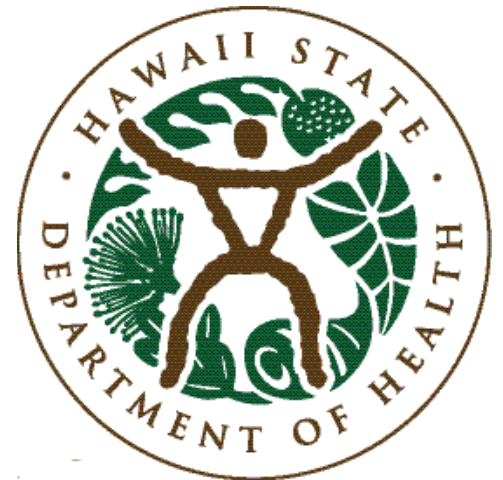


Hawaii Tobacco Prevention and Control Trust Fund

Legislation Updates and HTQL and Prevention Updates



Hawaii Tobacco Prevention and Control Advisory Board meeting
July 31, 2023

The
Department
of Health

Legislative Updates

- ✓ **Bill SB975, HB551, SB1447 and HB982**

SB975 signed into law as Act 62 on June 6, 2023

SB975 provides the **parity in the tobacco regulatory** structure by including **e-cigarettes and e-liquids**, so the **price of e-cigarettes do not entice young people**, and **prohibits online shipment of e-cigarettes** to anyone without a tobacco license.

Starting July 1, 2023

1. Prohibit online sales to anyone without a tobacco license.
2. Requires e-cigarette and e-liquid wholesalers and dealers to have a tobacco license.
3. Increases licensing and permitting fees.

Starting January 1, 2024

4. Adds 70% excise tax on the wholesale price of e-cigarettes and e-liquid products to be paid by wholesalers and dealers.
5. Requires retailers of e-cigarettes and e-liquids to have a tobacco permit.



Department of Attorney General FAQ on Act 62, SLH 2023

ACT 62: **Regarding electric smoking devices (ESDs) and e-liquids** **Information for Wholesalers, Dealers, and Retailers**

What is the new law regarding ESDs and e-liquids?

On June 6, 2023, Senate Bill 975 was signed into law as Act 62, and Gov. Msg. No. 1162 (Relating to Health). One of the purposes of this law is to include ESDs (also called e-cigarettes and vapes) and e-liquids in the Cigarette Tax and Tobacco Tax Law, found in chapter 245 of the Hawai'i Revised Statutes (HRS 245).

What are the main changes of Act 62 and when do they take effect?

Starting July 1, 2023:

- Under HRS 245, "tobacco product" will include ESDs and e-liquids.
- Wholesalers and dealers of ESDs and e-liquids are required to have a tobacco license issued by the Hawai'i Department of Taxation (DOTAX).
- Fees will increase to:
 - Tobacco license fee: \$250
 - Tobacco retail permit fee: \$50
- New criminal offenses will be in effect relating to the shipment of tobacco products, including ESDs and e-liquids, to a person or entity in Hawai'i that does not hold a tobacco license issued by DOTAX.
- The Department of Attorney General's Electronic Smoking Device Retailer Registration Unit will cease operations. Retailers of ESDs and e-liquids will no longer be required to obtain a Certificate of Registration from the Department of Attorney General.

Starting January 1, 2024:

- ESDs and e-liquids are subject to an excise tax of 70% of the wholesale price of the item. Wholesalers and dealers are responsible for paying this excise tax.
- Retailers of ESDs and e-liquids will be required to have a retail tobacco permit issued by DOTAX.
- Retailers of ESDs and e-liquids must have a retail tobacco permit by **January 1, 2024**, when the new excise tax rate will apply.



Who needs to comply with Act 62?

This law applies to ESD and e-liquid wholesalers, dealers, and retailers.



Wholesalers and Dealers

Wholesalers and dealers of ESDs and e-liquids must obtain a tobacco license from DOTAX and become a "licensee."

Forms and instructions to register:
<https://tax.hawaii.gov/forms/>

"Licensees" are required to:

1) File a monthly tax return (Form M-19) by the 20th of the month to DOTAX.

Instructions for Form M-19 submission:
<https://files.hawaii.gov/tax/forms/2022/m19ins.pdf>

2) Report monthly shipments (Form TEU 5) to the Department of the Attorney General.

Forms and more information:
<https://ag.hawaii.gov/cjd/tobacco-enforcement-unit/>

Retailers

Retailers of ESDs and e-liquids must obtain a retail tobacco permit from DOTAX and become a "permittee."

Forms and instructions to register:
<https://tax.hawaii.gov/forms/>

Each retail location requires a separate retail tobacco permit.

Retailers who obtain ESDs and e-liquid products from a tobacco wholesaler and dealer who has not met their tax obligations may be liable for those taxes.

