Minutes of the Tobacco Education and Research Oversight Committee (TEROC)

Thursday November 15, 2018
9:30am – 2:30pm

Location
Westin San Diego
400 West Broadway
San Diego, CA 92101

Alternative Locations

Stanislaus County Office of Education
1100 H Street, Fishbowl Room
Modesto, CA 95354

County of Placer Public Health
11484 B Ave
Auburn, CA 95603

University of Southern California
Keck School of Medicine
Department of Preventative Medicine
Room 301
2001 N. Soto Street
Los Angeles, CA 90032

Members Present:
Dr. Michael Ong (Chair)  Dr. Alan Henderson (Vice Chair)  Dr. Pamela Ling
Dr. Wendy Max  Ms. Mary Baum  Dr. Mark Starr

Members Present at Alternative Locations
Dr. Claradina Soto  Dr. Lourdes Baezconde Garbanati  Dr. Vicki Bauman
Dr. Robert Oldham

Members Absent
Ms. Patricia Etem  Dr. Edith Balbach  Mr. Primo Castro

Others in Attendance
Mhel Kavanaugh-Lynch, TRDRP  Cynthia Hallett, ANR Foundation  Gordon Sloss, CTCP
Sarah Planch, CDE  Maham Anbar Truth Initiative  Rich Kwong, CTCP
Ryan Pyle, CTCP  Mayra Miranda, CTCP  Jennifer Geisler, ETR, CCAP
Narinder Dhaliwal, ETR  Valerie Quinn, CTCP  Beth Olagues, CTCP
Xueying Zhang, CTCP  Phil Gardiner, TRDRP, AATCLC  April Roeseler, CTCP
Bryant Miramontes, NCADD-OC  Ander Pittman, ETR  Manveer Sahota, ETR
Shu Hong Zhu, UC San Diego  Karla Damian Vazquez, Tehema County Health Services Agency  Lindsey Freitas, ALA
Nancy Gutierrez, UC Irvine  Kim Homer Vagadori, CYAN  Eddy Jara, Riverside County Department of Public Health
Cindy Keig  Irene Linayo-Putman, San Diego County Health and Human Services Agency  Lisa McClung, CDE
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<tr>
<th>Time</th>
<th>Agenda Item</th>
<th>Minutes</th>
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<tr>
<td>9:30 am</td>
<td>Welcome and Introductions</td>
<td>The TEROC Chair, Dr. Michael Ong, called the meeting to order. TEROC members and meeting guests introduced themselves.</td>
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<td>9:40 am</td>
<td>General Business</td>
<td><strong>Expected Outcome</strong>&lt;br&gt;• Approval of August 14, 2018 meeting minutes&lt;br&gt;• Review correspondence and announcements</td>
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|       | Action Item: Action to approve August 14, 2018 TEROC Meeting Minutes was approved. | • Discussion – None<br>• Public comment – None<br>• Vote – Dr. Pamela Ling motioned to approve the August 14, 2018 meeting minutes; Dr. Wendy Max seconded the motion. Motion passed unanimously.<br><br>TEROC members reviewed correspondence<br>• Incoming:<br>  o August 20, 2018 letter from the Local Lead Agency Project Directors Association sharing the Project Directors Association Achievements Report<br>• Outgoing:<br>  o *Occurred previous to the August 14, 2018 TEROC meeting* - June 6, 2018 letter to Roy Daiany, Head of Industry: Public Health, Government & Military at Google, recommending that Google further regulate user content regarding the sale, marketing and inappropriate use of tobacco products.<br>  o October 12, 2018 letter to Kara Hartnett Hurst, Director of Worldwide Sustainability at Amazon, recommending that Amazon further regulate user content regarding the sale, marketing and inappropriate use of tobacco products.<br>• Dr. Ong recognized Dr. Anwer Mujeeb, who passed away suddenly, for his work and contributions to tobacco control research, particularly in the area of thirdhand smoke research. Dr. Mhel Kavanaugh-Lynch received the certificate and would forward the certificate to Dr. Mujeeb’s family.<br>• Dr. Ong recognized Ms. Juli Chobdee for her work in
leading the University of California system’s Smoke and Tobacco Free Taskforce, as well as her contributions to tobacco control.

- Dr. Ong also noted that Dr. Phil Gardiner was awarded the Andre Stanley Health Equity award during the ATOD session at the 2018 APHA Conference.

