

**Minutes of the
Tobacco Education and Research Oversight Committee (TEROC)**
Meeting on Tuesday, January 20, 2009
Courtyard Sacramento/South Natomas
2101 River Plaza Drive
Sacramento, CA 95833
(916) 922-1120

MEMBERS PRESENT:

Kirk Kleinschmidt (Chair), Dorothy Rice, Lourdes Baézconde-Garbanati, Peggy Uyeda, Alan Henderson, Pamela Ling, and Michael Ong

MEMBERS ABSENT:

Wendell Brunner and Lawrence Green

OTHERS IN ATTENDANCE:

John Francis, California Department of Public Health (CDPH), California Tobacco Control Program (CTCP)

John Lagomarsino, California Department of Education (CDE)

Tom Herman, CDE

George Lemp, Tobacco-Related Disease Research Program (TRDRP),
University of California Office of the President (UCOP)

Bruce Lee, California Department of Finance

Bart Aoki, TRDRP, UCOP

Colleen Stevens, CTCP

Tonia Hagaman, CTCP

Caroline Kurtz, CTCP

Majel Arnold, CTCP

Rich Heintz, Local Lead Agencies, Project Director Association

Donald Lyman, CDPH

Jerry Katsumata, CTCP

Nadine Roh, CTCP

Rita Moreno, CTCP

Kate MacGregor, California Air Resources Board

Bob Curry, Marin County, Tobacco Related Disease Control Program

Lisa Murawski, Legislative Analysts' Office

Bob Gordon, Lesbian, Gay, Bisexual, and Transgender Partnership

Naphtali Offen, Coalition of Lavender-Americans on Smoking and Health

1. WELCOME, INTRODUCTION, AND OPENING COMMENTS

Tobacco Education and Research Oversight Committee (TEROC)

Chairperson Kirk Kleinschmidt called the meeting to order at 9:40 a.m.

Mr. Kleinschmidt asked for all those attending to sign in, acknowledged that Dr. Pamela Ling was attending by phone from an offsite location, and reviewed the meeting's agenda.

2. APPROVAL OF MINUTES FROM SEPTMBER 8, 2008 TOBACCO EDUCATION AND RESEARCH OVERSIGHT COMMITTEE MEETING, CORRESPONDENCE, AND ANNOUNCEMENTS

There were no changes required for the minutes of the September 8, 2008, meeting. The minutes were unanimously approved.

Mr. Kleinschmidt reviewed TEROC-related correspondence.

- Letter from the University of California Office of the President (UCOP) President Mark Yudof to TEROC regarding administrative change within UCOP.
- Letter from Michael Velazquez to the Governor resigning from TEROC.
- Letter from TEROC to Mark B Horton, MD, MSPH, Director, California Department of Public Health (CDPH), regarding the suspension of tobacco control evaluation contracts.
- Letter from Mr. Kleinschmidt to Assembly Speaker Karen Bass resigning from TEROC.
- Letter from TEROC to UCOP Vice President Dr. Steven Beckwith regarding proposed changes to the Tobacco-Related Disease Research Program (TRDRP).
- A series of correspondence from Coalition of Lavender-Americans on Smoking and Health (CLASH) President Naphtali Offen regarding adding a sexual orientation question to the California Smokers' Helpline intake.
- Letter from California Lung Cancer Alliance Co-chairs Hovde and Stevens to TEROC regarding proposed changes to TRDRP.

No comments were made regarding correspondence.

TEROC members set the date for next TEROC meeting: Wednesday, May 20, 2009. The meeting will be located in Sacramento and include a budget update from the Department of Finance (DOF) regarding the Governor's May Budget Revision.

3. ENVIRONMENTAL DEVELOPMENTS

The American Lung Association (ALA) 2008 Report Card: On January 13, 2009, ALA released its annual State of Tobacco Control 2008 Report, which grades each state in four areas of tobacco control policy. 2008 grades report progress on key state tobacco control policies and assigns grades to tobacco control laws and regulations enacted as of January 1, 2009. Grades are based on effective tobacco control measures and translated into letter grades ("A" through "F"). A grade of "A" is assigned for excellent tobacco control policies while an "F" indicates inadequate policies. The ALA of California also released local grades for 297 cities and 30 of the 58 counties in California.