For additional information or questions:

Act 62: https://www.capitol.hawaii.gov/sessions/session2023/bills/GM1162_.PDF

Department of Attorney General,
Electronic Smoking Device
Retailer Registration Unit
Email: ATG.ESD.Reg.Unit@hawaii.gov
Phone: (808) 586-1203
Website: <https://ag.hawaii.gov/cjd/esd-retailer-registration-unit/>

Department of Taxation
Email: tax.licensing.section@hawaii.gov
Phone: (808) 587-4242, option #4
Website: <https://hitax.hawaii.gov>





Significant bills that did not pass in the 2023 Legislative Session

HB551


Would prohibit the sale of flavored tobacco products and the mislabeling of e-liquids as nicotine free.

SB1447

Would reinstate county authority to adopt ordinances that regulate the sale of cigarettes, tobacco products, and electronic smoking devices that do not conflict with and are more stringent than the state law that govern smoking.

HB982

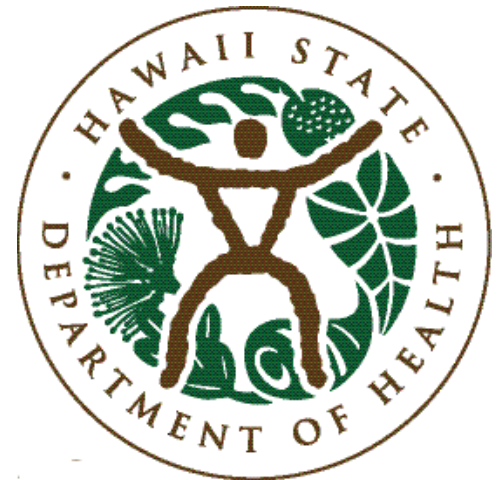
Would stabilize and increase funding for the tobacco enforcement unit within the Department of the Attorney General for diligent enforcement efforts and to minimize the risk of losing the master settlement agreement annual payments to the state.



Hawaii Tobacco Prevention and Control Trust Fund

HTQL and Prevention Updates

- ✓ 2022 Hawaii Tobacco Quitline
- ✓ 2022 My Life, My Quit
- ✓ 2022 Escape the Vape Hawaii
- ✓ 2023 Health Communication Media Plan



The
Department
of Health
Trust Fund
Programs
Updates

HTQL and Prevention Updates

- ✓ 2022 Hawaii Tobacco Quitline

Highlights

- ✓ New landing page to engage public about HTQL services
- ✓ Shift to more traditional TV and Radio
- ✓ Healthcare Professional Campaign

Goals for 2022

- Shift from **Priority to General Population** focus to increase overall enrollment
- Modify the **marketing mix**
- Reach **1.4%** promotional enrollment

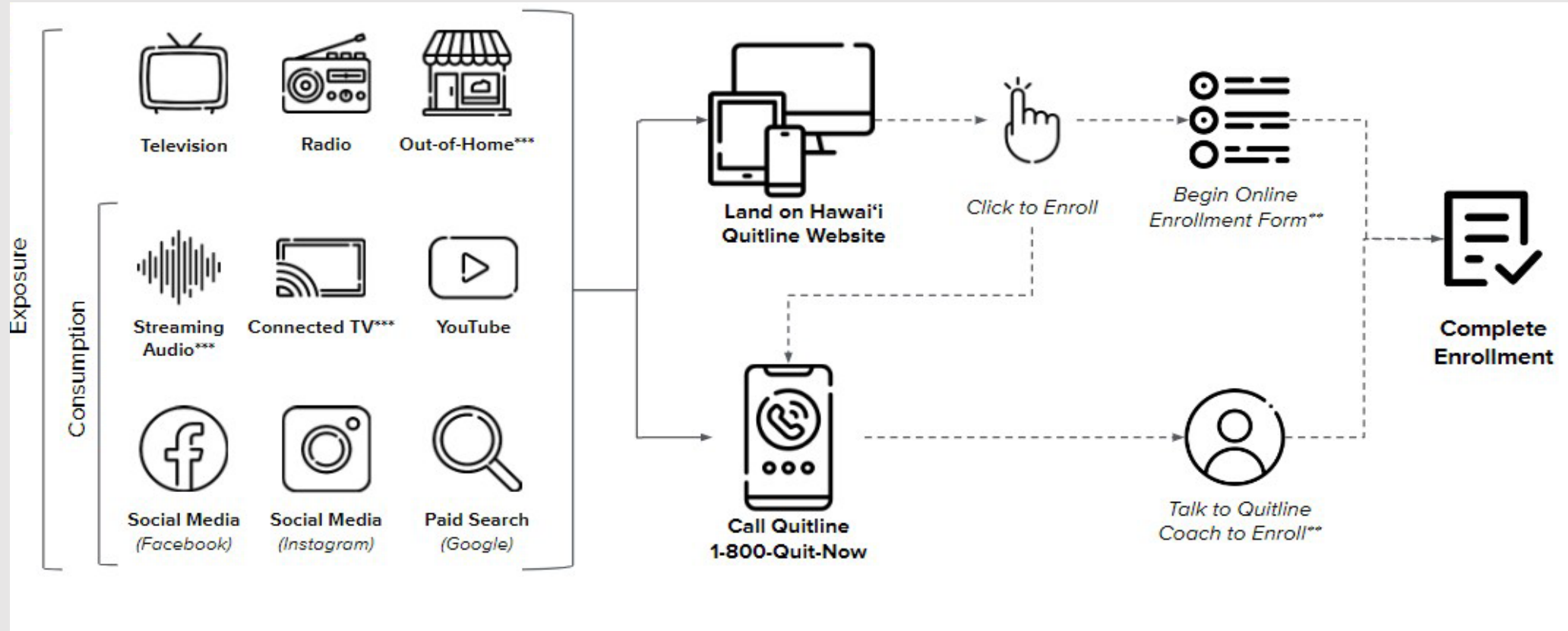
HAWAII TOBACCO QUITLINE
1-800 QUIT-NOW
HawaiiQuitline.org | 1-800-784-8669

