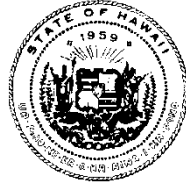


DAVID Y. IGE
GOVERNOR



HAKIM OUANSAFI
EXECUTIVE DIRECTOR

BARBARA E. ARASHIRO
EXECUTIVE ASSISTANT

STATE OF HAWAII
HAWAII PUBLIC HOUSING AUTHORITY
1002 NORTH SCHOOL STREET
POST OFFICE BOX 17907
HONOLULU, HAWAII 96817

Statement of
Hakim Ouansafi
Hawaii Public Housing Authority
Before the

HOUSE COMMITTEE ON JUDICIARY

Thursday, March 29, 2018
2:00 PM - Room 325, Hawaii State Capitol

In consideration of
SB 2783
RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY

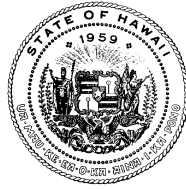
Honorable Chair Nishimoto, and Members of the House Committee on Judiciary, thank you for the opportunity to provide testimony for Senate Bill (SB) 2783, relating to the Hawaii Public Housing Authority.

The Hawaii Public Housing Authority (HPHA) **strongly supports** SB 2783. This Administrative bill will conform the smoking prohibition statute of the HPHA with the U.S. Department of Housing and Urban Development's (HUD) "smoke-free" policy under Code of Federal Regulations (CFR) Part 965 and 966.

Effective February 3, 2017, HUD instituted its final rule requiring public housing agencies to implement a "smoke-free" policy by July 30, 2018. While the HPHA currently possesses a well-established "smoke-free" statute, passed by the legislature in 2013, and internal smoke-free policies, changes need to be made to abide by Federal standards of no smoking up to twenty-five (25) feet away from public housing units and administrative office buildings.

In addition to seeking a revision of HPHA's prohibition on smoking statute, the HPHA is also including this change in the agency's Public Housing Authority Annual Plan, its tenant leases, and Administrative Rules.

The HPHA appreciates the opportunity to provide the House Committee on Judiciary with the HPHA's testimony regarding SB 2783. We thank you very much for your dedicated support.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
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**Testimony in SUPPORT of S.B. 2783
RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY**

REPRESENTATIVE SCOTT Y. NISHIMOTO, CHAIR
HOUSE COMMITTEE ON JUDICIARY

Hearing Date: March 29, 2018

Room Number: 325

1 **Fiscal Implications:** None.

2 **Department Testimony:** The Department of Health (DOH) supports Senate Bill 2783 (S.B.
3 2783) to clarify and expand the no-smoking radius around public housing projects, elder or
4 elderly housing, and state low-income housing projects to twenty-five feet to comply with the
5 U.S. Department of Housing and Urban Development (HUD) Smoke-Free Public Housing
6 policy.

7 S.B. 2783 amends §356D-6.5 Hawaii Revised Statutes (HRS) to clarify and expand the
8 no-smoking radius around public housing projects, elder or elderly housing, and state low-
9 income housing projects from twenty feet to twenty-five feet from each individual building and
10 each administrative office building in a public housing project, state low-income housing project,
11 and elder or elderly housing, under the jurisdiction of the Hawaii Public Housing Authority
12 (HPHA).

13 HUD published the final rule on December 5, 2016. The rules went into effect on
14 February 3, 2017, and every public housing agency (PHA) is required to implement the no-
15 smoking policies by the deadline of July 31, 2018. These proposed amendments align Hawaii's
16 existing laws in Chapter 356D-6.5 HRS to the federal rules (24 CFR 965.653, 24 CFR 965.655).

17 In the United States, the cigarette smoking prevalence is higher among low-income adults
18 and individuals who reside in federally assisted housing. These individuals are particularly

1 susceptible to the adverse effects of smoking and secondhand smoke exposure.¹ An interagency
2 study conducted by the Centers for Disease Control and Prevention (CDC) and HUD found that
3 adults living in federal assisted housing have a smoking rate (33.6%) which is twice as high as
4 the national smoking rate (15.5%).^{2,3,4} The smoke-free public housing policy is part of the
5 comprehensive tobacco prevention strategy to improve health outcomes, especially for people
6 who are experiencing the greatest health disparities.

