



March 21, 2017

State of Rhode Island General Assembly
82 Smith Street
Providence, Rhode Island
02903

Re: Public Health and Workplace Safety Act – H5821

Members of the Committee:

As a medical doctor who has pioneered new smoking cessation efforts, a therapist heavily involved in issues that impact the LGBT community and the President of a think tank, we write to you out of concern over the bill before you, HB 5821. While well intentioned, the proposed bill is not good public health policy.

Under the bill, e-cigarettes (which contain no tobacco) would be defined as a “tobacco product” and their use restricted, while stores which sell them would be labeled “tobacco retailers.” This is problematic both because it’s based on a false premise and because it will, over time, hurt public health.

Defining e-cigarettes as a tobacco product contradicts common sense. They do not contain tobacco and are therefore not a tobacco product. If you are to define e-cigarettes as a tobacco product because they contain nicotine (as most do), you might as well include potatoes in the same definition since they, too, contain nicotine. The fundamental premise of the bill is deeply flawed.

More significantly, the proposed legislation adversely impacts public health. While e-cigarettes are not safe or healthful but any standard, they are far less harmful than cigarettes. The best available science indicates they are no less 90 percent safer. They also do not produce the environmental tobacco smoke that harms bystanders. Policy that encourages smokers to switch to e-cigarettes if they cannot quit or do not wish to will significantly reduce the enormous burden of disease that combustible cigarettes impose on society. These impacts would be particularly severe amongst groups with above average smoking rates such as LGBT people and Medicaid recipients. Policies that treat e-cigarettes as if they were the same thing as traditional cigarettes will encourage current smokers to continue doing enormous harm to their health by continuing their use of combustible products.

All this said, e-cigarettes are not benign. Those that contain nicotine (as almost all do) are addictive. As nicotine is a stimulant, furthermore, they have significant potential to cause many of the heart problems associated with smoking. As such, measures to limit their distribution to those under the age of 18 (or a higher smoking age if you chose to set one) are warranted as would be laws that restrict children from entering stores that exist exclusively to sell them.

But they are not as dangerous as combustible cigarettes, so please do not classify them together. Doing so only will hurt Rhode Islanders in the long run.

Yours sincerely,

Eli Lehrer, President, R Street Institute

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