The screenshot shows the top navigation bar with 'Quit Tools', 'Quitline Coaches', and 'Quit Reasons'. The main heading is 'Quit Smoking With Customized Help'. Below it, a sub-heading reads 'Free expert coaching and resources to support your quit success'. A paragraph states: 'Smokers die an average of 10 years earlier than nonsmokers. Many smokers suffer from tobacco related illnesses years before dying. But you don't have to lose quality time with ohana and friends.' Another paragraph says: 'The Quitline uses a combination of quit methods, like confidential counseling and free quit medication, to increase your chances of quitting.' To the right, there are five portrait photos of diverse individuals.

The section is titled 'Tools to Help You Quit' with the sub-heading 'Get the right mix of custom support for you'. It includes a paragraph: 'When you enroll with the Quitline, you'll get everything you need to successfully quit smoking cigarettes, e-cigarettes, cigars, and vapes, all for free.' Below this is a section 'Enroll in the Quitline program' with three icons: a clipboard for 'A customized quit plan & FREE nicotine replacement therapy', a person with a checkmark for '1:1 personalized help from expert coaches', and a group of people for 'Access to an online community & progress tracker'. A section 'Choose How to Get Support From the Quitline' lists 'Phone', 'Online', and 'Or both'. It includes text about signing up for phone services and selecting nicotine replacement therapy. An image of 'Nicotine Gum', 'Nicotine Chew Patch', and 'Nicotine Mini-Lozenge' is shown. At the bottom are buttons for 'CALL 1-800-QUIT-NOW' and 'ENROLL ONLINE NOW'.

The section is titled 'Our Coaches Help You Quit Successfully' with the sub-heading 'Our team of trained coaches use a mix of proven methods customized for you to increase your chances of quitting smoking for good.' It includes a section 'See how the Quitline Coaches work with you to:' with three icons and text boxes: 'Handle nicotine withdrawal', 'Set a quit date that works for you', and 'Manage your stress without smoking'. Below this is a section 'Pregnant, Planning, or Postpartum Quitting Support' with text: 'We understand how important your baby's health is to you. Whether you're planning a pregnancy, are currently pregnant, or recently had a baby, we have nonjudgmental support just for you during this special time, including gift card incentives.' To the right is an image of a baby's feet. At the bottom is a 'Learn More' button.

