ANNUAL SYNAR REPORT

42 U.S.C. 300x-26

OMB № 0930-0222

FFY 2017

State: RI

DRAFT

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INTRODUCTION

The Annual Synar Report (ASR) format provides the means for states to comply with the reporting provisions of the Public Health Service Act (42 U.S.C. 300x-26) and the Tobacco Regulation for the Substance Abuse Prevention and Treatment Block Grant (SABG) (45 C.F.R. 96.130 (e)).

How the Synar report helps the Center for Substance Abuse Prevention

In accordance with the tobacco regulations, states are required to provide detailed information on progress made in enforcing youth tobacco access laws (FFY 2016 Compliance Progress) and future plans to ensure compliance with the Synar requirements to reduce youth tobacco access rates (FFY 2017 Intended Use Plan). These data are required by 42 U.S.C. 300x-26 and will be used by the Secretary to evaluate state compliance with the statute. Part of the mission of the Center for Substance Abuse Prevention (CSAP) is to assist states[1] by supporting Synar activities and providing technical assistance helpful in determining the type of enforcement measures and control strategies that are most effective. This information is helpful to CSAP in improving technical assistance resources and expertise on enforcement efforts and tobacco control program support activities, including state Synar program support services, through an enhanced technical assistance program involving conferences and workshops, development of training materials and guidance documents, and onsite technical assistance consultation.

How the Synar report can help states

The information gathered for the Synar report can help states describe and analyze substate needs for program enhancements. These data can also be used to report to the state legislature and other state and local organizations on progress made to date in enforcing youth tobacco access laws when aggregated statistical data from state Synar reports can demonstrate to the Secretary the national progress in reducing youth tobacco access problems. This information will also provide Congress with a better understanding of state progress in implementing Synar, including state difficulties and successes in enforcing retailer compliance with youth tobacco access laws.

[1]The term "state" is used to refer to all the states and territories required to comply with Synar as part of the Substance Abuse Prevention and Treatment Block Grant Program requirements (42 U.S.C. 300x-64 and 45 C.F.R. 96.121).

Getting assistance in completing the Synar report

If you have questions about programmatic issues, you may call CSAP's Division of State Programs at (240) 276-2550 and ask for your respective State Project Officer, or contact your State Project Officer directly by telephone or email. If you have questions about fiscal or grants management issues, you may call the Grants Management Officer, Office of Financial Resources, Division of Grants Management, at (240) 276-1422.

Where and when to submit the Synar report

The ASR must be received by SAMHSA no later than December 31, 2016 and must be submitted in the format specified by these instructions. Use of the approved format will avoid delays in the review and approval process. The chief executive officer (or an authorized designee) of the applicant organization must sign page one of the ASR certifying that the state has complied with all reporting requirements.

The state must upload one copy of the ASR using the online WebBGAS (Block Grant Application System). In addition, the following items must be uploaded to WebBGAS:

- FFY 2017 Synar Survey Results: States that use the Synar Survey Estimation System (SSES) must upload one copy of SSES Tables 1–5 (in Excel) to WebBGAS. States that do not use SSES must upload one copy of ASR Forms 1, 4, and 5, and Forms 2 and 3, if applicable, (in Excel), as well as a database with the raw inspection data to WebBGAS.
- Synar Inspection Form: States must upload one blank copy of the inspection form used to record the result of each Synar inspection.
- Synar Inspection Protocol: States must upload a copy of the protocol used to train inspection teams on conducting and reporting the results of the Synar inspections. This document should be different than the Appendix C attached to the Annual Synar Report
- A scanned copy of the signed Funding Agreements/Certifications

Each state SSA Director has been emailed a login ID and password to log onto the Synar section of the WebBGAS site.

FFY 2017: FUNDING AGREEMENTS/CERTIFICATIONS

The following form must be signed by the Chief Executive Officer or an authorized designee and submitted with this application. Documentation authorizing a designee must be attached to the application.

PUBLIC HEALTH SERVICES ACT AND SYNAR AMENDMENT
42 U.S.C. 300x-26 requires each state to submit an annual report of its progress in meeting the requirements of the Synar Amendment and its implementing regulation (45 C.F.R. 96.130) to the Secretary of the Department of Health and Human Services. By signing below, the chief executive officer (or an authorized designee) of the applicant organization certifies that the state has complied with these reporting requirements and the certifications as set forth below.
SYNAR SURVEY SAMPLING METHODOLOGY
The state certifies that the Synar survey sampling methodology on file with the Center for Substance Abuse Prevention and submitted with the Annual Synar Report for FFY 2017 is up-to-date and approved by the Center for Substance Abuse Prevention.
SYNAR SURVEY INSPECTION PROTOCOL
The state certifies that the Synar Survey Inspection Protocol on file with the Center for Substance Abuse Prevention and submitted with the Annual Synar Report for FFY 2017 is up-to-date and approved by the Center for Substance Abuse Prevention.
State: RI
Name of Chief Executive Officer or Designee: Rebecca Boss
Signature of CEO or Designee:
Title: Acting Director, RI Department of Behavioral Healthcare, Developmental Disabilities and Hospitals **Date Signed:**
If signed by a designee, a copy of the designation must be attached.

