

# ALCOHOL, DEREGULATION & THE OPIOID EPIDEMIC

*Massachusetts*



# PANEL

Massachusetts



**CASSANDRA GREISEN**  
**PUBLIC POLICY MANAGER**

Facts, stats and  
trends across the  
country



**HEATHER WARNER**  
**SPIFFY COALITION**

Deregulation and the  
public health  
response



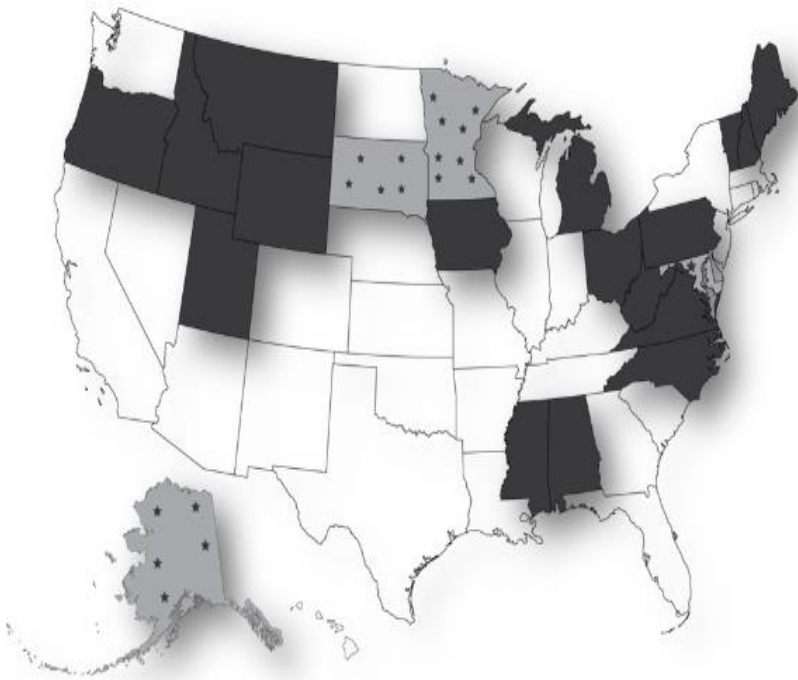
**PENELOPE FUNAIOLE**  
**CITY OF MEDFORD**

Coordinating local  
strategies across  
substances



# MISSION

To support member jurisdictions in their efforts to protect public health and ensure responsible and efficient systems for beverage alcohol distribution and sales.



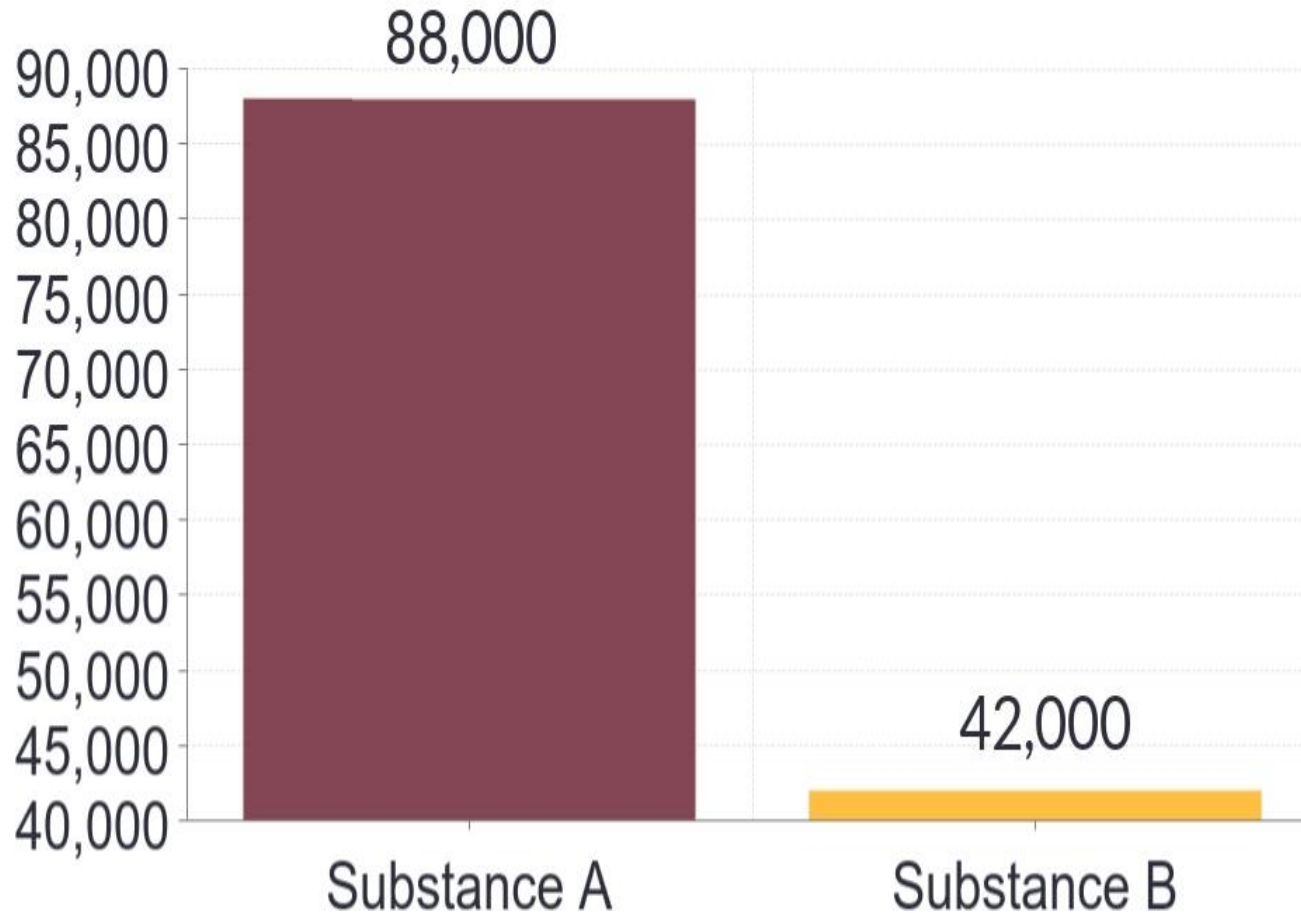
18 U.S. CONTROL JURISDICTIONS



# NABCA

# A TALE OF TWO SUBSTANCES *Mortality*

2016



Source: CDC

# REACTIONS PUBLIC & GOVERNMENT

## SUBSTANCE

A

Problem largely ignored...except for high-profile executive action and legislation to subsidize and promote the product and reduce regulatory burdens around its manufacturer and distribution

VS

## SUBSTANCE

B

Problem described as an "epidemic" "crisis" "national tragedy"  
Task forces formed at executive and legislative levels to address problem  
Lawsuits filed against manufacturers and distributors of the product

# SUBSTANCE REVEAL

SUBSTANCE

A



VS

SUBSTANCE

B





**BRINGING  
ALCOHOL  
OUT FROM  
THE SHADOWS**

# The Evidence







## STATISTICS



Alcohol was involved in 22% of deaths caused by opioid pain relievers



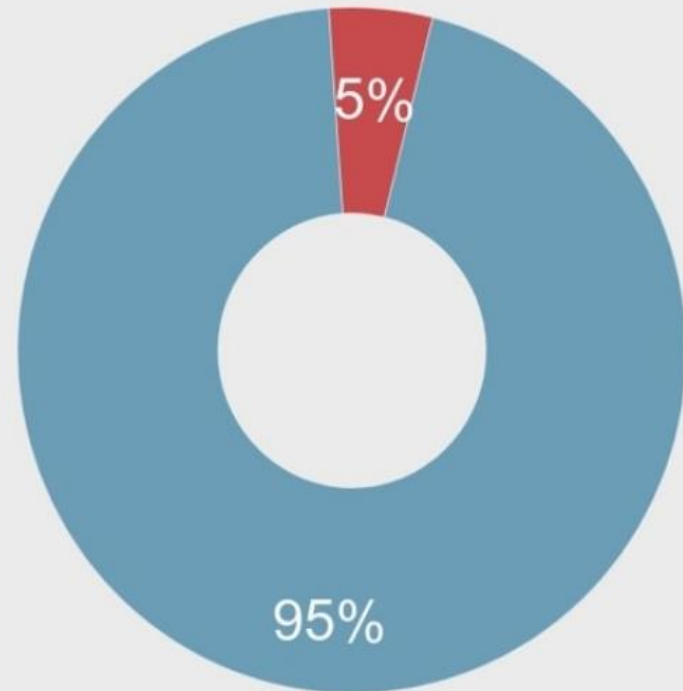
18% of ER visits related to the misuse of opioid pain relievers involved alcohol

*Source: Jones et al. 2014*



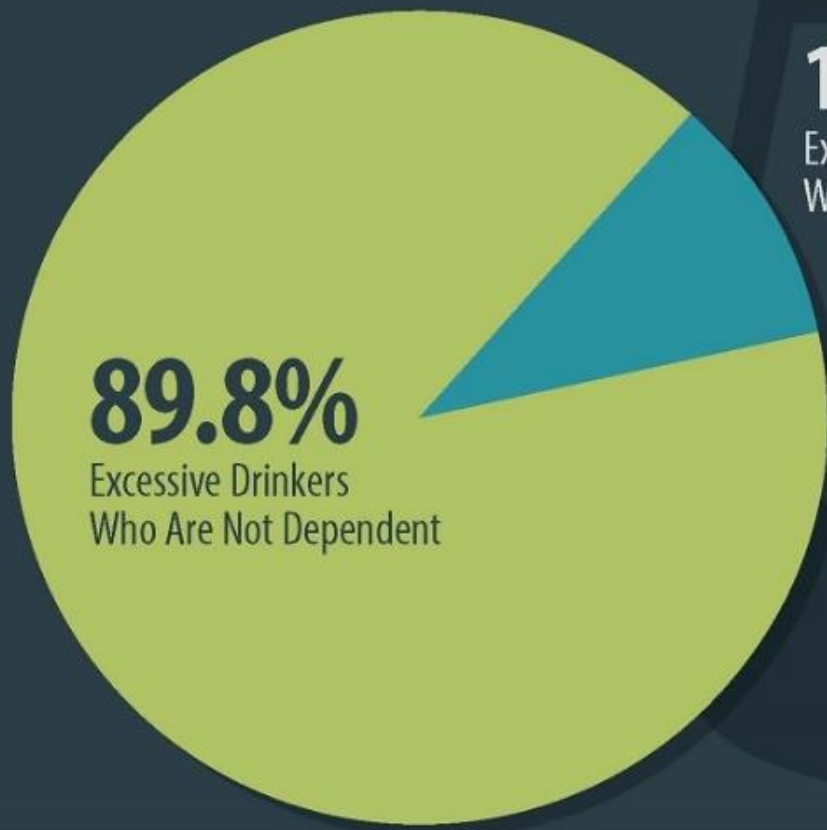
# 95%

About 95% of the 88,000 average annual alcohol-attributable deaths in the U.S. involve adults 21 years or older.



*Kanny et al, 2018*

**9 out of 10** excessive drinkers are **not** alcohol dependent.



**10.2%**

Excessive Drinkers  
Who Are Dependent



CS252939-A

**PREVENTING CHRONIC DISEASE**

PUBLIC HEALTH RESEARCH, PRACTICE, AND POLICY

[www.cdc.gov/pcd/issues/2014/14\\_0329.htm](http://www.cdc.gov/pcd/issues/2014/14_0329.htm)

[www.cdc.gov/alcohol](http://www.cdc.gov/alcohol)

# Binge Drinking



Prevalence  
vs.  
Intensity

*Kanny et al. 2018*

## Young Adults

Binge drinking most common among 18-34-year-olds



**3 in 4** of the total binge drinks are reported by non-Hispanic, Whites.



**\$75,000**

Most common among persons with household incomes at or above \$75,000



**College Graduates**

Binge drinking more common among college graduates

## Age

## Middle-Aged, Older Adults

Those 35 and older consumed half of the total binge drinks (9 billion)

## Race

### American Indians/Alaska

**Natives** reported the highest number of total binge drinks/binge drinker.



## Income

**<\$25,000**

Total number of binge drinks/binge drinker is highest among persons with household incomes below \$25,000



## Education

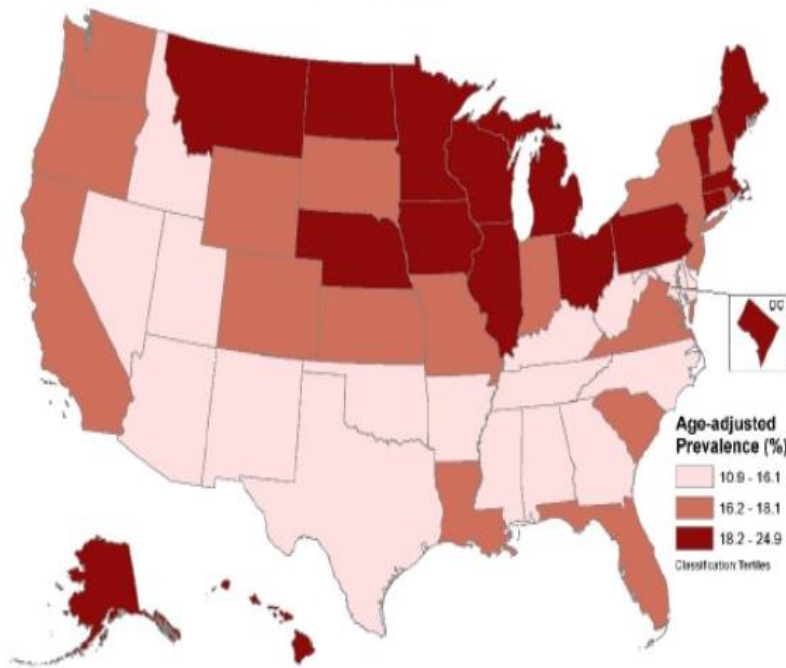
**High School Diploma**



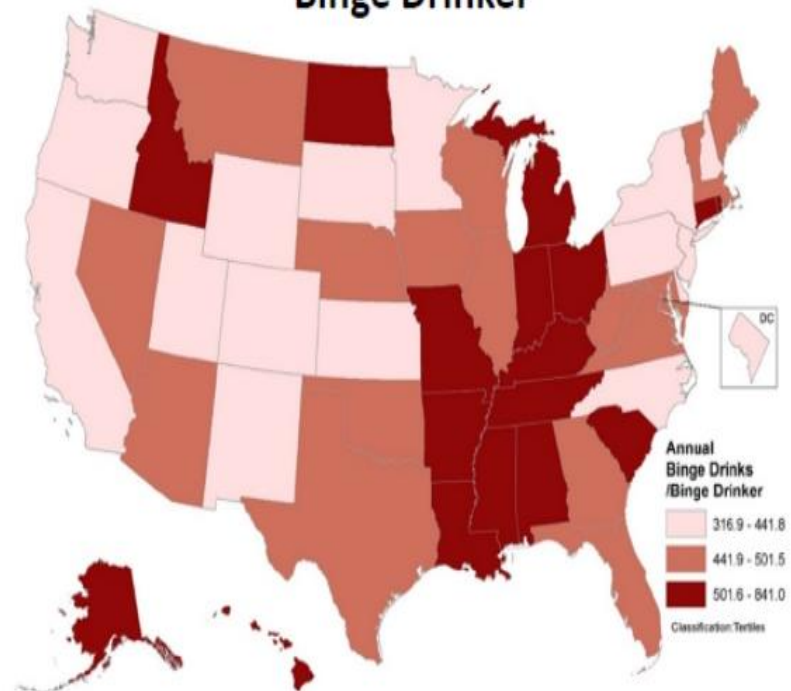
Binge drinkers with less than a high school education consume over twice as many total binge drinks annually

# Binge Drinking Prevalence and Total Binge Drinks per Binge Drinker Varied by State

### Prevalence



### Total Binge Drinks per Binge Drinker



Kanny, et al. Annual Total Binge Drinks Consumed by U.S. Adults, 2015. *AJPM* 2018; 54(4):486-496.