- Discussion - None

Public Comment

| 10:00 am | **Environmental Developments**

**Expected Outcome**

- Review tobacco-related news
- Determine TEROC action

| Dr. Ong, reported highlights from the environmental report. |

During the TEROC meeting the United States Food and Drug Administration (FDA) held a press conference on proposed new steps to regulate electronic cigarettes (e-cigarettes), prevent youth access to flavored tobacco products and ban menthol in cigarettes.

- All flavored ENDS products (other than tobacco, mint and menthol flavors or non-flavored products) sold in age-restricted, in-person locations will be sold in age restricted in person locations.
- All ENDS products, including e-liquids, cartridge-based systems and cigalikes, in flavors except tobacco, mint and menthol, would be included. The proposed policy would apply to flavors such as cherry, vanilla, etc.
- Additionally, all ENDS products that are flavored (with the same exceptions), if sold online, will be under heightened practices for age verification.
- The FDA is also moving forward with a proposed regulation to ban flavored cigars.
- The FDA is explicit in that they will remove ENDS products that are marketed to, or are appealing to youth.
- The FDA will advance a Notice of Proposed Rulemaking that would seek to ban menthol in combustible tobacco products, including cigarettes and cigars, informed by the comments on their Advanced Notice of Proposed Rulemaking.

Although this is great news to hear, TEROC, as well as members of the tobacco control field, feel that more can be done.

- Discussion
  - It was commented that CTCP recently posted its underage tobacco sales data for 2018 on its website. The results revealed that store types that had the highest illegal tobacco sales rates
to underage young adults were tobacco-only shops and vape stores. Ms. April Roeseler shared that the data that the FDA used was not indicative of the issues that California was having.

- Dr. Ong added that enforcement is unclear and that California may have a lot to comment to the FDA.

It was discussed that comments to the FDA should be prepared. Dr. Ong suggested that members review the proposed regulations for discussion at the January 2019 TEROC meeting. Dr. Ling noted that it would be important to recognize the impact of the FDA’s actions on local tobacco control activities, adding that the Proposition E letter thanking those involved in San Francisco was still needed. Dr. Ong added that he was working on the letter, stating it was work like what was done with Proposition E, that lead to changes such as this with the FDA. It was noted that while we are seeing tremendous progress around addressing e-cigarettes, youth are using these products at high rates and more needs to be done to address the rapid increase in use. Local programs still need support.

It was suggested that local tobacco control programs be encouraged to keep up their work around flavors. It was noted that often local governments do not feel the need to act if they are seeing the state or federal government react to issues. Local programs have begun to ask what the FDA’s announcement means to their local work around flavored tobacco policies. It was suggested that TEROC write an open letter to the field, encouraging local programs to sustain the local momentum with flavored tobacco policies and while applauding the FDA’s progress with flavored tobacco products and e-cigarettes, all flavors must be included. The letter will serve to share that while the FDA has stated action, timing is uncertain and that the FDA’s intended action should not deter local work that could actually be stronger and more inclusive than that of the FDA’s.

**Action Item:** Approve TEROC to write an open letter to the field encouraging them to continue the momentum around flavored tobacco policies.

Vote - Ms. Mary Baum motioned to approve the open letter to the field; Motion seconded by Dr. Mark Starr. Motion passed unanimously.

Dr. Ong also noted recent developments with Juul, stating that Juul recent pulled its flavored pods off retail store shelves, and
| 10:15 am | **Tobacco Use Prevention (TUPE) Evaluation Discussion**  
- An update on the evaluation efforts of the TUPE Program | *Dr. Shu-Hong Zhu provided an update on the evaluation of the California Department of Education’s Tobacco Use Prevention Education Program. The results of this evaluation study are available via the online journal *PLOS One*.*

Dr. Zhu mentioned that educators interviewed for the evaluation felt that more is needed to be done around tobacco use prevention. The educational materials were out of date and not reflective of the growing popularity of e-cigarettes. They also felt that peer pressure was a large factor in whether or not a youth began experimenting with tobacco products. They also questioned the effectiveness of the curriculum and wanted to learn if what they were doing had any impact on their students. School administrators interviewed thought that tobacco use among school-aged youth was a problem; however, they felt it was not a problem in their school

The study concluded that TUPE funding was associated with an increase in schools’ tobacco-specific prevention activities and that these activities were associated with lower tobacco use among students. This study also found that education and prevention efforts regarding emerging tobacco products such as e-cigarettes, need to be strengthened.