For California:

- Tobacco Prevention and Control Spending = “F”
- Smoke-free Air = “A”
- Cigarette Tax = “D”
- Cessation Coverage = “D”

San Francisco tobacco-free pharmacies law: In San Francisco, two legal challenges of the city's ban on selling tobacco products in pharmacies were dismissed. Walgreens complained that the law's exemption for supermarkets and big-box retail stores provides an unfair advantage over pharmacies. Lawyers for Philip Morris USA argued that the ban on tobacco sales seeks to limit “communications directed to adult smokers, in violation of our constitutional rights.”

State Children’s Health Insurance Program (SCHIP), Federal Tobacco Tax: The United States House of Representatives passed a bill Wednesday, January 14, 2009, to raise federal tobacco taxes and expand SCHIP. The \$33 billion bill would raise federal taxes on cigarettes, cigars, rolling paper, and other tobacco products to help fund the expansion. Cigarette taxes would rise from 39 cents per pack to \$1. President Barack Obama is expected to sign the SCHIP expansion if it gains Senate approval. This could very well impact California tobacco control revenues as there is no backfill for California tobacco revenues.

The National Council of Legislators from Gaming States (NCLGS) and Smoke-Free Casinos: NCLGS Executive Committee voted on January 10, 2009, to support efforts encouraging 100 percent smoke-free gaming facilities in the states. TEROC wrote a letter of support to NCLGS this summer.

TEROC Master Plan (MP): The MP was released (mailed) on January 5, 2009. Copies of the MP have been distributed to the California State Legislature, local lead agencies directors, local education agencies, TRDRP, contractors, and advocates (state and national). The MP and the executive summary are also available electronically on the TEROC Web site.

4. **DEPARTMENT OF FINANCE, PROPOSITION 99 BUDGET UPDATE, AND GOVERNORS BUDGET 2009-10**

Mr. Bruce Lee from the California DOF presented on the Governor’s 2009-10 Budget. The purpose of his presentation was to cover the adjustments to 2008 Program Appropriations as compared to the Budget Act of 2008, the Governor’s 2009-10 Budget, and answer any questions from TEROC members.

Mr. Lee presented the following information:

- Adjustments to 2008 Appropriations (Revenues) included:
 - Proposition (Prop) 99 Revenue Estimate Decreased:
 - Budget Act Estimate: \$320 Million
 - Current Estimate: \$315 Million
 - Prop 10 Backfill Estimate Increased:
 - Budget Act Estimate: \$15.2 Million
 - Current Estimate: \$16.5 Million
- Adjustments to 2008 Appropriations (Expenditures) included:
 - A decrease in funding by \$5.6 million for Access for Infants and Mothers Program due to caseload decreases.
 - An increase to California Department of Education (CDE) appropriation by \$1.6 million due to carryover of unspent funds and baseline increases for state administration.
 - A shift of \$196,000 from Physicians' Services Account to Unallocated Account for Expanded Access to Primary Care to prevent reductions otherwise necessary due to available funds.
 - Other minor increases in expenditures are state operations baseline adjustments (employee compensation, etc.)
- Governor's Budget 2009-10: Revenues
 - Estimated \$8 Million increase in revenues:
 - 2008-09 Revised Estimate: \$315 Million
 - 2009-10 Estimate: \$310 Million
 - No Change to Prop 10 backfill estimate of \$16.5 million
- Governor's Budget 2009-10: Expenditures
 - Increase of Board of Equalization Fee:
 - 2008-09 Fee: \$7.4 Million
 - 2009-10 Fee: \$8.7 Million
 - Increase funding by \$6.8 million for anti-tobacco health education due to available balances in the Health Education Account.
 - \$4.5 million for Tobacco Cessation Media Campaign.
 - \$2.3 million for Competitive Grants.
 - Increase Funding by \$8.3 million for Orthopedic Hospital due to available funding in the Hospital Services and Unallocated accounts.
 - Reduction of \$1.1 million for the Resource Agency Departments due to insufficient funds in the Public Resources Account.
 - Managed Risk Medical Insurance Board:
 - Removes \$1 million one-time augmentation from the Unallocated Account for the Healthy Families Rural Health Demonstration Project (RHDP).
 - Shifts \$175,000 from RHDP funding to the Healthy Families Consumer Assessment for federal compliance.

- Department of Health Care Services and Public Health reduction of \$624,000 in administration due to baseline adjustments (employee compensation, etc.)

Question (Q): What will the impact be from a federal increase in tobacco tax to fund SCHIP?