**63%**

Take five or more  
medications and  
supplements  
daily

**80%**  
OLDER ADULTS

**1/3**

Estimated to be  
taking a medicine  
with abuse potential



# THE TRENDS

ALCOHOL



**CONSUMPTION ON RISE**  
women, older adults, racial/ethnic  
minorities, and socioeconomically  
disadvantaged

*Grant et al. 2017*



**ER VISITS INCREASED**

**62% from 2006 to 2014**

*White et al. 2018*



**IMPAIRED DRIVING  
PROGRESS STALLS**

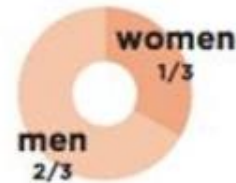
**10,000 deaths annually**

*NAS, 2018*






# Alcohol and health

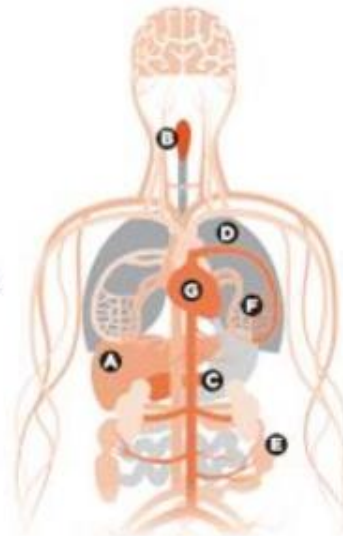









**3.3 million deaths every year**  
6 deaths every minute  
from harmful use of alcohol



## Harmful use of alcohol causes

-  **100%** of fetal alcohol syndrome
-  **100%** of alcohol use disorders
-  **22%** of suicides
-  **22%** of interpersonal violence
-  **15%** of traffic injuries



-  **50%** of liver cirrhosis
-  **30%** of mouth and throat cancers
-  **25%** of pancreatitis
-  **12%** of tuberculosis
-  **10%** of colorectal cancer
-  **8%** of breast cancer
-  **8%** of heart disease



# *A Study From The Lancet*

HEALTH

## No Amount Of Alcohol Is Good For Your Health, Global Study Says

August 24, 2018 · 3:42 PM ET

SAMANTHA RAPHELSON



Trend Toward  
Deregulation



# 3-Tier Regulatory System

# 3 Tier System: The Why and Relevancy Today

Blueprint for  
state regulatory  
systems




Producer



Wholesaler



Retailer

### Product Quality

Wholesaler tracks all bottles and cans creating efficient system for removal of tainted product before harm occurs.

### Tax Collection

Wholesaler usually collects the excise tax. US has nearly 100% collection vs. other countries.

### Prevent Illegal Sales

Retail tier must prevent sales to minors and intoxicated persons and collect sales taxes.



### Financial Independence

- Prohibits ownership of more than one tier
- Restricts financial ties and things of value as an inducement to buy manufacturer's product.
- Protects distributor with "franchise laws" from being dominated by producer.

### Regulation Design

- Reduce aggressive sales tactics such as incentives to consume in high volume.
- Prevent "vertical monopolies" where one tier dominates the others.
- Curtail public order problems using outlet density restrictions and limits on days and hours of sale.
- Greater restrictions on high alcohol content products

*Controlled, closed system with independent tiers to prevent marketplace domination*

Author  
Pamela Erickson, CEO, Public Action Management, PLC  
pam@pamaction.com

# Legislative Pathways

## Task Force Initiatives

Large scale reviews of state alcohol policies aimed at removing restrictions to respond to business changes and consumer demands

## Convenience & Consumer Choice

Modern convenience demands and e-commerce is changing how, where and when consumers access alcohol



## Erosion of 3-Tier System

New and changing business models are eroding the traditional, three-tier regulatory structures throughout the country

## Craft Alcohol Movement

Need for jobs, manufacturing and urban redevelopment has sparked local, craft alcohol production resulting in an influx of new products



# TASK FORCES

## Massachusetts

Massachusetts task force challenges alcohol laws

“ Our office has just begun reviewing this report and will identify next steps that can be done internally, in addition to developing long term legislative priorities that will promote public safety, help our Massachusetts businesses, and enhance the smooth operations of the Alcohol Beverages Control Commission. ”

— Deborah Goldberg  
*Massachusetts Treasurer*

# Public Health Response to “Modernization” of Massachusetts Alcohol Laws

**Heather Warner, MPH**

Coalition Coordinator  
Strategic Planning Initiative  
for Families and Youth

[hwarner@collaborative.org](mailto:hwarner@collaborative.org)



National Prevention Network  
August, 28, 2018

# Today



- **Context**
- **“Modernizing” Alcohol Laws in MA**
- **Public Health Voice**
- **Lessons Learned**

# Massachusetts Substance Use Environment





# Lawsuits: Public Health Wins

**The  
Guardian**

June 12, 2018

## Opioid lawsuit targets rich family behind drug that fueled US crisis

Sackler family, which owns Purdue Pharma, the maker of OxyContin, **accused of fueling addiction while boosting profits**

**...and aggressively targeted vulnerable populations, such as the elderly and veterans.**



**Mass.** Gov

PRESS RELEASE July 24, 2018

## **AG Healey Announces Investigation into JUUL, Other Online E-Cigarette Retailers Over Marketing and Sale to Minors**

**Office Sends Cease and Desist Orders to Three Websites that Sell JUUL-Compatible Products with Inadequate Age Verification Systems; Raises Concerns over JUUL's School Programming**

# Lawsuits: Industry Wins

## Marijuana ruling by Massachusetts high court 'first case of its kind in the country'

Posted Jul 17, 2017

By Michelle Williams

[Michelle.Williams@masslive.com](mailto:Michelle.Williams@masslive.com)

After the Massachusetts Supreme Judicial Court ruled Monday **in favor of an employee fired after testing positive for marijuana**, some legal experts are shocked.

## Total Wine wins lawsuit against Mass on discount pricing

R Street Institute

July 27, 2017

**Total Wine continues its efforts to challenge state laws that restrict alcohol retailing.** The chain alcohol store prevailed in a lawsuit brought by Massachusetts alleging that the store was selling their booze below-cost, in contravention of state law.

A Boston judge has ruled that MA alcohol retailers can legally sell booze at deep discounts when they order it in bulk, rebutting state regulators who said the practice can violate a state law that prohibits selling alcohol at less than cost.

# Alcohol: Emerging Trends



# Treasurer proposes legislative fix to Nashoba Valley Winery license confusion

By Dan Adams

GLOBE STAFF JUNE 28, 2016

In an effort to end a controversy that has put a spotlight on the state's unwieldy liquor laws, Treasurer Deborah Goldberg has drafted legislation that would allow the popular Nashoba Valley Winery to continue serving its own wine, beer, and spirits at a restaurant it runs on its Bolton farm.

The proposed bill would explicitly permit the state's dozens of "farmer-wineries" to simultaneously hold two state liquor licenses: one permitting the production and pouring of drinks on their farms, and another to serve drinks at an on-site restaurant. The restaurants would be barred from serving alcohol made elsewhere, however.



ARAM BOGHOSIAN FOR THE BOSTON GLOBE

State Treasurer Deborah Goldberg



Start?

## No limits on review of liquor laws

### Goldberg wants plan that 'deals with 21st century'

By Dan Adams  
GLOBE STAFF

Massachusetts Treasurer Deborah Goldberg is throwing open the doors to the most extensive rethinking of how the state regulates alcohol since the end of Prohibition, directing a new task force to create a more cohesive set of rules that "deals with the 21st century."

Treasurer seeks overhaul of 'unwieldy' Mass. Alcohol laws

“Antiquated”

“Revolutionary  
Rule Changes”

“Total Overhaul”

Mass Not Alone

“Prohibition”



SEPTEMBER 7, 2016

ALBANY, NY

Governor Cuomo Signs Legislation to **Modernize**  
New York's Alcoholic Beverage Control Law

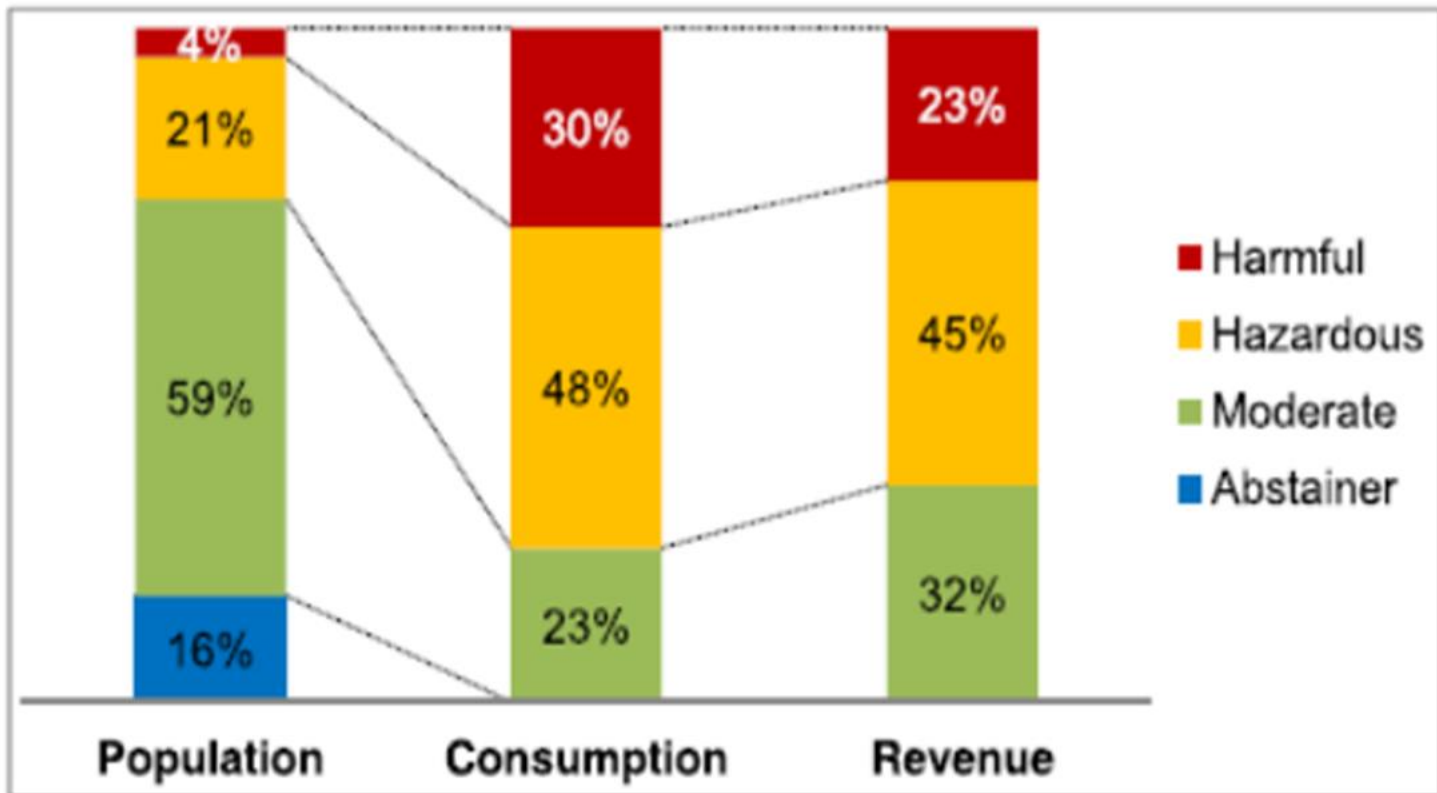
# Industry can't be trusted to regulate themselves

Underage drinkers consumed 9.3% of all alcohol sold in MA totaling \$344 million in sales & \$168 million in industry profits (2012)



*"Now, kids, don't look until you're twenty-one."*

# Two Thirds of alcohol sales are to heavy drinkers in the UK (2018)



**Figure 1** Volume and value of sales by consumption level, 2013/14



September 15, 2016

Dr. Monica Bharel  
Commissioner  
Department of Public Health  
250 Washington Street, 6<sup>th</sup> Floor  
Boston, MA 02108

Dear Dr. Bharel,

We are writing to formally request that the Department of Public Health make a strong recommendation to the Office of the State Treasurer regarding participants involved in the anticipated review of Massachusetts' alcohol laws. Public health experts need to be actively involved in making determinations around alcohol policy.

