



Office of
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For Immediate Release

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**Representative Kane supports tobacco control
modernization bill targeting vaping products**
*Legislation also expands insurance coverage for tobacco cessation
services*

BOSTON – Responding to growing public health concerns related to the use of vaping products, State Representative Hannah Kane, R-Shrewsbury, recently joined with her House colleagues to approve legislation that will regulate and tax e-cigarettes, restrict the sale of flavored tobacco products, and expand insurance coverage for tobacco cessation services.

House Bill 4183, An Act modernizing tobacco control, calls for regulating e-cigarettes and vaping products in a manner similar to tobacco. The bill was engrossed by the House of Representatives on a vote of 127-31 on November 13.

House Bill 4183 imposes a 75% excise tax on the wholesale price of electronic cigarettes, vaping pens, and other similar devices, effective June 1, 2020. In addition to creating a formal licensing process for the manufacturers, distributors, and retailers of electronic nicotine delivery systems, the bill sets financial penalties for the sale, purchase and possession of these products by or from anyone other than a licensed vendor.

House Bill 4183 also restricts the sale and distribution of flavored tobacco products, including mint and menthol, by limiting their use to smoking bars for customers who are 21 or older, beginning June 1, 2020. The bill also requires all private and public health insurance carriers in Massachusetts to cover the cost of tobacco cessation devices or services, without cost sharing, when recommended by a physician.

Representative Kane, speaking in support of the legislation on the House floor, said that the restrictions on flavored tobacco products are designed to protect minors, who are often drawn to smoking and vaping by these flavor options. “While a flavored tobacco ban on its' own will not end the youth epidemic of vaping and combustible cigarette use, it is an important and necessary step to take as a Commonwealth who values the public health of its next generation”, remarked Representative Kane, as she urged her colleagues to join her in support of the legislation.

During floor debate, Representative Kane supported an amendment that will close a loophole in the current law prohibiting the use of EBT cards to purchase tobacco products. The amendment expands the scope of the existing ban to also prohibit the purchase of electronic nicotine delivery products with an EBT card.

The House vote comes less than two months after Governor Charlie Baker announced an immediate statewide ban on the sale of all flavored and non-flavored vaping products and devices in Massachusetts, including tobacco and marijuana, a move which has been challenged in court. Baker took action on September 24 after the US Centers for Disease Control and Prevention (CDC) identified 530 “probable” cases of lung illnesses linked to vaping in 38 states, seven of which had proven fatal. The number of vaping-related lung illnesses now exceeds 2,000 nationwide, with at least 40 deaths reported.

According to the Department of Public Health (DPH), as of November 6, there have been 21 confirmed and 47 probable cases of vaping-associated lung injury in the Commonwealth reported to the CDC. Three Massachusetts residents have died.

House Bill 4183 now moves to the Senate for further action.

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