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# Municipal Tobacco Control Technical Assistance Program

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## PROHBIITION OF TOBACCO SALES IN HEALTH CARE INSTITUTIONS LANGUAGE

### STATEMENT OF PURPOSE

Whereas the sale of tobacco products and nicotine delivery products are incompatible with the mission of health care institutions because these products are detrimental to the public health and their presence in health care institutions undermine efforts to educate patients on the safe and effective use of medication, including cessation medication.

### DEFINITION

Health Care Institution: An individual, partnership, association, corporation or trust or any person or group of persons that provides health care services and employs health care providers licensed, or subject to licensing, by the Massachusetts Department of Public Health under M.G.L. c. 112 or a retail establishment that provides pharmaceutical goods and services and is subject to the provisions of 247 CMR 6.00. Health care institutions include, but are not limited to, hospitals, clinics, health centers, pharmacies, drug stores, doctor offices and dentist offices.

### REGULATORY LANGUAGE

Prohibition of the Sale of Tobacco and Nicotine Delivery Products by Health Care Institutions:

No health care institution located in **[city/town]** shall sell or cause to be sold tobacco or nicotine delivery products. No retail establishment that operates or has a health care institution within it, such as a pharmacy or drug store, shall sell or cause to be sold tobacco products or nicotine delivery products.

