

# Evaluating SmokeLess States Tobacco Control Legislation Among Key Policy Areas

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## Introduction

### SmokeLess States

The SmokeLess States (SLS) initiative, funded by Robert Wood Johnson, began in 1994, to provide funding for state-level coalitions to engage in media and policy advocacy, strengthening tobacco control legislation and regulation, with the ultimate goal of reducing tobacco use

➤ SLS Evaluation studied research to practice and focused on impact related to several upstream outcomes:

- News coverage of tobacco-related issues and the effect of media on policy
- Legislative tobacco activity and the effect of policy advocacy efforts
- The strength of statewide tobacco control infrastructure

➤ A legislative component was included to study tobacco control legislation and regulation by tracking tobacco-related bills and legislative processes

➤ A coding system and database were developed to accomplish these tracking procedures and obtain measures of impact on tobacco control policies for SLS coalitions

➤ A total of 17 tobacco-related categories, which encompass state tobacco legislation were identified and defined for coding purposes

➤ Detailed coding was conducted among three key policy areas of interest important to SLS coalition efforts:

- Smoke-Free Air
- Medicaid
- Tax

DETAILED CODING CATEGORIES DEVELOPED FOR TOBACCO-RELATED LEGISLATION

CODE	Name and Description
SFA	<p><b>Smoke-Free Air</b> – Complete/partial bans on tobacco smoke; Provisions to strengthen or weaken existing policy (including SFA preemption)</p> <ul style="list-style-type: none"> <li>• Legislative action related to SFA</li> <li>• Objective or purpose of SFA law</li> <li>• SFA location</li> <li>• SFA Strength of Protection</li> <li>• SFA enforcement provisions</li> <li>• SFA penalty related to violation</li> </ul>
MED	<p><b>Medicaid</b> – Regulates or authorizes coverage of tobacco cessation programs offered by a public health care entity</p> <ul style="list-style-type: none"> <li>• Objective or purpose of Medicaid law</li> <li>• Services</li> <li>• Maximum benefit</li> <li>• Population</li> <li>• Cost sharing</li> <li>• Funding source</li> </ul>
TAX	<p><b>Taxation</b> – Regulates taxes, fees, tax stamps</p> <ul style="list-style-type: none"> <li>• Legislative action related to TAX</li> <li>• TAX ADMINISTRATION related to cigarettes or tobacco</li> <li>• CREATE/INCREASE TAX related to cigarettes or tobacco</li> <li>• ALLOCATION of cigarette or tobacco tax dollars</li> </ul>

## Methods

### DATA COLLECTION AND ANALYSES:

✓ Tobacco-related bills considered in the U.S. Congress from January 2002 to December 2003 were downloaded via StateNet and Westlaw

✓ A search of all tobacco-related bill versions was performed using the following language as search terms: "tobacco, smok, master settlement, and cigar" (all extensions of "smok" and "cigar" were used)

✓ A database was created to capture the total number of tobacco-related bills introduced by states during this time period

✓ SLS evaluation researchers used 17 developed coding categories, with well-defined criteria, to code tobacco legislation from 50 states for all identified bill versions

✓ A total of 12,834 tobacco-related bill versions were coded, and then additional detailed coding was performed on the three identified key policy areas (Smoke-Free Air; Medicaid; and Tax)

✓ A total of 2,844 bill versions were detail coded following the detailed coding scheme appropriately established for each category

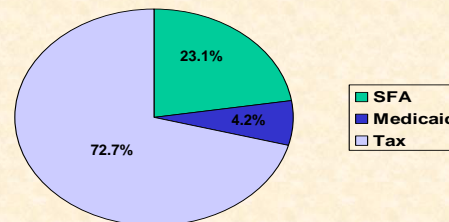
✓ Multiple researchers coded subsets of bills in all three detailed coding categories and a SAS program was used to generate Cohen's Kappa to measure the proportion of agreement among raters beyond that expected by chance

✓ Descriptive analyses were used to examine legislative actions and key policy outcomes associated with SFA, Medicaid, and Tax bills introduced between January 2002 and December 2003

## Results

➤ A total of 2,069 bill versions were identified and detail coded for the TAX category\*; 655 bill versions were detail coded for the SFA category and 120 bill versions were detail coded for the Medicaid category

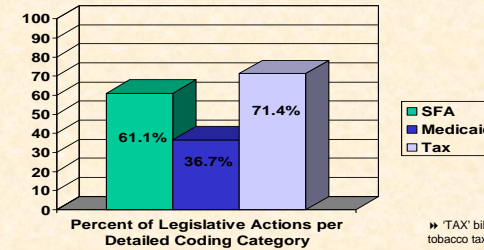
➤ The largest percentage of bills included in detailed coding with identified bill versions were in the TAX category\*



Percent of total bill versions for detailed coding categories

\* Results include Tax bills coded to date through September 2007.

## Results



- "TAX" bill versions focused on administration, changes in tobacco tax, and tax revenue allocation
- "SFA" bill versions focused on locations and levels of protection related to smoke-free air regulation in public places and worksites
- "MED" bill versions focused on smoking cessation services among covered populations, most often Medicaid-eligible adults and pregnant women
- Over 70% of tobacco-related tax bill versions had legislative actions associated with them.
- The TAX detailed coding category had the highest percent of legislative actions, followed by SFA, and Medicaid tobacco-related coding categories

## Conclusions

- Tobacco-related legislation can be identified, tracked, and targeted to help focus efforts and resources among policy advocates and coalitions
- Detailed coding of key sub-categories helps to inform legislative actions related to policy outcomes
- "TAX" bills were most commonly introduced and legislated, suggesting model bills to identify and track
- Identifying successful and lacking legislation can help focus efforts and resources among policy advocates and coalitions