SECTION I: FFY 2016 (Compliance Progress)

YOUTH ACCESS LAWS, ACTIVITIES, AND ENFORCEMENT

42 U.S.C. 300x-26 requires the states to report information regarding the sale/distribution of tobacco products to individuals under age 18.

1. **Please indicate any changes or additions to the state tobacco statute(s) relating to youth access since the last reporting year. If any changes were made to the state law(s) since the last reporting year, please attach a photocopy of the law to the hard copy of the ASR and also upload a copy of the state law to WebBGAS.** *(see 42 U.S.C. 300x-26).*

   a. **Has there been a change in the minimum sale age for tobacco products?**

   ☐ **Yes** ☒ **No**

   *If **Yes**, current minimum age:* ☐ 19 ☐ 20 ☐ 21

   b. **Have there been any changes in state law that impact the state's protocol for conducting *Synar inspections?***

   ☐ **Yes** ☒ **No**

   *If **Yes**, indicate change. (Check all that apply.)*
   ☐ Changed to require that law enforcement conduct inspections of tobacco outlets
   ☐ Changed to make it illegal for youth to possess, purchase or receive tobacco
   ☐ Changed to require ID to purchase tobacco
   ☐ Changed definition of tobacco products
   ☐ Other change(s) *(Please describe.)* _____

   c. **Have there been any changes in state law that impact the following?**

Licensing of tobacco vendors	☐ **Yes**	☒ **No**
Penalties for sales to minors	☐ **Yes**	☐ **No**
Vending machines	☐ **Yes**	☐ **No**
Added additional product Categories to youth access law	☐ **Yes**	☐ **No**

2. **Describe how the Annual Synar Report** *(see 45 C.F.R. 96.130(e))* **and the state Plan** *(see 42 U.S.C. 300x-51)* **were made public within the state prior to submission of the ASR.** *(Check all that apply.)*

   ☐ Placed on file for public review

   ☒ Posted on a state agency Web site *(Please provide exact Web address and the date when the FFY 2017 ASR was posted to this Web address.)*

   Web address: www.bhddh.ri.gov

   Date published: 12/15/16

   ☐ Notice published in a newspaper or newsletter

   ☐ Public hearing

☐ Announced in a news release, a press conference, or discussed in a media interview
X Distributed for review as part of the SABG application process
☐ Distributed through the public library system
☐ Published in an annual register
☐ Other *(Please describe.)* _____

3. **Identify the following agency or agencies** *(see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130).*

   a. **The state agency (ies)** ***designated by the Governor for oversight of the Synar requirements:***

   RI Department of Behavioral Health, Developmental Disabilities & Hospitals

   Has this changed since last year's Annual Synar Report?

   ☐ **Yes** ☒ **No**

   b. **The state agency(ies)** ***responsible for conducting random, unannounced Synar inspections:***

   RI Department of Behavioral Health, Developmental Disabilities & Hospitals

   Has this changed since last year's Annual Synar Report?

   ☐ **Yes** ☒ **No**

   c. **The state agency(ies)** ***responsible for enforcing youth tobacco access law(s):***

   RI Department of Behavioral Health, Developmental Disabilities & Hospitals

   Has this changed since last year's Annual Synar Report?

   ☐ **Yes** ☒ **No**

4. **Identify the following agencies and describe their relationship with the agency responsible for the oversight of the Synar requirements.**

   a. **Identify the state agency responsible for tobacco prevention activities (the agency that receives the Centers for Disease Control and Prevention's National Tobacco Control Program funding).**
   RI Department of Health

   b. **Has the responsible agency changed since last year's Annual Synar Report?**
   ☐ **Yes** ☒ **No**

   c. **Describe the coordination and collaboration that occur between the agency responsible for tobacco prevention and the agency responsible for oversight of the Synar requirements.** ***(Check all that apply.)*** **The two agencies**

   ☐ Are the same
   ☒ Have a formal written memorandum of agreement
   ☐ Have an informal partnership

☒ Conduct joint planning activities
☒ Combine resources
☐ Have other collaborative arrangement(s) *(Please describe.)* _____
☐ No relationship

d. Does a state agency contract with the Food and Drug Administration's Center for Tobacco Products (FDA/CTP) to enforce the youth access and advertising restrictions in the Family Smoking Prevention and Tobacco Control Act?
☒ Yes ☐ No (if no, go to Question 5)

e. If yes, identify the state agency responsible for enforcing the youth access and advertising restrictions in the Family Smoking Prevention and Tobacco Control Act (the agency that is under contract to the Food and Drug Administration's Center for Tobacco Products (FDA/CTP)).
RI Department of Behavioral Health, Developmental Disabilities & Hospitals

f. Has the responsible agency changed since last year's Annual Synar Report?
☐ Yes ☒ No

g. Describe the coordination and collaboration that occur between the agency contracted with the FDA to enforce federal youth tobacco access laws and the agency responsible for oversight of the Synar requirements. *(Check all that apply.)* The two agencies:

☒ Are the same
☐ Have a formal written memorandum of agreement
☐ Have an informal partnership
☐ Conduct joint planning activities
☐ Combine resources
☐ Have other collaborative arrangement(s) *(Please describe.)* _____
☐ No relationship

h. Does the state use data from the FDA enforcement inspections for Synar survey reporting?
☐ Yes ☒ No