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## LOCAL SUMMARY ON TOBACCO SALES BANS IN PHARMACIES

| | MUNICIPALITY (POP. RANK) | RETAILERS AFFECTED | ENACT DATE | EFF. DATE | POLICY TYPE |
|---|---|---|---|---|---|
| 1. | **Boston** (1) | 88 | 12/11/08 | 2/11/09 | BOH |
| 2. | Needham (56) | 4 | 7/14/09 | 10/1/09 | BOH |
| 3. | **Newton** (11) | 8 | 11/16/09 | 11/16/09 | ORD |
| 4. | **Everett** (39 | 5 | 7/19/10 | 8/15/10 | BOH |
| 5. | Walpole (79)* | 5 | 10/12/10 | 10/21/10 | BOH |
| 6. | Lancaster (215) | 0 | 12/2/10 | 2/1/11 | BOH |
| 7. | Southboro (107) | 4 | 12/15/10 | 2/13/11 | BOH |
| 8. | Oxford (142) | 3 | 2/7/11 | 3/1/11 | BOH |
| 9. | **Fall River** (9) | 22 | 3/22/11 | 4/12/11 | ORD |
| 10. | Wakefield (73) | 4 | 3/19/11 | 6/1/11 | BOH |
| 11. | Westford (83) | 3 | 5/9/11 | 7/1/11 | BOH |
| 12. | **Worcester** (2) | 34 | 5/10/11 | 6/24/11 | ORD |
| 13. | Wellesley (65) | 4 | 4/28/11 | 6/1/11 | BOH |
| 14. | **Somerville** (12) | 10 | 5/19/11 | 7/1/11 | BOH |
| 15. | Westwood (134) | 2 | 6/14/11 | 6/30/11 | BOH |
| 16. | Chatham (227) | 1 | 6/20/11 | 7/7/11 | BOH |
| 17. | Hatfield (269) | 0 | 3/22/11 | 4/1/11 | BOH |
| 18. | **Lowell** (4) | 12 | 11/2/11 | 1/1/12 | BOH |
| 19. | **New Bedford** (6)* | 20 | 11/3/11 | 1/1/12 | BOH |
| 20. | Brookline (18) | 8 | 11/15/11 | 4/9/12 | BYL |
| 21. | Wareham (87) | 5 | 11/30/11 | 1/12/12 | BOH |
| 22. | No. Attleboro (58)* | 7 | 12/6/11 | 1/1/12 | BOH |
| 23. | **Revere** (24) | 6 | 12/9/11 | 1/1/12 | BOH |
| 24. | Winchester (90) | 2 | 12/13/11 | 1/1/12 | BOH |
| 25. | Concord (103)* | 3 | 11/20/11 | 2/14/12 | BOH |
| 26. | **Springfield** (3) | 23 | 3/21/12 | 5/21/12 | BOH |
| 27. | **Fitchburg** (35)* | 7 | 3/28/12 | 6/1/12 | BOH |
| 28. | **Leominster** (34)* | 9 | 4/18/12 | 6/1/12 | BOH |
| 29. | Lee (231)* | 2 | 4/30/12 | 7/1/12 | BOH |
| 30. | Lenox (245)* | 2 | 4/30/12 | 7/1/12 | BOH |
| 31. | Stockbridge (290)* | 0 | 4/30/12 | 7/1/12 | BOH |
| 32. | Bedford (147)* | 3 | 5/7/12 | 7/1/12 | BOH |
| 33. | Middleton (186)* | 2 | 5/16/12 | 7/1/12 | BOH |
| 34. | Rochester (240)* | 0 | 5/2/12 | 6/6 | 12 BOH |
| 35. | Saugus (69)* | 7 | 6/4/12 | 9/1/12 | BOH |
| 36. | **Pittsfield** (28)* | 11 | 6/6/12 | 6/6/12 | BOH |
| 37. | Buckland (291)* | 0 | 6/13/12 | 7/1/12 | BOH |
| 38. | Reading (74)* | 4 | 6/21/12 | 7/1/12 | BOH |
| 39. | Harwich (154) | 3 | 7/10/12 | 9/1/12 | BOH |
| 40. | Dartmouth (45)* | 7 | 7/17/12 | 1/1/13 | BOH |
| 41. | **Salem** (32)* | 7 | 7/24/12 | 9/1/12 | BOH |
| 42. | Watertown (50)* | 3 | 8/15/12 | 12/1/12 | BOH |
| 43. | Montague (194)* | 1 | 8/15/12 | 7/1/13 | BOH |
| 44. | Westport (126)* | 2 | 8/27/12 | 10/1/12 | BOH |
| 45. | Fairhaven (121)* | 7 | 9/17/12 | 11/1/12 | BOH |
| 46. | **Haverhill** (15)* | 11 | 9/18/12 | 3/18/13 | BOH |
| 47. | Ashland (115)* | 4 | 11/27/12 | 1/1/13 | BOH |
| 48. | **Melrose** (67)* | 4 | 12/4/12 | 2/4/13 | BOH |
| 49. | **Malden** (17)* | 8 | 12/11/12 | 2/4/13 | BOH |
| 50. | W Boylston (207)* | 2 | 12/12/12 | 4/1/13 | BOH |
| 51. | **Gloucester** (57)* | 5 | 1/10/13 | 3/1/13 | BOH |
| 52. | Barnstable (27) | 9 | 1/15/13 | 3/15/13 | BOH |
| 53. | Whately | 0 | 1/15/13 | 2/9/13 | BOH |

## COMPANIES AFFECTED (WITH NUMBERS OF AFFECTED LOCATIONS) - TOTAL: 396

| | | | |
|---|---|---|---|
| CVS (125) | Walgreens (67) | Rite Aid/Brooks (59) | Shaws Market (7) |
| Star Market (2) | Stop & Shop (27) | Hannaford (4) | Big Y (6) |
| Price Chopper (3) | Walmart (14) | Target (14) | Kmart (3) |
| Costco (1) | Independent Pharmacies (73) | | |

***NOTES:***

(1) * indicates that electronic cigarettes are included in the sales ban.
(2) Cities are in bold letters.
(3) BOH = health regulation (46); ORD = city ordinance (3); BYL = town bylaw (1)
(4) Some Target and Kmart stores may have pharmacies but neither company sells tobacco per company policy.
(5) In Everett, one pharmacy is both a retailer and wholesaler - tobacco sales to wholesale customers only, with conditions.
(6) **37.5% of state's population lives in listed municipalities. (2,456,820 out of 6,547,629 residents).**

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