

Appendix 1

LRE Tobacco Campaign Protocol

I. Campaign Introduction:

A. To Retailers:

- All retailers within the target area should be mailed the Introduction to the Campaign Letter and a Vendor Education Information Sheet.
 - These documents are to be included when mailing follow-up documents to retailers who received a baseline compliance check.
 - Whenever new retailers are identified within the target area, the Introduction to the Campaign Letter and a Vendor Education Information Sheet should be mailed.

B. To Media:

- A press release introducing the campaign should be submitted to local media outlets within the target areas.
- Public Service Announcements and press releases will be submitted to local media throughout campaign activities, as appropriate.

II. Letterhead:

- All correspondence must be on Letterhead provided by the LRE. At no time should agency letterhead be used.
- Each county should attempt to get the endorsement and signature of their County Sheriff and County Prosecuting Attorney on tobacco campaign documents.
- Additional agencies may be added as appropriate to the column along the left side.

III. Vendor Education:

- OROSC will provide vendor education packets annually. If additional vendor education packets are needed, they can be printed from the OROSC website: http://www.michigan.gov/mdch/0,1607,7-132-2941_4871_29888-150144--,00.html
- Vendor education, as necessary, should be calculated into the overall LRE budget dedicated to tobacco efforts and billed based on actual costs, not on a per visit rate.
- The number of vendor education visits conducted during the fiscal year must total at least 25% of the retailers in your county.
 - A minimum of 25% of these vendor education visits should be provided in your targeted area(s).
 - Vendor education visits must be conducted throughout the fiscal year with a goal of between 20% and 30% occurring during each of the four quarters.

- Vendor education should be scheduled and conducted with all retailers that receive a non-compliant compliance check during non-Synar or formal Synar. However, those failing Synar may not be visited until after the month of Synar has concluded.
- The Vendor Education Packet Should include each of the items listed below; Any additions or substitutions must be pre-approved by the LRE:
 - Letter with campaign logo and local signatures (placed in front on left side of the packet)
 - Vendor Information Sheet with campaign logo in the front of packet (placed in front on right side of the packet)
 - Material provided by OROSC in their vendor education packets (place on right side of packet behind Vendor Information Sheet)
 - Read the Red flyer/postcard (Place on left side of the packet behind Letter)
 - ENDS One-pager (Place on left side of the packet behind Read the Red flyer)

IV. Non-Synar Compliance Checks Procedure:

- All Non-Synar checks *should* be conducted by law enforcement and a citation issued for non-compliant retailers.
- Non-Synar compliance checks should be conducted quarterly throughout the entire year, except for the month of June (Synar).
- Retailers are randomly selected, within the target area, for quarterly compliance checks. In addition, it may be appropriate to target compliance checks toward retailers that have consistently failed checks. This should be considered carefully so as not to make retailers feel targeted.
- The percentage of compliance checks conducted on a quarterly basis in the target areas should be determined based on the likelihood of increasing the retailer's general perception that they will be caught if they violate the YTA and the availability of funding.
- If it is a law enforcement check, **copies of all citations/warnings** should be submitted with the compliance check forms and a police report if possible.
- Law enforcement will only be funded through LRE if they issue citations upon non-compliance and a copy of the citation is provided to the DYTUR. Warnings are not sufficient to be considered a law enforcement compliance check.
- Coding for the state list:
 - If the retailer sells gas, call it a gas station on the form.
 - If the retailer is a bar and/or a restaurant record the type of store as a 'bar'.
 - If you can purchase tobacco from only the restaurant or from both the bar and the restaurant then call it a 'restaurant'.

V. Compliance Check Follow-up Procedures:

- The following documents are to be provided after each compliance check:

- Appropriate Compliance Check follow-up letter (include the corporate contact as a 'cc'). The letter should include the store name, location, date and time of the compliance check, and the store number if it is a chain.
- Vendor Education Information Sheet
- Certificate of Compliance when appropriate (if law enforcement did not already hand out at the time of check)
- If the retailer failed the compliance check, vendor education visit should be provided within a reasonable timeframe.