Response (R): Mr. Lee was not sure of the economic impact, but would anticipate a tax increase to impact Prop 99 and Prop 10 revenues.

Q: The Governor's Budget shows a funding increase of \$6.8 million for tobacco control. Where are these funds coming from?

R: The funds are coming from the available funds in the Health Education Account Unrestricted Reserve.

Q: Did the amount for Cancer Registry administration go up? Historically, TEROC has had a philosophic disagreement for taking money from TRDRP to fund the Cancer Registry, and these amounts continue to increase.

R: While the administration costs have gone down, there was an overall increase to the Cancer Registry.

Q: Are there no more monies in the unrestricted reserve? What are the implications to this?

R: The unrestricted reserve must maintain a five percent reserve. The funds allocated from this account were the funds above the five percent mark. This leaves the account at the five percent reserve.

Mr. Kleinschmidt thanked Mr. Lee for presenting.

5. LEGISLATIVE AND TOBACCO POLICY UPDATE

Jamie Morgan from the American Heart Association was unable to attend the TEROC meeting. As such, Kirk Kleinschmidt presented on the current legislation proposed by the state legislature. He identified two bills that had been proposed to date: Senate Bill (SB) 4 (Oropeza) intends to create smoke-free state beaches and parks. Assembly Bill 89 (Torlakson) intends to increase the tax on tobacco products by \$2.10 per pack to potentially fund education, children's health care, lung cancer research, and tobacco cessation. Mr. Kleinschmidt also indicated that Senator Alex Padilla might reintroduce a bill to address smoking in multi-unit housing (MUH).

6. CALIFORNIA AIR RESOURCE BOARD SECONDHAND SMOKE RECOMMENDATIONS

Kate MacGregor from the California Air Resources Board (CARB) gave a presentation on the Draft Staff Report on Secondhand Smoke (SHS). Originally, the staff report was planned for release on January 26, 2009, as it

would be three years to date since CARB declared SHS a Toxic Air Contaminant (TAC).

- Though CARB uses the term Environmental Tobacco Smoke (ETS) to refer to SHS, they acknowledge this is a tobacco industry term. However, this is the term they have and will continue to use.
- The Staff Report is needed because it is required by California Health and Safety Code 39665. When ETS was identified as a TAC, CARB was then required to evaluate environmental exposure and risk in California. While smoking rates have leveled off; smoking rates are increasing among teenagers. Risk for SHS exposure, specifically among children is still a concern. Public sentiment and expectations have been gathered from studies such as the California Tobacco Survey (CTS), a CARB survey, and local government surveys. The latest results of the CTS shows decreasing tolerance of ETS in public venues and that reducing public exposure to ETS decreases cigarette consumption, and may discourage new smokers, as well as lead to higher rates of successful quitting.
- With the Staff Report, there will be a board review, and staff will determine whether new public exposure reduction measures are warranted.

Q: When you said exposure to children, what locations are you discussing?
Cars?

R: CARB did not look at cars. They have looked at the amount of particulate in a car, but have not specifically measured child exposure. They have created exposure scenarios to calculate risk and exposure. Roughly 60 percent of child particulate exposure is from SHS.

Q: Can you discuss CARB's regulatory process that the Board will take? Will the Staff Report be adopted by the Board? Do their recommendations trigger the regulatory process or does the Staff Report create the regulation as well?

R: The Board review of the Staff Report is considered a non-regulatory item, which will be discussed later.

- The report will lay out a number of measures that CARB believes will reduce the risks of exposure.
- At this time, CARB has already prepared an ETS Identification Report, which is a significant factor in passing new local ETS ordinances. They have established a Web site with exposure information, assisted the public with ETS-related questions, made presentation on ETS in MUH, developed new ETS facts sheets on exposure, supported SB 7 to eliminate smoking in cars with children present, and developed research proposals to study ETS in MUH.
- The Staff Report will provide the Board with the information needed to determine what actions are needed to protect the public. It will also present options for reducing ETS exposure, outlining new measures, and

calculating the potential for real risk reduction. The report will also evaluate the options and provide economic and environmental considerations.