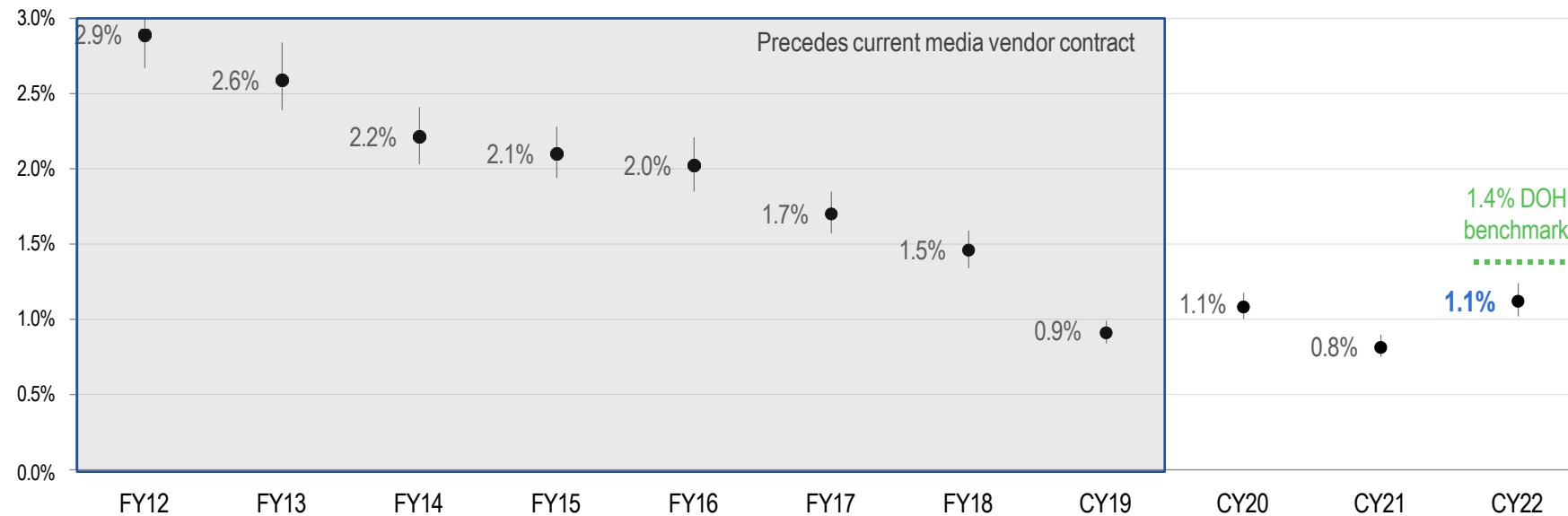
Communications Channels



HTQL Performance

Promotional Reach increased from 0.8% in CY21 to 1.1% in CY22, but did not reach the CY22 goal of 1.4%

Estimated promotional reach, with 95% confidence interval

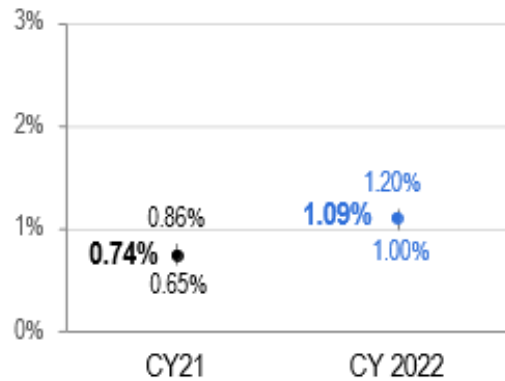


943 adult tobacco users completed enrollments.