**“Formally request...public health experts need to be actively involved in making determinations around alcohol policy”**

cc: Governor Charles D. Baker; State Treasurer Deborah B. Goldberg; Senate President Stan Rosenberg; House Speaker Robert DeLeo; State Senator Jason Lewis; Representative Paul Brodeur; Representative Michael Day; Kim S. Gainsboro, Alcoholic Beverages Control Commission Chairman



# Timeline: 6 Months from first public comment to the final report

- June 2016: **Nashoba Valley Winery sues ABCC**
- July 2016: **Announcement of overhaul by Treasurer**
- Feb 2017: **Task Force members named**
- May/June 2017: **Public comment period**
- July/Aug 2017: **Media picks up on PH pushback**
- Aug/Sept 2017: **Working groups meet**
- December 2017: **Report released**

# Public Comment

## Changes to alcohol rules face pushback

Health advocates oppose loosening sought by business

By Dan Adams

GLOBE STAFF

When Massachusetts

## Advocates see chance to raise tax on alcohol

Study cites surge in heavy drinking

By Felice J. Freyer

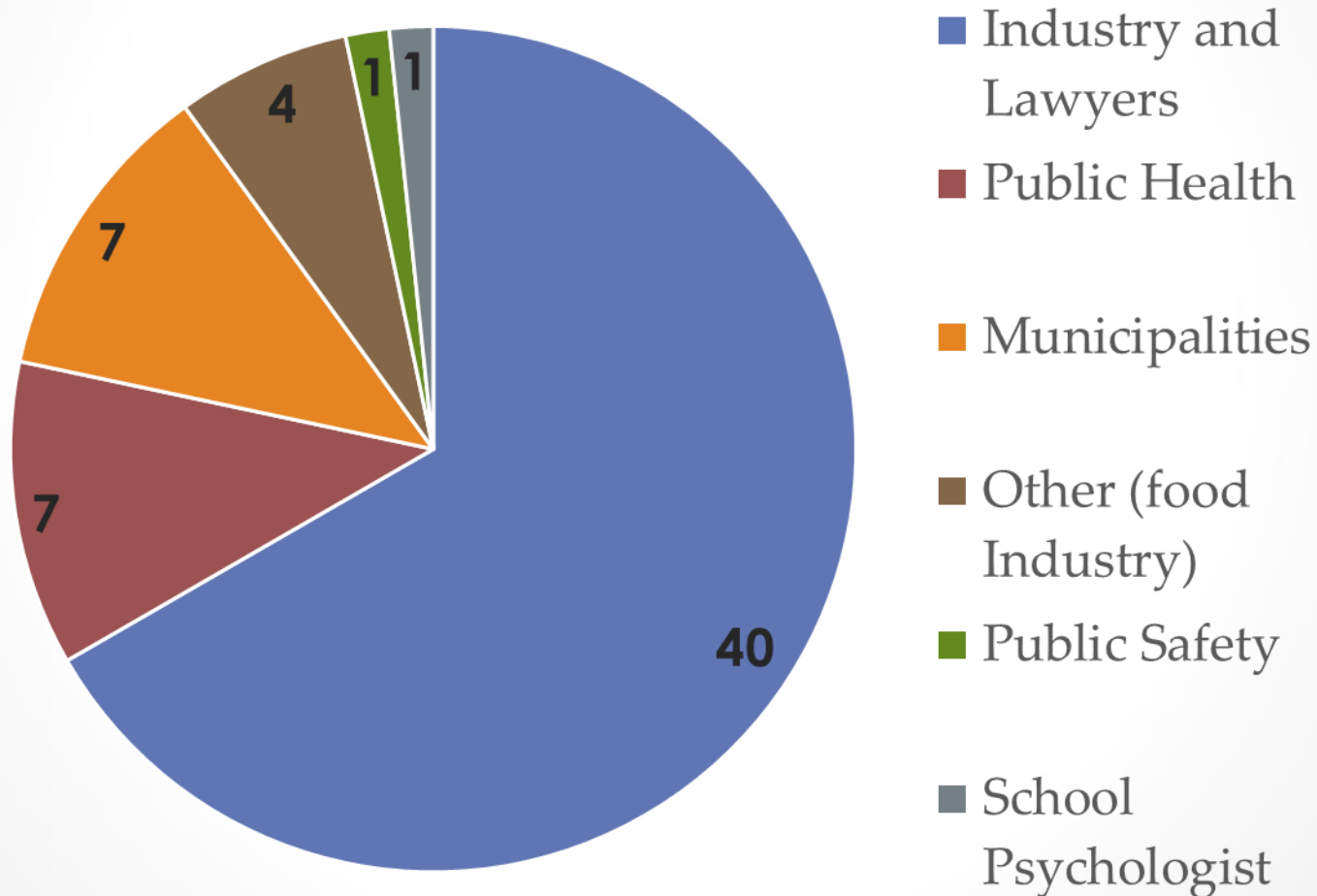
GLOBE STAFF

# MA Alcohol Task Force

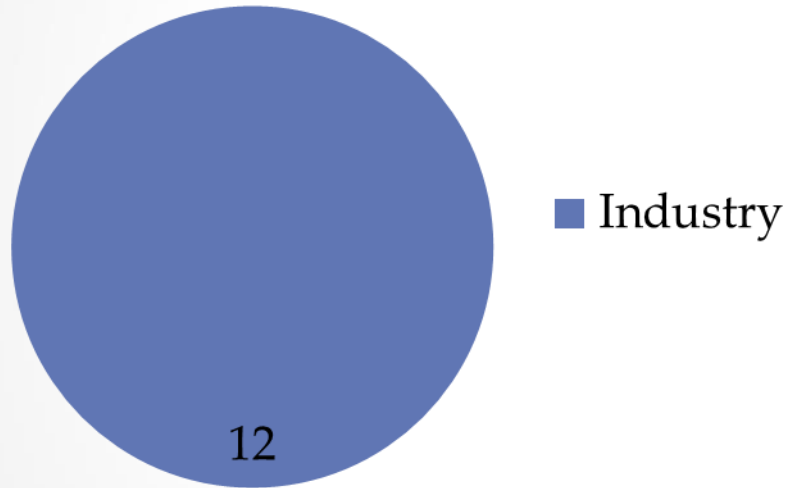
## Working Groups

- 125 people requested
- 60 chosen\*
- 5 working groups chaired by TF members:
  1. **ABCC Operations**
  2. **Industry Improvements**
  3. **Licensing Process**
  4. **Local Economic Development**
  5. **Public Health and Safety**

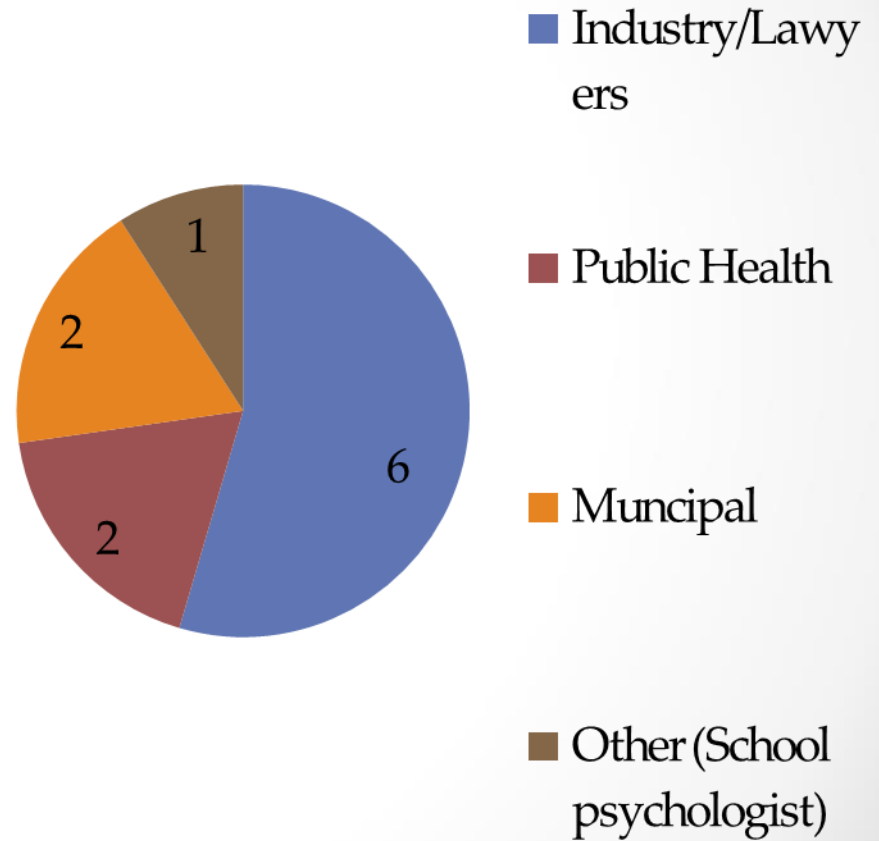
# Who served on working groups?



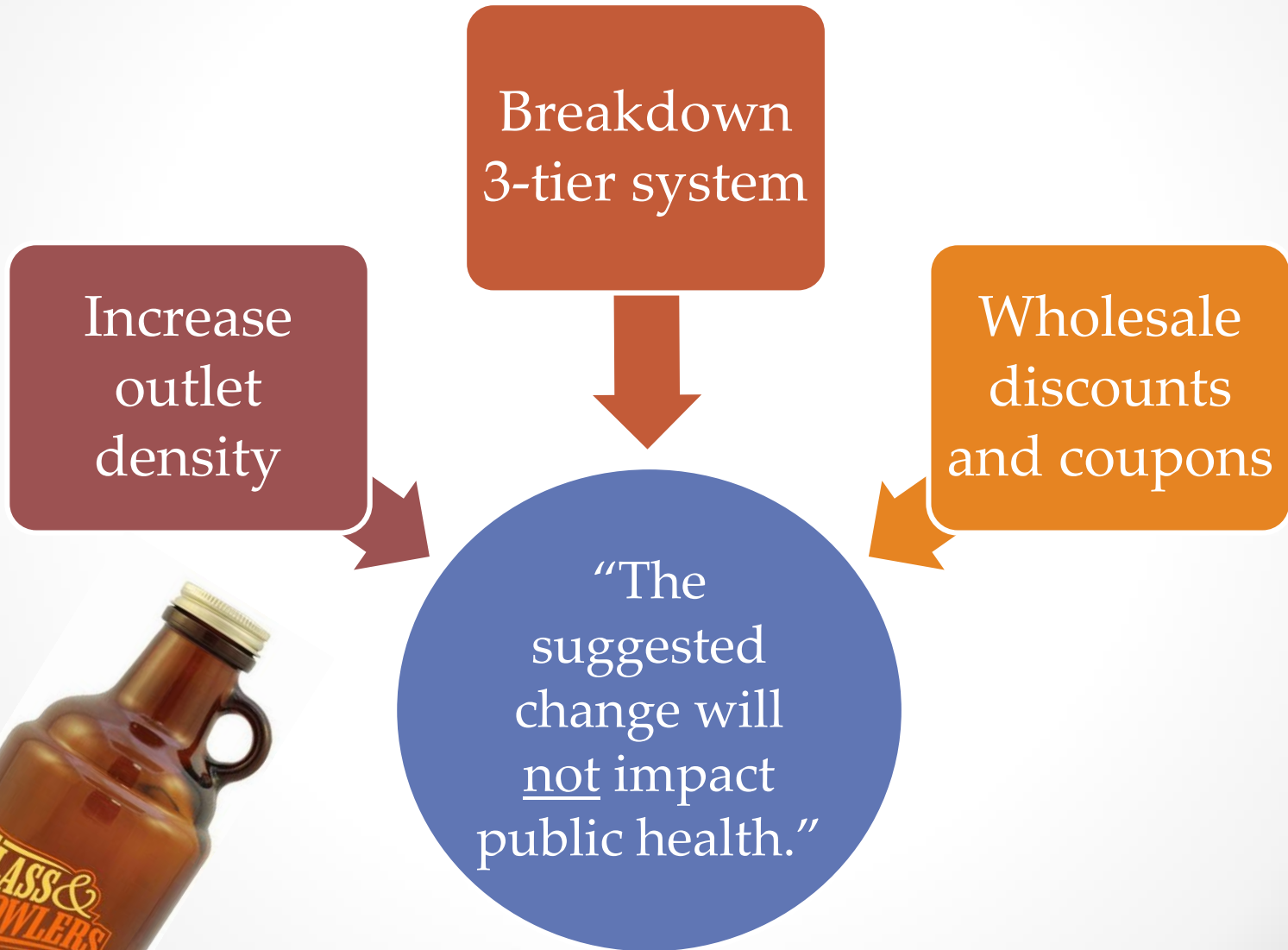
# Industry Improvements



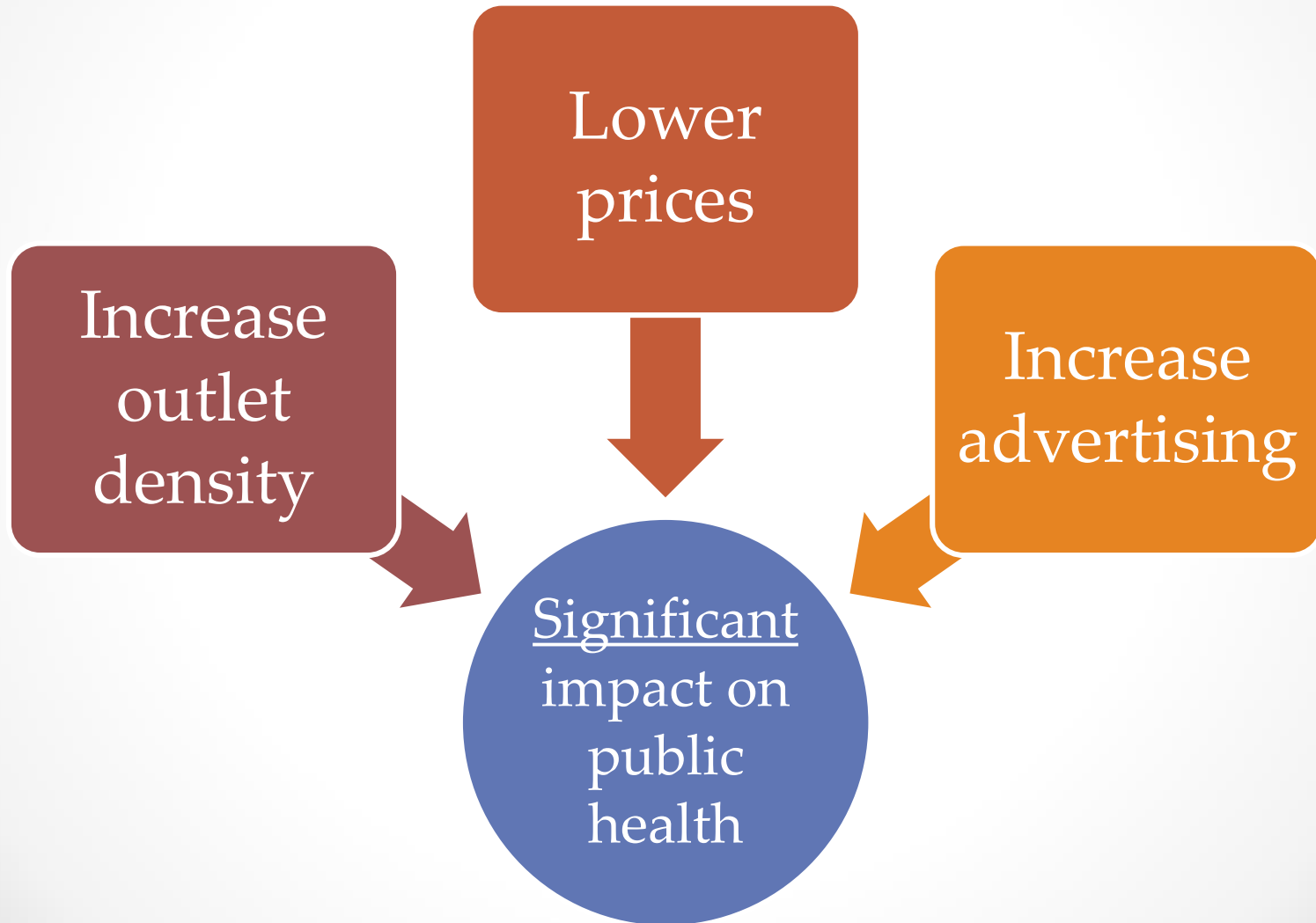
# Public Health & Safety



# Industry Input



# Public Health Expert Input



# On the table

## Public Health

- No coupons/discounts
- No happy hours
- Minimum pricing
- Adequate taxation
- Strong 3-tier system
- No out-of-state ID's
- Home delivery concerns
- Social Host Laws
- \$ enforcement/ABCC,
- \$ prevention efforts
- Public Health Review of changes to alcohol laws