- The Staff Report will present the following information:
 - The rate, source, and extent of current emissions (Note: smoking prevalence is equated to emissions).
 - Exposure and potential health effects of various risk groups, such as children, the elderly, low Socioeconomic Status, etc.
 - Current state ETS policies and controls (laws and regulations).
 - Effectiveness of policies and controls at reducing exposure.
 - New or improved policies or controls that would reduce exposure to high-risk groups.
 - Potential economic, health and safety, and environmental impacts of possible regulations.
- The Staff Report will include the following sections:
 - Executive summary, introduction, background, emissions, exposure measurement, exposure assessment, ETS health effects and risk assessment, ETS policies, current ETS controls, staff options for reducing exposure, economic and environmental review of options, and appendices.
- As an agency, CARB is able to:
 - Review potential policy options.
 - Review potential regulatory options.
 - Work within the framework of a draft Airborne Toxic Control Measure (ATCM).
 - Review public health and research options.
 - Work with CDPH and/or CDE.
- At the Board hearing, CARB staff will make a presentation on the major findings of the report and present a list and brief description of possible options for reducing ETS exposure.
- The Board may direct staff to pursue certain options or regulations, or require staff to return to the Board at a later date to address comments before taking action.
- After the draft plan is published CARB will:
 - Conduct two public workshops (tentatively scheduled for early spring) in Southern California and Sacramento.
 - Conduct a formal review and have an official public comment period 30 days prior to the Board review of the report.
- At this point, the Board hearing is tentatively scheduled for the summer of 2009 (date and location to be determined).
- Interested individuals, stakeholders, and organizations may join the CARB ETS listserv for announcements by going to the CARB Web site: <http://www.arb.ca.gov/toxics/ets/ets.htm>.

Q: Will the meetings be open to the public?

R: Yes.

Q: What has CARB already done?

R: The majority of questions they have received are related to MUH. However, they do not have enough data and research related to exposure levels and risk, but have used the data available.

- For the most part, CARB will primarily look at regulating outdoor air. The strategies for reducing risk and exposure will be based on potential impact.

Q: When addressing workplace SHS exposure, there is a need to work in American Indian casinos. Do you have history with working with tribes and how that has worked?

R: The policies and strategies CARB has reviewed related to workplace laws were in New Jersey and Ontario. They were not with tribal governments. However, any policy would be out of CARB's hands.

- CARB will be recommending increased funding for tobacco control and increased tobacco tax as it will have the largest impact on consumption and smoking, resulting in lower SHS exposure.
- Outdoor air will focus on exposures in the workplace, as employees should be afforded the same protections.
- If CARB is unable to legislatively address the gaps in the workplace law, they can look into regulatory measures.

Q: Who has CARB worked with at CDE?

R: Ms. MacGregor could not remember.

Comment (C): John Lagomarsino and Tom Herman would be the best people to work with.

Q: Does TEROC's new MP have a section on SHS?

R: Yes, CARB has used the 2006-08 MP but will not have time to update the report with the new plan.

Q: Can you describe who is on the Board and who they represent? Are some appointed by the Governor? How long do members serve?

R: Ms. MacGregor was not sure.

- Mr. Kleinschmidt shared that the Board was similar to TEROC.

Q: How big is your staff?

R: Only one staff, with assistance from managers and support from other staff.

- If there are concerns before the meeting, they will ask for a Board briefing beforehand.

Q: SHS is increasing among some populations and decreasing in others. Has the Board taken a position on “third-hand smoke?”

R: No they have not taken a position, but will include data in the report specifically focusing on child risk in locations such as child daycare. In terms of exposure, the overall decrease in SHS exposure has not continued to decline. Specifically, indoor worker exposure has increased. It is unclear whether this is coming from casinos, but the increase is also consistent from reporting among small businesses. There has been a fairly significant decline among women and specifically pregnant workers.

C: The Institute of Medicine is putting together a group to address SHS and cardiovascular disease. I believe they would greatly appreciate your presentation and review.

Q: Have you had any conversations with the Centers for Disease Control and Prevention (CDC), National Cancer Institute, and the United States Environmental Protection Agency (EPA)?

R: The World Health Organization has taken a significant amount of information from the TAC report and included it within the Framework Convention for Tobacco Control treaty.

Q: Are there any federal regulations that would prevent California from making decisions?

R: No, California does not need approval from the United States EPA.

Q: Can you expand on exposures among specific populations?

R: What CARB has looked at are the local grades from the ALA. There has been one study that has looked at the policies not being passed, and identifying the areas where they are most needed. At this point, the local grades can review demographics to identify underrepresented populations. Most of the counties without local enforcement have low compliance.