5. Please answer the following questions regarding the state's activities to enforce the state's youth access to tobacco law(s) in FFY 2016 *(see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130(e)).*

a. Which one of the following describes the enforcement of state youth access to tobacco laws carried out in your state? *(Check one category only.)*

☒ Enforcement is conducted exclusively by local law enforcement agencies.
☐ Enforcement is conducted exclusively by state agency(ies).
☐ Enforcement is conducted by both local *and* state agencies.

b. The following items concern penalties imposed for all violations of state youth access to tobacco laws by LOCAL AND/OR STATE LAW ENFORCEMENT AGENCIES (this does not include enforcement of local laws or federal youth tobacco access laws). Please fill in the number requested. If state law does not allow for an item, please mark "NA" (not applicable). If a response for an item is unknown, please mark "UNK." The chart must be filled in completely.

PENALTY	OWNERS	CLERKS	TOTAL
Number of citations issued	38	N/A	38
Number of fines assessed	24	N/A	24
Number of permits/licenses suspended	0		0
Number of permits/licenses revoked	0		0
Other *(Please describe.)* *Court costs assessed in lieu of fines*	7	N/A	7

c. Are citations or warnings issued to retailers or clerks who sell tobacco to minors for inspections that are part of the Synar survey?

☒ **Yes** ☐ **No**

If "Yes" to 5c, please describe the state's procedure for minimizing risk of bias to the survey results from retailers alerting each other to the presence of the survey teams:

Citations and warning letters are not routinely issued to retailers who sell to minors as part of the Synar Survey; however, several police departments reported citing retailers for this Survey period. If a police department issues a citation or warning letter, these citations are issued or warning letters are sent subsequent to the completion of the Survey in that municipality.

d. Which one of the following best describes the level of enforcement of state youth access to tobacco laws carried out in your state? *(Check one category only.)*

☐ Enforcement is conducted only at those outlets randomly selected for the Synar survey.

☐ Enforcement is conducted only at a subset of outlets not randomly selected for the Synar survey.

☒ Enforcement is conducted at a combination of outlets randomly selected for the Synar survey and outlets not randomly selected for the Synar survey.

e. Did every tobacco outlet in the state receive at least one compliance check that included enforcement of the state youth tobacco access law(s) in the last year?

☐ **Yes** ☒ **No**

f. What additional activities are conducted in your state to support enforcement

and compliance with state youth tobacco access law(s)? *(Check all that apply and briefly describe each activity in the text boxes below each activity.)*

☒ Merchant education and/or training

Retailer education was conducted by several community prevention coalitions.

☐ Incentives for merchants who are in compliance (e.g., non-enforcement compliance checks in which compliant retailers are given positive reinforcement and noncompliant retailers are warned about youth access laws)

☒ Community education regarding youth access laws

Community education was conducted by several community prevention coalitions. Education was offered at school and community events including health fairs and parent workshops.

☒ Media use to publicize compliance inspection results

Several community prevention coalitions, in collaboration with the municipal police departments, published inspection results in local newspapers.

☒ Community mobilization to increase support for retailer compliance with youth access laws

Community prevention coalitions conducted information sessions in their respective communities to gain support for local initiatives designed to reduce youth retail access to tobacco and ENDS products.

☒ Other activities *(Please list.)* _____

In FY 2016, the community prevention coalitions created under the Rhode Island Substance Abuse Prevention Act of 1987 (RISAPA "community prevention coalitions") continued to conduct a wide range of tobacco prevention-related initiatives including:
Community coalitions advocated for police participation in the annual Synar Survey as well as for ongoing enforcement efforts. Coalitions recruited youth volunteers who attempted to purchase tobacco products from retail vendors. Community coalitions distributed information regarding youth access restrictions and smoking prevention materials to retail tobacco vendors to increase compliance with the youth access to tobacco law and made public the results of both the annual local Synar Survey results and ongoing enforcement efforts in local media outlets.

Community coalitions continued to expand their use of websites, Facebook, Twitter and other social media to raise community awareness about tobacco use and the importance of preventing youth access to tobacco products. In conjunction with local police departments, some coalitions also sent congratulatory letters to vendors found to be in compliance with the state youth access statute as well as letters encouraging violators to comply with the statute.

As previously reported, several municipalities have received authorization from the state legislature to impose sanctions consistent with the state youth access statute. Fines collected

remain within the municipality; and in some instance, are allocated for use by the police department and/or community coalition. This process continued in 2016.

Statewide, community coalitions have advocated successfully for adoption of municipal regulations and ordinances which limit tobacco use, particularly in venues where youth are present. In FY 2016, seven additional community coalitions advocated for ordinances prohibiting tobacco use at municipally-owned facilities and municipally-sponsored events, including beaches, parks and recreation areas; and three communities adopted such ordinances.

In addition, the majority of community coalitions implemented campaigns to educate all community members about the risks associated with tobacco use. The campaigns included: Kick Butts Day, World No Tobacco Day, and the Great American Smokeout. Events also were held in conjunction with community and school-based health fairs. Educating children, parents, school personnel and community leaders about underage use of and access to ENDS products and developing school policy regarding ENDS use on school property was a particular focus of the community coalitions for FY 2016.