## Industry

- “Innovation” before regulation
- Loosen caps on # Licenses
- Allow craft beer makers to also sell
- Expand retail hours
- Loosen application requirements
- Gifts to restaurants and bars for carrying products



# Our Experience Serving on Working Groups





PREVENTION





# Task force wants relaxed alcohol laws, higher taxes

## The good news

- Restrict wholesale discounts
- There IS an excise tax recommendation
- \$ for ABCC enforcement

## The bad news

- No cap on licenses; unlimited licenses for grocery stores
- The excise tax recommendation is minimal
- Erosion of 3-tier system
- Allow out of state id provision

## The Long Haul

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# Unexpected Allies

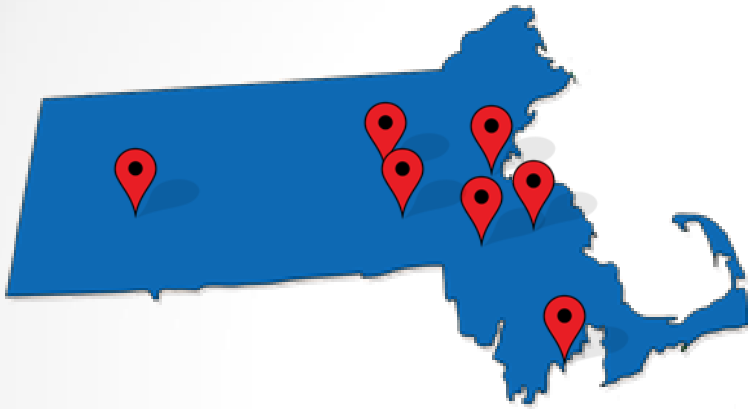
Massachusetts  
Package Store  
Association



Alcohol  
Beverage Control  
Commission



# Lessons Learned





Heather Warner, MPH  
Coalition Coordinator  
Strategic Planning Initiative for Families & Youth  
[hwarner@collaborative.org](mailto:hwarner@collaborative.org)  
413-586-4900 x 5583

Liz Parsons, Coordinator  
Mystic Valley Public Health Coalition  
781-979-4132  
[www.mysticvalleypublichealth.org](http://www.mysticvalleypublichealth.org)

# Connecting the Dots Policy to Practice



[This Photo](#) by Unknown Author is licensed under [CC BY-SA](#)

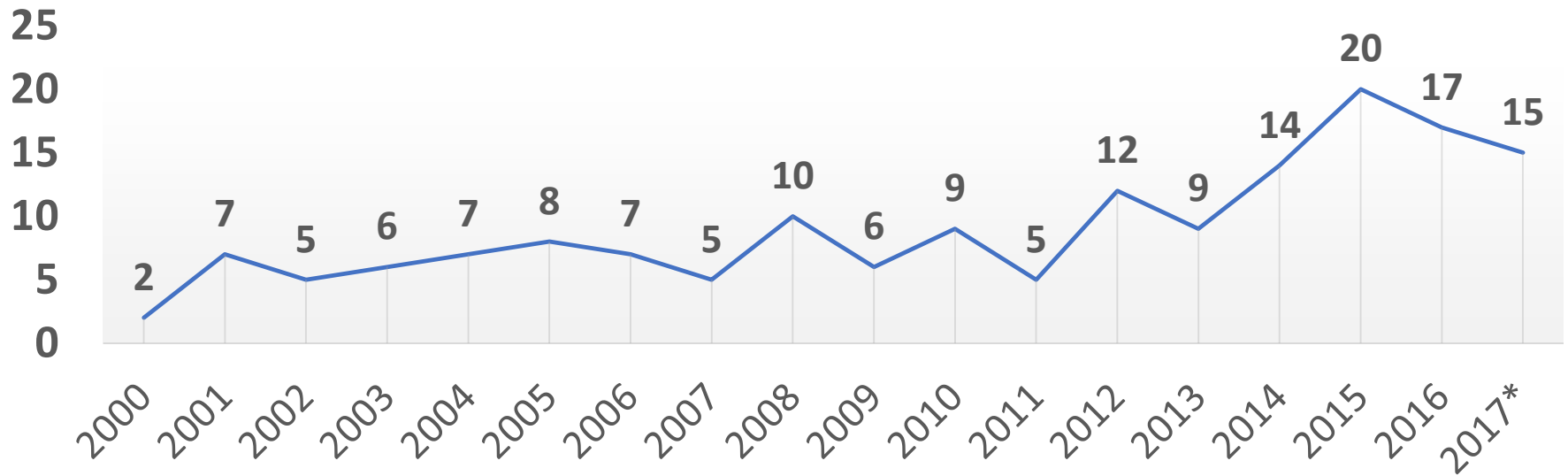




# Medford, Massachusetts

- 3.2 miles northwest of downtown Boston
- Estimated population 57,213
- Student demographics
  - 13.4% African America
  - 9.6% Asian
  - 11.2% Hispanic
  - 0.3% Native American
  - 60.7% White
  - 4.8% Multi-Race, Non-Hispanic
  - 51% Male/49% Female
- Tufts University

# Medford Fatal Overdoses 2000-2017

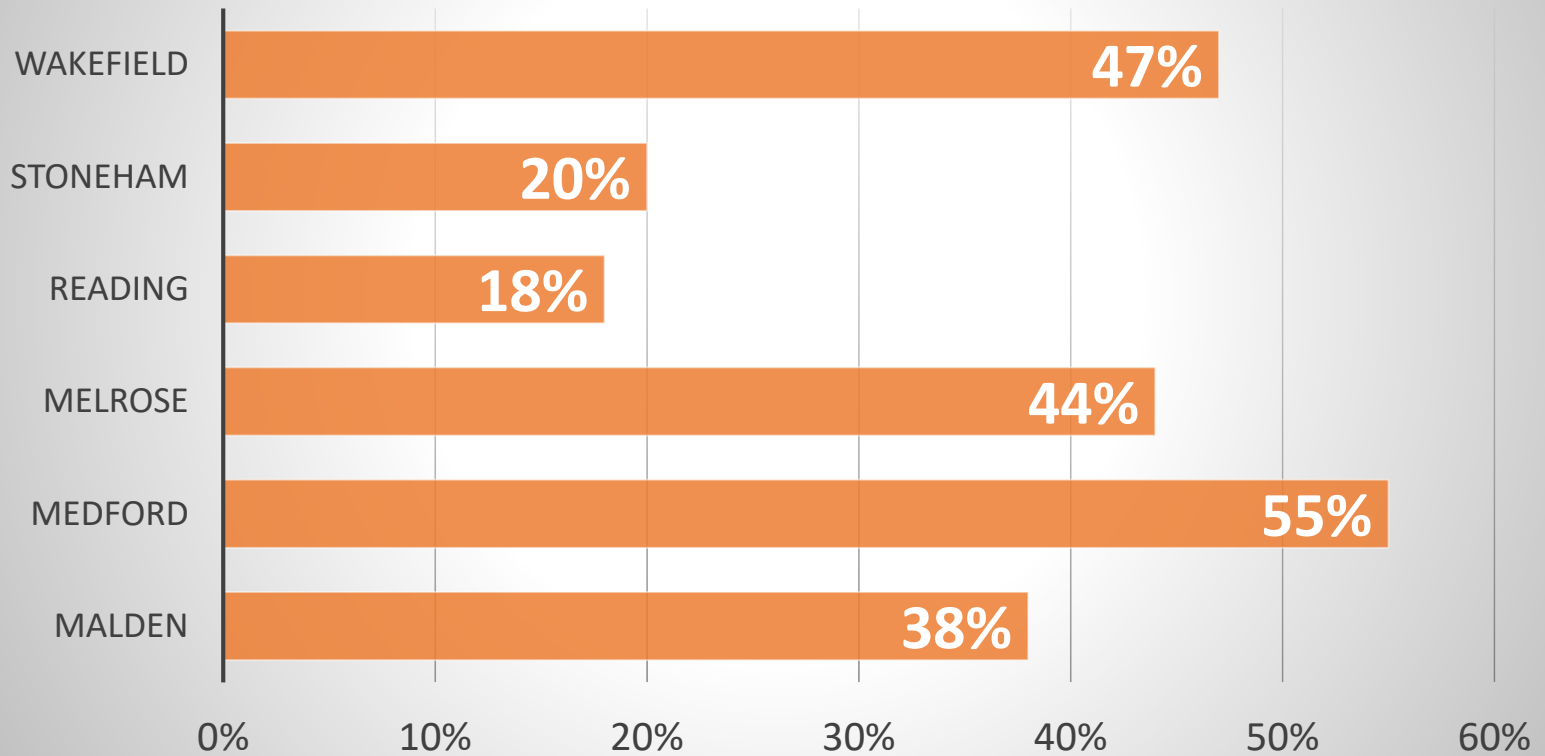


—OD Deaths

\*Pending Records

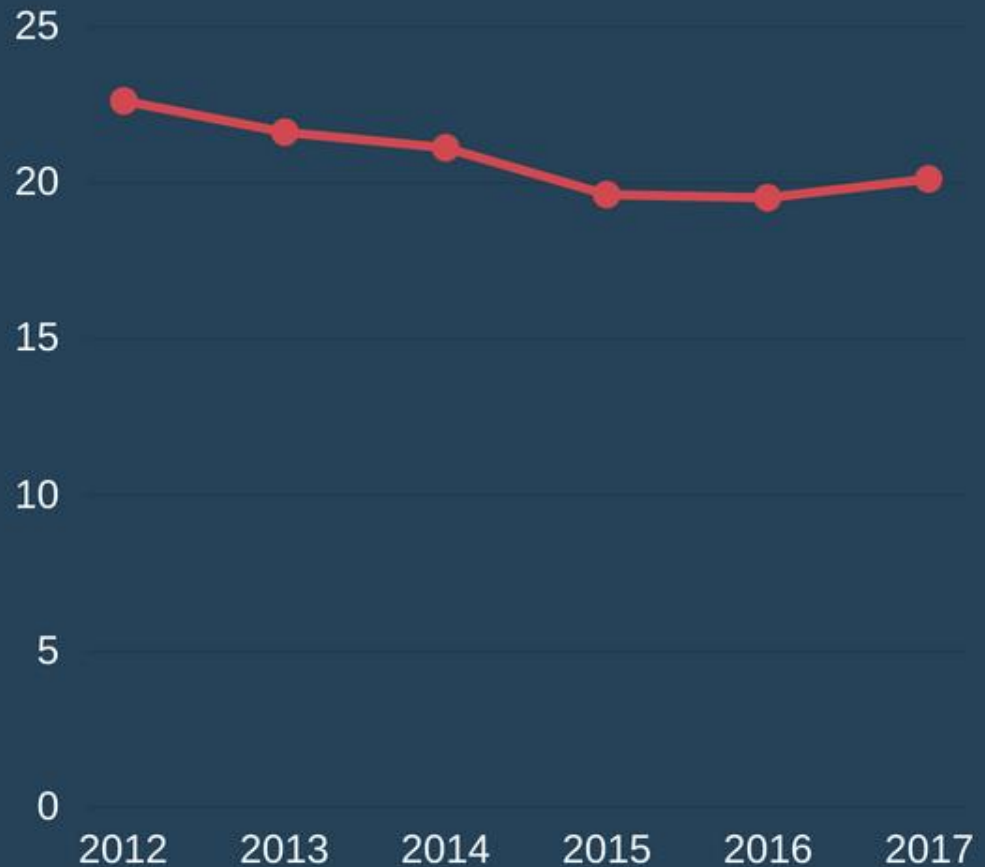
Registry of Vital Records and Statistics, MDPH