Q: Can you clarify Outdoor Tobacco Smoke (OTS) and third-hand smoke?

R: These are emissions which occur outdoors. Third-hand smoke is the off-gassing of SHS from surfaces such as walls and carpeting. CARB is utilizing the same definition as that in the scientific literature.

Mr. Kleinschmidt thanked Ms. MacGregor for her presentation.

7. TEROC CHAIR DISCUSSION/ELECTION

Mr. Kleinschmidt shared that the purpose of the discussion was to review the process of electing a chair and allow for the committee to put forth names for nominations and an open election.

Members began by stating that they wanted to thank Mr. Kleinschmidt for his many years of service to TEROC and tobacco control efforts in California.

Q: What would be the process if we put off the vote until the next meeting?

R: It was determined that they would need to elect a chair or identify an interim-chairperson to fill the chairperson's duties (signing correspondence, etc.) until an official chair was elected.

Alan Henderson and Michael Ong were both nominated to be Chair.

It was determined that the vote for chairperson would be postponed until the next TEROC meeting on May 20, 2009, when all members could be present. Members elected for Mr. Henderson to serve as interim-chair through the next TEROC meeting.

8. CALIFORNIA DEPARTMENT OF EDUCATION REPORT

The CDE report was provided by Mr. Herman. This was Mr. Herman's first TEROC meeting, as he began administrating the Safe and Healthy Kids Program Office (SHKPO) at CDE in the fall of 2008. He provided information on his background before presenting the following.

- Staff members of the SHKPO and the CDPH, CTCP met on October 3, 2008.
- Mr. Herman and Mr. Lagomarsino took part in the TRDRP's Rapid Tobacco Control Policy Research advisory meeting on December 8, 2008.

Q: Were you able to put forth suggestions regarding the research?

R: Yes, in relation to the competitive selection process and looking at non-funded schools, the likelihood of tobacco industry involvement and not having tobacco-free policy. Regardless of funds, California schools should have tobacco-free policy.

- Mr. Lagomarsino participated in the CTCP Peer Reviewer Meeting on December 16, 2008, to review proposals submitted in response to the CTCP Request for Proposals for the In-School Survey and Evaluation of the Tobacco Use Prevention Education (TUPE) program.
- A 20th anniversary pamphlet was developed regarding CDE and TUPE work in California.
- The SHKPO held a meeting of County Office of Education Prevention Coordinators on September 22-23, 2008. These coordinators provide technical assistance (TA) to school districts in the areas of alcohol-, tobacco-, and other drug-use prevention, and violence prevention.
- The SHKPO was notified by a district TUPE Coordinator that R.J. Reynolds (RJR) has begun distributing copies of the Right Decisions, Right Now (RDRN) curriculum developed by Lifetime Learning Systems

with funding from RJR. These materials are being sent directly to guidance counselors in California high schools.

- TUPE is contacting schools to inform them that they would lose funding if they use this curriculum as it would be a conflict of interest.
- TUPE was alerted that Philip Morris USA awarded the Forum for Youth Development (FYD) and the Ready by 21 Partnership \$1.46 million to support planning and capacity building around youth development. Unfortunately, this has put several districts who are accepting grant funds from the Ready by 21 Partnership in a difficult position as they are also accepting funds from the SHKPO for TUPE programs. Mr. Herman has contacted Karen Pittman, Director of the FYD and urged her to reconsider the acceptance of these funds from Altria.

Q: How many districts are receiving funding from both TUPE and Ready by 21?

R: We are not sure how many, but there are a number of districts involved with Ready by 21. Once schools know that Philip Morris has contributed to this program, schools will have to make a decision to address this conflict of interest.

C: With 200 communities and 2000 leaders, this program is far reaching.

R: Yes. Long-term, this alignment will have an impact.

C: This is a means for Philip Morris to gain credibility with youth and communities, within the construct of youth development. It shows that the industry will not stop trying to get into the hearts and minds of the youth.

R: Yes, this is a rehabilitation of their corporate image and is in direct opposition to tobacco control strategies.

C: TUPE should contact the California Youth Advocacy Network.

C: This also sounds right for generating media.

R: Yes. TUPE is in the process of educating their administrators of the issue.

Action Item:

TEROC will write a letter to Ms. Pittman and cc CDE urging Ready by 21 to not accept tobacco industry funding.