In FY 2016, a group of four community coalitions created the East Bay Tobacco Youth Council which is comprised of youth representatives from the four coalitions. The purpose of the Council is to educate and inform the public about tobacco and to work toward the goal of local retail sales permits and restricting the sale of flavored tobacco products.

Community coalitions also have provided resources to assist current tobacco users who wish to quit or offered referrals to state-sponsored cessation programs. Many of these cessation services were offered in collaboration with school student assistance counselors whose positions were funded (80%) through BHDDH and the SAPT Block Grant.

Community prevention coalitions also conducted environmental scans in local retail tobacco outlets utilizing the STARS (Standardized Tobacco Assessment for Retail Settings) model. The information gleaned during these scans informed other tobacco prevention initiatives implemented by the community coalitions.

In March of 2015, the RI Department of Health (Health) was one of five states awarded a grant by the Centers for Disease Control (CDC) to implement community-based initiatives designed to reduce youth access to tobacco products through restrictions on the sale of such products to children. Health has subcontracted with the prevention coalitions representing six communities to implement local point-of-sale policies. These policies include: local permitting; graduated penalties leading to permit suspension and revocation; and bans on discounts and the sale of flavored tobacco products. Proposed model policies are based, in part, on the policies adopted by the City of Providence as a component of a previously-funded grant from the CDC. STARS assessments also were conducted by the community coalitions participating in the grant.

A key component of the current CDC grant is stepped-up enforcement of the ban on underage tobacco sales. Contracted communities conducted additional enforcement inspections to determine retailer compliance. These inspections expanded current enforcement efforts and are coordinated with Synar enforcement inspections and FDA inspections. BHDDH manages the youth inspectors participating in the CDC enforcement inspections consistent with State statute. BHDDH and Health have established a formal Memorandum of Understanding to coordinate enforcement inspections and to support data collection, analysis and reporting. Staff from Health

and BHDDH meet on a regular basis to plan and coordinate tobacco prevention efforts.

BHDDH was awarded a contract to administer the FDA Tobacco Compliance Inspection Program in 2011 and began conducting inspections in February of 2012. RI was awarded a second contract on August 25, 2014 and on August 25, 2016, FDA exercised the option to renew the contract through August 24, 2017. This contract has enabled the State to conduct additional retailer compliance inspections which currently are limited by the resources available to conduct inspections to determine retailer compliance with State law.

During the 2014 state legislative session, the State's tobacco prevention coalition, Tobacco-Free RI successfully advocated for passage of legislation prohibiting the sale, distribution and possession of electronic nicotine delivery systems (ENDS) products to and by children. The legislation also mandates licensing of retailers selling ENDS products and requires BHDDH to enforce the underage sales ban. The licensing and enforcement provisions went into effect January 1, 2015; however, no funding was allocated to support enforcement of the new provisions to the youth access statute. In addition, as these ENDS products are not defined as tobacco products under current statute, they cannot be included in the annual Synar Survey. Through the CDC grant, initial retailer inspections related to the sale of ENDS products to underage youth were conducted in participating communities.

SYNAR SURVEY METHODS AND RESULTS

The following questions pertain to the survey methodology and results of the Synar survey used by the state to meet the requirements of the Synar Regulation in FFY 2016 (see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130).

6. Has the sampling methodology changed from the previous year?

☒ **Yes** ☐ **No**

The state is required to have an approved up-to-date description of the Synar sampling methodology on file with CSAP. Please submit a copy of your Synar Survey Sampling Methodology (Appendix B). If the sampling methodology changed from the previous reporting year, these changes must be reflected in the methodology submitted.

a. If yes, Describe how and when this change was communicated to SAMHSA

A formal written request from the State to change sampling methodology was submitted to SAMHSA July, 2016 and subsequently received SAMHSA approval.

7. Please answer the following questions regarding the state's annual random, unannounced inspections of tobacco outlets *(see 45 C.F.R. 96.130(d)(2)).*

a. Did the state use the optional Synar Survey Estimation System (SSES) to analyze the Synar survey data?

☒ **Yes** ☐ **No**

*If **Yes,** attach SSES summary tables 1, 2, 3, and 4 to the hard copy of the ASR and upload a copy of SSES tables 1–5 (in Excel) to WebBGAS. Then go to Question 8. If **No,** continue to Question 7b.*

b. Report the weighted and unweighted Retailer Violation Rate (RVR) estimates, the standard error, accuracy rate (number of eligible outlets divided by the total number of sampled outlets), and completion rate (number of eligible outlets inspected divided by the total number of eligible outlets).

Unweighted RVR _____

Weighted RVR _____

Standard error (s.e.) of the (weighted) RVR _____

Fill in the blanks to calculate the <u>right limit</u> of the right-sided 95% confidence interval.

	+	(1.645	×		)	=
RVR Estimate	**plus**	(1.645	**times**	**Standard Error**)	**equals**	**Right Limit**

Accuracy rate _____

Completion rate _____

c. **Fill out Form 1 in Appendix A (Forms 1–5).** *(Required regardless of the sample design.)*

d. **How were the (weighted) RVR estimate and its standard error obtained?** *(Check the one that applies.)*

☐ Form 2 (Optional) in Appendix A (Forms 1–5) *(Attach completed Form 2.)*

☐ Other *(Please specify. Provide formulas and calculations or attach and explain the program code and output with description of all variable names.)*

e. **If stratification was used, did any strata in the sample contain only one outlet or cluster this year?**

☐ **Yes** ☐ **No** ☐ **No stratification**

*If **Yes**, explain how this situation was dealt with in variance estimation.*

f. **Was a cluster sample design used?**

☐ **Yes** ☐ **No**

*If **Yes**, fill out and attach Form 3 in Appendix A (Forms 1–5), and answer the following question.*

*If **No**, go to Question 7g.*

Were any certainty primary sampling units selected this year?

