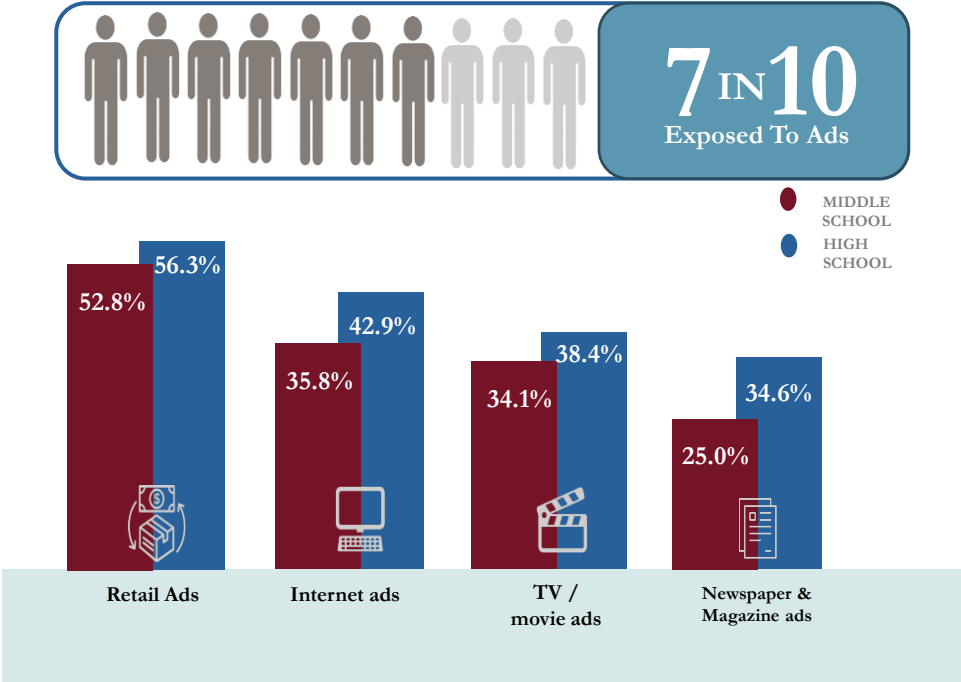


Targeting Maine's Youth

“The base of our business is the high school student”

- Lorillard tobacco company

In Maine alone, Tobacco Companies spend over \$46 million a year to target and gain new customers.



E-cigarette Marketing Uses Traditional Tactics

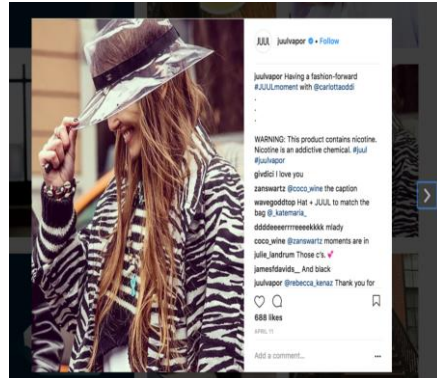
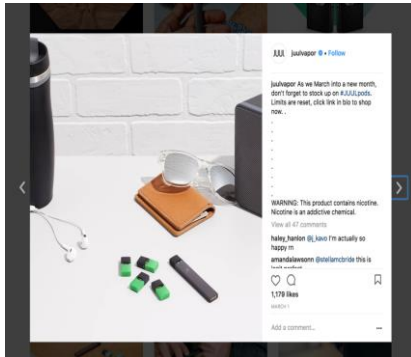
THEN



NOW



New Techniques



- Act with kindness and compassion.
- Be an active listener.
- Be a role model.
- Set high standards.
- Take responsibility.
- Embrace change.

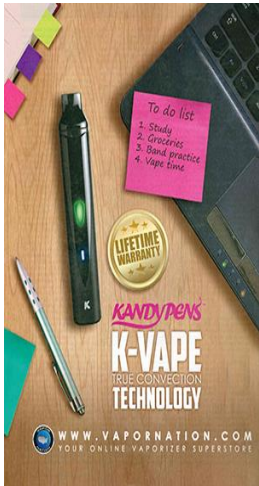
MaineHealth



MaineHealth

85% of E-Cigarette users ages 12-17
use flavors

Big Tobacco knows this and tried to
exploit it with flavors appealing
directly to youth



Net Public Health Benefit or Harm?