## 2012-2015 Deaths Records by Occupation: Labor/Trade based job



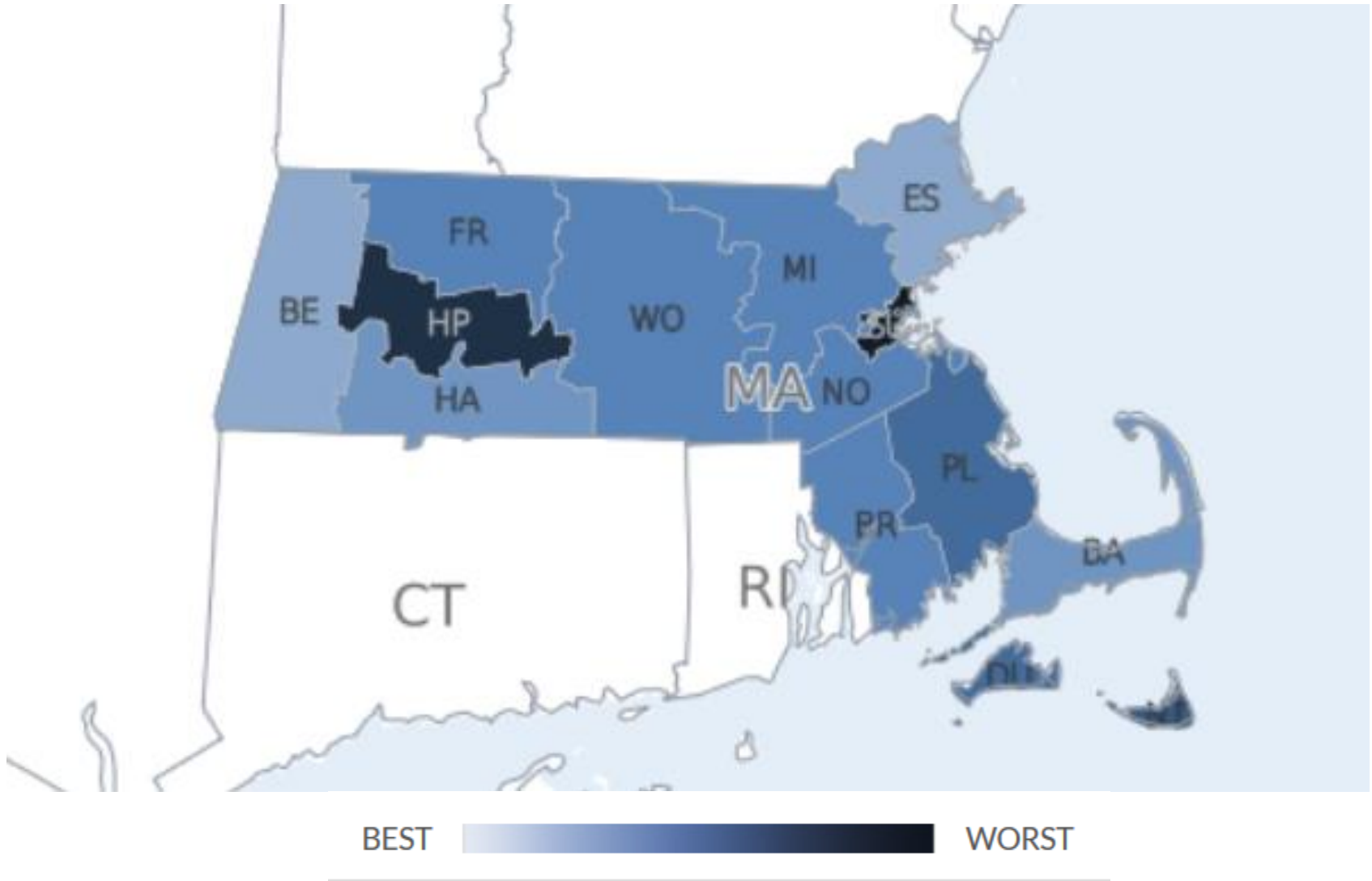
# EXCESSIVE DRINKING HIGHER THAN NATIONAL AVERAGE

## MASSACHUSETTS



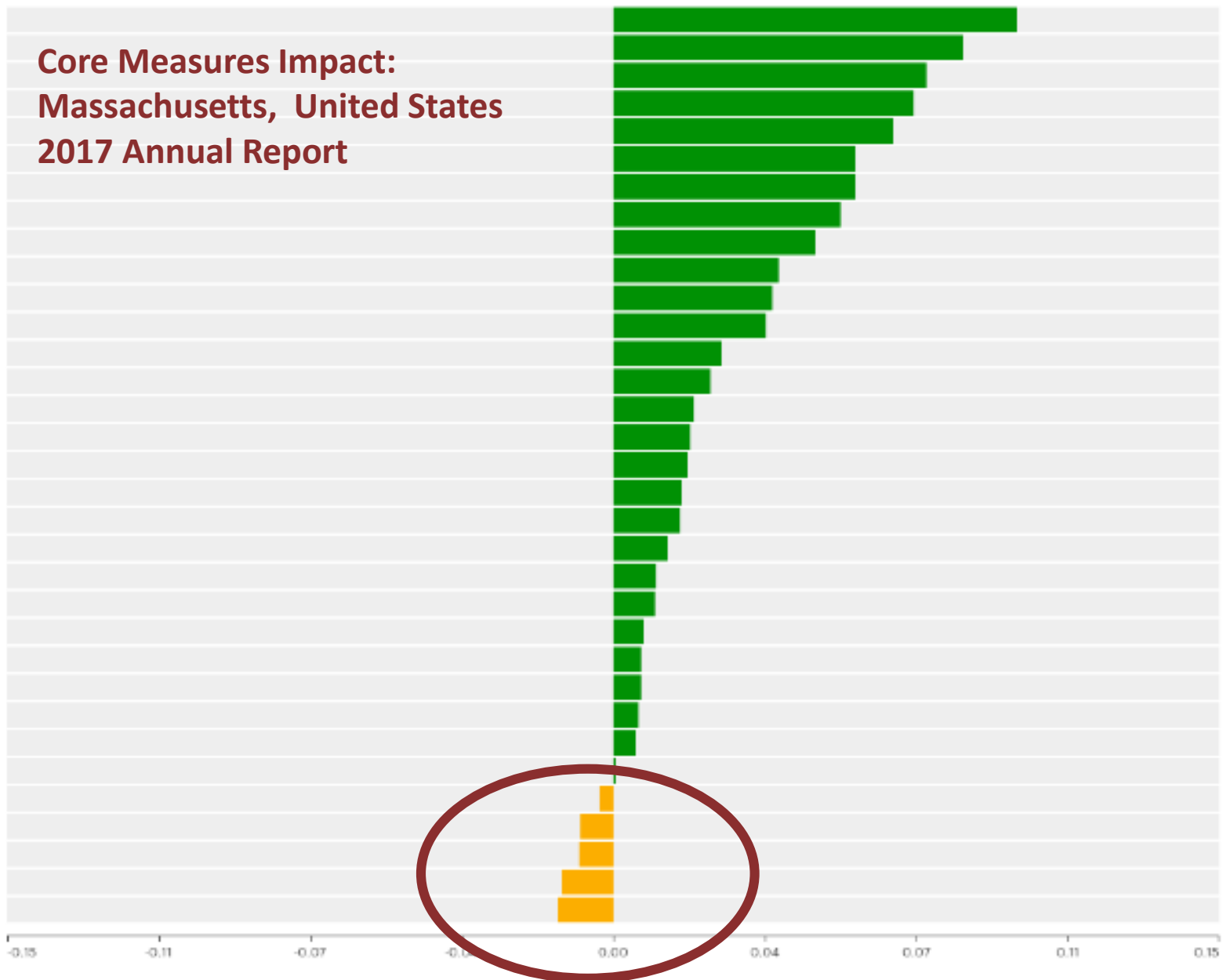
Source: CDC Behavioral Health Risk Factor Surveillance Survey

# MA: Excessive Drinking



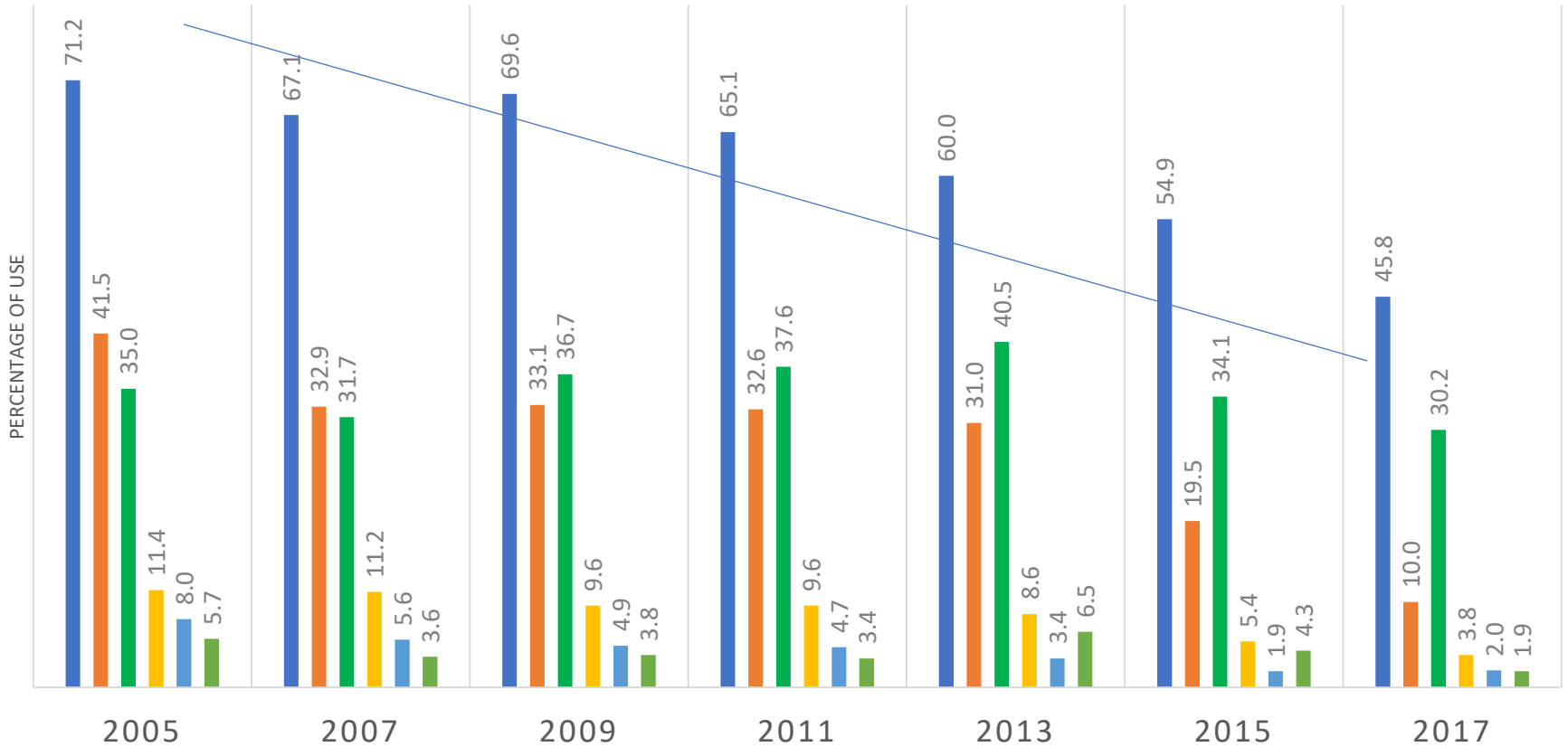
Source: Behavioral Health Risk Factor Surveillance Survey, 2017

## Core Measures Impact: Massachusetts, United States 2017 Annual Report



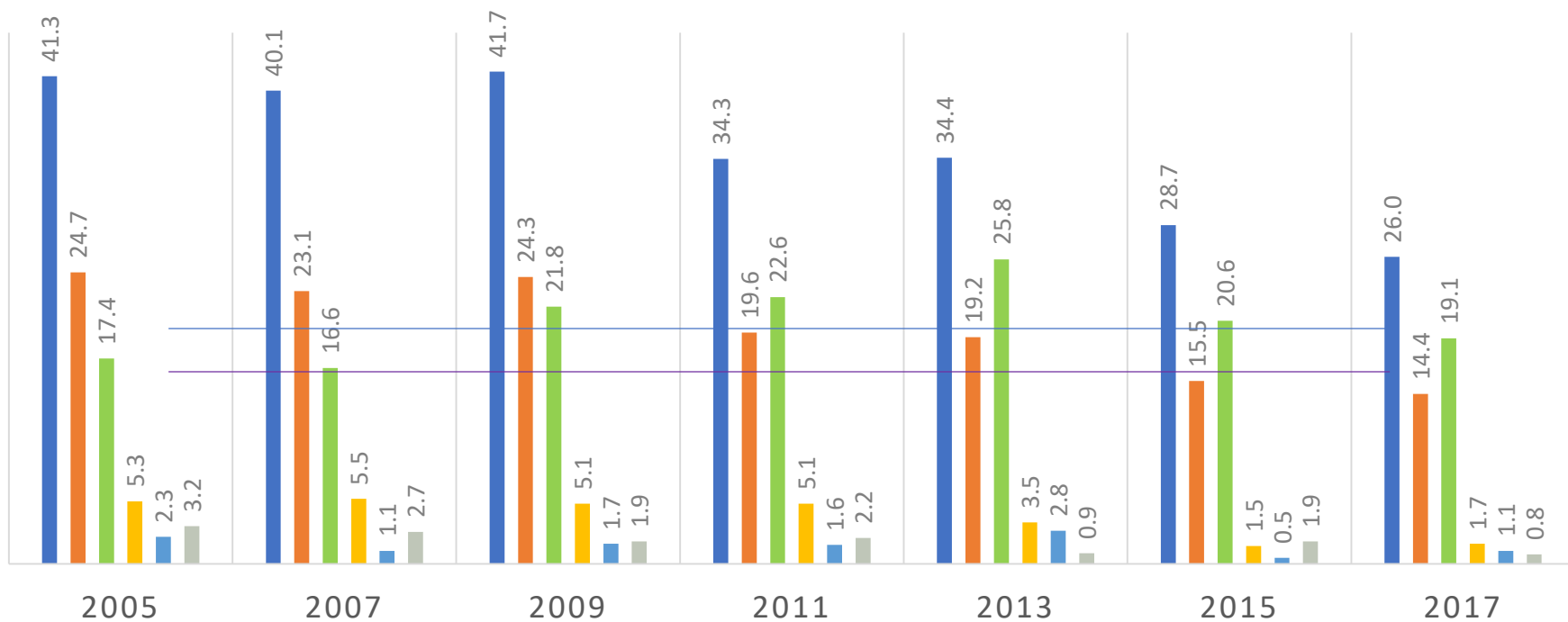
# HIGH SCHOOL LIFETIME USE CTCYS TREND CHART 2005 - 2017

Alcohol Tobacco Marijuana Prescription Pain Relievers Prescription Stimulants Prescription Tranquilizers



## HS CTCYS TREND CHART 2005 - 2017

- Alcohol - current use
- Alcohol - current binge drinking
- Marijuana - current use
- Prescription Pain Relievers - Current
- Prescription Tranquilizers - Current
- Prescription Stimulants - Current





# Medford Prevention Funding

## Federal

2004 – 2014 Drug Free Communities Grant – Alcohol and Rx  
2012 – 2016 Stop Act Grant - Alcohol  
2016 – 2021 Partnerships for Success – Rx

## State Funding

2008 – 2015 Underage Drinking Prevention Grant  
2014 – 2020 Massachusetts Opioid Abuse Prevention  
Collaborative

