



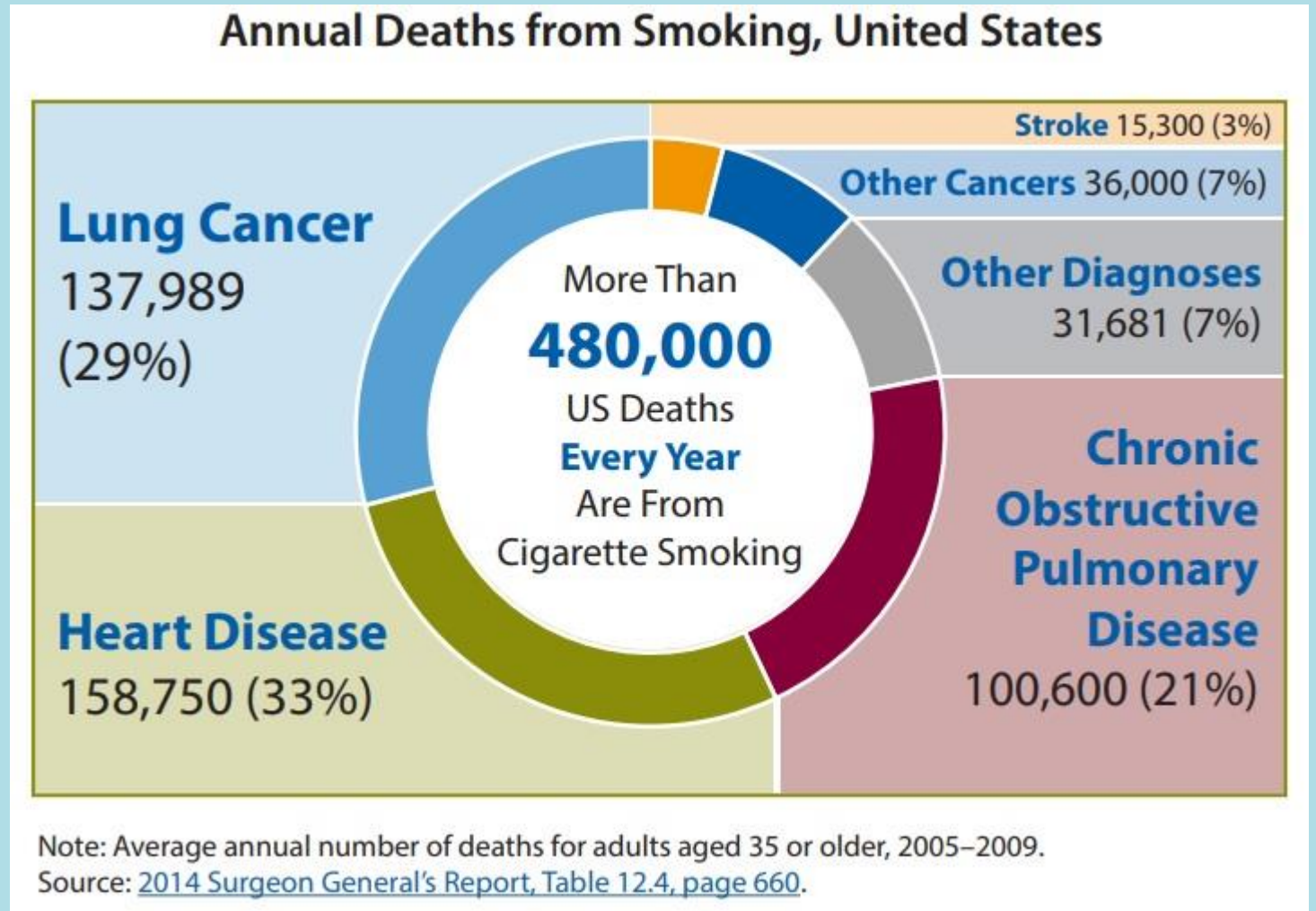
# Local Control of Tobacco Product Marketing and Sales in Kentucky

# Health Consequences of Smoking

Kentucky ranks 1<sup>st</sup> in the nation for cancer deaths.

