

Health Law & Business News

Vaping Bans Advance in Congress With Illnesses Likely to Rise

By Shira Stein

Oct. 16, 2019, 1:52 PM

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- Two House committees moving forward with bills amid outbreak
 - CDC official says injuries, deaths will grow sharply this week
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Congress is moving forward with legislation that would prohibit e-cigarette use by underage people, as health regulators brace for an outbreak of death and injuries related to vaping to worsen.

A ban on selling e-cigarettes to minors moved through the House Judiciary Committee on Tuesday, while the Energy and Commerce Committee weighed curbs on flavored e-cigarettes.

Those discussions came as U.S. Centers for Disease Control and Prevention Principal Deputy Director Anne Schuchat told the House Appropriations Health Subcommittee she expects the number of vaping-related lung injury cases to “grow considerably” this week. The CDC reported last week that 1,299 cases of vaping-related lung injuries and 26 deaths had been confirmed as of October 8.

“It’s possible the epidemic of nicotine-containing e-cigarettes has created a generation that is addicted to vaping, no matter what the product is,” Schuchat said.

Multiple members of the appropriations subcommittee asked about looking into how such injuries are presenting in other countries, but Schuchat said the outbreak is not happening outside the U.S. She attributed that to the “lucrative” smoking market in the U.S. and said countries like the United Kingdom have tight limits on nicotine levels in vaping products.

Multiple Bills

Congress is moving forward on its efforts to stop youth nicotine use, with bills being considered in two committees.

The House Judiciary Committee unanimously approved a bill from Representative Rosa DeLauro, a Connecticut Democrat, that would require age verification for the purchase or delivery of e-cigarette products.

Judiciary Committee Chairman Jerry Nadler, a New York Democrat, called the legislation the “first steps to curbing use of e-cigarettes by young people.”

The House Energy and Commerce Committee also held a hearing to consider a bill proposed by Chairman Frank Pallone, a New Jersey Democrat, that would ban all flavored e-cigarettes, a step which President Donald Trump has also proposed. Pallone is also pushing to raise the age limit for purchasing cigarettes to 21 from 18.

Health Subcommittee Chairwoman Anna G. Eshoo of California said high nicotine levels in e-cigarettes are ushering young Americans toward addiction that could lead to tobacco use.

Future Concerns

States are struggling to stop youth e-cigarette use, and they're stretched thin on funding, Schuchat said.

About 50% of their resources are going to addressing youth, and that's not enough funding, Schuchat said. That funding is being taken away from addressing tobacco use by adults, she added.

Beyond funding issues, there are also still a lot of unknowns.

The CDC has said that products containing tetrahydrocannabinol (THC), the psychoactive ingredient in marijuana, are linked to most of the cases, but there could still be a link with nicotine-containing products.

The CDC is also concerned about cutting agents or solvents, like oils, being used in THC pods because it is unclear what happens to those compounds when heated, Schuchat said.

And, with the upcoming influenza season, diagnosing vaping-related disease could be more muddled.

The symptoms of the lung-related injury include shortness of breath, a cough, sometimes chest pain and a fever, and in 75% of cases, nausea, vomiting, and stomach pains, Schuchat said. The agency needs to recommend how doctors can evaluate the differences and diagnose properly, she added.

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