## Local Funding

2015 Prevention and Outreach Manager  
2017 Community Recovery Coach



Strategic  
Prevention  
Framework



## Building Capacity

- 2005 Communities That Care Survey
- 2006 Focus on Positive Youth Development created youth groups with in the Coalition
- 2008 regular rounds of Compliance Checks
- 2009 Offer Responsible Alcohol Beverage Service
- 2010 Team Medford is born
- 2011 Secure, Monitor, Dispose
- 2012 ASAP youth diversion program development
- 2013- 2014 Regional Opioid Assessment
- 2015- Grass Roots challenges and successes – Office of Prevention and Outreach
- 2016 – PFS and First Responders come on board
- 2017 Community Recovery Coach
- 2018 Human Services Officer

# Creating Connections



## **Resource distribution**

Parents – Direct mailing of resources, placing resources in public buildings, churches and pediatricians offices

Faculty – Newsletters, professional development opportunities

Providing “Finding Help for Substance Use Disorders” and pocket guides to treatment providers, First Responders, Sheriffs Office, Recovery Coaches

Youth – Curriculum, Trainings on Positive Youth Development: direct and training trusted adults



## **Trainings**

Substance Use Disorders 101

Risk to Resiliency – Professional Development Series

Developmental Relationship-Search Institute

TIPS trainings – Responsible Alcohol Beverage Service

ASAP trainings – Youth Diversion

Naloxone Trainings

# Connecting the Dots



## Environmental

- Advertising
- Social Norming
- Controlling Access



## Brain

- Addiction
- How substances operate
- Physical vs. Psychological dependence
- Trauma

**We will make  
good choices  
today!**

## Behavior


- CRAFFT Tool
- Delay Use
- Positive Youth Development

**TEAM**  
*Medford*



## **HEALTH AND SAFETY GUIDE**

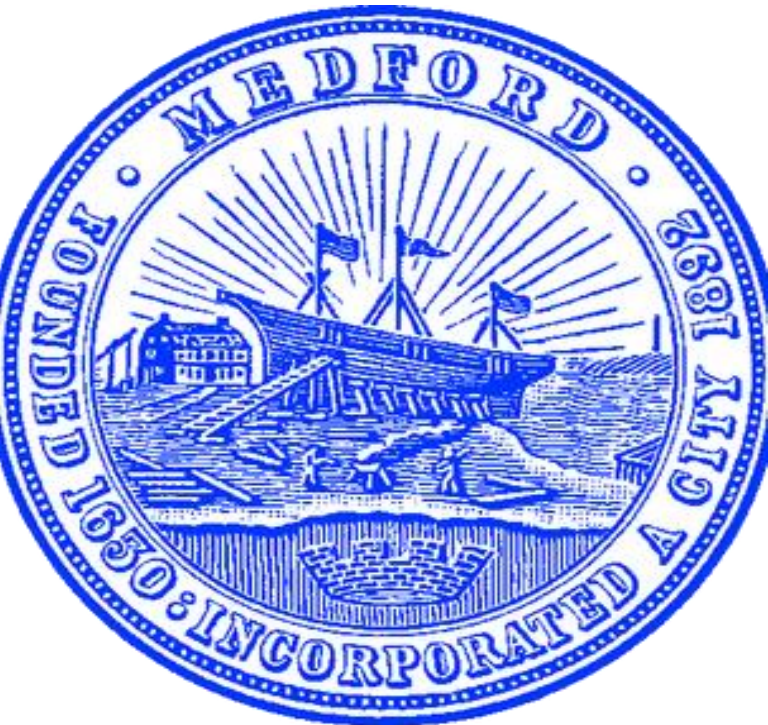
To provide parents useful health and safety information including substance use prevention, stress management, and how to be healthy overall.



# Active User- How did you get started?

- We'd meet on the weekends and get drunk, all we did is party. Addiction is a progressive disease, people say smoking weed is a gateway drug, but you don't go from weed to heroin, we were alcoholics, and smoked weed, and then we did coke, then the opiates came and we were physically addicted. It is this culture that we are trying to outdo each other, who parties the hardest. We were pouring beers out, saying I drank 10 beers, constantly trying to outdo the other. When the oxy came, we said we don't have to drink anymore.

Penelope Funaiolo,  
MA, CPS



## **CONTACT INFORMATION**

Prevention and Outreach Manager  
Medford Board of Health,  
Office of Prevention and Outreach  
City of Medford, MA  
Pbruce@Medford-ma.gov  
781-393-2449



# BRINGING ALCOHOL OUT FROM THE SHADOWS

*North Carolina*

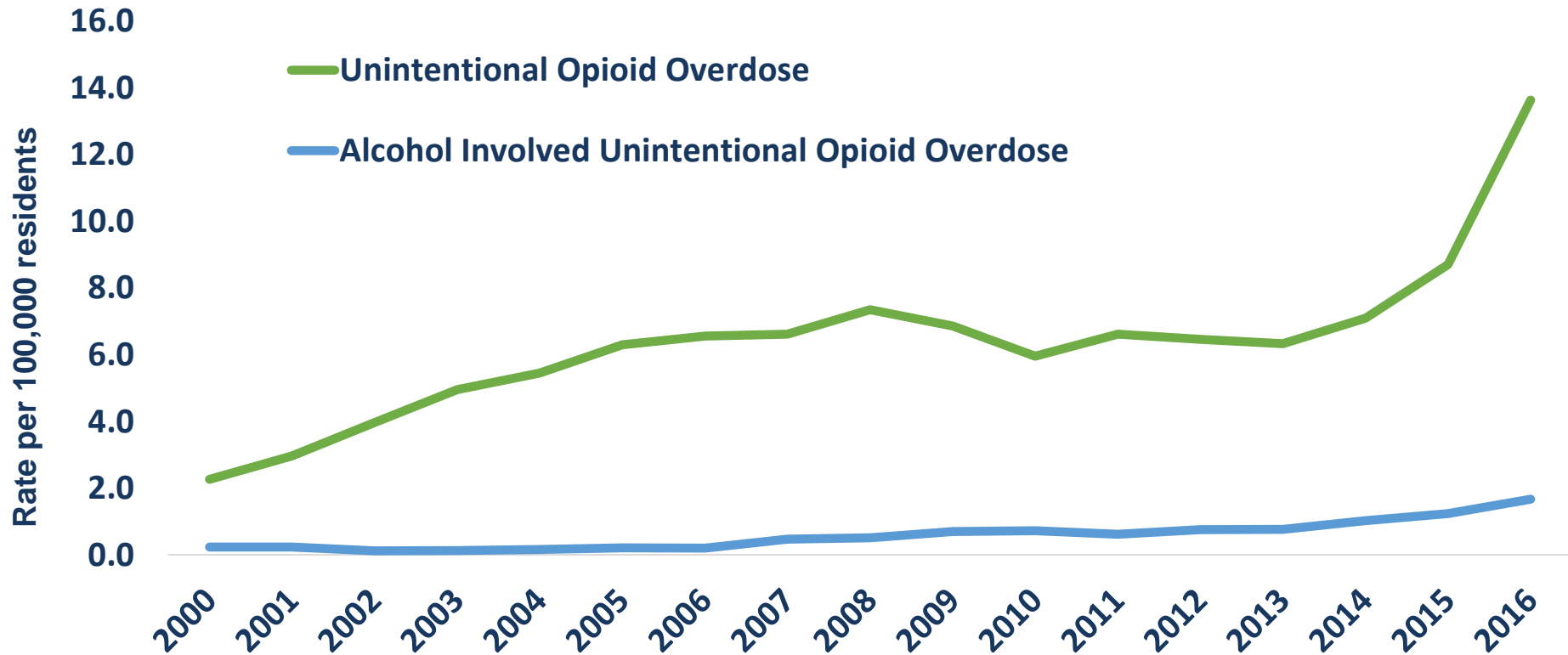


# Opioid Overdose Deaths involving Alcohol

# Methods

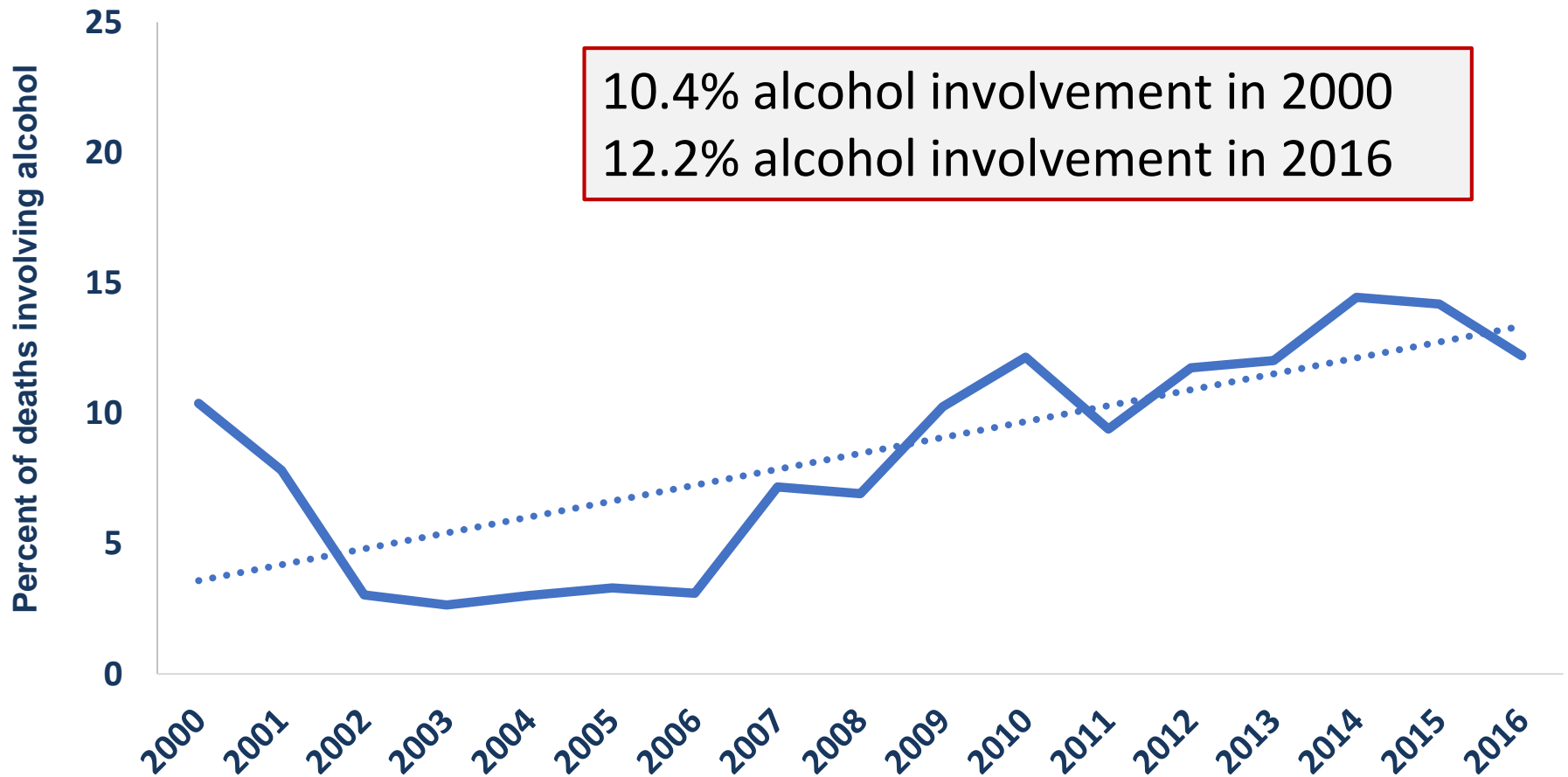
- **Vital Records Death Certificate Data, 2000-2016**
  - **Unintentional opioid poisoning**
    - ICD-10 Cause of death X40-X44
      - Opioid multiple cause-of-death code of T40.1-T40.4
  - **Alcohol involvement**
    - ICD-10 underlying cause of death for alcohol poisoning
      - Accidental poisoning by and exposure to alcohol (X45)
      - Poisoning by and exposure to alcohol, undetermined intent (Y15)
      - Toxic effect of alcohol (T51.0)
      - Toxic effect of methanol (T51.1)
      - Toxic effect of alcohol, unspecified (T51.9)

# Rates of Unintentional Opioid Overdose & Alcohol Involved Unintentional Opioid Overdose Deaths, NC Residents, 2000-2016

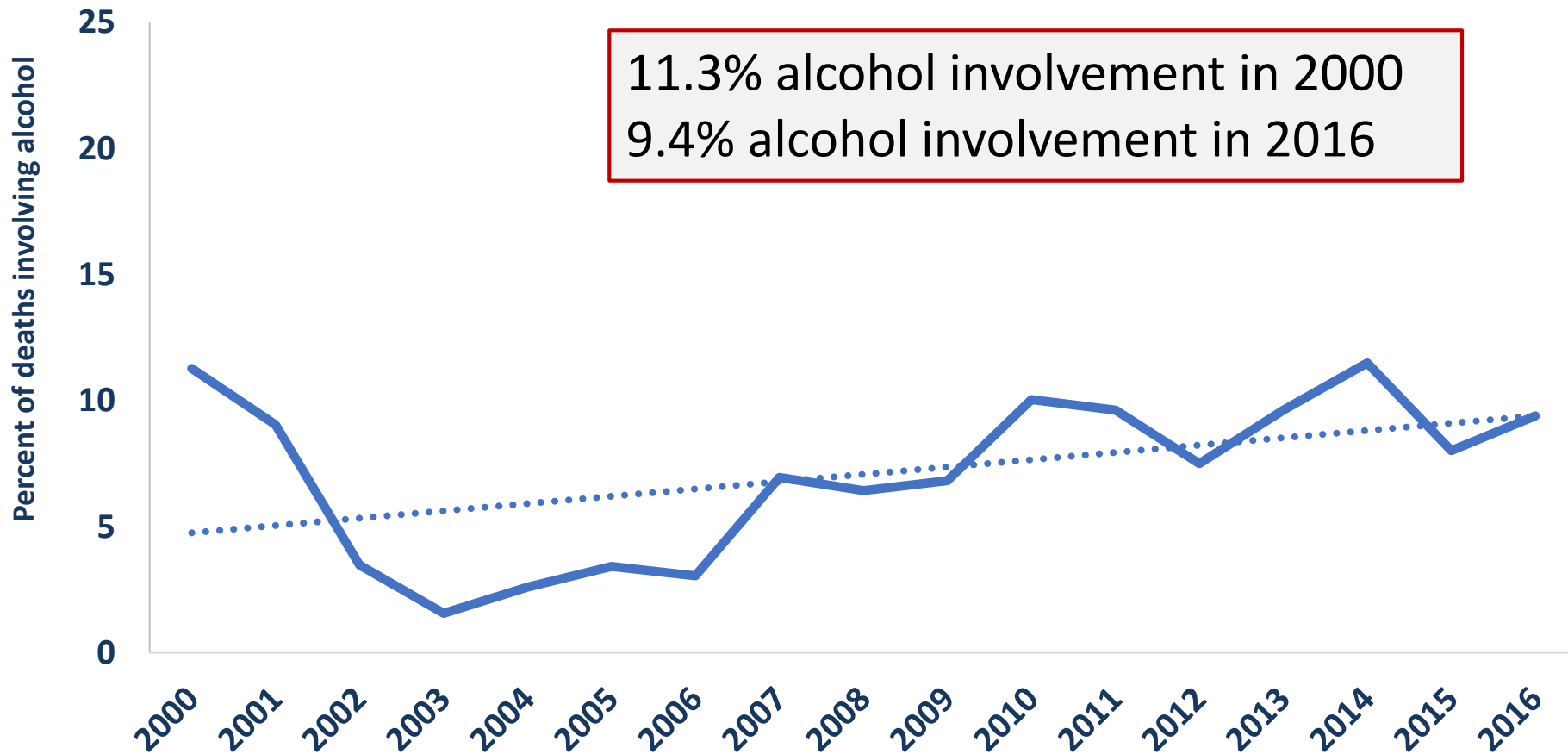


Data Source: Mortality-State Center for Health Statistics, NC Division of Public Health, 2000-2016;  
Population-National Center for Health Statistics, 2000-2016  
Analysis by Injury Epidemiology and Surveillance Unit