☐ **Yes** ☐ **No**

*If **Yes**, explain how the certainty clusters were dealt with in variance estimation.*

g. **Report the following outlet sample sizes for the Synar survey.**

	Sample Size
Effective sample size (sample size needed to meet the SAMHSA precision requirement assuming simple random sampling)	
Target sample size (the product of the effective sample size and the design effect)	
Original sample size (inflated sample size of the target sample to counter the sample attrition due to ineligibility and noncompletion)	
Eligible sample size (number of outlets found to be eligible in the sample)	
Final sample size (number of eligible outlets in the sample for which an inspection was completed)	

h. **Fill out Form 4 in Appendix A (Forms 1–5).**

8. **Did the state's Synar survey use a list frame?**

☒ **Yes** ☐ **No**

*If **Yes,** answer the following questions about its coverage.*

a. **The calendar year of the latest Sampling frame coverage study:** 2013

b. **Percent coverage from the latest Sampling frame coverage study:** 94.2

c. **Was a new study conducted in this reporting period?**

☐ **Yes** ☒ **No**

*If **Yes,** please complete Appendix D (List Sampling Frame Coverage Study) and submit it with the Annual Synar Report.*

d. **The calendar year of the next coverage study planned:** 2018

9. **Has the Synar survey inspection protocol changed from the previous year?**

☐ **Yes** ☒ **No**

The state is required to have an approved up-to-date description of the Synar inspection protocol on file with CSAP. Please submit a copy of your Synar Survey Inspection Protocol (Appendix C). If the inspection protocol changed from the previous year, these changes must be reflected in the protocol submitted.

a. **If Yes, describe how and when this change was communicated to SAMHSA**

b. **Provide the inspection period: From** 08/02/16 **to** 09/30/16
MM/DD/YY MM/DD/YY

c. **Provide the number of youth inspectors used in the current inspection year:**

33

NOTE: If the state uses SSES, please ensure that the number reported in 9b matches that reported in SSES Table 4, or explain any difference.

d. **Fill out and attach Form 5 in Appendix A (Forms 1–5).** *(Not required if the state used SSES to analyze the Synar survey data.)*

SECTION II: FFY 2017 (Intended Use):

Public law 42 U.S.C. 300x-26 of the Public Health Service Act and 45 C.F.R. 96.130 (e) (4, 5) require that the states provide information on future plans to ensure compliance with the Synar requirements to reduce youth tobacco access.

1. **In the upcoming year, does the state anticipate any changes in:**

Synar sampling methodology	☐ **Yes**	☒ **No**
Synar inspection protocol	☒ **Yes**	☐ **No**

If changes are made in either the Synar sampling methodology or the Synar inspection protocol, the state is required to obtain approval from CSAP prior to implementation of the change and file an updated Synar Survey Sampling Methodology (Appendix B) or an updated Synar Survey Inspection Protocol (Appendix C), as appropriate.

2. **Please describe the state's plans to maintain and/or reduce the target rate for Synar inspections to be completed in FFY 2017. Include a brief description of plans for law enforcement efforts to enforce youth tobacco access laws, activities that support law enforcement efforts to enforce youth tobacco access laws, and any anticipated changes in youth tobacco access legislation or regulation in the state.**

In FFY 2017, BHDDH will conduct the annual Synar Survey over a two-month period. On a routine basis, inspections conducted during the Survey will not be combined with FDA-sponsored compliance inspections.

Over several previous Survey cycles, BHDDH expanded the menu of tobacco products youth inspectors could request based on youth survey results which supported anecdotal evidence that underage youth were able to purchase non-cigarette tobacco products more easily than they were able to purchase cigarettes. Subsequent youth surveys conducted by community coalitions confirmed that underage use of non-cigarette tobacco products is increasing as conventional cigarette use has decreased. In particular, the most recent YRBS results show that while the percentage of RI's high school students reporting past 30 day cigarette use are among the lowest in the nation at 4.8%, the rates for cigar and e-cigarette use are increasing significantly (8.4% and 19.3% respectively). Additionally, while RI appears to have had some success in reducing reported retail access to cigarettes as the percentage of high school students reporting in the YRBS that they obtained their cigarettes from a retail source decreased from the national high of 28.7% to 20.5 %, this rate remains unacceptably high. However, absent additional funding to conduct compliance inspections, it will be difficult for the state to take specific enforcement actions to further reduce the rate. In addition, while cigars and little cigars have been included in the annual Synar Survey, e-cigarettes have been excluded from the Survey due to the state legislature's decision not to define them as tobacco products. As a result, RI has little local data available to determine how underage children are obtaining ENDS products which would inform the development of effective prevention strategies.