Kentucky ranks 2<sup>nd</sup> in chronic obstructive pulmonary disease (COPD).

Kentucky ranks 9<sup>th</sup> in the nation for heart disease deaths.



# Cost of Smoking-Related Illness in Kentucky

## Smoking-Caused Monetary Costs in Kentucky

|   |                       |
|---|-----------------------|
| Annual health care costs in Kentucky directly caused by smoking                   | \$1.92 billion        |
| Medicaid costs caused by smoking in Kentucky                                      | \$589.8 million       |
| Residents' state & federal tax burden from smoking-caused government expenditures | \$1,074 per household |
| Smoking-caused productivity losses in Kentucky                                    | \$2.79 billion        |

Amounts do not include health costs caused by exposure to secondhand smoke, smoking-caused fires, smokeless tobacco use, or cigar and pipe smoking. Tobacco use also imposes additional costs such as workplace productivity losses and damage to property.



# E-Cigarettes (“Vaping”)



**In 2020, about 1.8 million fewer U.S. youth are current e-cigarette users compared to 2019.**

However

**3.6M**

U.S. youth still currently  
use e-cigs

There is a notable uptick in use of

**DISPOSABLE**

e-cigs by youth

More than

**8 out of 10**

current youth e-cig users  
use flavored e-cigs

- Harms developing adolescent brain
- Increases risk for smoking cigarettes (90% of smoking starts in youth)
- Increases risk for becoming addicted to illicit drugs later on

# Cost of Smoking to Business

Compared with nonsmoking employees, employees who currently smoked were **33% more likely to miss work** and were absent from the workplace for an average of 2.7 more days per year.<sup>[9](#)</sup>

Absenteeism decreases when smokers quit, even among those who have recently quit.<sup>[10](#)</sup>

Smokers are also more likely than nonsmokers to take unsanctioned breaks. These breaks are **“the largest single cost from a smoking employee”**<sup>[11](#)</sup> and result in 8 to 30 minutes per day per employee in lost work time.

[9. Weng, SF, Ali, S, Leonardi-Bee, J. Smoking and absence from work: systematic review and meta-analysis of occupational studies. Addiction. 2013;108\(2\):307–319. doi:10.1111/add.12015](#)

[10. Baker, CL, Flores, NM, Zou, KH, Bruno, M, Harrison, VJ. Benefits of quitting smoking on work productivity and activity impairment in the United States, the European Union and China. Int J Clin Pract. 2017;71\(1\). doi:10.1111/ijcp.12900](#)

[11. Berman, M, Crane, R, Seiber, E, Munur, M. Estimating the cost of a smoking employee. Tob Control. 2014;23\(5\):428–433. doi:10.1136/tobaccocontrol-2012-050888](#)

# Cost of Smoking to Business

On average, employers pay an additional **\$659 per year in medical and pharmacy costs** for each employee who smokes.<sup>[12](#)</sup>

Across US states, **6-18% of total health care expenditures** are attributed to smoking-related illnesses.<sup>[13](#)</sup>

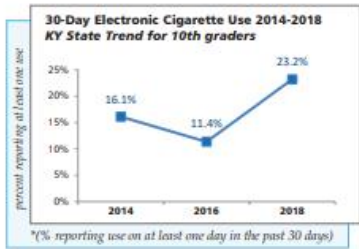
Tobacco use is also associated with increased risk of injury AND property loss due to fire, explosions, and vehicular collisions.<sup>[14](#)</sup>

[12. Sherman, BW, Lynch, WD. The relationship between smoking and health care, workers' compensation, and productivity costs for a large employer. J Occup Environ Med. 2013;55\(8\):879–884. doi:10.1097/JOM.0b013e31829f3129](#)

