



February 2, 2012

**Testimony in Support of and Improvement to House Substitute for House Bill 2340
Before the State of Kansas Senate Federal & State Affairs Committee**

Presented by: Dr. John S. Neuberger

Chairperson Brungardt and Members of the Committee:

I support the removal of the casino exemption from the Kansas Clean Indoor Air Act, as stated in the Kansas House substitute for HB 2340. Environmental tobacco smoke includes benzene, carbon monoxide, formaldehyde, arsenic, lead, hexavalent chromium, polonium 210, and tar. Removing these air pollutants from casino gaming floors by removing this exemption will reduce the risk of morbidity and mortality from lung cancer, heart disease, chronic bronchitis, and asthma among the many casino employees and customers.

There are other improvements possible for this bill. These include the removal of exemptions for 20% of hotel and motel rooms, portions of adult care homes and long-term care units of medical care facilities, and the annual benefit cigar dinner in Wichita. Hotel and motel employees and guests can still be exposed due to combined air handling systems and the fact that employees still have to enter the rooms to clean them. For portions of adult care homes and long-term care units of medical care facilities, there are five FDA approved methods for nicotine replacement therapy and two FDA approved methods for smoking cessation that can and should be utilized. The annual benefit cigar dinner could be held in a location already exempted by the Kansas Clean Indoor Air Act, such as a private club. Allowing individuals to narrowly specify a specific named venue where smoking is allowed could riddle the Kansas Clean Indoor Air Act with exemptions.

While I have no objection to the exemption for a tobacco shop, this term may be being used loosely by some businesses such as bingo halls, bowling alleys, bars, and restaurants, thus allowing smoking in parts of their facilities. The term tobacco shop should be more narrowly defined either to be housed in a free standing facility or, if not, to exclude any open air or air handling connection to an otherwise designated smoke free facility,

Dr. Roy Jensen, Director of The University of Kansas Cancer Center, has read this letter and is in full support of it. Thank you for the opportunity to present it to this committee.

Sincerely,

John S. Neuberger, DrPH, MPH, MBA
Professor