For the 2016 Synar Survey, BHDDH continued to encourage all of the police officers participating in the Survey to instruct the youth surveyors to request non-cigarette tobacco products if the products were readily available in the outlet and the youth inspector felt comfortable in doing so. In FFY 2017, BHDDH will continue to support local educational and enforcement efforts targeting underage use and availability of non-cigarette tobacco products.

BHDDH, in conjunction with the RI Department of Health, will make resource material available to both the BHDDH-funded community prevention coalitions and to other organizations participating in the Tobacco-Free RI network to support community education efforts. Information and resource documents on non-cigarette tobacco products also will be posted on the State's Prevention Resource Center website. Community education also will be provided through the CDC grant-funded communities.

The City of Providence and six other municipalities have adopted municipal ordinances requiring local registration of retail tobacco vendors. Providence also has banned the sale of flavored non-cigarette tobacco products and prohibited the redemption of tobacco coupons and discount promotions. For FY 2016, several additional communities advocated for passage of ordinances which mirror some or all of the ordinances adopted in Providence. While no communities were successful during the reporting period, RI expects that a minimum of two additional municipalities will enact local ordinances requiring local registration of retail tobacco vendors and restrictions on underage sales of tobacco products during FFY 2017 as a result of the new CDC grant. Effective enforcement of these and other related municipal ordinances is expected to reduce youth access to such products significantly. In support of these efforts and in communities which have not yet adopted municipal ordinances, BHDDH also will encourage local municipalities to engage in ongoing enforcement of the State's youth access to tobacco statute.

In FFY 2017, BHDDH will continue to require the contracted community prevention coalitions to address tobacco prevention as a condition for receipt of funding. State funding for the community coalitions was eliminated by the State legislature during a previous legislative session. While some funding has been re-allocated through the SAPT Block Grant, funding reductions will continue to limit the coalitions' ability to implement comprehensive tobacco prevention measures. Mindful of funding limitations, BHDDH staff will meet with coalition coordinators to discuss the results of the most recent Synar Survey and will again request that they focus their tobacco prevention efforts on restricting youth access as well as reducing underage use of non-cigarette tobacco products. Coalition coordinators will have access to the resources available from the State's Prevention Resource Center to support these efforts.

During FFY 2017, BHDDH will continue to work with the RI Department of Health and with representatives from the community prevention coalitions to develop vendor education materials. These materials will be disseminated to community coalition coordinators. As funding becomes available, the Department of Health and BHDDH will distribute the materials to all licensed tobacco retailers in the State to improve vendor compliance with the State's youth access to tobacco statute.

During FFY 2017, BHDDH will continue to work collaboratively with the Department of Health and Tobacco-Free RI to develop and implement tobacco prevention and cessation programs as well as to advocate for policies that serve to reduce youth access and youth tobacco use. BHDDH staff will continue to participate in several workgroups whose focus is expanding the number of cessation services available to populations disproportionately impacted by tobacco use including: individuals with behavioral health issues, minority groups, and pregnant women; as well as increasing the capacity of providers to offer these services.

3. **Describe any challenges the state faces in complying with the Synar regulation.** *(Check all that apply and describe each challenge in the text box below it.)*

☒ Limited resources for law enforcement of youth access laws

The most significant challenge RI experiences in complying with the Synar Regulations is a lack of funding to support enforcement of the State's youth access to tobacco statute. While Rhode Island's high school past 30-day cigarette smoking rates are among the lowest in the nation at 4.8%, according to the latest Youth Risk Behavior Survey, the percentage of current high school-age smokers in RI who report obtaining their cigarettes from commercial sources remains among the highest in the nation at 20.5%. State funding for on-going enforcement of the State's youth access law is entirely dependent upon annual appropriations by the State legislature. Current funding levels are not sufficient to support annual compliance inspections of all licensed retail tobacco outlets statewide, especially in those communities that receive the minimum funding allocation. The recent addition of legislatively-mandated inspections of retail outlets for potential sales of ENDS products to children without funding to support these additional inspections has further challenged the State's ability to conduct effective enforcement of the State's youth access law.

☒ Limited resources for activities to support enforcement and compliance with youth tobacco access laws

Rhode Island's youth smoking rate continues to be among the lowest in the nation; due, in part, to the State's cigarette tax being among the highest nationally. However, the state tax on cigars continues to be capped at $.50. This policy has served to make flavored and unflavored blunts and little cigars attractive alternatives to conventional cigarettes, particularly among underage children as evidenced by the increase in high school students' reported use of cigar products which, at 8.4%, is 3.6 percentage points higher than the reported cigarette use rates. BHDDH will continue to work in collaboration with the Department of Health and community coalitions to educate the community about the effects of the tobacco product tax disparity and its potential impact on underage cigar, little cigar use rates.

State and national surveys continue to show that the use of electronic nicotine delivery systems (ENDS) products by children is increasing rapidly (19.2% per RI 2015 YRBS). During the 2014 legislative session, the state legislature passed legislation prohibiting the sale or distribution of electronic nicotine delivery systems (ENDS) products to children, required BHDDH to coordinate enforcement of the ban, and required ENDS products retailers to obtain a license from the RI Department of Health. However, no funding was appropriated to support these efforts. In addition, because the legislature chose not to define ENDS products as tobacco products, ENDS products cannot be included in the annual Synar Survey and are not included in the products subject to the State's other tobacco products tax. During FFY 2016, BHDDH will work with the RI Department of Health, the statewide network of community prevention coalitions, and the Tobacco-Free RI network to educate state and community leaders about effective strategies to reduce youth access to ENDS products.