[13. Ekpu, VU, Brown, AK. The economic impact of smoking and of reducing smoking prevalence: review of evidence. Tob Use Insights. 2015;8:1–35. doi:10.4137/TUI.S15628](#)

[14. National Fire Protection Association. Home fires started by smoking . January 2019.](#)

# Tobacco Use Differs Across Kentucky



## Grade 10 - Electronic Cigarettes or E-cigarettes,\* 30-Day Use, 2018

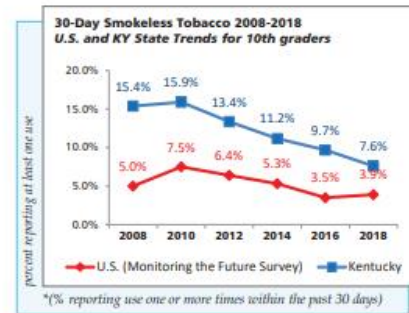
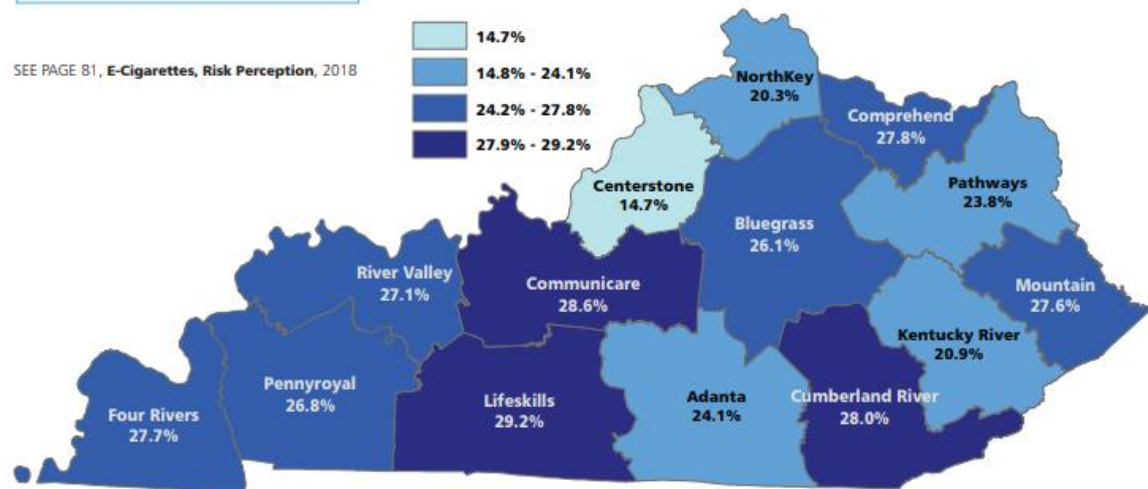
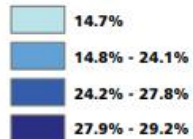
*\*for ex. NJOY, V2, Bull Smoke, Halo*

(% responding that they had used the substance on at least one day in the past 30 days)

### PERCENTAGE OF 10TH GRADERS, 2018

Min: 14.7% (CENTERSTONE); Max: 29.2% (LIFESKILLS)

