



Department of Public Health and Human Services

Public Health and Safety Division ♦ Montana Tobacco Use Prevention Program ♦
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Steve Bullock, Governor

Sheila Hogan, Director

December 19, 2019

Dear School Principal:

On December 18, 2019 at 1:00 pm, the Montana Department of Public Health and Human Services (DPHHS) began enforcing the emergency rules to temporarily restrict the sale of flavored electronic cigarette products, including flavored nicotine, THC, and CBD e-cigarette products, in-store and online.

The emergency rules were filed by DPHHS on October 8, 2019 for 120 days, the maximum time allowed by law. A Temporary Restraining Order was filed shortly after, which prevented enforcement. DPHHS proceeded with enforcement of the rules after the Temporary Restraining Order expired by operation of law in October. A court decision released on December 17, 2019 is allowing enforcement of emergency rules to temporarily restrict the sale of flavored e-cigarette products in Montana. The emergency rules are set to run until April 16, 2019.

The ban on flavored e-cigarettes, which are widely marketed to and used by young people, will seek to curb youth e-cigarette use while authorities investigate additional agent(s) associated with E-cigarette or Vaping Product Use Associated Lung Injury (EVALI). As of December 10, 2019, DPHHS has confirmed 7 cases in Montana, which includes 1 death. DPHHS continues to investigate multiple potential new cases.

The dramatic increase in use of e-cigarettes, or vaping, by youth is driven in large part by flavored e-liquids, and flavors are a principal reason that youth initiate and maintain e-cigarette use. E-cigarettes are now the most commonly used tobacco product among high school students. The 2019 Montana Youth Risk Behavior Survey showed nearly a third (30%) of Montana high school students currently use e-cigarettes and more than half (58%) have tried them.

Research indicates that youth who use e-cigarettes are four times more likely to become cigarette smokers, and the CDC states the surge in e-cigarettes has erased past progress in reducing youth tobacco use. Most e-cigarettes contain nicotine, a highly addictive substance that can prime the brain for addiction to other drugs in the future. Nicotine, in any form, is unsafe for youth.

To further combat the epidemic of youth e-cigarette use, school districts need to continue implementing and enforcing comprehensive tobacco-free school policies as required by state law MCA 20-1-220. Montana state law prohibits anyone from using tobacco products, including vapor products and alternative nicotine products in a public school building or on public school property. In addition, encouraging completion of cessation programs to those that wish to quit tobacco products, including e-cigarette products can be beneficial.

The My Life, My Quit Youth program is for ages 12-17 who want to quit all forms of tobacco, including vaping. The program provides free coaching through text, chat or phone; confidential enrollment and coaching; coaches specially trained to work with teens and youth; and on-line enrollment and coaching (mylifemyquit.com). Text 'Start My Quit' to 1-855-891-9989 or call.

For additional information and updates relating to the emergency rules please visit:

<https://dphhs.mt.gov/publichealth/mtupp/vapingpulmonarydisease>.

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