☒ Limitations in the state youth tobacco access laws

A 2005 amendment to the State's youth access statute effectively removed license suspension and revocation as a sanction for repeat violations of the statute. Community-based advocacy to strengthen the statute has not been successful. Therefore, again in FFY2017, efforts by community prevention coalitions and other community-based organizations to adopt local retail tobacco vendor registration with local enforcement of these ordinances that mirror State statute will be the focus of efforts to prevent underage retail access to tobacco products.

☐ Limited public support for enforcement of youth tobacco access laws

☒ Limitations on completeness/accuracy of list of tobacco outlets

Achieving greater than 90% accuracy for the State tobacco retail license list continues to be a labor-intensive project for BHDDH as this license list is maintained by the RI Division of Taxation and is not completely current. BHDDH will continue to work with staff at Taxation to improve the accuracy of the list, will continue to utilize the information obtained from FDA-sponsored inspections to update the master file at BHDDH, and will continue to work with the municipalities having local registration to reconcile list discrepancies.

☐ Limited expertise in survey methodology

☐ Laws/regulations limiting the use of minors in tobacco inspections

☐ Difficulties recruiting youth inspectors

☐ Issues regarding the balance of inspections conducted by youth inspectors age 15 and under

☒ Issues regarding the balance of inspections conducted by one gender of youth inspectors

Achieving a gender balance for youth inspectors is a significant challenge for RI. The Department of BHDDH, while responsible for coordinating the conduct of the Annual Synar Survey and on-going enforcement of the State's youth access law, does not conduct the actual retailer inspections. Consistent with State law, inspections are conducted by municipal law enforcement agencies (or State Police).

Each municipal police department under contract with BHDDH has the authority to select the youth participants that they supervise. In addition, because the majority of departments conduct the Annual Synar Survey on 1-2 days, BHDDH does not become aware of the gender distribution of the youth inspectors until after the completion of the Survey in these communities. Therefore, BHDDH does not have the opportunity to direct changes to the youth participants in time to correct gender imbalance prior to the completion of the Survey. In inspector training and in the written Survey Protocol provided to the adult inspectors, BHDDH stresses the need for gender balance, not only in terms of the youth participants but also in the number of inspections conducted by gender. BHDDH will continue to work with the municipal police departments through training and established inspection protocol to recruit equal numbers of male and female youth inspectors and to stress the need to alternate inspections between male and female youth inspectors to achieve gender balance.

☐ Geographic, demographic, and logistical considerations in conducting inspections

☐ Cultural factors (e.g., language barriers, young people purchasing for their elders)

☐ Issues regarding sources of tobacco under tribal jurisdiction

☒ Other challenges *(Please list.)*

In response to decreases in police department participation in the annual Synar Survey, the State adopted two strategies to increase the number of departments participating in the Survey. The first was to increase the base amount of the police department funding so that, at a minimum, the cost of conducting the Survey would be covered. This necessitated reducing the amount of funding available for subsequent enforcement compliance inspections. The second strategy was to implement the recommendation of the State's Governor's Council on Behavioral Health to notify the chief administrative officer of each municipality of the Survey and request their assistance in securing police participation in the Survey. In FY 2016 it was deemed unnecessary to contact the municipal administrators as RI experienced full municipal police department participation in the Survey. In municipalities where police department were unable to participate in the Survey, adjoining municipalities conducted the inspections through interdepartmental mutual aid agreements. Increased participation in the Survey may be attributed to the collaborative efforts of BHDDH staff, Dept. of Health staff, the RI Police Chiefs' Association and community partners, including the community prevention coalitions.

For FY 2017, BHDDH will continue to work with the Dept. of Health, the RI Police Chiefs' Association, community prevention coalitions and other community partners to advocate for police participation in the annual Synar Survey.

APPENDIX A: FORMS 1–5

FORM 1 (Required for all states not using the Synar Survey Estimation System (SSES) to analyze the Synar Survey data)

Complete Form 1 to report sampling frame and sample information and to calculate the unweighted retailer violation rate (RVR) using results from the current year's Synar survey inspections.

Instructions for Completing Form 1: In the top right-hand corner of the form, provide the state name and reporting federal fiscal year (FFY 2017). Provide the remaining information by stratum if stratification was used. Make copies of the form if additional rows are needed to list all the strata.

Column 1: *If stratification was used*:

1(a) Sequentially number each row.
1(b) Write in the name of each stratum. All strata in the state must be listed.

If no stratification was used:

1(a) Leave blank.
1(b) Write "state" in the first row (indicates that the whole state is a single stratum).

Note for unstratified samples: For Columns 2–5, wherever the instruction refers to "each stratum," report the specified information for the state as a whole.

Column 2: 2(a) Report the number of over-the-counter (OTC) outlets in the sampling frame in each stratum.
2(b) Report the number of vending machine (VM) outlets in the sampling frame in each stratum.
2(c) Report the combined total of OTC and VM outlets in the sampling frame in each stratum.