- Discussion

When inquired if Stanford University’s Tobacco Prevention Toolkit was used, Dr. Zhu stated that at the time of the evaluation, the curriculum was not inquired about, nor was it mentioned by respondents.

Ms. Sarah Planche shared that Stanford’s Tobacco Prevention Toolkit is being used inconsistently across the state. CDE has made a large effort of share the curriculum with its programs. However, more promotion of the program needs to occur. Dr. Bonnie Halpern-Flesher, who developed the toolkit has been promoting the toolkit as well with her team. CDE will be funding Dr. Halpern-Flesher in 2019 to go into every region to promote the toolkit. CDE is planning to also update their list of appropriate tobacco use prevention curriculums by October 2019 to disseminate to TUPE-funded schools. Ms. Planche also noted that peer education programs were being used in an inconsistent manner. She also shared that in statute, curriculums used need to be “research validated” which has proven to be problematic since schools are using outdated material and still considered to be in compliance. |
Ms. Planche stated that work is being done with CDE’s legal department to reconcile issue. It was suggested that language be used in CDE’s next RFA process require grantees to use Stanford’s curriculum, or that they may use another curriculum so long as it receives approval from CDE.

It was inquired if any of the identified policies in the interviews or surveys with administrators mentioned the use of vape detectors in restrooms. Dr. Zhu stated that administrators were concerned with youth smoking or vaping in school restrooms; and very concerned about marijuana use as well. However, no mentions were made of using detectors in restrooms. Ms. Planche added that CDE cannot fund grantees to install these vape detectors on campus. They have found this item to be considered facilities or safety related and not a health education intervention. They are working with schools to find other sources of funding to install these detectors, as well as the DOJ grants.

It was inquired if there was a way to report to school staff that the curriculums that they are using for tobacco use prevention are working, since Dr. Zhu mentioned that the informants interviewed expressed this. He suggested that staff tasked with implementing the curriculums be coached on how to effectively do so, in hopes of increasing its success. TEROC members mentioned the possibility of sharing results of CSTS with educators and school administrators, as well as conducting campus tobacco waste clean ups to demonstrate the issue.

Dr. Claradina Soto shared that currently, five American Indian education centers are funded to do prevention work and through interviews conducted among 70 adults from four different tribal communities, the results are similar. Educators and adults alike are expressing a need for more information on new and emerging tobacco products. She inquired if CDE had plans to fund more American Indian education centers. Ms. Planche stated that CDE does plan to fund more American Indian education centers. She stated that there may be opportunities for these centers to partner with other organizations to further ensure that information is spreading.

Ms. Baum noted that when implementing the curriculum through her program, she found that youth were more responsive to material if it came from a peer versus an adult. She suggested examining the method of delivery for the curriculum. Ms. Bauman suggested LEAs partner with their local health service agency. Their agency partners have certain restrictions but it is clear that tobacco usage is a problem and that parents and teachers, as well as others should be aware.
It was inquired about the next phase of the evaluation and the status. Dr. Zhu stated that the cost of the TUPE Evaluation was shared among the three agencies that TEROC oversees and it had been difficult to ensure that funding was received when it was needed. CDE has decided to fund CSTS and increase its funding. It was inquired about whether or not the agencies would continue to collaborate. All agencies stated that they still intend to work collaboratively on the CSTS, contracting to fund the CSTS will be done through one agency.

It was inquired if informants were queried about the FDA’s latest campaign and resources. Dr. Zhu reported that informants were not queried about this. Ms. April Roeseler suggested sharing FDA campaign information with schools and mention that the materials are free, and evaluating their use would be useful to note. It was stated the Truth Initiative also had materials that they could give to schools to raise awareness.

