

VERMONT TOBACCO EVALUATION AND REVIEW BOARD

BOARD MEETING

June 3, 2015, 3:00 p.m. – 5:00 p.m.

Department of Liquor Control

Minutes

Members present: Amy Brewer, Rhonda Williams, Scott Connolly, Bob Uerz, Darlene Peterson, Alexandra Potter, Greg MacDonald, Helen Wagner, Dawn Fuller-Ball, Bill Goggins, Matt Shear

Guest Present: Rebecca Ryan

Amy welcomed Bill Goggins from DLC and Bill introduced himself. He is attending today's board meeting as designee for interim commissioner today.

May Meeting Minutes

Bob requested to add that at the evaluation committee meeting he provided a literature review on school-based tobacco-use prevention that AOE has conducted and provided to RTI. Matt Shear made motion to approve minutes as amended, Scott seconded, all in favor of approving minutes as amended, motion passed, minutes approved.

Public Comment

Rebecca Ryan from the American Lung Association spoke on behalf of the Coalition for a Tobacco-Free VT. Coalition fought hard battle in legislature this year to preserve the Board and independent evaluation. Coalition is at diminished capacity - no longer having paid staff. All the more reason why an independent body overseeing and advocating for funding tobacco control efforts in the state benefits everyone including the state agencies that receive funding for tobacco control.

September 1st, 2015 represents ten years since Vermont implemented the law requiring all restaurants and bars to be smoke-free. The Coalition is planning to host an event in September to mark this event. Coalition is looking to establish a planning committee. There are many people to thank.

Announcements

On behalf of the Board, Amy thanked Mike Hogan and Darlene Peterson for their dedication and commitment to VTERB and presented them with a certificate of appreciation for their service.

Appointments: The low income community representative has been appointed, Tonya Witham. A replacement for Darlene is underway.

Rhonda shared that she presented at Children's Integrated Services of DCF that VDH's asthma program has been working for more than a year on integrating tobacco cessation into the home visiting program for children under 6 and families in need. There is a new one-touch assessment and referral system and to date 440 homes assessed in Vermont

resulting in 11 referrals for tobacco, 10 for families to learn more about exposure to secondhand smoke and 10 for the asthma program.

6/3/2015 data for Quitline shows the highest percentage to date of serving Medicaid smokers.

Final Legislative Change VTERB Budget (VOTE)*

** Sec. E. 300.3 TRANSFER OF TOBACCO PROGRAM FUNDING*

(a) In fiscal year 2016, up to \$175,000 proportionately allocated from the tobacco funds appropriated to all entities excluding the Global Commitment waiver, shall upon request of the Tobacco Evaluation and Review Board be transferred to the Agency of Human Services for the costs of program administration and evaluation activity approved by the Board.

Amy gave a recap of the past few months of Board discussions around proposed VTERB budget changes. Amy read and explained the legislative language change.

Motion:

Alexi made a motion that VTERB request \$175,000, proportionately allocated from the tobacco funds appropriated to all entities excluding the Global Commitment waiver, to be transferred to the Agency of Human Services for the costs of program administration and evaluation activity approved by the Board.

Greg seconded the motion.

Discussion:

Greg asked if we ask for less, is it evaluation that will suffer? Amy explained yes, because after funding administration and operations, what is left, which will be less, would be used for evaluation. Helen asked the percentage breakdown of the overall VTERB budget. Kate shared approximately \$95,000 for administration, approximately \$10,000 for operations (including fixed cost expenses, eligible board member per diem, mileage) and currently an evaluation contract for \$120,000.

Alexi shared her value of independent external evaluation, which is best practice. Internal program evaluation has inherent bias. Alexi wondered whether VTERB could cut down RTI contract and pick up the JSI evaluation contract, currently held by VDH? This might lessen the burden of a cut to VDH and shift the evaluation to the Board.

Rhonda shared that VDH has a system in place for performance management. There is capacity for evaluating the TCP that we haven't tapped. VDH and the Agency as a whole now has a dashboard in which performance measures toward 2020 goals are a requirement. These performance measures are used in the legislature and for budgeting expectations. Rhonda sees an opportunity for VTERB to take advantage of this system. There is a lot more accountability required than ever before and VDH has a data analyst and a performance improvement manager. In addition, for CDC purposes, VDH has evaluation in place with JSI as part of the CDC 10% evaluation requirement.

Helen sees this as an interesting concept and speaks to the synergy between the Board and VDH in ways that haven't yet been explored. In previous meetings, priority was identified by Board members to retain the administrator position; Kate's role is evolving, and highly important to the Board. VDH bears the brunt of a full \$175,000 transfer request from

the Board. Helen asked if VDH is supporting the initial request of funding the 1 FTE administrator position, but conducting evaluation in a different way. Rhonda concurred.