Help Reduce Exposure to & Use of E-Cigarettes

TAKE ACTION

- RESTRICT E-CIGARETTE USE AROUND YOUNG PEOPLE
- VISIT TOBACCO-FREE LOCATIONS IN MAINE
- ENSURE YOUR SCHOOL IS TOBACCO-FREE
- MAKE YOUR HOME TOBACCO-FREE
- BE AN EXAMPLE
- TAKE A STAND: VISIT YOU ARE THE TARGET

MaineHealth
Center for Tobacco
Independence



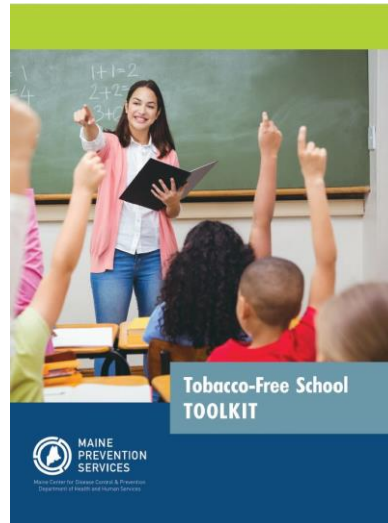
MaineHealth
Center for Tobacco
Independence

SIDEKICKS



**MAINE
PREVENTION
SERVICES**

Maine Center for Disease Control & Prevention
Department of Health and Human Services



Central District Coordinating Council (DCC)



'Hidden In Plain Sight' Demonstration

Danielle Denis, DFC Coordinator, Somerset Public Health

Matt L'Italien, Project Director, Somerset Public Health

- ***interactive mock teenager's bedroom***
- ***identify clues that could indicate risky behaviors including self-harm or the use of drugs, alcohol, or tobacco***
- ▶ ***view demo & networking break...***

Central District Coordinating Council (DCC)



Maine Marijuana Laws and Issues Update

*Scott Gagnon, Director of Operations,
AdCare Educational Institute of Maine
and Project Director,
New England Prevention Technology Transfer Center*

Maine Center for Disease Control and Prevention

MARIJUANA LEGALIZATION IMPLEMENTATION, AND CHANGES TO MEDICAL MARIJUANA LAWS – WHERE WE ARE NOW...FOR NOW...

Scott M. Gagnon, MPP, PS-C

Director, AdCare Educational Institute of Maine, Inc.

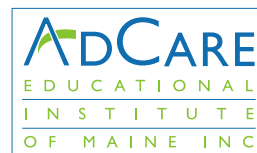
Director, New England Prevention Technology Transfer
Center – April 30th, 2019



New England (HHS Region 1)

PTTC

Prevention Technology Transfer Center Network
Funded by Substance Abuse and Mental Health Services Administration



ABOUT THE PRESENTER

Scott M. Gagnon, MPP, PS-C

- Director of Operations, AdCare Educational Institute of Maine, Inc.
- Director, New England Prevention Technology Transfer Center
- SAMHSA, Center for Substance Abuse Prevention National Advisory Council
- Smart Approaches to Marijuana, Maine
- Member, Maine Marijuana Advisory Commission
- Trainer, New England Addiction Technology Transfer Center
- Regional and National Presenter on Marijuana Science & Policy

Recap: What's Happened Since Q1 Passed?

- Committee on Marijuana Legalization Implementation
- Implementation bill LD 1650 was vetoed by Governor LePage and sustained by Maine House.
- Work on implementation restarted with LD 1719 with goal of improvements to win Governor's approval or enough votes to override a veto.
- LD 1719 passed both houses, was vetoed by the Governor, but veto was overturned by both houses
- Draft Rules for retail marijuana licensing released April 22nd to the public: <https://www.maine.gov/dafs/services/marijuana/rule-making/draft-rules>

WHAT WAS PASSED IN
LD 1719?