| 11:00am | Voluntary Health Agencies Update  
American Lung Association (ALA), American Cancer Society Cancer Action Network (ACS CAN), American Heart Association (AHA)  
Expected Outcome  
- Legislative session update  
- Determine TEROC action | Mr. Lindsey Freitas provided a legislative update.  
At the time of this meeting, the Legislature was in between sessions. Gavin Newsom’s election as a Governor of California looks to be positive for tobacco control. Mr. Newsom in the past has been very supportive of tobacco control policies. It remains to be seen if this will carry into his term as Governor. Mr. Newsom has stated healthcare as a priority. It is anticipated that the Senate and Assembly will be largely composed of the Democratic Party, which also looks to be positive.  
ALA has seen a large uptake in flavored tobacco policies in California, especially in the Bay Area. Congress is now interested in flavored tobacco policies as well. This has also meant that there is interest from tobacco companies as well.  
The new Legislature is sworn in on December 3, 2018 with largely administrative work being conducted until January, where it is expected that bills will be introduced then.  
- Discussion  
It was inquired as to who would be creating the budget as Governor Newsom’s team transitions into office. Ms. Freitas stated that Mr. Newsom has begun to assemble his team and that he has appointed Ana Matosantos as his cabinet secretary of finance, who was formerly the head of the Department of Finance under Governor Schwarzenegger and Governor Brown. It is a signal that Mr. Newsom will be looking closely at the budget. |
Ms. Freitas stated that the Legislature will be reexamining the Medi-Cal portion of Proposition 56 funds. The Legislature had reached a two-year agreement with the Medi-Cal program, which is set to end this upcoming year. The discussion would be around how much of the funds would be used towards provider rates and increasing services.

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<th>12:30 pm</th>
<th>California Department of Education (CDE) Report to TEROC</th>
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<td>Expected Outcome</td>
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<td>• Learn recent program updates in relation to the 2018-2020 Master Plan</td>
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<td>• Determine TEROC action</td>
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Ms. Sarah Planche provided updates on behalf of CDE.

The annual TUPE coordinators meeting took place October 2-4, 2018 in Sacramento. It was the first time that the TUPE office invited districts to attend. A panel was facilitated on implementing effective TUPE Programs. In regards to Dr. Zhu’s presentation earlier, TUPE is in agreement that curriculums need to be updated and are making efforts to do so.

On November 7-8, 2018 the CDE sponsored a portion of Northern California Safe and Healthy Schools conference that was held in Berkeley, CA. Highlights include:

- Workshops about Alternatives to Suspension Policy for Tobacco and Marijuana
- JUULS and Vaping- Through the Eyes of Youth, Youth Development, Brief Interventions
- Marijuana and the Teenage brain and;
- Review of the Stanford Tobacco Prevention Toolkit were provided over the two day conference

The TUPE office will change divisions under CDE. The TUPE office will be moving to the Teaching and Learning Support Branch, Educator Excellence and Equity officer under Barbara Murchison.

CDE has been working on finalizing numerous contracts to support the purpose and objectives of Proposition 99 and Proposition 56.

- The CDE is working on an amended contract with University of California, San Diego to continue the evaluation of California’s TUPE Program
- The CDE is working on executing a contract with Stanford University that will disseminate and provide training on using the Tobacco Prevention Toolkit.
- The CDE is working on executing a contract with CYAN to get most up-to-date tobacco control and youth advocacy trainings, materials and resources, and technical assistance to TUPE partners.
- The CDE is working on executing a contract with Tulare County Office of Education-Friday Night Live Partnership in the scope of building partnerships for positive youth
• Development, which engage youth as active leaders and resources in their communities.
  • CDE was pleased to hear of the coverage received around JUUL and their efforts to spread their prevention curriculum. Media highlighted the partnerships with CDE and TEROC, as well as Dr. Halpern Felsher’s prevention toolkit.
  • Discussion

Dr. Ong inquired about CDE’s move and any possible implication as a result. Ms. Planche stated the logic of the move was to support educators and that Ms. Murchison was supportive of TUPE’s efforts. Dr. Ong expressed that TEROC was here to support TUPE should anything be needed in the transition, since in the past when tobacco control programs have been reorganized there has not been a clear understanding about what the programs do.