SEE PAGE 81, E-Cigarettes, Risk Perception, 2018

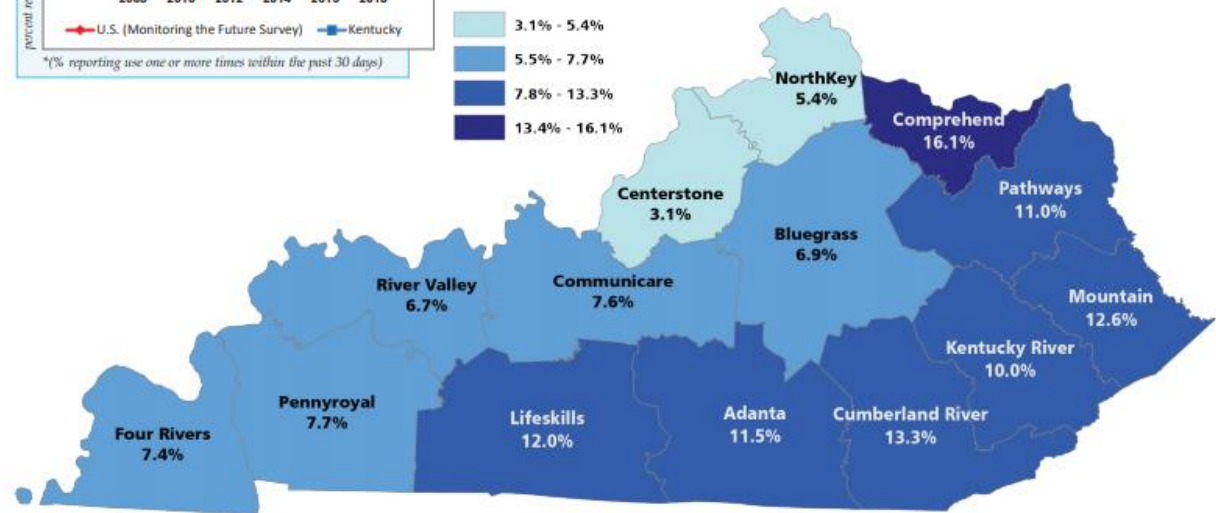
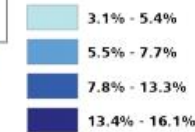


## Grade 10 - Smokeless Tobacco, 30-Day Use, 2018

(% responding that they had used the substance one or more times within the past 30 days)

### PERCENTAGE OF 10TH GRADERS, 2018

Min: 3.1% (CENTERSTONE); Max: 16.1% (COMPREHEND)



