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Proponent Testimony on HB2269

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Thank you, Mr. Chair and members of our Fed and State Committee for this opportunity to testify in support of HB 2269. What this bill does is simply provide the language necessary to put the State of Kansas in conformity with federal law enacted December 19th, 2019. The federal law was passed under the Trump administration increasing the legal age for consumption of all tobacco products to age 21 in the US. Most vendors have already complied but are not required to until we are in alignment with federal law. If we are not in compliance within 3 years-December '22, we will lose 10% of SABG/SAMHSA grants from the federal government. The feds further retain the right to increase the withhold percentage if a state remains noncompliant. Initially it is only 1-2 million dollars, but can increase in the future.

I find it so fascinating that we live in a time where we debate the appropriateness of allowing young adults to ingest or smoke chemicals from a plant (tobacco) that has 0 medicinal value and only causes loss, destruction, and ultimately death. And yet in the same session of this body, we will have debated on the chemicals derived from another plant (marijuana) that, at the margins, may have some medicinal value for some patients and yet is illegal for everyone. Very ironic.

I have been surprised at the push back on this bill in past sessions. We are hung up on taking someone's rights away over questionable 3-5 million in tobacco and sales tax over a product that causes long term addiction, dependency, and death. I thought one of 'governments' core values' was to protect citizens from ominous threats – even if from within ourselves. 41 states already have T-21 conformity laws.

And what of the cost of hundreds of millions of dollars of unnecessary health care costs that arise from youth and young adult tobacco use. Remember, these young people grow up to become my patients with Lung Cancer, Esophageal/Stomach Cancer, Head and Neck Cancer, Bladder Cancer, and of course COPD (emphysema). And recently with the youth epidemic of vaping, we see teenagers with 'Popcorn lung disease' and a new CDC diagnosis of EVALI—'E-cigarette or Vaping Product Use' associated Lung Injury.

Here are 2 case histories for you to consider before you vote today; Sherry (not her real name) is a 32 y/o female mother of 1 child. I delivered Sherry and her child. She is a single mother and worked in housekeeping at a local hotel. She began smoking/vaping at age 18 to look "more mature". Both of Sherry's parents smoked. By 26 she had 'popcorn lung' from her

vaping, diagnosed by CT of her chest. Over the past 6 years her disease has progressed, she became disabled, and lost her job. Her insurance is through one of the state MCOs. She quit vaping/smoking at age 26 when she got her diagnosis of 'Popcorn Lung'. But sadly, it is too late. She currently lives on 4 L of oxygen via NC continuously. She recently broke her forearm tripping on her O2 tubing. She is tethered to her oxygen now for the rest of her shortened life. She is waiting for a heart/lung transplant that likely will come too late.

Jim (not his real name) was a 46 y/o patient of mine who was a very happily married farmer with 3 children He was a very proud man. He had inherited his father's farm and acquired more land to farm. He was managing over 2000 acres at the time of his death. I met Jim through a slow pitch softball team almost 20 years ago. He was a great athlete and person. He smoked and chewed heavily. He told me he started at age 20, like his dad (who died at age 60 of COPD). He did not carry health insurance, always paying for all of his health care out-of-pocket. He hardly ever came to the doctor, but then he began having right sided neck and jaw pain. It hurt to swallow. Knowing his health history, I did order a CT of the head and neck on the first visit and it revealed a large primary neck mass. He underwent a radical neck dissection (which deformed his appearance), chemo, and irradiation. The tumor was gone for 1 and a half years, but then returned with a vengeance. He underwent additional treatment, but to no avail. He went on Hospice and died at the age of 47. He had been a very successful farmer/rancher, but most of his property was sold to pay for his health care and burial. I continue to miss Jim and his 'larger than life' persona.

If I were King for a day, I would absolutely ban tobacco for all ages, forever. But even that would not stop black market tobacco use by all ages even teenagers. But HB 2269 does send the right message, and will make access and subsequent addiction more difficult for our older teenagers and young adults.

Colleagues this is a straight-forward bill. I am only asking that you align Kansas with Federal law. For Sherry and Jim and my parents (who both succumbed to tobacco related diseases), and thousands of other Kansans afflicted with this addiction at a young age, I ask for your YES vote on 2269.

I will be happy to stand for questions if needed. Thank you, Mr. Chairman.

A handwritten signature in black ink, appearing to read "Jen R. Gosh", followed by the number "#63". The signature is written in a cursive, somewhat stylized font.