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<th><strong>University of California Office of the President (UCOP), Tobacco-Related Disease Research Program (TRDRP) Report to TEROC</strong></th>
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<td>Expected Outcome</td>
<td><strong>Dr. Mhel Kavanaugh-Lynch provided updates on behalf of TRDRP.</strong></td>
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<td>• Learn recent program updates in relation to the 2018-2020 Master Plan</td>
<td>UCOP is still reviewing the suggestions from the Huron report and evaluating all the programs. The indications that TRDRP staff have received is that based on the interviews with UCOP staff, UCOP may be suggesting that TRDRP remain in UCOP.</td>
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<td>• Determine TEROC Action</td>
<td>Interviews are now beginning for a new TRDP director.</td>
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<td>In July 2018, TRDRP issued a Call for Applications for the 2019A grant cycle. This call was based on the 2018 Call for Applications and refined to account for a lower level of allocation in 2018-2019. The refinement focuses the portfolio on tobacco-related research and on the research objectives of the Master Plan and Proposition 56 and 99 priorities. TRDRP screened 329 Letters of intent (LOIs) to submit an application for eligibility and invited 306 to apply. These applications are now undergoing scientific peer review; funding decisions will be made in January 2019. TRDRP will now begin accepting LOIs for submission cycle 2019B.</td>
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<td>A proposal to renew the Thirdhand Smoke (THS) Consortium for a third phase of funding was submitted August 8, 2018 and reviewed favorably on September 17, 2018.</td>
<td>The SAC approved the TRDRP staff recommendation to provide $6M in funding (direct costs) for the THS Consortium to continue their work for another three years (December 1, 2018 – November 30, 2021).</td>
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<td>UC Smoke and Tobacco-Free Fellowship</td>
<td>These Fellowships were previously funded directly from President Napolitano’s office, but that funding was discontinued at the end of the 2017-2018 year. There have been initial discussions to re-</td>
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start this program as a TRDRP award type. It is currently being explored that a similar Fellowship could be developed for the TRDRP 2019 Call for Applications. Expansion to the California State University System and California Community College System would be possibilities once UC fellowships are successfully established.

TRDRP’s SAC approved collaboration between the California Breast Cancer Research Program (CBCRP) and TRDRP to pilot an expansion of Quick Start, a technical assistance program for community and academic scientists to develop community-based participatory research proposals focused on reducing tobacco-related health disparities. The pilot program will involve pairing tobacco control programs, tobacco prevention educators, and academic researchers into 2-person teams to participate in a 10-month program focused on thinking through and developing a strong research grant application for funding to TRDRP or another funder. Quick Start has helped CBCRP applicants prepare scientifically rigorous research questions and be more competitive in the grant review process. Outreach to recruit participants will commence shortly.

TRDRP has also been working on coordinating the North American Cannabis Summit set for January 28-30, 2019.

- Discussion

TRDRP’s Policy Research Centers were mentioned, noting that one in UC Merced has opened. It was inquired if other policy centers would be funded. Dr. Kavanaugh-Lynch stated that as many as three centers could be funded so that they could operate as a consortium, however, when invited to resubmit their applications, the applicants were unsuccessful.

It was inquired if any cannabis research will be conducted. Dr. Kavanaugh-Lynch stated that TRDRP will be funding projects that are examining cannabis and tobacco use currently. They are also funding the North American Cannabis Summit, as well as other projects to further research and address the overlap between tobacco and marijuana.

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1:30 pm | California Department of Public Health, California Tobacco Control Program (CTCP) Report to TEROC

Expected Outcome
- Learn recent program updates in relation to

Ms. April Roeseler provided an update on behalf of CTCP.

CTCP hosted an entry level orientation and introductory training for new staff of CTCP-funded projects called Tobacco Control University.

In October 2018, the Tobacco Education Clearinghouse of California launched the Tobacco Control Images Gallery, which
the 2018-2020 Master Plan
• Determine TEROC action

hosts anti-tobacco images provided by CTCP. These images are available to funded projects to use in their social media campaigns.

CTCP also hosted a webinar on lobbying vs. education, to explain the differences between lobbying and educating elected officials; and what CTCP-funded projects can and cannot do.

ChangeLab Solutions in partnership with the Center for Tobacco Policy and Organizing hosted a webinar on preemption to equip participants with a basic understanding of the legal concept of preemption. The idea of preemption has come up in other states seeking to pass tobacco control related laws. Hawaii and Philadelphia were examples of states that ended up with preemption clauses in their laws preventing local programs from furthering tobacco control work.

Initiative to Reduce Tobacco-Related Disparities at Residential Behavioral Health Facilities – Six residential behavioral health facilities will implement Wellness Quality Improvement Projects (QIP) to reduce tobacco use and promote wellness policies and activities among people with substance use disorders and mental health challenges.