Greg pointed out that the cut to programs at \$175k proportionally transferred represents approximately 3.3% from each agency/department's budget, but evaluation funding is cut more than 33% (assuming a shift from \$120K currently to approximately \$75K), which is disproportionate and arbitrary.

Helen shared that on behalf of the AG's office, VTERB work is very important and has historically been valuable. All entities that receive MSA monies will take a cut as a result of any transfer request from the Board. AG's office would support the VDH position, and the previously articulated the Board position of prioritizing funding for the 1.0 FTE administrator as well as necessary operations, and concurs with the VDH position that there is an evaluative component already present that VTERB could access and utilize. DLC and AOE expressed concurrence with this position.

Alexi shared this position represents a fundamental and philosophical shift. External evaluation is the Gold Standard. Internal evaluation makes it much more difficult to draw the same conclusion from the data as would be drawn formal external evaluation. Helen reminded the Board about minutes from May where there was discussion about how to be more flexible with how we do evaluation.

Scott echoed Alexi's position that if we eliminate external evaluation, that changes Board independence, and overall weakens the program. Darlene asked if VTERB could still function at capacity if we request a smaller transfer and diminish or lose the external evaluation. Amy said we lose the external guidance that helps the Board to make good decisions and an objective way to guide the TCP toward its goals, but the Board would still function independently in its planning and reviewing and approving program activities such as media campaigns.

Greg asked if we ask for full transfer, evaluation still takes a cut, so would be even be able to keep current contract? Alexi shared that we could look at cutting back on evaluation activities around areas where we are already doing well, and focus more on current priorities and targeted guidance.

Matt asked if anyone has ever gotten competitive funding using the external evaluation as a part of the application. Rhonda shared that VDH applied for CDC competitive funding, which required external evaluation, so they did include RTI evaluation in application, but ultimately VDH was not successful in their bid. RTI is an asset in their expertise, but she questions whether they can be a full partner for the price Vermont can afford. Rhonda said that Dartmouth and their public research center, one of 26 universities funded by CDC for tobacco-related evaluation and technical assistance services, could be a potential partner with VTERB.

Reminded about challenges through the years of contracting with RTI as an external evaluator, Alexi articulated that this isn't about RTI, but about external evaluation. Bob added that as the Board discusses the impact of a loss of evaluation services, particularly related to school-based tobacco control, RTI hasn't provided robust evaluation services therefore questions the value added by that contract.

Dawn wondered how the funding request coming from the entities within the tobacco control program might change the relationship between agencies and VTERB. Amy shared that this situation is not what VTERB wanted. But at this point in time we are given this legislative language to work with, and she believes that because we are all here for the same reason – strong tobacco control – our relationships will prevail. Dawn asked if the funding we have now is sustainable. Will we be back here again and when will that happen? Amy brought up the sustainable funding agreement which didn't sustain us through FY16 as intended. The Board does need to start planning for the future. Helen said that this legislation pertains only to the FY16 budget. This budgeting decision does not guarantee budget proposals for FY17.

Alexi said that this perspective of this being a one year structural loss may mean that although we will have to address the budget again for FY17, the losses might just be temporary, but reminded the Board that a decision to cut external evaluation may be a more permanent structural change. Helen urged the Board to remember that this is a fiscally tough climate for every state agency and to the extent that evaluation services for one year could be done in partnership with VDH, it means less impact to coalitions, school-based services, enforcement activities, MSA enforcement that ensures state payments. Rather than running RTI at a reduced function versus their current funding, we can explore other options such as utilizing and developing synergies with VDH, other external evaluation possibilities (like Dartmouth and other systems), and defer to VDHs assurances that they have evaluative systems in place.

1st amendment to motion:

Helen moved to amend the motion that the Board request monies sufficient to cover the administrator position and operational services (approximately \$100K) pursuant to the legislation H.490 section E.300.3. Bill seconded.

Discussion:

Greg wants some amount of funding for external evaluation. Suggested making a compromise to request \$37K for evaluation (this represents half of the remainder of the transfer request after funding administration and operations).

Administrator and operations costs equal approximately \$110,000. So, with \$25,000 currently in VTERB budget, if Board wants to request only enough to cover administration and operations, a request of \$85,000 transfer plus the \$25,000 already in the FY16 VTERB budget would allow for that. No evaluation services.