Regulatory Structure

- The Department of Administrative and Financial Services (DAFS) will be the sole agency responsible for implementation, administration and enforcement for the adult use marijuana market.
- Requires DAFS to consult with DACF, DOL, DPS, and DHHS during rulemaking.
- Shifts the administration and enforcement of the Maine Medical Use of Marijuana Act and the medical marijuana program from DHHS to DAFS
- Requires DAFS to consult with DHHS prior to the adoption or amendment of rule under the Maine Medical Use of Marijuana Act.

Qualifications for personal use of marijuana and home cultivation

- Persons 21 years of age or older are allowed to possess 2.5 ounces of marijuana or marijuana products that includes up to 5 grams of marijuana concentrate.
- Persons 21 years of age or older are allowed to have 3 mature marijuana plants, 12 immature marijuana plants, and unlimited seedlings at their residence or on someone else's land by written agreement.
 - Municipalities may pass ordinances limiting the total number of mature plants allowed on a parcel of land.

Qualifications for personal use cont'd

- A person who cultivates marijuana for personal use shall ensure marijuana is not visible from a public way; take reasonable precautions to prevent unauthorized access; attached an identification tag to each mature and immature plant; and comply with applicable local regulations.
- Home extraction of marijuana concentrates with an inherently hazardous substance is prohibited.

Five types of licenses

- **Retail store** – final point of sale for marijuana and marijuana products to the public.
- **Cultivation facility** – grow marijuana for wholesale and distribution to other licensees, four tiered system of licenses.
- **Nursery cultivation facility** - allows cultivation of immature plants, clones, and seeds for sale and distribution to other licensees, may not sell flower.
- **Testing facility** – perform lab tests on marijuana and marijuana products for purity, potency, heavy metals, etc.
- **Products manufacturing facility** – convert flower into edibles, topicals, and concentrates. Marijuana extraction method using inherently hazardous substance requires additional department approval.
- REMOVES provisions regulating the licensure and operation of marijuana social clubs.

Licensing Criteria

- Must be at least 21 years of age.
- Applicant must be a Maine resident.
- Must have filed a resident income tax return in each of the four years prior to the date of application for licensure. Requirement is repealed June 1, 2021.
- For entities, all officers/directors/managers must be residents and majority owners.
- Must submit to a criminal history record check and may not have a disqualifying drug offense within the past 10 years.
- All adult use marijuana establishments must track marijuana and marijuana products from immature plant to point of retail sale, disposal, or destruction.
- Employees must be at least 21 years of age.
- Persons under the age of 21 years are prohibited from entering a marijuana establishment

Licensure – Retail Stores

- No statewide cap on retail stores.
- Single licensee cap of no more than 4 retail store licenses with direct or indirect financial interest. Limitation is repealed January 1, 2022.
- PROHIBITS retail stores from selling adult use marijuana using: an automated dispensing machine; a drive-through sales window; an internet-based sales platform; a delivery service.
- PROHIBITS medical and adult use stores from colocation within the same facility or building.

Licensure - Cultivation

- No statewide plant canopy cap.
- “Plant canopy” means the total surface area within the licensed premises of a cultivation facility that is authorized to cultivate mature marijuana plants.
- Tiers of cultivation facility license types:
 - Tier 1 – up to 30 mature plants or 500 SF of plant canopy
 - Tier 2 – up to 2,000 SF of plant canopy
 - Tier 3 – up to 7,000 SF of plant canopy
 - Tier 4 – up to 20,000 SF of plant canopy
- Nursery cultivation facility license – up to 1,000 SF of plant canopy subject to restrictions of § 501(3)
- Need to show sales of 85% of product over the current period of licensure to apply for increase in cultivation tier upon license renewal.

Licensure – Testing Facilities

- Authorizes testing of marijuana by facilities that meet minimum standards (i.e., ISO/IEC 17025 accreditation)
- Mandatory testing will demonstrate that the marijuana or marijuana product does not exceed the maximum level of allowable contamination. DAFS may temporarily waive the mandatory testing requirements if it is determined that there are a lack of licensed testing facilities in the State.
- Directs establishment of rules processes, protocols and standards for testing of marijuana and marijuana products.