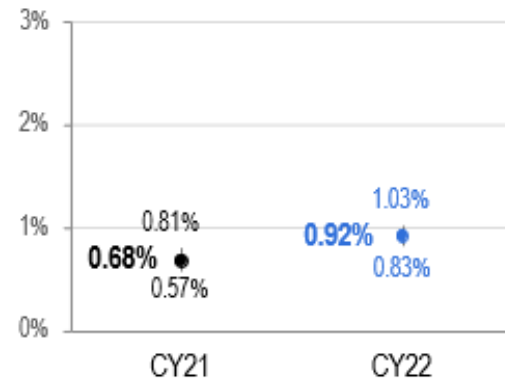
HTQL Performance

Registration reach increased for Hawai'i & Maui counties in CY22

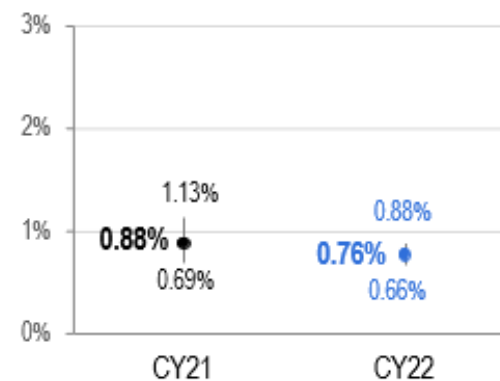
Hawai'i



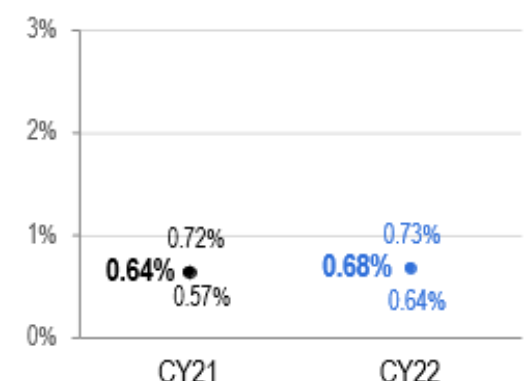
Maui



Kaua'i



Honolulu

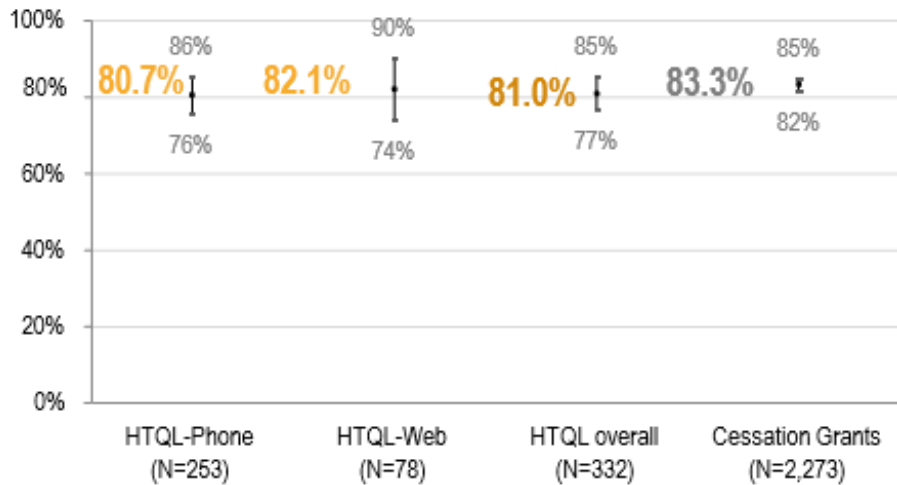


HTQL Performance

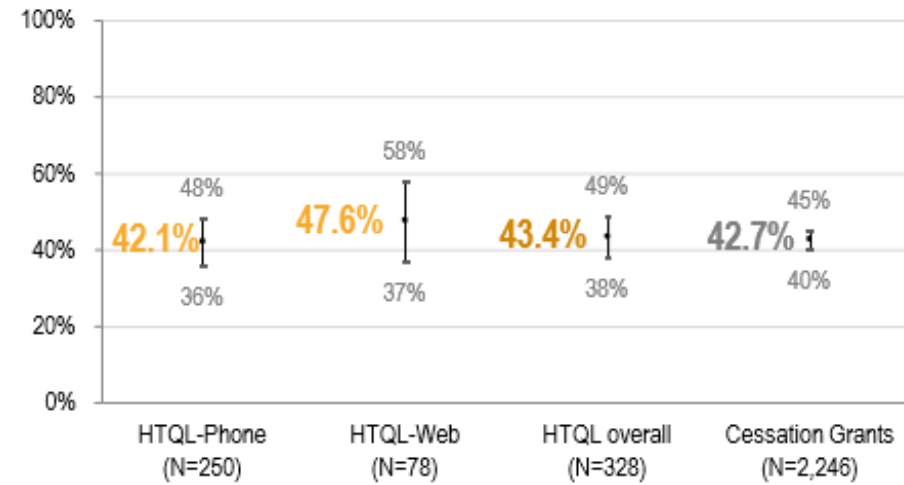
About 8 in 10 participants quit for 24 hours, meeting the benchmark

About 4 in 10 participants quit for 30+ days after enrollment, an area for improvement

FY22 HTQL 24-hour quit attempt rate, by program and overall



FY22 HTQL prolonged abstinence rate, by program and overall



The
Department
of Health
Trust Fund
Programs
Updates

HTQL and Prevention Updates

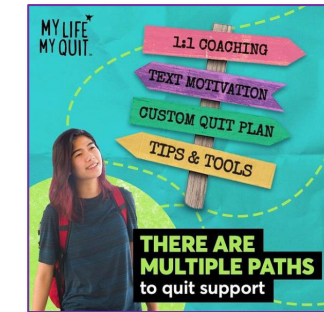
- ✓ 2022 My Life, My Quit

MY LIFE MY QUIT.[™]

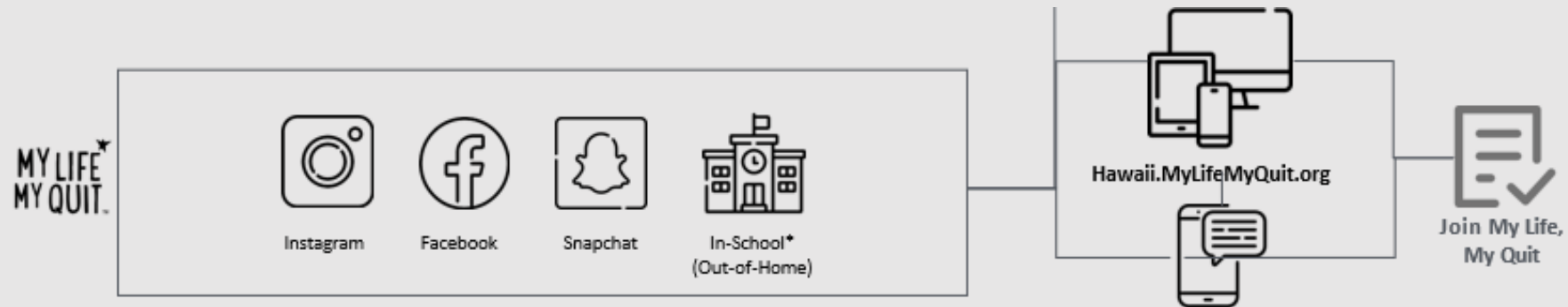
HAWAII

Goals for 2022

- The **primary goal** was to **generate engagement** and **awareness** by prompting people to click through to the **My Life, My Quit** website.
- The **secondary goal** was to **activate engagement** creating **enrollment** process.



