

**Approved
January 25, 2017**

1. CALL TO ORDER:

Dr. Horwitz called the meeting to order at 3:04 pm.

Attendance was as follows:

Mr. An
Mr. Elías - Absent
Mr. Emich
Mr. Gastelum
Mr. Geoffrion
Ms. Gonzales
Dr. Horwitz
Mr. Humphrey
Mr. Rojas - Absent
Dr. Smith
Ms. Trowbridge

A quorum was established.

2. PLEDGE OF ALLEGIANCE

Mr. An led the Board in the Pledge of Allegiance.

3. MINUTES ADOPTION

- Adopt Board of Health October 26, 2016 Minutes

The motion was made and seconded (Dr. Horwitz / Mr. Gastelum) that the October 26, 2016 Minutes be adopted as written. Motion carried 9-0.

4. COMMUNICABLE DISEASE UPDATE

Dr. Francisco García, Health Department Director, briefly spoke on the latest information regarding Zika Virus and provided the Board with a handout with the current Zika status. Dr. Garcia stated there are about 140 investigations currently happening and over 110 are among pregnant women and a 3rd of that is amongst minors. There are 24 cases of locally transmitted Zika Virus from Sonora, Mexico, which is creating a high risk from travelers who return to the state with Zika virus infections, but the goal is to quickly identify such cases to prevent the spread of the mosquito-borne disease. The County is still working with Local Health Officials and different stakeholders to try to get mosquito prevention out to the public without affecting tourism and also reduce the chances of individuals getting Zika Virus.

Dr. Garcia also spoke briefly on the disease outbreak that occurred at the Pima County Animal Care Center (PACC) in early November 2016. On November 3rd, PACC identified a dog succumbed dramatically to a fulminant hemorrhagic process that made Pima County Vet, Dr. Wilcox suspect an infectious process. That night all animals were evaluated by Dr. Wilcox and the veterinary team. All sick animals were then isolated from the general population and tested. The results of the tests found that twenty-eight (28) dogs were positive for distemper, nine (9) were positive for strep zoo and four (4) were positive for both strep zoo and distemper. Thirteen (13) dogs including a litter of puppies were humanely euthanized. All other dogs have responded well to treatment. There are one hundred (100) dogs still under observation and are still waiting for test results. In total the response has generated over \$100,000 in expenses.

5. PIMA COUNTY'S LEGAL AUTHORITY TO REGULATE ELECTRONIC CIGARETTES

Dr. Paul Horwitz, Board of Health President introduced Jonathan Pinkney, Deputy Pima County Attorney, to address the Board on Pima County's legal authority to regulate electronic cigarettes. Mr. Pinkney spoke on what the County's authority is on limiting the use of e-cigarettes within the County. The County has statutory authority to make rules and regulations for the protection and preservation of public health, as well as indirect authority to carry out functions, powers and duties of the Arizona Department of Health Services at the local level. The Board of Health can recommend such rules and regulations to the Pima County Board of Supervisors for adoption and enforcement in the County.

Mr. Pinkney stated that currently the only restriction on electronic cigarettes in Arizona statutes is a ban on the possession or purchase by minors of any vapor product, defined as noncombustible tobacco-derived product containing nicotine that employs a mechanical heating element, battery or circuit, regardless of shape or size, that can be used to heat a liquid nicotine solution contained in cartridges. The Smoke-Free Arizona Act does not apply to electronic cigarettes because according to an Attorney General's Opinion they do not fall under the definition of lighted tobacco products that are regulated under the Act.

Mr. Pinkney stated that in the absence of state law on the issue, local jurisdictions are free to enact reasonable ordinances necessary to preserve their citizens' health. Tempe is currently the only jurisdiction that has included electronic cigarettes in its smoke-free ordinance for enclosed public places and places of employment, while Coconino County has added electronic cigarettes to its ordinance restricting the sale of tobacco products.