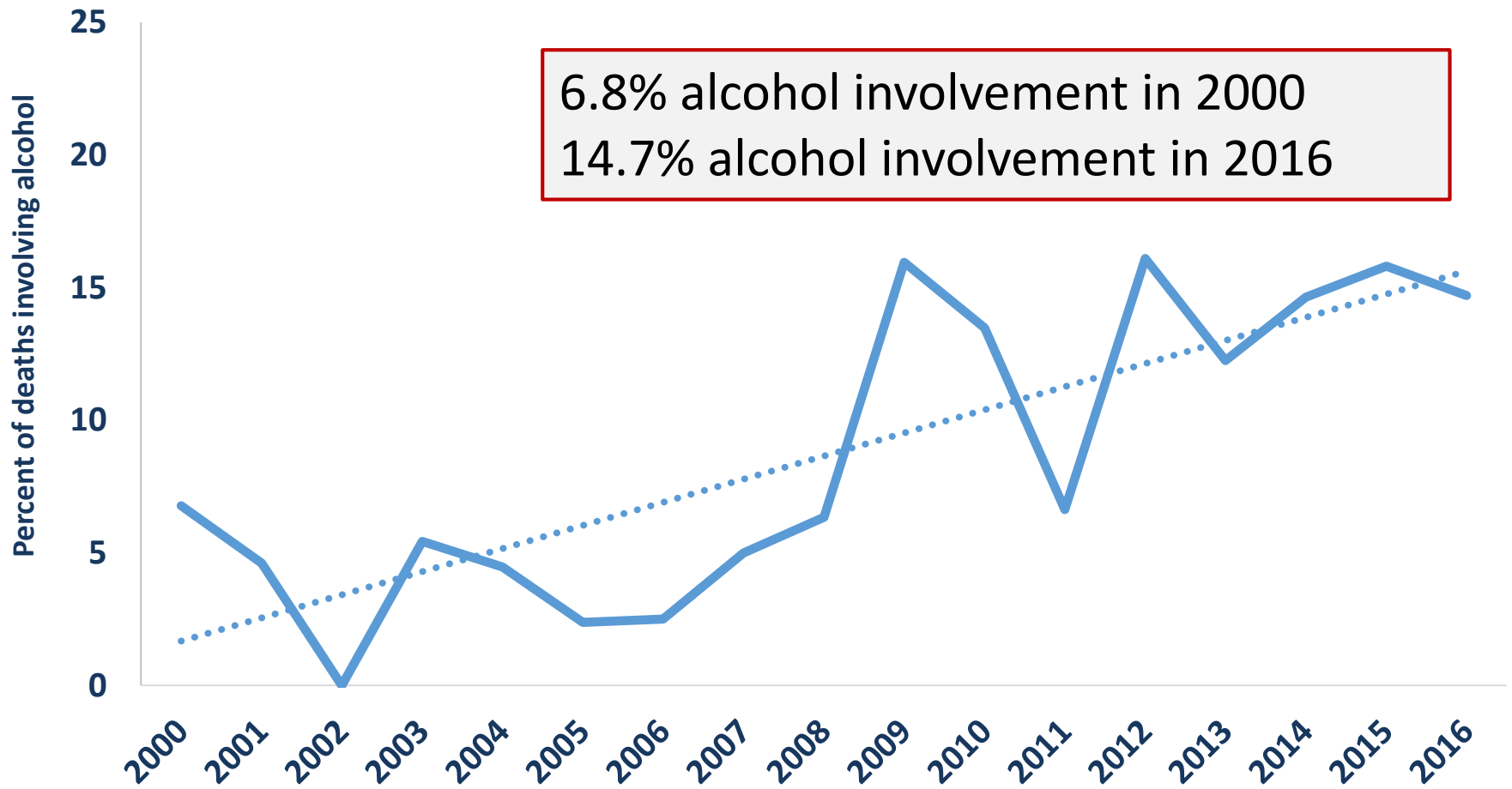
# Percent of Unintentional Opioid Overdoses Involving Alcohol, NC Residents, 2000-2016



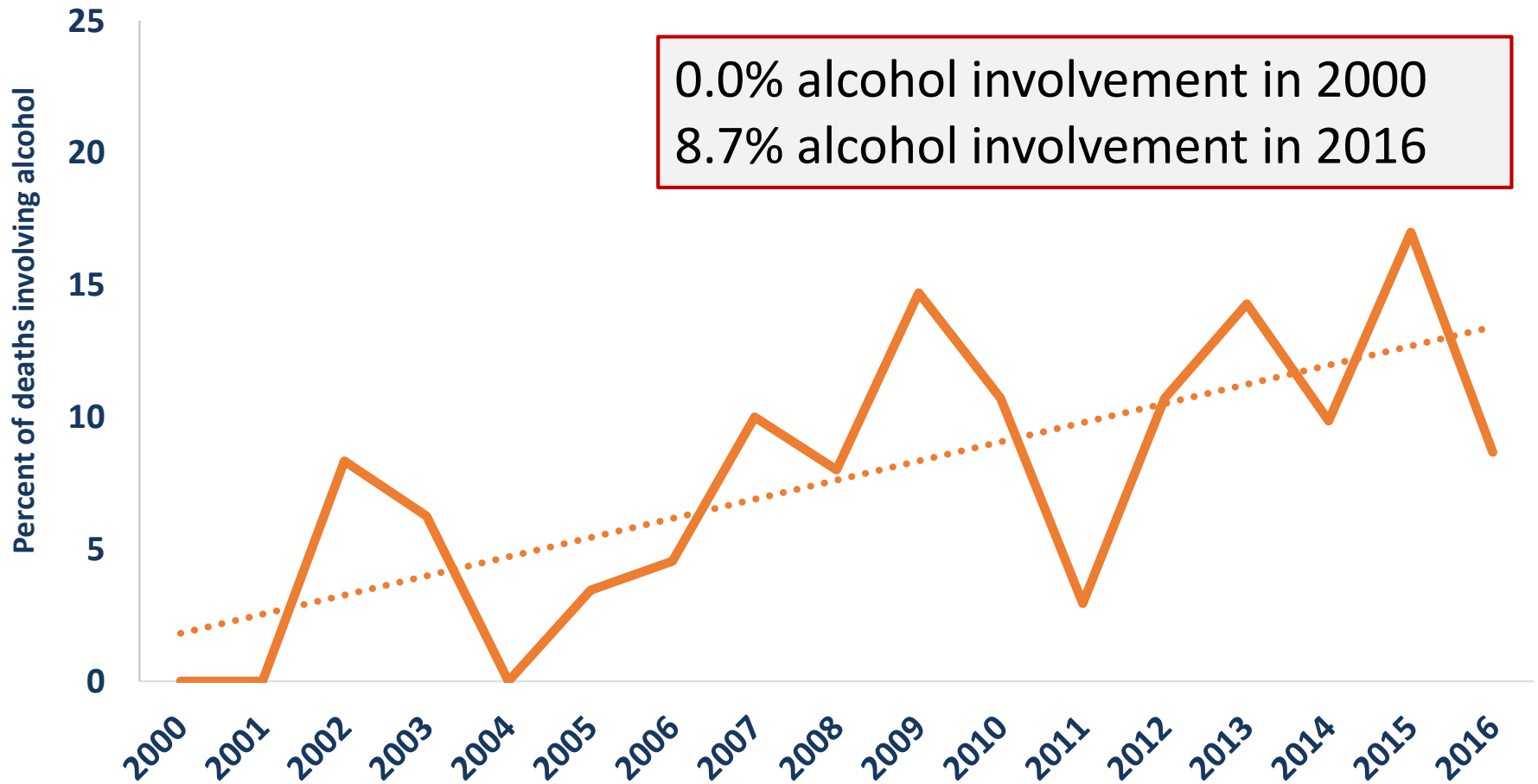
# Percent of Unintentional Prescription Opioid Overdoses Involving Alcohol, NC Residents, 2000-2016



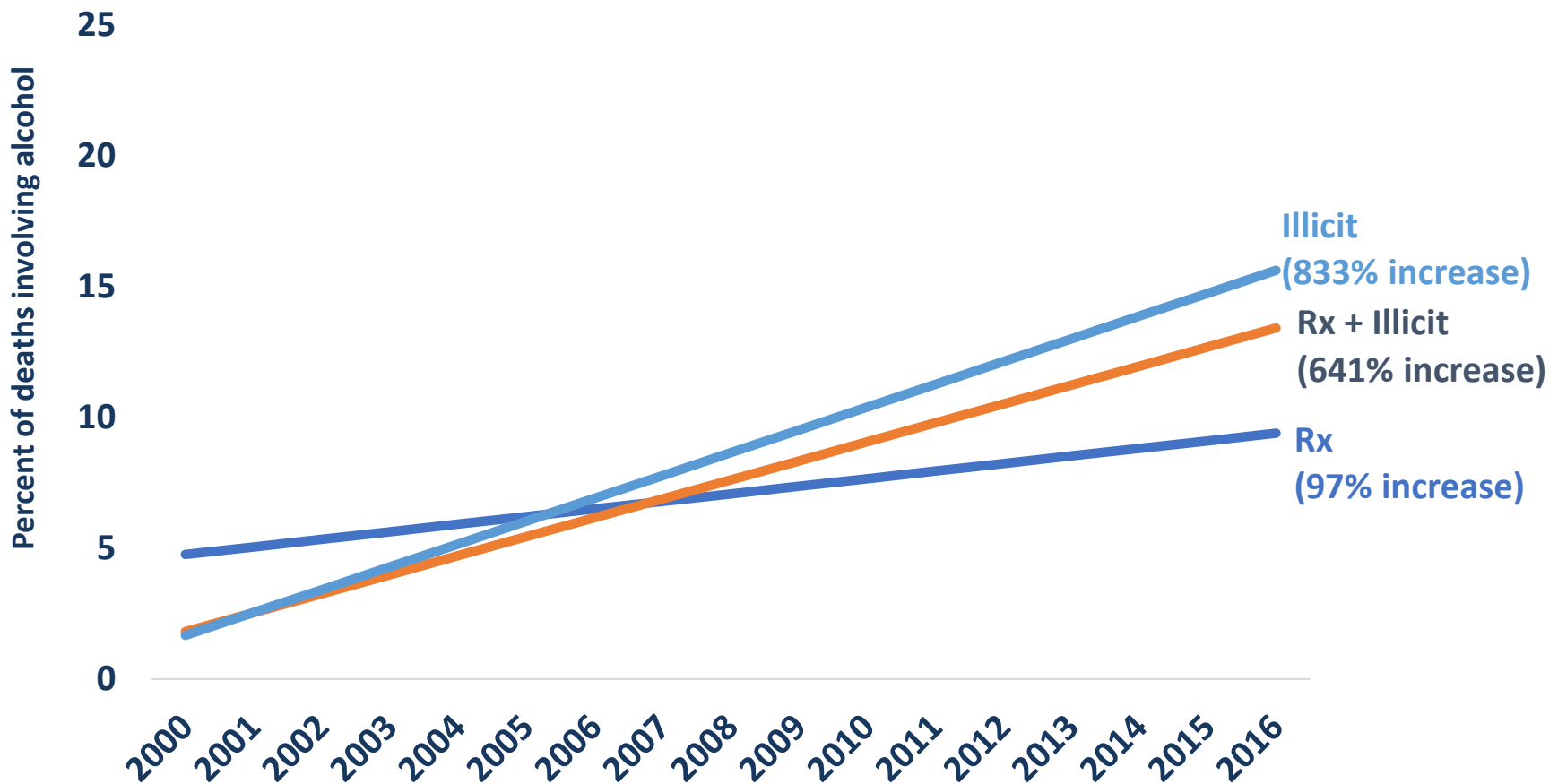
# Percent of Unintentional Illicit Opioid Overdoses Involving Alcohol, NC Residents, 2000-2016