Licensure – Product Manufacturing

- A products manufacturing licensee intending to engage in marijuana extraction involving the use of any “inherently hazardous substance” must obtain additional approval from DAFS after submitting a certification from an industrial hygienist or professional engineer following a review of operational safety measures.
- Medical marijuana products and adult use marijuana products may be manufactured within the same facility so long as the products manufacturing facility licensee is also a registered caregiver or a registered dispensary.

Labeling, Packaging, and Advertising

- Must be labeled with a universal marijuana symbol, health and safety warnings, batch number, information on the amount of THC and cannabidiol (CBD) per serving.
- Must be packaged in child-resistant and tamper-evident packaging.
- May not be labeled or packaged in a manner designed to appeal to persons under 21 years old.
- Packaging may not depict a human, animal, or fruit.
- May not make health or physical benefit claims.
- Edible marijuana products may not be manufactured in the distinct shape of a human, animal, or fruit.

Advertising Restrictions in DRAFT Rules

- Section 5 (pages 51-52) of Draft rules describe further restrictions and rules around advertising:
<https://www.maine.gov/dafs/services/marijuana/rulemaking/draft-rules>
- Notable highlights:
- Advertising prohibited where it can reasonably be assumed more than 30% of the audience would be under the age of 21. Pertains to print, tv, radio, & internet
- Cannot make claims that products are safe
- Cannot claim products have curative or therapeutic effects

Taxes and Fees

- 20% effective total tax rate. Application fees and license fees vary for each license type.
- 10% sales tax at the point of sale to consumer and an excise tax imposed on wholesale sales by a licensed cultivator to another adult use marijuana licensee.
- All excise tax revenue will be deposited in the General Fund, except that DAFS will transfer 12% to the Adult Use Marijuana Public Health and Safety Fund.
 - Support initiatives and campaigns focused on increasing the awareness and education of the public on health and safety matters relating to marijuana and marijuana products
 - Law enforcement training in inspections, investigations, personal use and home cultivation allowances, and drug recognition procedures.

Marijuana Advisory Commission

- The commission will study continuing study of the laws relating to marijuana and report to the Legislature its findings and recommendations on an annual basis.
- The commission consists of 15 members:
 - Representative from DAFS, DHHS, DPS, DOL, and DACF
 - A public health expert
 - Representatives from medical and adult use marijuana industries
 - Two members of the general public
 - Two members of the Senate and two members of the House

Local Control

- Broad home rule authority recognized. Municipalities may adopt an ordinance:
 - Providing land use regulations applicable to marijuana establishments.
 - Limiting the number of any type of marijuana establishment that may be authorized to operate within the municipality.
 - Providing licensing requirements applicable to marijuana establishments within the municipality, which may include, but are not limited to, provisions establishing municipal licensing fee schedule pursuant to Title 30-A, section 3702. Fee “must reasonably reflect the municipality’s costs associated with the license or permit procedure and enforcement.”

Local Control continued

- Opt-In: Local authorization is required for operation of a marijuana establishment within a municipality, default is prohibition.
- Action may include passage of a new ordinance, amendment of an existing ordinance, or approval of a warrant article allowing some or all types of marijuana establishments within a municipality.
- Marijuana establishments must be 1,000 feet from schools, except that a municipality may prohibit the location of a marijuana establishment at distances less than 1,000 feet but not less than 500 feet.

Local Control continued

- Applicant must show proof of state conditional license to operate a marijuana establishment before municipal application may be processed.
- Failure of municipality to act on an application within 90 days will be deemed denial subject to appeal unless that municipality notifies the applicant in writing of an additional 90 day processing period.
- REMOVES all revenue sharing provisions.

BILLS TO BE AWARE OF...

Bills that could undo public health protections in LD 1790

- LD 1432 An Act To Improve the Adult Use Marijuana Laws
- Issue – This bill would allow adult use and medical marijuana products sold from the same store, this would undo the provision that was added in LD 1790 that required separate stores with separate entrances. This is an issue because minors can be provided medical marijuana cards, which will be even easier with the list of conditions gone.