VI. Corporate Headquarter Notification:

Corporate headquarters should be informed of compliance check results for their local retailers on a quarterly basis.

- A quarterly summary letter to corporate headquarters should be sent notifying them of the results of compliance checks conducted with local tobacco retailers.
- Copies of the letters to individual retailers or a list of specific results should be attached.
- The summary should include both compliant and non-compliant retailer results.
- An updated corporate contact list must be maintained by the DYTUR.

VII. Compliance Check Data Entry

Data from all completed compliance check forms will be entered into the Compliance Check Data Entry spreadsheet created by Jack Calhoun. A manual for proper data entry is attached to this document.

VIII. Youth Access to Tobacco Checks

- Youth Access to Tobacco Checks will be conducted in compliance with Attachment #2
- Youth Access to Tobacco Activity Quarterly Report is due to LRE on the 15th of the month following activity.

IX. Baseline and Follow-Up compliance assessment:

Compliance checks done for the purpose of assessing the compliance rate in the target area:

- May be conducted over a period of time.
- The demographics of youth purchasers utilized should remain constant for each retailer or else the differing youth purchaser demographics should be randomly assigned to retailers.

X. Michigan Liquor Control Commission:

- Each retailer that receives a warning or citation must be identified to the Michigan Liquor Control Commission (MLCC) unless the retailer does not sell alcohol. To do so

send a copy of the warning or citation and the compliance check form to LRE who will submit them to the MLCC contact person.

- MLCC has the authority to place a liquor license on probation, suspend it, and revoke it.

XI. Media Coverage (Please see Attachment #1 for media submission and tracking guidelines.):

- Press releases should be submitted as appropriate.
- Submissions to media must be recorded.
- Coverage of campaign efforts should be recorded.
- Retain copies of all newspaper articles.
- For television or radio coverage, type up a brief description, including the following information and retain a copy for your records:
 - Briefly describe the topic of the coverage.
 - What was the approximate length of time that this coverage was?
 - With regard to campaign efforts or tobacco control/prevention, was the coverage positive or negative?

Attachment #1
No Cigs for Our Kids
Media Tracking Instructions

In the Media Plan chart, please, list the outlets that press releases or other notification materials were sent to regarding our campaign efforts. This information can be typed into the 2nd to last column.

In the Media Plan chart, please, list the outlets that covered the campaign press releases. This information can be typed into the last column. For all coverage, please, keep an attachment of the following:

- Copies of all newspaper articles.
- For television or radio coverage, type up a brief description, including the following information and retain a copy for your records:
 - Briefly describe the topic of the coverage.
 - What was the approximate length of time that this coverage was?
 - Was the coverage positive or negative with regard to campaign efforts or tobacco control/prevention?

For coverage that was not a part of the identified press releases scheduled by the campaign, please, use the miscellaneous category to track the appropriate information.



Attachment #2
SYNAR YOUTH TOBACCO CHECKS
Effective May 1, 2019

Lakeshore Regional Entity (LRE) as the Prepaid Inpatient Health Plan (PIHP) is required to implement tobacco access prevention measures to achieve and maintain a youth tobacco non-sales rate of 80 percent or better within the region. In doing so, it is required that the PIHP will:

1. Use best practices relative to reducing access to tobacco products by underage youth;
2. Incorporate use of data specific to the PIHP region including youth sales data, analysis of the effectiveness of Synar related activities; and
3. Collaborate with local partners including law enforcement.