7 Thank you for the opportunity to testify.

¹ Cigarette smoking and adverse health outcomes among adults receiving federal housing assistance...
<https://www.ncbi.nlm.nih.gov/pubmed/28192095> retrieved January 23, 2018

² Helms, V.E., King, B.A., Ashley, P.J. (2017) Cigarette smoking and adverse health outcomes among adults receiving federal housing assistance. Preventive Medicine. <https://www.ncbi.nlm.nih.gov/pubmed/28192095>

³ Campaign for Tobacco-Free Kids. Toll of Tobacco in the United States of America. (January 19, 2018)
<https://www.tobaccofreekids.org/assets/factsheets/0072.pdf> retrieved January 23, 2018.

⁴ Campaign for Tobacco-Free Kids. New Study Finds Smoking Rate Twice as High for Adults in Federally Assisted Housing, Highlighting Importance of Smoke-Free Public Housing Rule. (March 2, 2017) https://www.tobaccofreekids.org/press-releases/2017_03_02_hud retrieved January 23, 2018.



Date: March 28, 2018

To: The Honorable Scott Nishimoto, Chair
The Honorable Joy San Buenaventura, Vice Chair
Members of the House Committee on Judiciary

From: Trish La Chica, Policy and Advocacy Director, Hawai'i Public Health Institute

Re: **Support for SB2783, Relating to the Hawai'i Public Housing Authority**

Hrg: March 29, 2018 at 2:00pm at Capitol Room 325

Thank you for the opportunity to submit testimony in **SUPPORT** of SB2783, which would expand the no smoking radius around public housing projects managed by the Hawai'i Public Housing Authority (HPHA) from 20 feet to 25 feet, and align HPHA's policy with HUD's federal rule.

The Coalition for a Tobacco-Free Hawai'i (Coalition) is a program of the Hawai'i Public Health Institute (HIPHI) that is dedicated to reducing tobacco use through education, policy, and advocacy. With more than two decades of history in Hawai'i, the Coalition has led several campaigns on enacting smoke-free environments, including being the first state in the nation to prohibit the sale of tobacco and electronic smoking devices to purchasers under 21 years of age.

The Coalition supports initiatives that aim to protect all public housing residents from the dangers of secondhand and thirdhand smoke. In 2014, the State Legislature enacted a law prohibiting smoking in all public housing, elder or elderly household (HRS 356D-1) and state low-income housing project (HRS 356D-51) affecting more than 80 properties. This rule provides protections from smoking in all indoor private and common areas as well as outdoor common areas and within **20 feet** of buildings and common areas on properties that are managed by HPHA.

The Coalition has supported and partnered with HPHA, Hawai'i State Department of Health Tobacco Prevention and Education Program and Public Health Nursing Branch to assist in the implementation and enforcement of smoke-free policies since 2014.

The Department of Housing and Urban Development (HUD) released a final rule that requires all public housing properties managed by public housing authorities to implement a smoke-free policy by July 30, 2018. The smoke-free policy, at minimum, must ban the use of prohibited tobacco products within all indoor areas and extends to all outdoor areas within **25 feet** of those areas.

SB2783 would bring the current smoke-free public housing law into compliance with the federal rule. The deadline to comply with the minimum HUD requirements is July 30, 2018.

Thank you for the opportunity to in support of SB2783.

Mahalo,

A handwritten signature in black ink, appearing to read 'Trish', with a stylized flourish at the end.

Trish La Chica
Policy and Advocacy Director

SB-2783

Submitted on: 3/28/2018 11:15:52 AM

Testimony for JUD on 3/29/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i	Support	No

Comments:

LATE

SB-2783

Submitted on: 3/29/2018 6:39:58 AM

Testimony for JUD on 3/29/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Zehner	Hawaii Smokers Alliance	Oppose	No

Comments:

The current smoking ban in housing is an unconstitutional violation of person's right to privacy. SB2783 needs to be AMENDED to allow smoking in individual units.

LATE

SB-2783

Submitted on: 3/29/2018 11:23:50 AM
Testimony for JUD on 3/29/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nicholas Winters	Individual	Oppose	No

Comments: