



March 26, 2014

The Honorable Joseph McNamara, Chair  
House Committee on Health, Education and Welfare  
State House  
Providence, RI 02903

RE: H 7573 AN ACT RELATED TO PUBLIC HEALTH AND WORKPLACE SAFETY

Dear Representative McNamara and Members of the Committee:

H 7573, sponsored by Representative Tanzi, would require smoking and hookah bar owners to register with the Division of Taxation and report quarterly that sales from tobacco exceed fifty one (51) percent of combined revenue. The American Lung Association and the Campaign for Tobacco Free Kids supports this legislation and urges your support.

Hookah bars are growing in popularity in our state, with new businesses opening frequently, particularly in our urban areas and near college campuses.

From informal conversations with young people, we have found a widespread belief that smoking hookah is safer than cigarette smoking. In fact, water pipe smoking carries the same serious health effects as smoking cigarettes. In addition to causing lung cancer, there is an increased incidence of cancers of the lower lip, esophagus and stomach from water pipe use. In addition, we know that breathing in second hand-smoke is dangerous and that there is no safe level of exposure to second-hand smoke. Also, sharing mouthpieces may come with a risk of infectious disease from bacteria and viruses harbored in the mouthpiece, tubing or bowl of the pipe.

The Rhode Island Smoke-Free Workplace law passed 10 years ago has successfully reduced tobacco related death and disease in RI. There is an exemption in the law for "smoking bars". The Legislature's intent in the "smoking bar" exception is very clear in that it is intended to be for businesses that are primarily for smoking, for example cigar bars; it is not intended for restaurants that cater to entire families and many patrons who are not there to eat and drink, not to smoke.

Unfortunately, a lack of clarity in subsequent regulations and confusion over enforcement jurisdiction between the Division of Taxation and Department of Health has created a regulatory "gray area." Many restaurants and bars have added hookah pipe smoking to their establishments

and not faced any sanction as a result, even though we believe they are clearly violating the letter and spirit of the law.

H7573 will allow for improved regulation and enforcement. It provides common sense measures which are currently missing, such as requiring all hookah bars to register with the Division of Taxation so they know which establishments are allowing indoor smoking and can determine if they fit the smoking bar exemption in the Smoke-Free Workplaces law. In addition, the new quarterly reporting requirement would allow the state to pro-actively move on compliance and enforcement issues several times a year instead of yearly. Both of these changes would enable the state to significantly improve regulatory oversight of smoking and hookah bars.

Massachusetts requires hookah bars to submit filings to the state every 90 days.

We urge your support of H 7573.

Sincerely,



Karina Holyoak Wood  
Public Policy Director  
American Lung Association of Rhode Island



Kevin O'Flaherty  
Director - Northeast Region  
Campaign for Tobacco-Free Kids

Cc: House Health, Education and Welfare Committee  
Representative Teresa Tanzi