

Municipal Tobacco Control Technical Assistance Program

Donald J. Wilson, Director
c/o Massachusetts Municipal Association
One Winthrop Square
Boston, Massachusetts 02110

(617) 426-7272
FAX (617) 695-1314
djwilson@mma.org

PROHIBITION 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.

A Technical Assistance Project for cities and towns funded through a Massachusetts Department of Public Health grant to the Massachusetts Municipal Association.

Municipal Tobacco Control Technical Assistance Program

Donald J. Wilson, Director
 c/o Mass. Municipal Association, One Winthrop Square
 Boston, Massachusetts 02110

(617) 426-7272
 FAX (617) 695-1314
 djwilson@mma.org

LOCAL SUMMARY ON TOBACCO SALES BANS IN PHARMACIES

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

1/28/13