# Smoking Rates Demographic Disparities

## Current Cigarette Smoking Among U.S. Adults, 2018



### Race/Ethnicity

AI/AN: 22.6%  
White: 15.0%  
Black: 14.6%  
Hispanic: 9.8%



### Education Level

GED: 36.0%  
< High school: 21.8%  
Undergraduate  
degree: 7.1%



### Annual Household Income

<\$35,000: 21.3%  
\$75,000–\$99,999: 13.3%



### Health Insurance

Uninsured: 23.9%  
Medicaid: 23.9%  
Private: 10.5%  
Medicare: 9.4%



### Disability/Limitation

Yes: 19.2%  
No: 13.1%



### Sexual Orientation

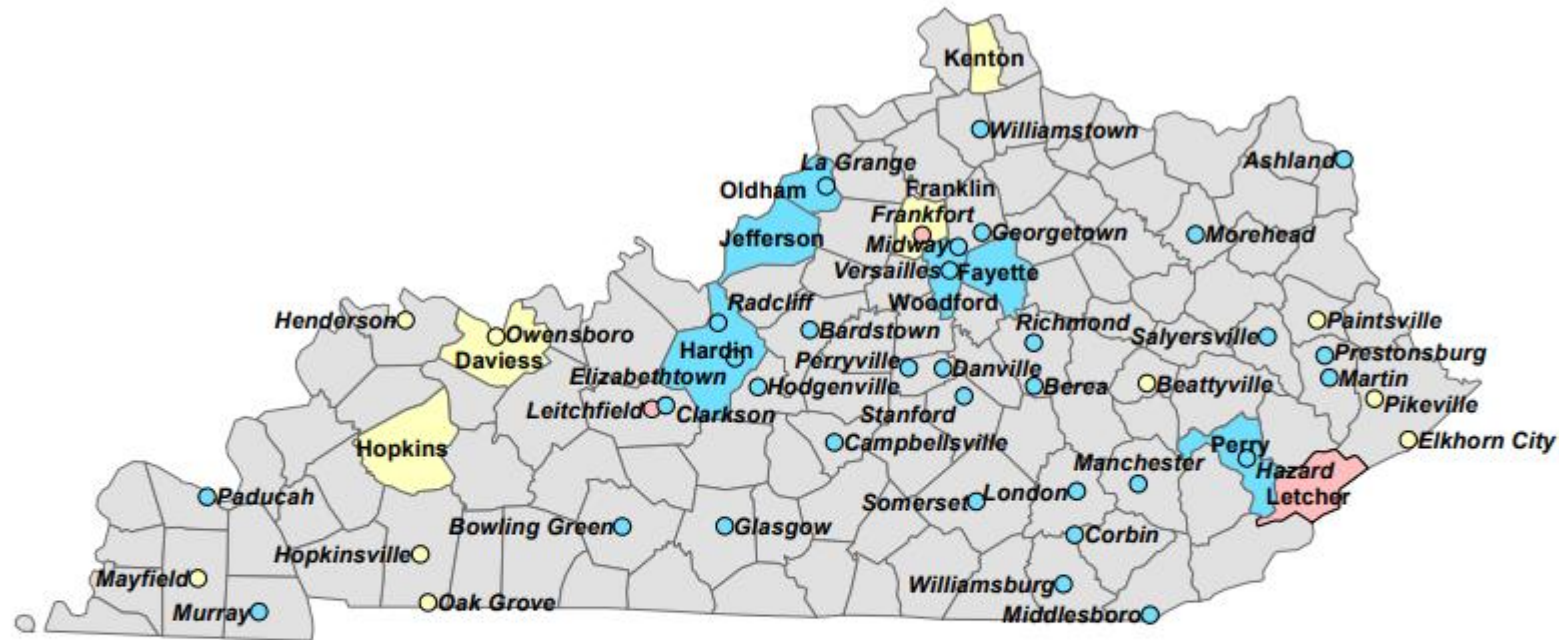
Lesbian/Gay/Bisexual: 20.6%  
Heterosexual: 13.5%



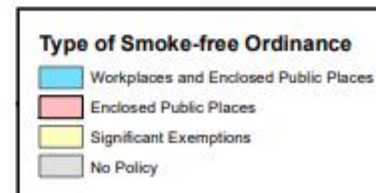
### Serious Psychological Distress

Yes: 31.6%  
No: 13.0%

# City/County Smoke-Free Policies in Kentucky



As of August 1, 2020, 36.2% of Kentuckians are protected by smoke-free laws covering all indoor workplaces and public places.\*



# Local Law

## Marketing, Sale, & Use of Tobacco Products



### Smoke-Free Laws

- Prohibit smoking/vaping in indoor workspaces and public places
- 56 Kentucky cities or counties have enacted local smoke-free laws

### All Other Laws Preempted

- KRS 438.300 prohibits city/county governments from regulating the use, display, sale and distribution of tobacco products
- Constitution §181 bars local tobacco excise taxes



# How did we get here?

- Beginning in 1985, Big Tobacco began using preemption as a tactic to overturn existing - and block new - local laws
- By 1996, 31 states including Kentucky had adopted state preemption measures



*“While we’re not married to any particular form of pre-emption language, we’re dead serious about achieving pre-emption in all 50 states. ...*

*“If smokers are banished to doorways and loading docks..., it makes smokers feel like outcasts and gives encouragement to the anti’s.”*

[Walls, T.]. CAC Presentation#4, draft 7/8/94.  
Philip Morris. July 8, 1994.

# Local Control is a Tool, Not a Mandate

Would allow counties/cities to:

- Require health warnings on retail tobacco displays
- Limit tobacco product advertising in stores near schools, playgrounds
- Create buffer zones between schools and tobacco retailers

Would NOT allow counties/cities to:

- Raise local excise taxes

Questions?