Greg asked what evaluation services could be purchased with \$25,000. Rhonda said that the asthma program at VDH spent \$26,300 and received a quality evaluation that met CDC requirements.

Alexi reminded members that best practice recommendation is to allocate 10% of funding for external evaluation purposes. While VTERB will likely never reach that level of evaluation funding, she worries that no funding at all for evaluation is a mistake. Rhonda said that utilizing the independent nature of VTERB and relying on the analytical and data support provided by the agencies, while not the same as evaluation, this time next year the Legislature may look at what we are doing as a more sustainable package than it would at the \$175,000 level. This evaluation component stands out from all other Boards. All others function at advisory capacity. It is a big win that VTERB retained its independence but there

are ways to bring in Board function to shape the tobacco control program without external evaluation.

Vote on 1st amendment to motion:

All those in favor of the amended motion: Rhonda, Bill, Bob, Darlene, Helen (5)

Opposed: Amy, Greg, Scott, Dawn, Alexi, Matt (6)

Amendment failed. The original motion (requesting \$175,000) stands.

2nd amendment to motion:

Greg motioned that we ask for \$110,000 to fund Board administration and Board operating costs. This is sufficient for a 1.0 FTE administrator and board operations, as well as a partial funding of evaluation services with the \$25,000 that is already in the VTERB budget for FY16.

Matt seconded.

Discussion

Alexi is concerned that this amended motion represents an arbitrary funding decision. Going from \$120,000 to \$25,000 for evaluation without information as to level or quality of services is concerning. Bob recognized that leaving in some funding for evaluation, even if diminished and less than we'd like, at least a line item for evaluation still exists. Rhonda asked if we have flexibility with the RTI contract in its final year. Currently they are under a two-year contract (FY15 and FY16). If funds were cut for evaluation we would have to cancel contract. If funds are diminished we will address the potential for continuing with RTI at the diminished funding amount.

Matt asked Rhonda to articulate where cuts are likely to happen in the VDH budget with a sustained overall cut resulting from this motion. Rhonda said it would be in prevention; a cut to one more coalition. In addition they are trimming their contracts in training and media services. Rhonda said cuts in prevention will be discussed and determined in the upcoming school and community services committee meeting before we met in July to finalize the VDH budget.

Vote on 2nd amended motion:

All those in favor of amended motion: Greg, Scott, Dawn, Darlene, Matt, Alexi (6)

Opposed: Amy, Bill, Helen, Rhonda, Bob (5)

Vote to amend motion passed.

Final motion, as amended, now reads:

Shall VTERB request \$110,000 be transferred to the Agency of Human Services for the costs of program administration and evaluation activity approved by the Board?

Discussion:

Greg asked why Amy voted as she did. Amy said she wants full funding and does not want to see further diminishment of evaluation.

Vote on final motion:

In favor: Greg, Scott, Dawn, Darlene, Matt, Alexi, Amy (7)

Opposed: Bill, Helen, Rhonda, Bob (4)

Motion passed. VTERB will ask for \$110,000 proportionately allocated from the tobacco funds appropriated to all entities excluding the Global Commitment waiver, to the Agency of Human Services for the costs of program administration and operations. This transfer will result in an allocation to AHS of \$135,000 for VTERB administration, operations and a small amount of funding evaluation services.

Committee Chair Reports

none

Other Legislative Updates

No passage of bills pertaining to e-cigarettes.

Passage of bill to increase tobacco tax by an additional 33 cents.

Helen said that if the Board will support future legislation around taxation of e-cigarettes, the Board should consult with tax department and the office of the Attorney General because what was proposed this year was at a lower rate than any other state that has passed taxation of e-cigarettes.

Other Business/Information

RTI annual report, which is due to VTERB by June 2015 will include an historical 12-year retrospective and recommendations for the future of the tobacco control program. Kate will send Board the draft outline. Feedback on the outline should be sent to Kate. Kate will get feedback to RTI.

Rhonda shared the combined/integrated BRFSS and YRBS data report which was published in the past few days. Electronic version is on the VDH website. Rhonda reminded VTERB that they can provide any data requests the Board has at any time.

Rhonda would like to have a school and community committee meeting in June in order to be able to discuss budget changes to prevention. VDH requests budget approval in July. Board discussed whether this should be a committee meeting or special budget meeting for full Board input, and was determined that meeting in June, prior to regular July meeting, will be a special budget meeting, not just a convening of the school and communities committee.

Dawn asked about shifting future meetings from Wednesdays to another day of the week. We will add this to the July Board agenda.

Kate will poll members to determine next date for June VDH budget meeting and for the July Board meeting.

Meeting adjourned at 5:03pm.