MLMQ COMMUNICATION CHANNELS



AUDIENCE

Hawai'i teens, age 13-17, who are currently vaping nicotine & want to stop.

MLMQ Performance

NAQC Quitlines

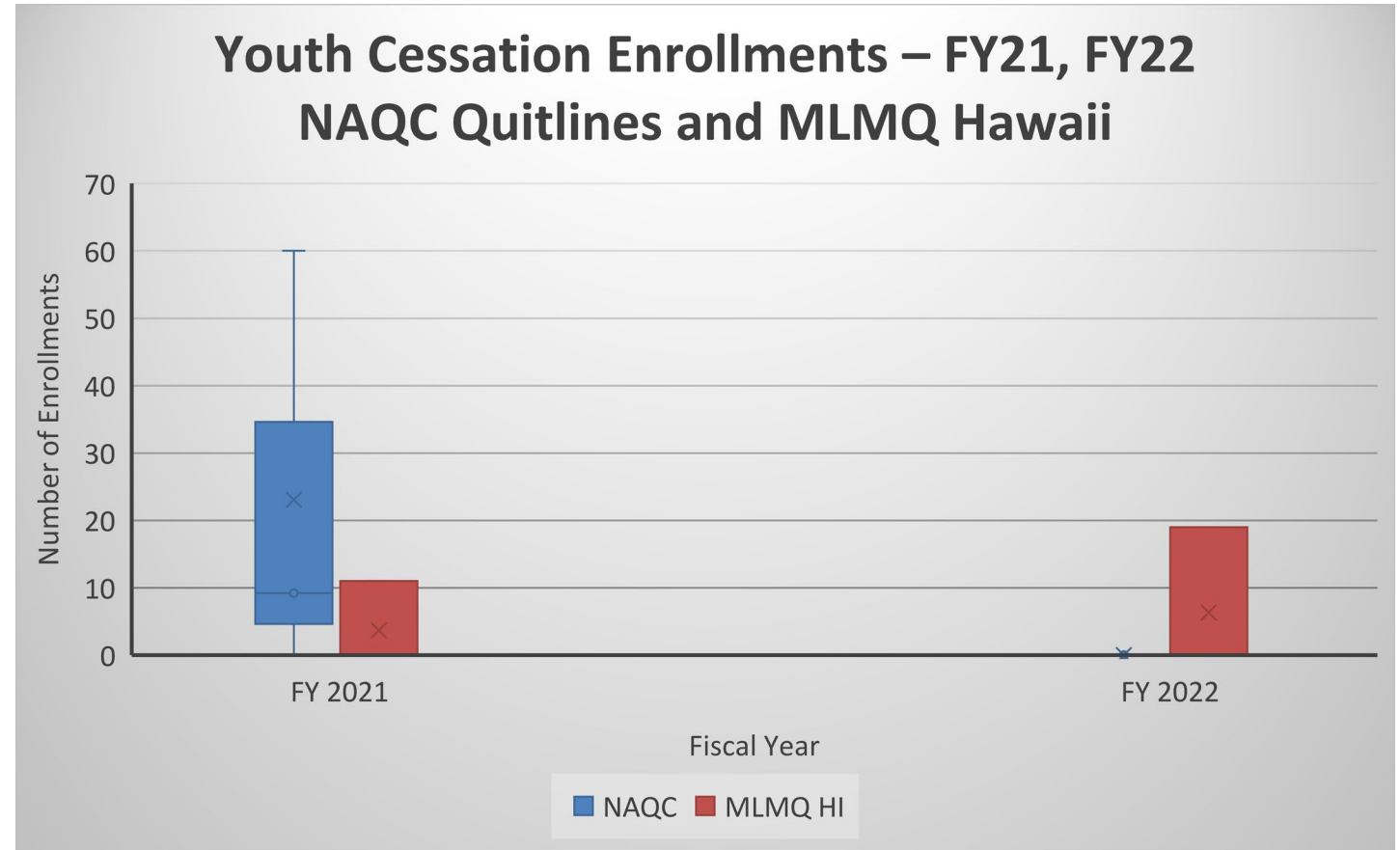
FY 2021 – **479** Total enrollments

- Average 9.21 per quitline

MLMQ HI

FY 2021 – **11** enrollments

FY 2022 – **19** enrollments



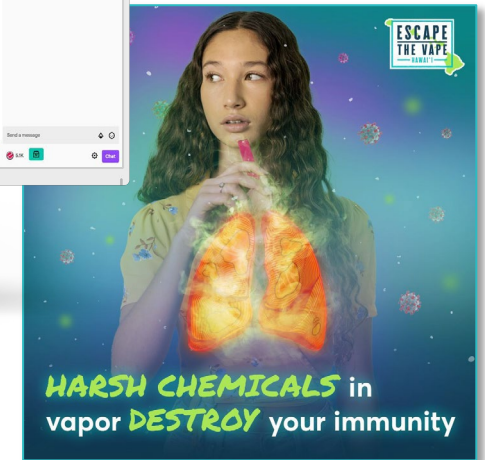
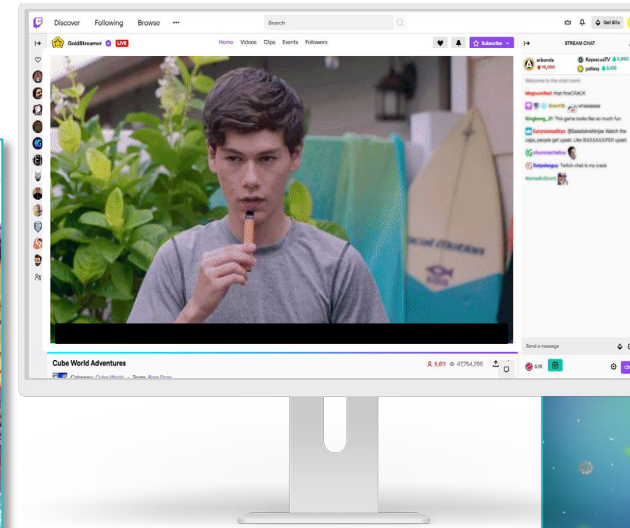
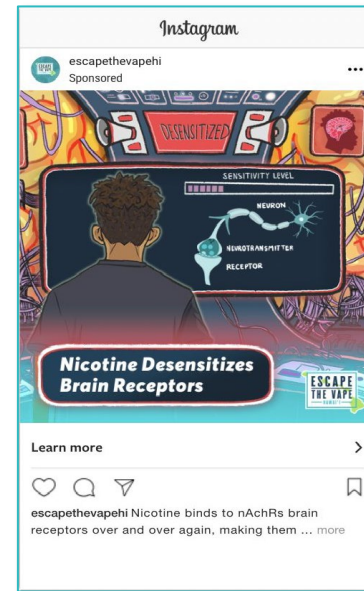
The
Department
of Health
Trust Fund
