TESTIMONY OF
CONNECTICUT HOSPITAL ASSOCIATION
SUBMITTED TO THE
COMMITTEE ON CHILDREN
Tuesday, March 3, 2020

HB 5334, An Act Concerning The Online Sale And Delivery Of Electronic Nicotine Delivery Systems And Vapor Products

The Connecticut Hospital Association (CHA) appreciates this opportunity to submit testimony concerning **HB 5334, An Act Concerning The Online Sale And Delivery Of Electronic Nicotine Delivery Systems And Vapor Products**. CHA supports strong tobacco-control measures, whether it be through municipal ordinances, workplace policies, or state and federal laws. As such, CHA supports HB 5334 and respectfully requests that the bill be amended to clarify the definition of "*electronic nicotine delivery system*."

Before commenting on this bill, it is important to point out that Connecticut hospitals and health systems provide high quality care for everyone, regardless of their ability to pay, and work to improve the health of those who live in our communities. Supporting Connecticut's hospitals strengthens our healthcare system and our economy.

HB 5334 would require proof of age and proof that the name on such identification matches the name on the method of payment used to make the purchase of electronic nicotine delivery system (ENDS) and vapor products. CHA is supportive of measures that deter youth smoking as we know that the best way to reduce health-associated harm caused by smoking is to abstain from smoking altogether or, at a minimum, delay the start of smoking. On a daily basis, caregivers in Connecticut hospitals see firsthand the impact of smoking-related disease and illness and, because of this, we wholeheartedly endorse common sense public policy initiatives that reduce or delay the start of smoking by youths.

CHA respectfully requests that you consider amending the definition of *electronic nicotine delivery system* to avoid interference with the use of nebulizers and other medicines and therapies.

Section 21a-415 of the general statutes contains a carve-out for medical devices and therapeutic products. We request that language be included in any proposed legislation that defines banned devices or substances. The suggested language is below:

"*Electronic nicotine delivery system*" *does not include a medicinal or therapeutic product that is (A) used by a licensed healthcare provider to treat a patient in a healthcare setting, (B) used by a patient, as prescribed or directed by a licensed healthcare provider in any setting, or (C) any drug or device, as defined in the federal Food, Drug and Cosmetic Act, 21 USC 321, as amended from time to time, any combination product, as described in said Act, 21 USC 353(g), as amended from time to time, or any biological product, as described in 42 USC 262, as amended from time to time, and 21 CFR 600.3, as amended from time to time, authorized for sale by the United States Food and Drug Administration;"*

Thank you for your consideration of our position. For additional information, contact CHA Government Relations at (203) 294-7310.