

Dear Gov. Lee:

As you are no doubt aware, the use of electronic nicotine delivery systems, or “vaping,” has become an increasingly common and dangerous public health issue in our state and nationally, particularly for our youth.

The Tennessee Department of Health recently reported that there are now three dozen cases of vaping-related illness in our state, a seven-fold increase during the month of September. The Centers for Disease Control has reported more than 1,000 cases nationally, including 18 deaths in 15 states.

The vaping industry’s growth has outpaced conclusive research about potential risks, and while we still lack the type of evidence-based scientific data to refute manufacturers’ claims about the safety of their products, we do know that the levels of nicotine within the vaping solutions are just as – if not more – dangerous than traditional tobacco cigarettes. Some cartridges contain as much nicotine as an entire pack of cigarettes. Exposure to other dangerous chemicals within the liquids, meanwhile, are likely causing the outbreak of respiratory illness here and across the U.S.

Tennessee physicians are most concerned that products like Juul and others are disproportionately marketed to, purchased and used by younger consumers, including adolescents. Some are even packaged like juice boxes, candy or other kids’ products. The nicotine is of course addictive and harmful to their developing lungs, but the additional chemicals may also obstruct appropriate brain development. Data shows that 4 in 5 kids who have used tobacco started with a flavored product.

Many organizations within the healthcare industry are encouraging youth not to vape and physicians are reporting suspected cases to TDH and CDC, but we can and must do more in Tennessee to protect youth now. The 2019 National Youth Tobacco Survey shows that ecigarette use among high school students increased to 27.5% in 2019, up from 20.8% in 2018 and 11.7% in 2017.

In May, the Tennessee Medical Association House of Delegates passed a resolution to ban the sale of flavored vape products in Tennessee. We, along with the undersigned organizations, are asking your administration to take a firm stance on this important public health issue by implementing an emergency temporary measure to restrict Tennessee youth from obtaining vaping products, and encouraging the General Assembly to take more permanent legislative action when it convenes in 2020.

Other states, including Michigan, New York, Massachusetts, Rhode Island and most recently Washington State, have already restricted or banned the sale and/or marketing of flavored vaping products. Illinois, New Jersey and Delaware are among those considering similar legislation, and on Sept. 16 California Governor Gavin Newsom issued an executive order

allocating funding to address the state's youth vaping epidemic. The FDA is reportedly working on new regulations, and there is a bipartisan effort in Congress to ban flavor cartridges and apply cigarette taxes to the vaping devices.

We have a clear and immediate opportunity to take action now to prevent another generation of Tennesseans from becoming addicted to nicotine and its consequent illnesses.

We offer our collective support and assistance to your administration and the Department of Health on this important matter.

Thank you for your service and leadership to our great state,

Regards,

Elise C. Denny, MD President – Tennessee Medical Association Tennessee Academy of Family Physicians Tennessee Academy of Ophthalmology Tennessee Academy of Physician Assistants Tennessee Chapter of the American Academy of Otolaryngology – Head and Neck Surgery Tennessee Chapter of the American Academy of Pediatrics Tennessee Chapter of the American College of Cardiology Tennessee Chapter of the American College of Physicians Tennessee Chapter of the American College of Surgeons Tennessee College of Emergency Physicians Tennessee Medical Association Tennessee Nurses Association Tennessee Orthopaedic Society Tennessee Osteopathic Medical Association Tennessee Psychiatric Association Tennessee Radiological Society Tennessee Society of Anesthesiologists

cc: Dr. Lisa Piercey – Commissioner, Tennessee Department of Health Sen. Randy McNally – Lieutenant Governor and Speaker of the Senate Sen. Rusty Crowe – Chair, Senate Health and Welfare Committee Rep. Cameron Sexton – Speaker, Tennessee House of Representatives Rep. Bryan Terry – Chair, House Health Committee Dr. Nita Shumaker – Chattanooga pediatrician and TMA Past President Dr. Adele Lewis – Chair, TMA Public Health Committee Dr. Gene Huffstutter – Chair, TMA Legislative Committee