Regional Rural Initiative to Reduce Tobacco-Related Disparities: Four projects were funded to start.

CTCP sponsored the publication of an American Journal of Preventive Medicine supplement, titled, *Advancing Smoking Cessation in California’s Medicaid Population*. The research articles focus on the *Medi-Cal Incentives to Quit Smoking Project* study findings and a special article describing the development and implementation of *CA Quits*, a project to promote cessation-related system change within Medi-Cal health plans and hospitals and among safety net providers such as Federally Qualified Health Centers, community health centers, tribally operated ambulatory clinic systems, migrant clinics, family planning clinics, Veterans Affair systems, and cancer centers. The supplement includes an editorial by Dr. Steven Schroeder, commentaries by Dr. Neal Kohatsu and Dr. Kenneth W. Kizer. Authors of research articles include Dr. Shu-Hong Zhu, Dr. Hai-Yen Sung, Dr. Elisa Tong, and Dr. Jackie Kaslow. All articles will be available as open access.

CTCP has experienced delays in the approval of contracts and paying invoices funded from Fiscal Year (FY) 2018/19 Prop 56 Fund 3322. On October 11, 2018, CTCP was informed the State Controller’s Office (SCO) was setting up FY 18/19 Prop 56 Fund 3322. On October 12, 2018, CDPH Accounting was informed the
SCO was working with Department of Finance to get the Fund set up. As of November 14, 2018, funding codes were set up.

Ms. Roeseler also provided an overview of CTCP’s efforts to address-related health disparities.

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<th>2:00 pm</th>
<th>Public Questions and Comments</th>
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<td>Dr. Gardiner announced that AATCLC will be hosting a gala to celebrate its 10 year anniversary. TEROC members received invitations, but others are invited to attend.</td>
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Dr. Gardiner also encouraged members, as well as the audience to read the FDA’s proposed plans, as it makes a lot of exclusions. He also mentioned a report from Bonnie Herzog of Wells Fargo, who is predicting that these proposed changes may not even happen and if they do, they will not really address the issue.

Dr. Starr wanted to follow up on cannabis-related issues. TEROC invited Ms. Lori Ajax to the June 2018 TEROC meeting and recalled that TEROC wanted to also invite the Chair of the CAC. He offered to connect TEROC with the CAC Chair. He added that CDPH will also co-host the North American Cannabis Summit in January. He also inquired if TEROC was still interested in continuing the Cannabis/Marijuana Subcommittee. Dr. Ong directed the subcommittee to continue to meet. Subcommittee members agreed to meet before the next TEROC meeting.

Ms. Hallett, also asked that the Cannabis/Marijuana subcommittee explore the implications of Assembly Bill 2020, passed in 2018 to allow local jurisdictions to approve temporary cannabis events in any location, except for locations that prohibit smoking.

Dr. Zhu also asked TEROC to address tobacco use among low income communities. Dr. Ong stated that a new director of Medi-Cal needs to be appointed. No announcements have been made. Medi-Cal recipients have the highest rates of smoking. It was suggested that comments from Dr. Kenneth Kizer be examined and used as a launching point to begin discussions and make recommendations to the new director.

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<td>Dr. Ong adjourned the meeting at 2:05 p.m.</td>
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**Acronym List**
AATCLC - African American Tobacco Control Leadership Council
APHA – American Public Health Association
ATOD – Alcohol Tobacco and Other Drugs
CDPH - California Department of Public Health
CDE – California Department of Education
CAC – Cannabis Advisory Committee
CTCP – California Tobacco Control Program
CHKS – California Healthy Kids Survey
CSTS – California Student Tobacco Survey
CYAN: California Youth Advocacy Network
DOF – California Department of Finance
DOJ – California Department of Justice
FDA – Food and Drug Administration
LEA – Local Education Agency
LLA – Local Lead Agency
MOU – Memorandum of Understanding
NEOPB- CDPH Nutrition Education and Obesity Prevention Branch
OP: Office of the President
RFA- Request for Applications
RGPO: Research Grants Program Office
SAC- Scientific Advisory Committee
TRDRP – Tobacco Related Disease Research Program
TUPE – Tobacco Use Prevention Education
UCOP – University of California Office of the President