Activities associated with Synar best practices and other evidenced based prevention such as conducting inspections and providing merchant or vendor education are defined as prevention services and must be carried out by a licensed substance abuse prevention program. Specific responsibilities of the prevention providers include the following:

1. Develop and implement a local plan of Synar/tobacco prevention activity that will restrict youth access to tobacco and surpass the 80 percent non-sales rate.
2. Conduct activities necessary to ensure the Tobacco Retailer Master List is correct and participate in the clarification and improvement initiative, as well as the CSAP Mandated Coverage Study. Submit to LRE all information as required by the OROSC/PIHP contract agreement.
3. Annually conduct and complete the Formal Synar Survey to all local outlets in the sample draw listing during the designated time period and utilize the official OROSC protocol. Additionally, edit the survey compliance check report (CCR) forms and submit all required information to LRE as required by the OROSC/PIHP contract agreement.
4. Contribute to enforcement of the Michigan YTA at tobacco outlets within the provider's local area by conducting non-Synar enforcement checks with local law enforcement participation. If law enforcement involvement is not feasible, conduct non-Synar enforcement activity through civilian checks.
 - a. Non-Synar checks to be carried out in no less than 25 percent of the outlets in the local area with priority to vendor categories that have historically had a higher sell rate to minors, e.g., Gas Stations, Bar/Lounges, and Restaurants.
 - b. For local areas with a 20 percent "sell rate" or Retailer Violation Rate (RVR) higher than 20 percent for two consecutive Synar surveys, no less than 50 percent of the outlets within the area will have at least one enforcement check activity during the subsequent third year.
5. Conduct Vendor Education activities, utilizing the OROSC approved vendor education protocol, with not less than 25 percent of the total outlets within the local area.
6. Seek to change community norms and conditions by forming relationships with stakeholders for the purposes of developing joint initiatives and/or for collaboration to impact sales trends to youth.

7. Identify a DYTUR agency to implement Synar-related activities. The agency or individual identified as the DYTUR, must have knowledge in the area of youth tobacco access reduction and related Synar prevention initiatives.
8. Provide information to satisfy federal reporting requirements including information about law enforcement activities relevant to violations of the YTA. Correspondingly, it is the responsibility of the provider to comply with Synar protocol and demonstrate a good faith effort to obtain and report this information. Documentation of good faith effort may be required by the PIHP if provider cannot provide the required information.

EMPLOYING YOUTH DECOYS

When working with youth to support tobacco prevention programs, the rules set forth by the Michigan Department of Education must be followed. Documentation and Guidelines for employing you in Michigan can be found at https://www.michigan.gov/mde/0,4615,7-140-2629_59590---,00.html

1. **Parent Permission** must be obtained in order for youth to participate in Synar tobacco checks utilizing the parent letter and parent permission form. Signed permission forms are to be returned to DYTUR
 2. **Work Permit:** Minors under the age of 18 cannot be employed or permitted to work, with or without pay, or volunteer until the person, company, business, firm or corporation proposing to employ the minor obtains and keeps on file at minor's place of employment (work location) a current and valid age and color appropriate work permit, which has been issued by a state of Michigan issuing officer of the school district, intermediate school district, public school academy or nonpublic school prior to starting work.
- B. Payment-
1. Decoys are to be paid at the state minimum wage (\$9.45/hour as of May 1, 2019)
 2. If paying decoys with gift cards, a Gift Card Sign Off form must be submitted to the LRE SUD Director for approval.
 3. Under no circumstances are decoys to be paid on a "per-establishment" basis.
- C. Workmen's Compensation:
1. Receive approval through Human Resources Department to utilize the minor to conduct Synar checks.
 2. Informed Human Resources Department of scheduled Synar checks to ensure liability coverage

REFERENCES:

- *Youth Tobacco Act 31 of 1915*, MCL1915 PA31, Michigan Legislature, 1915-1916 Legislative Session, Lansing, MI. (Amended September 1, 2006).
[http://www.legislature.mi.gov/\(c32puon1tgtsa355dn3zqljp\)/mileg.aspx?page=MCLPASearch](http://www.legislature.mi.gov/(c32puon1tgtsa355dn3zqljp)/mileg.aspx?page=MCLPASearch)
- **MDHHS PREVENTION POLICY #01** Medicaid Managed Specialty Supports and Services Concurrent 1915(b)/(c) Waiver Program Attachment PII.B.A