LD 999 – Also seeks to allow adult use and medical marijuana to be co-located in the same store

-
- LD 1444 An Act To Make the Distance to Schools for Marijuana Establishments Consistent with the Liquor Laws
 - Issue – This bill would reduce the buffer between licensed marijuana operations and schools down to 300 feet to be consistent with liquor laws.
 - Argument to be made is that the buffer zones for liquor are too small, and should be made to be consistent with the 1,000 foot buffer.

-
- LD 1621 An Act To Allow Delivery of Adult Use Marijuana and Adult Use Marijuana Products by an Approved Marijuana Store
 - The bill title says it all.

LD 1539 – BIG CHANGES TO MAINE'S MEDICAL MARIJUANA PROGRAM

LD 1539

- Eliminates the list of qualifying conditions
- Eliminates the cap of 5 patients per medical marijuana caregiver
- Allows the opening and operation of medical marijuana storefronts operated by registered caregivers
- Eliminates the requirement that patients designate a primary caregiver or dispensary
- Increases the personal possession limit from 2.5 ozs to 8 lbs.
- Provisions regarding manufacturing of concentrates that are duplicative of LD 238
- Allows use of medical marijuana by qualifying patients in: nursing homes, assisted living, hospice, and residential care settings, if allowed in the facility's policy

LD 1539

- Sets packaging and labeling requirements and restrictions, such as: cannot appeal to under 21, cannot depict humans, animals or fruit, must be opaque packaging, must not infringe on trademarks
- Requires seed to sale tracking of all cultivated and manufactured marijuana
- Requires caregivers and dispensaries to keep books and records and make them available to DHHS for inspection
- Gives DHHS authority to conduct inspections on medical marijuana caregivers at any time, without notice during regular business hours.
- Allows licensing of up to 6 additional medical marijuana dispensaries

LD 1539

- After January 1, 2021, DHHS may no longer limit number of medical marijuana dispensaries in the state
- Medical marijuana dispensaries by convert to for-profit
- Allows municipalities to opt-in to retail medical marijuana, except municipalities may not prohibit or limit the number of registered caregivers

WHERE DO WE GO FROM HERE?

Prevention and Public Health in the Era of Legalization

Where do we go from here?

- Prevention has been dealing with commercial drug industries for decades. What can we adapt to commercial marijuana? For example:
 - Server/Seller trainings for retail marijuana dispensaries
 - Safe storage education for parents (edibles, concentrates, etc.)
 - Impaired driving education/impaired driving details
 - Smoke-free home pledges – smoking cessation strategies
 - Prevention in Schools: e.g. Prime For Life
 - Universal curriculum for all incoming Freshmen
 - SIRP for students with school drug policy violations for marijuana

Opportunity for policies

- As the commercial marijuana industry begins in Maine, opportunities for strong, public-health focused policies on the ground level:
- State level:
 - Require the collection and monitoring of public health data
 - Require standards and regulations for packaging, labeling, and advertising
- Municipal level for cities/towns opting in to sales:
 - Require as a condition of municipal licensing server/seller type training for all dispensary staff
 - Thoughtful zoning to prevent store fronts in family friendly areas
 - Restrictions on signage/advertising
 - Strong policies for public/municipal recreation areas
 - Requirements and standards for securing and obscuring home grows

Messaging

- We need to be thoughtful about what and how we message to youth and parents.
- We can't throw all the science at youth and parents at once – we need to focus on what is relevant to them.
 - What are they open to?
 - What consequences are they experiencing?
 - We “get our foot in the door” with what is relevant.
- Youth do need to understand legalization doesn't change anything for them:
 - still illegal for under 21,
 - still illegal to drive impaired,
 - still illegal federally (i.e. – federal financial aid for college)
 - still must receive a doctor's recommendation to use medically

**PTTC**Prevention Technology Transfer Center Network
Funded by Substance Abuse and Mental Health Services Administration

Overview of Prevention Technology Transfer Centers (PTTC) Network



Purpose



Improve implementation and delivery of effective substance abuse prevention interventions



Provide training and technical assistance services to the substance abuse prevention field

- Tailored to meet the needs of recipients and the prevention field
- Based in prevention science and use evidence-based and promising practices
- Leverage the expertise and resources available through the alliances formed within and across the HHS regions and the PTTC Network.