Programs
Updates

HTQL and Prevention Updates

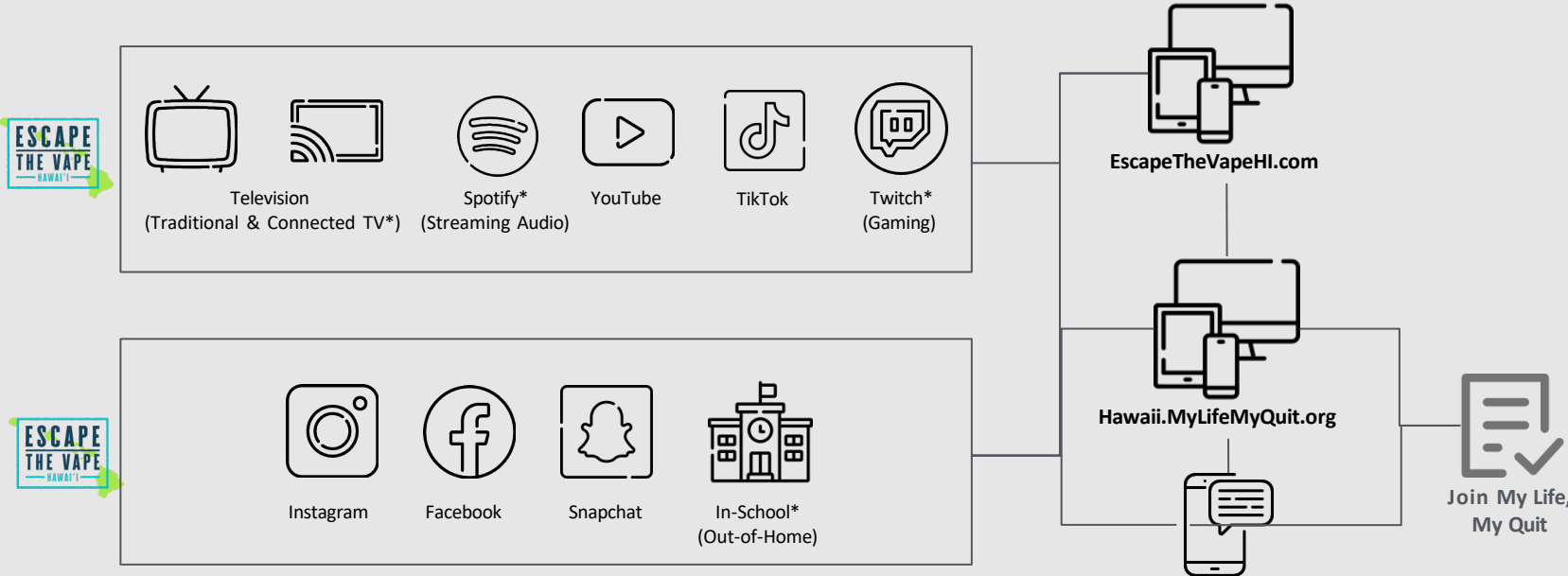
- ✓ 2022 Escape the Vape Hawaii

Goals for 2022

- The **primary goal** for the Escape the Vape message package was to **reach at least 70%** of the target population across all islands on media channels.
- The **secondary goal** was to **deliver the message** creating **prevention messaging** to the target audience and **exploratory engagement** that would indicate message consumption