- Competitive Grants: TUPE's Request for Proposals has not been released. It has been delayed from sign-off by the Legal Office. TUPE believes the procurement will be released shortly, and are looking for ways to speed up the review process. Any further delay would have impact on schools.

Q: When will they be released?

R: TUPE is now looking to release in mid-March. They will allow 30 working days for developing applications, with a return date at the beginning of May. The review and scoring will also have to be accelerated to have the awards out prior to the beginning of the school year. The funding would not begin until July 1, 2009.

Q: Why did the Legal Office not approve?

R: There is no good answer. They hope to speed up the timeline to address this issue.

9. UNIVERSITY OF CALIFORNIA–TOBACCO-RELATED DISEASE RESEARCH PROGRAM REPORT

- As part of continuing to explore the possibility of initiating a new TRDRP-funded Tobacco Policy Research Initiative, the program convened a research advisory meeting at the UCOP on December 8, 2008. The purpose of the meeting was:
 1. To identify policy research questions that, if addressed, could inform state or local level tobacco control policy efforts within the coming year.
 2. To discuss the scope of such research and the feasibility of completing the research within the intended timeframes with TRDRP grant support.
 3. To serve as the basis for a set of recommendations for TRDRP funding of tobacco control policy research.
 4. To discuss launching an ongoing collaborative initiative to identify and address key policy research questions related to tobacco control in California, including convening periodic meetings of the collaborative agencies.
- Discussion and recommendation on policy research will be conducted by the TRDRP Scientific Advisory Committee (SAC) meeting on February 5, 2009.

Q: At sometime will you also research tobacco-free schools policies?

R: Yes, but TRDRP will likely begin with a few of the prioritized issues.

Q: Can TRDRP address the research priority areas at the same time?

R: Since this is a new area, TRDRP will likely go with one initially, but would intend to do more in the future.

Q: What is the funding amount?

R: Not established, but it would likely be in the \$150,000 to \$250,000 range.

Q: Would this be a competitive process and funded through a different TRDRP process?

R: Yes. The grant would be reviewed on the applicant's ability to carry out a research issue. Following the awarded and negotiated scope of work and budget, the agency would continue to work with TRDRP to further understand the research questions and nuances. TRDRP is looking to have two rapid policy research meetings annually.

Q: Would there be a separate review committee?

R: Yes, this would likely be conducted by teleconference.

Q: Do you have a timeline?

R: TRDRP will likely have applications due in April/May, with a peer review a month after, and funding to begin July 1, 2009. Approximately six months would be used to conduct the research.

C: There are a number of groups discussing topics for ballot initiatives. This research would be very helpful to guide this decision process.

Q: Is this a model that has been used by HIV/AIDS research?

R: Yes.

Q: In regards to reducing costs with the grant review process, how will the budget be impacted?

R: This component is a fairly small aspect of granting and review, and the staff of TRDRP will be able to contribute the process. This will not be a large cost or burden, but it will take some time for staff to establish protocols.

Q: Is this in addition to the Community Academic Research Awards (CARAs) and the School Academic Research Awards (SARAs)?

R: Yes.

Q: Does it run similar to the CARA and SARA? Could the policy research be combined with these two grants?

R: Yes, possibly. The timing and the distribution is still being discussed.

- TRDRP had revised its funding mechanisms during the 2008 funding cycle to include a new California Research Award mechanism. This grant mechanism is intended to support research projects that address questions specific to tobacco-related disease or tobacco control issues in California. To be competitive, proposals must present a compelling justification, including evidence if available, supporting the California-specific criterion.

Q: How many proposals were received?

R: 197 proposals were received. The review date is the third and fourth week of March.

Q: How does this compare with previous awards?

R: There are approximately four more than previously.

- Funding will be released late in the fiscal year and will begin July 1, 2009.
- The Proposal Application and Review Center (PARC) is just starting up. TRDRP conducted their own proposal development without the PARC; however, the application review will occur with TRDRP and the PARC. Currently the PARC director has been hired, but some positions are still waiting to be filled.

Q: How many staff does TRDRP have?

R: TRDRP currently has nine Full-Time Employees (FTE). Last year, this was eleven. Nevertheless, all tobacco research staff will remain. The loss was from two administration positions.

- At this time, the recharge process for PARC costs and allocations has not been established. Therefore, the formula for the cost to each program is still not final. The costs will look at the number of applications, the number of reviewers, and the sum to all programs units across the organization.
- The estimated total to TRDRP would be \$121,321.