PTTC Network Approach

Develop and disseminate tools and strategies needed to improve the quality of substance abuse prevention efforts

Provide intensive technical assistance and learning resources to prevention professionals in order to improve their understanding of

- prevention science,
- how to use epidemiological data to guide prevention planning, and
- selection and implementation of evidence-based and promising prevention practices.

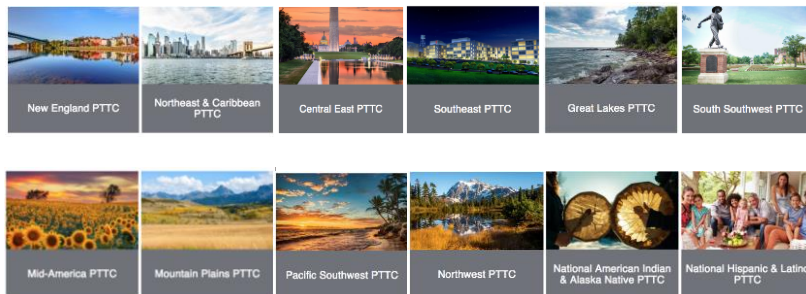
Develop tools and resources to engage the next generation of prevention professionals.



Structure

The 2019-2023 PTTC Network is comprised of:

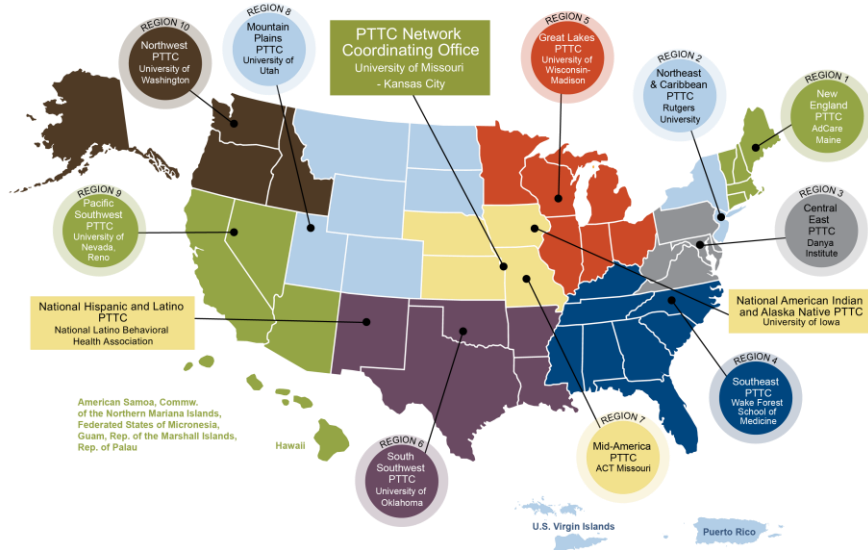
- 10 US-based Regional Centers, 1 National American Indian and Alaska Native PTTC,
- 1 National Hispanic and Latino PTTC, and 1 Network Coordinating Office





PTTC Prevention Technology Transfer Center Network
Funded by Substance Abuse and Mental Health Services Administration

PTTC Network



New England Prevention Technology Transfer Center

- AdCare Maine awarded New England PTTC cooperative agreement on September 30th, 2018
- Each PTTC designated a specialty area for training & T/A
- New England PTTC has designated marijuana risk education as its specialty subject of expertise for training and technical assistance
- New England PTTC website:
<https://pttcnetwork.org/NewEngland>

Contact Information

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Phone: 207-520-0293

Follow Me on Twitter:

@scottmgagnon

Central District Coordinating Council (DCC)



- ▶ ***Updates & Networking Asks from the DCC***
- ▶ ***Wrap Up, Next Steps, Evaluation***
 - *thank you for filling out the meeting evaluation!*
- ▶ ***Next DCC Meeting = July 23, 2019***
9am-noon at Educare

Thank You!



April 30, 2019

Maine Center for Disease Control and Prevention