# Percent of Unintentional Rx + Illicit Opioid Overdoses Involving Alcohol, NC Residents, 2000-2016

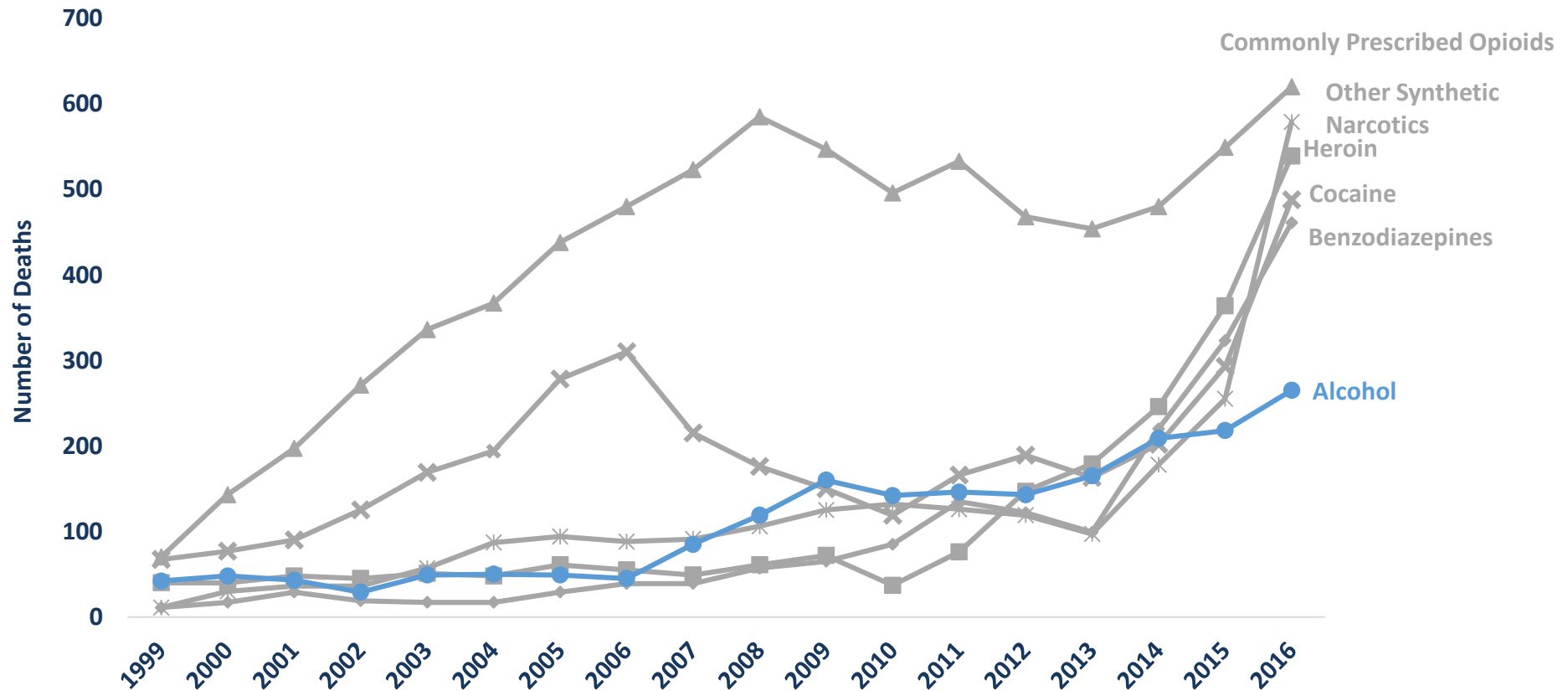


# Alcohol Involvement Trends, NC Residents, 2000-2016





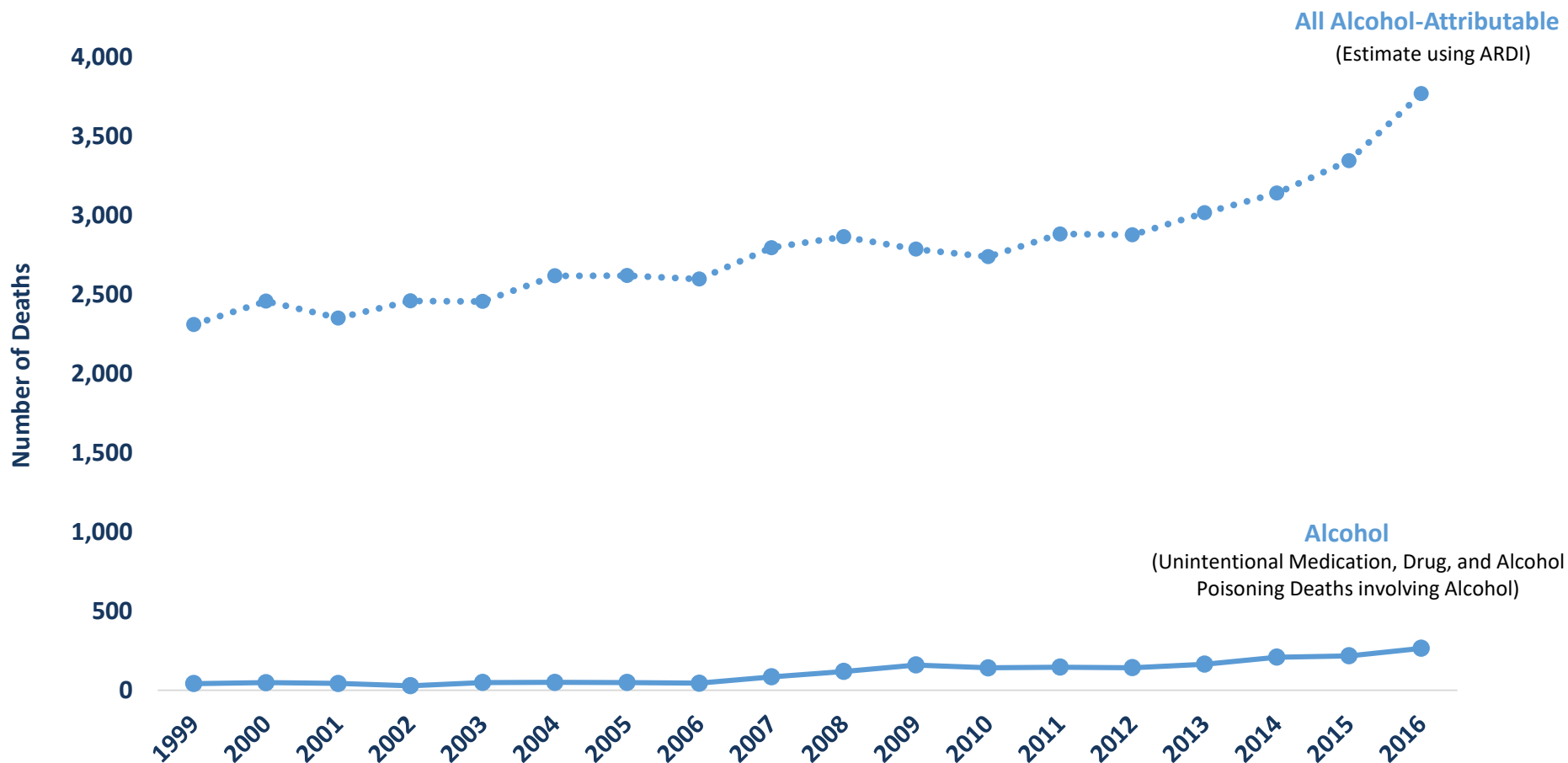
# Substances\* Contributing to Unintentional Medication, Drug, and Alcohol Poisoning Deaths, North Carolina Residents, 1999-2016



\*These counts are not mutually exclusive. If the death involved multiple substances it can be counted on multiple lines.

Source: N.C. State Center for Health Statistics, Vital Statistics-Deaths, 1999-2016,  
 Unintentional medication, drug, alcohol poisoning: X40-X45 with any mention of specific T-codes by drug type  
 (Commonly Prescribed Opioids, Heroin, Other Synthetics, Benzodiazepines, Cocaine, and Alcohol).  
 Analysis by Injury Epidemiology and Surveillance Unit

# Estimate of All Alcohol-Attributable Deaths (ARDI), North Carolina Residents, 1999-2016



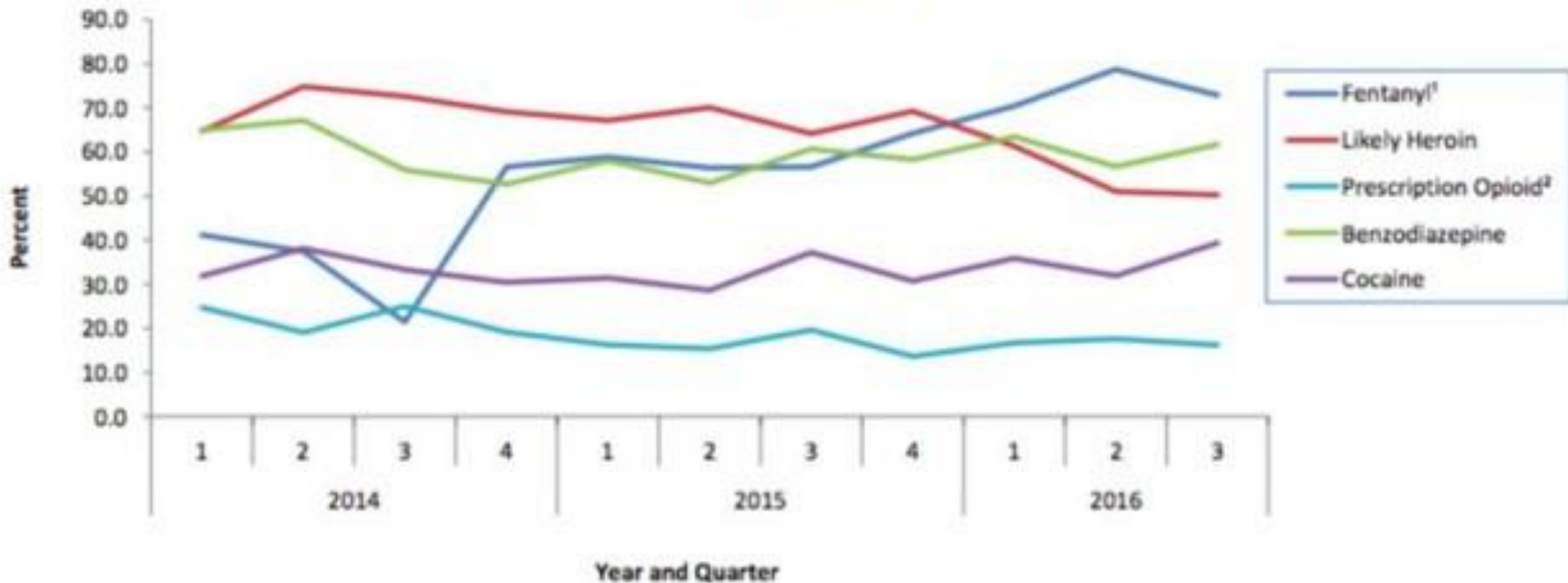
Source: N.C. State Center for Health Statistics, Vital Statistics-Deaths, 1999-2016, Unintentional medication, drug, alcohol poisoning: X40-X45 with any mention of specific T-code for alcohol, and CDC's Alcohol-Related Disease Impact (ARDI).  
Analysis by Injury Epidemiology and Surveillance Unit

# What's Alcohol's Role in MA Opioid Epidemic?

Average alcohol-attributable deaths due to excessive drinking in Massachusetts 2006-2010

1,537 Source: CDC, Alcohol-Related Disease Impact (ARDI)

### Percent of Opioid Deaths with Specific Drugs Present MA: 2014-2016



1. This is most likely illicitly produced and sold, not prescription fentanyl

2. Prescription opioids include: hydrocodone, hydromorphone, oxycodone, oxymorphone, and tramadol

A chart from the 2017 Massachusetts Department of Public Health Chapter 55 Overdose Report in opioid deaths between 2014 and 2016. — Massachusetts Department of Public Health

# Resources



# Community Guide *Recommendations*



Regulate alcohol outlet density through licensing and zoning processes.



Enhance enforcement of laws prohibiting sales to minors



Increase alcohol taxes



Adopt of dram shop liability laws



Maintain limits on hours and days of sale



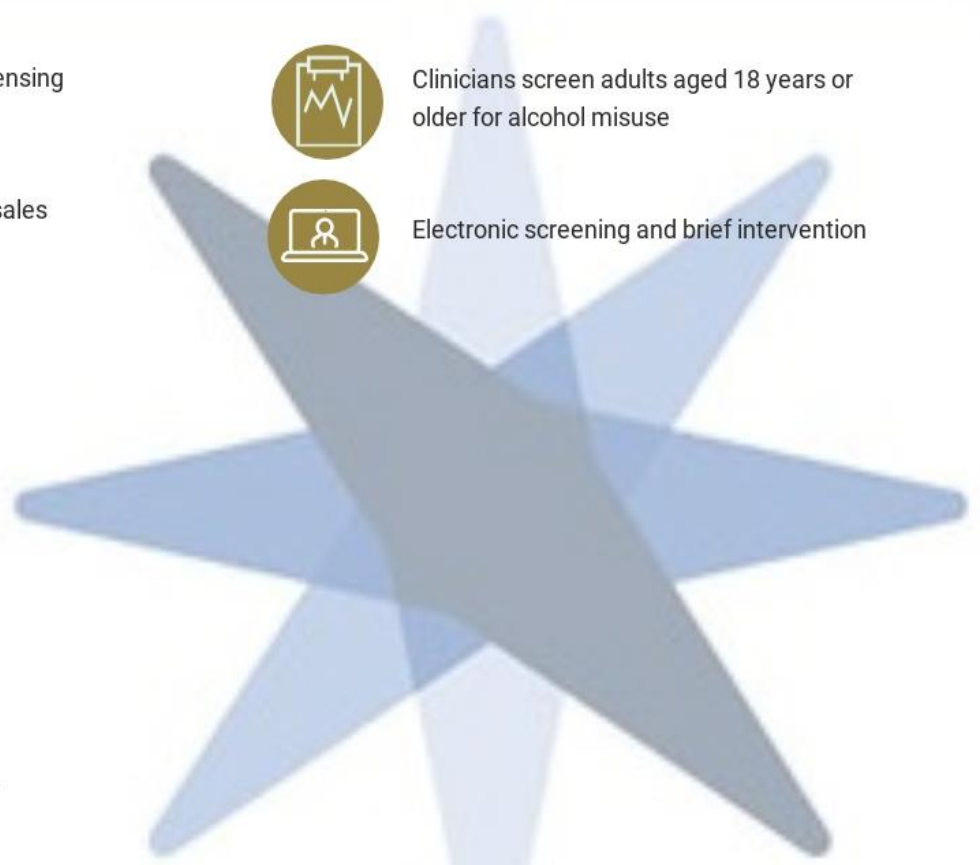
Against privatization of retail alcohol sales



Clinicians screen adults aged 18 years or older for alcohol misuse



Electronic screening and brief intervention





# EMPOWERING PROVIDERS.

[www.cdc.gov](http://www.cdc.gov)

GUIDELINE FOR PRESCRIBING  
OPIOIDS FOR CHRONIC PAIN



CLINICAL TOOLS



POSTERS



VIDEOS



MOBILE APP



TRAINING



MATERIALS FOR PATIENTS

**Health care providers can use alcohol screening and brief intervention (ASBI) before prescribing opioids to reduce opioid overdose deaths involving alcohol**

# Alcohol Screening and Brief Intervention



## Alcohol Screening and Brief Intervention





# DISCUSSION

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