Q: How does this save TRDRP money since the only positions lost were office staff?

R: The TRDRP cost and quality monitoring plan estimate \$468,000 in savings for operating costs. This would be a decrease in operating costs from 10.9 percent to 9.18 percent.

Q: And the costs savings will go to funding more research?

R: Yes. It would go to fund grants.

Q: Where do the two vacancies fall within this budget?

R: About 25 percent of each administrative position is reflected in savings.

Q: Are there any further plans to decrease current TRDRP FTE?

R: No. The 2009-10 positions will remain the same and UCOP currently has a hiring freeze.

Q: Are the reviews being conducted electronically?

R: No, they are being conducted face-to-face. There are approximately eight applications per reviewer.

Q: What are the total operating cost savings?

R: It is more difficult to save money from TRDRP because it was already fairly lean. Overall, TRDRP has saved \$468,000. This is more than what was estimated previously. Breast Cancer and HIV/AIDS Research has gone down much more significantly.

Q: Between Dr. George Lemp and Dr. Bart Aoki, what is the total FTE contributed to TRDRP?

R: Both Dr. Lemp and Dr. Aoki contribute 0.5 FTE to TRDRP.

Q: Do you feel the UCOP research reorganization will strengthen the tobacco control program efforts?

R: Yes, these efforts will strengthen the program by improving the quality of research and increasing the funding available for research.

Q: How is staff morale?

R: Mixed. The overall morale has been stressed with the continued changes. Some staff are ready to move on with the changes, and others are still struggling with the changes.

Q: Do you feel these changes are compromising the integrity of the program?

R: It is distracting to senior research staff, but it has not been seen within the proposals received or within the granting components. The plan is to maintain the research and strengthen the quality of the content.

Q: Are there any plans for TRDRP application deadlines to be changed in the coming year?

R: No. However, the time between the application due date until the peer review was extended due to scheduling with the new PARC. This will change in the future.

Q: How does the PARC fit into the research policy issue?

R: Presently, no involvement. It is possible that they might play a role in future peer reviews, but that would be it.

Q: What is the timeline for a new TRDRP director?

R: Vice President Dr. Beckwith has put this on hold and has not indicated any future action on the topic. Dr. Aoki and Dr. Lemp will continue to carry out these activities.

Q: Will TRDRP be holding a conference in the future?

R: The last conference was in 2007. At this point, TRDRP is not planning on having a conference this fall. This is an activity that will be considered again in the future, but the timing really does not work right now. The conference costs approximately \$200,000. In order to hold the conference, the cost would have to decrease significantly. TRDRP is still seeking feedback from the SAC on whether the conference is valuable. With the current fiscal challenges, TRDRP would need a strong justification to conduct a conference at this time.

Q: Do some of the cost savings estimates include the monies saved by not having the conference?

R: Yes, approximately \$120,000 to \$140,000 in savings.

Q: Does TRDRP anticipate any additional cuts in response to the five percent goal?

R: TRDRP is officially okay. Dr. Aoki and Dr. Lemp are pleased with the savings from the ten percent to nine percent decrease, and do not foresee additional cuts.

10. CALIFORNIA DEPARTMENT OF PUBLIC HEALTH-TOBACCO CONTROL PROGRAM UPDATE

The CDPH program update was provided by Donald O. Lyman, M.D. Dr. Lyman discussed the following:

- The Governor's Suspension has impacted all of CTCP's evaluation contracts. TEROC's letter to Dr. Horton was helpful in releasing the suspended contracts.

Q: Do you have any insight on how this impacted other contracts?

R: CTCP staff were not laid off. However, the CTS was delayed and will take approximately six months to restart. Total costs have not been calculated out yet.

Q: Will there be meeting of the Evaluation Task Force?

R: No, not this year.

- CTCP has developed a new Web site called Tobacco Control Funding Opportunities and Resources (TCFOR) (<http://tcfor.catcp.org>). The Web site will be used for releasing new tobacco control procurements. Presently, CTCP has three new grants that have been released on this site.

Q: Has CTCP received more money?

R: Yes, \$1.6 million will be placed within our competitive pool to refund some of these current projects. This will be an open competitive procurement.

- The Project Directors' Meeting will be held in February in Napa, CA.