ETVHI COMMUNICATION CHANNELS



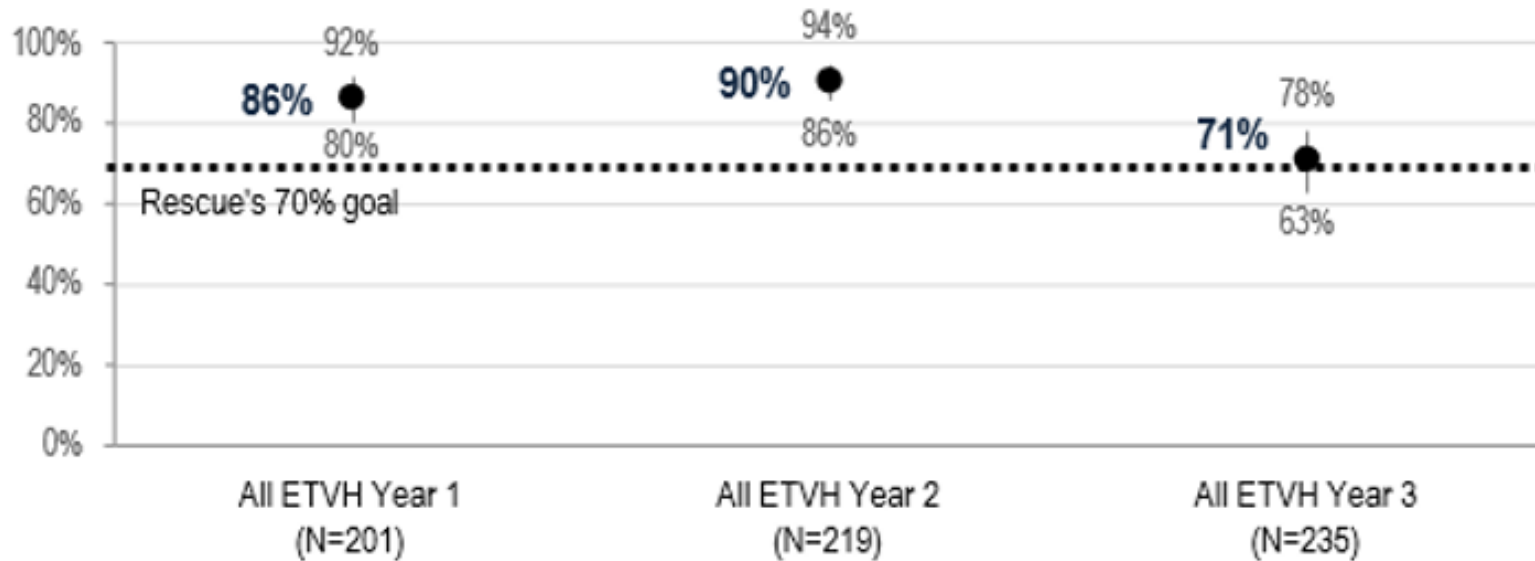
A multi-channel approach, delivering prevention messages to counter pro-vaping imagery on channels that feature pro-vape content.

AUDIENCE

Hawai'i teens, age 13-18, who are susceptible to start, ever used, or are currently vaping.

ETVH Performance

Estimated reach among 13-18 year olds
with 95% confidence interval



Broken Immunity

98% Teens Reached in HI

saw the Flagship on 1 or more channels

Nicotine Brain

97% Teens Reached in HI

saw the Flagship on 1 or more channels

The
Department
of Health
Trust Fund
Programs
Updates

HTQL and Prevention Updates

- ✓ 2023 Health Communications Update

Media Plan - 2023



➤ The goal for 2023 **HTQL program** is to increase **promotional reach** to **1.78%**.

- The **primary** goal for 2023 **My Life My quit** program is to **generate engagement**.
- The **secondary** goal is to **generate awareness** of the **brand** and **messaging**.

- The **primary** goal for 2023 **Escape the Vape** program is to **reach at least 75%** of the target population across all islands on media channels.
- The **secondary goal** is to **deliver the message** to the target audience which results in **exploratory and active engagements** by the target audience.

The
Department
of Health
Trust Fund
Programs
Updates

MAHALO