6. E-CIGARETTE ISSUES IMPACTING PUBLIC HEALTH

Dr. Francisco García, Health Department Director, introduced Gregory Rivera, Program Manager, to address the Board on Electronic Nicotine Delivery Systems (ENDS), which are more widely referred to as e-cigarettes, e-hookahs, hookah pens, vaporizers and vape pipes. E-cigarettes are battery-operated devices that heat e-liquid from a cartridge and allow the user to inhale and exhale a chemical-filled aerosol (sometimes called vapor). The e-liquid usually contains nicotine, water and a solvent such as propylene glycol, and is often flavored and colored with various chemical agents. While ENDS are not new to the marketplace, there has been a significant influx in their popularity in recent years, especially within the youth population. Despite limited access to data and research on the negative health effects of ENDS, there is solid evidence of the adverse effects of nicotine which makes the use of E-cigarettes a growing health concern.

Mr. Rivera updated the Board on adult prevalence, which states that 3.2% of non-smokers have tried an e-cigarette. The highest rate was among the ages of 18–24 at 9.7% and declined with increasing age. Those adults who have observed someone smoking an e-cigarette had an increased desire to smoke a regular cigarette. Currently e-cigarette use was higher among non-Hispanic American Indian and Alaska Native adults (10.7%) and non-Hispanic white adults (4.6%) than other ethnic groups. The youth prevalence shows 51.6% of youth in Arizona have used an electronic vapor product compared to 44.9% of youth nationally and the rate of Arizona youth who are current electronic vapor product users is 27.5%, outpacing the national rate of 24.1%.

The CDC forecasts that Arizona youth will be more likely to have a higher prevalence of electronic vapor product use in the future. Since 2014, there are more teens now using e-cigarettes than cigarettes. More than 3 million middle and high school students were current users of e-cigarettes, up from 2.46 million and 16% of high school and 5.3% of middle school students were current users of e-cigarettes. From 2011-2015, use among high school students rose from 1.5% to 16.0% and among middle school

students 0.6% to 5.3%. Mr. Rivera stated that there is very limited research completed on secondhand exposure to e-cigarette vapor, but in 2015, the CDC Office on Smoking and Health offered nonsmokers the following guidance:

- E-cigarette aerosol is not harmless water vapor. In addition to nicotine, e-cigarette aerosol can contain heavy metals, ultrafine particulates that can be inhaled deep into the lungs, and cancer causing agents like acrolein.
- E-cigarette aerosols also contain propylene glycol or glycerin and flavorings. Some e-cigarette manufacturers claim that the use of these ingredients is safe because they meet the FDA definition of “generally recognized as safe” (GRAS). However, GRAS status applies to ingestion of these ingredients (i.e., in food), not inhalation. The health effects of inhaling these substances, including from an e-cigarette, are unknown.
- Inhaling e-cigarette aerosol directly from the device or from secondhand aerosol that is exhaled by users is potentially harmful to health. Therefore, in prevention of potential chronic conditions, adult non-tobacco users should not use e-cigarettes and should not be exposed to secondhand aerosol from these products.

Some people believe e-cigarette products may help smokers curb nicotine cravings while they are trying to discontinue their tobacco use. However, at this point it is unclear whether e-cigarettes may be effective for smoking cessation. Smoking laws and regulation in each state vary widely. The selling and use of e-cigarettes may be regulated or banned altogether in some municipalities and not in others. Over past years, many public health organizations and policymakers have expressed concern about the safety and public health impact of these products due to illusive marketing tactics, lack of regulatory oversight and manufacturing standards and age restriction issues.

The motion was made and seconded (Dr. Horwitz / Ms. Trowbridge) that the Board members would like to inform the Board of Supervisors of the Board of Health’s intent to develop ordinance language in conjunction with the Health Department and Pima County Attorneys to take some kind of action in the future regrading e- cigarettes. The Board would also like to direct Dr. Francisco Garcia and Greg Rivera to work with the Pima County Attorney’s office to develop this letter.

7. CALL TO AUDIENCE

There were no speakers from the audience.

8. SUMMATION OF ACTION ITEMS AND PROPOSED AGENDA ITEMS

Dr. Horwitz gave a summary of the agenda items. The October 26, 2016 Minutes were adopted as written. Motion was made that the Board members would like to inform the Board of Supervisors of the Board of Health’s intent to develop ordinance language in conjunction with the Health Department and Pima County Attorneys to take some kind of action in the future regrading e-cigarettes. The Board would also like to direct Dr. Francisco Garcia and Greg Rivera to work with the Pima County Attorney’s office to develop this letter.

9. ADJOURNMENT

The meeting adjourned at 5:00p.m.