C: I am very impressed with the presenters for the conference. Unfortunately with the travel freeze on CDE, they will not be able to attend.

- CTCP has submitted an application for funding by CDC. It is likely that CTCP will be awarded a greater funding amount. CTCP has requested approximately \$2 million.

Q: When will CTCP know the funding amount?

R: CTCP will know in March. We will receive between \$1.8 to \$2 million.

- The Media Unit received awards. These include: 1) The smoke-free cars materials and video which are now being used by other states to promote smoke-free cars policies; and 2) Be a Reel Hero, which has created tobacco control advertisements (ads) without dealing with talent restrictions and associated costs. Local programs are now able to freely use these ads.

Q: Are there plans to have another Be a Reel Hero contest?

R: Yes, CTCP would likely conduct it again in the future.

Q: How is the Capacity Building Network (CBN) developing?

R: The CBN is now launching a number of new services. Beginning with an independent evaluation of the program and developmental research. They have also developed a process for continuous feedback for those utilizing the services. CBN has also identified trainers who will be able to provide TA services to funded programs. The CBN TA Trainers will provide services as needed and as requested. To date, 11 TA trainers have been hired and will begin providing TA.

Q: What will the utilization be?

R: There are a variety of services. Workshops will be provided for 25 to 30 participants. Peer-to-peer services is a new concept that will be used to gather information and educate the entire field. The TA trainers will provide one-on-one services. Brief TA will total a few hours, whereas complex services will be between 20 to 40 hours. Based on evaluation, the funding level could change. The pattern for utilizing the CBN will be similar to other state services. As more programs utilize the services, word of mouth will help increase the number of programs utilizing the services.

- The CTCP conducted two prominent call-to-action events aimed at creating an awareness in the African American (AA) community on how the tobacco industry continues to disproportionately prey on the disadvantaged and disenfranchised, and particularly the AA community. This included a press conference and a conference.
- The SHS/MUH Conference was held on December 2-4, 2008, in Newport Beach. Over 250 people attended the three-day conference.
- Dr. Lyman and Colleen Stevens showed TEROC members CTCP new tobacco control ads. The ads are titled:
 - Grim Reapers
 - Zipper
 - Mural
 - Trapped
 - Inhaler (which has a specific AA and Hispanic/Latino focus)
 - Your Child
 - Cereal
 - Deadliest.
- The ads were discussed by TEROC members.

Q: Could Dr. Lyman provide more information on the reorganization of CTCP to a Branch?

R: CDPH is still in the process of creating CTCP into a Branch. It is almost complete. We are trying to create the Chief position for the Branch and recruit for the position.

Q: Will recruitment for this position be open?

R: Yes, we hope for the position to be open.

11. **PUBLIC COMMENT**

Mr. Kleinschmidt opened the meeting to public comment.

Action Item:

Dr. Henderson asked for TEROC to acknowledge Mr. Kleinschmidt's accomplishments and contributions to TEROC and tobacco control by way of developing and framing a certificate for his services.

The motion was seconded and passed.

Mr. Offen, Co-Founder of the CLASH, asked a question to TEROC.

Q: Given the fact that the new TEROC MP encourages the Smokers' Helpline to ask a question about sexual orientation, gender identity, and the fact that TEROC twice urged adoption of such a policy, what would you suggest advocates do to get the leadership of CTCP to drop their objection to the issue?

R: Mr. Kleinschmidt stated that Mr. Offen's correspondence was shared earlier in the meeting. He stated that he appreciated the question and Mr. Offen's frustration. He said that TEROC has sent two, if not three, letters on the subject to Dr. Horton and others. He believes that they share the same goal, and as far as keeping the issue alive, this was one of the reasons why the issue was included in the MP. Mr. Kleinschmidt stated that there is always the legislative option, because it is another way of getting people's attention, but he said that was not always the preferable way. But, it looks like that path had already been started. Mr. Kleinschmidt stated that he did not have any other significant suggestions, but stated that Secretary Kimberley Belshé would always be good to talk with if he had the opportunity. Mr. Kleinschmidt asked if anyone else had other ideas, then stated that he believes that what Mr. Offen was doing by sharing correspondence and speaking during public comment keeps the issue alive and will ensure that the issue gets resolved in a positive way.

C: Mr. Offen thanked TEROC for their leadership.

Mr. Kleinschmidt thanked Mr. Offen for the comment and adjourned the meeting.