Column 3: 3(a) Report the estimated number of eligible OTC outlets in the OTC outlet population in each stratum.
3(b) Report the estimated number of eligible VM outlets in the VM outlet population in each stratum.
3(c) Report the combined total estimated number of eligible OTC and VM outlets in the total outlet population in each stratum.

The estimates for Column 3 can be obtained from the Synar survey sample as the weighted sum of eligible outlets by outlet type.

Column 4: 4(a) Report the number of eligible OTC outlets for which an inspection was completed, for each stratum.
4(b) Report the numbers of eligible VM outlets for which an inspection was completed, for each stratum.
4(c) Report the combined total of eligible OTC and VM outlets for which an inspection was completed, for each stratum.

Column 5: 5(a) Report the number of OTC outlets found in violation of the law as a result of completed inspections, for each stratum.
5(b) Report the number of VM outlets found in violation of the law as a result of completed inspections, for each stratum.
5(c) Report the combined total of OTC and VM outlets found in violation of the law as a result of completed inspections, for each stratum.

Totals: For each subcolumn (a–c) in Columns 2–5, provide totals for the state as a whole in the last row of the table. These numbers will be the sum of the numbers in each row for the respective column.

FORM 1 (Required for all states not using the Synar Survey Estimation System [SSES] to analyze the Synar Survey data.)

Summary of Synar Inspection Results by Stratum

State: _____

FFY: 2017

(1)		(2)			(3)			(4)			(5)		
STRATUM		NUMBER OF OUTLETS IN SAMPLING FRAME			ESTIMATED NUMBER OF ELIGIBLE OUTLETS IN POPULATION			NUMBER OF OUTLETS INSPECTED			NO. OF OUTLETS FOUND IN VIOLATION DURING INSPECTIONS		
(a) Row #	(b) Stratum Name	(a) Over-the-Counter (OTC)	(b) Vending Machines (VM)	(c) Total Outlets (2a+2b)	(a) Over-the-Counter (OTC)	(b) Vending Machines (VM)	(c) Total Outlets (3a+3b)	(a) Over-the-Counter (OTC)	(b) Vending Machines (VM)	(c) Total Outlets (4a+4b)	(a) Over-the-Counter (OTC)	(b) Vending Machines (VM)	(c) Total Outlets (5a+5b)

RECORD COLUMN TOTALS ON LAST LINE (LAST PAGE ONLY IF MULTIPLE PAGES ARE NEEDED).

FORM 2 (Optional)
Appropriate for stratified simple or systematic random sampling designs.

Complete Form 2 to calculate the weighted RVR. This table (in Excel form) is designed to calculate the weighted RVR for stratified simple or systematic random sampling designs, accounting for ineligible outlets and noncomplete inspections encountered during the annual Synar survey.

Instructions for Completing Form 2: In the top right-hand corner of the form, provide the state name and reporting federal fiscal year (FFY 2017).

Column 1: Write in the name of each stratum into which the sample was divided. These should match the strata reported in Column 1(b) of Form 1.

Column 2: Report the number of outlets in the sampling frame in each stratum. These numbers should match the numbers reported for the respective strata in Column 2(c) of Form 1.

Column 3: Report the original sample size (the number of outlets originally selected, *including* substitutes or replacements) for each stratum.

Column 4: Report the number of sample outlets in each stratum that were found to be eligible during the inspections. Note that this number must be less than or equal to the number reported in Column 3 for the respective strata.

Column 5: Report the number of eligible outlets in each stratum for which an inspection was completed. Note that this number must be less than or equal to the number reported in Column 4. These numbers should match the numbers reported in Column 4(c) of Form 1 for the respective strata.

Column 6: Report the number of eligible outlets inspected in each stratum that were found in violation. These numbers should match the numbers reported in Column 5(c) of Form 1 for the stratum.

Column 7: Form 2 (in Excel form) will automatically calculate the stratum RVR for each stratum in this column. This is calculated by dividing the number of inspected eligible outlets found in violation (Column 6) by the number of inspected eligible outlets (Column 5). The state unweighted RVR will be shown in the Total row of Column 7.

Column 8: Form 2 (in Excel form) will automatically calculate the estimated number of eligible outlets in the population for each stratum. This calculation is made by multiplying the number of outlets in the sampling frame (Column 2) times the number of eligible outlets (Column 4) divided by the original sample size (Column 3). Note that these numbers will be less than or equal to the numbers in Column 2.

Column 9: Form 2 (in Excel form) will automatically calculate the relative stratum weight by dividing the estimated number of eligible outlets in the population for each stratum in Column 8 by the Total of the values in Column 8.

Column 10: Form 2 (in Excel form) will automatically calculate each stratum's contribution to the state weighted RVR by multiplying the stratum RVR (Column 7) by the relative stratum weight (Column 9). The weighted RVR for the state will be shown in the Total row of Column 10.

Column 11: Form 2 (in Excel form) automatically calculates the standard error of each stratum's RVR (Column 7). The standard error for the state weighted RVR will be shown in the Total row of Column 11.

TOTAL: For Columns 2–6, Form 2 (in Excel form) provides totals for the state as a whole in the last row of the table. For Columns 7–11, it calculates the respective statistic for the state as a whole.

FORM 2 (Optional) Appropriate for stratified simple or systematic random sampling designs.

Calculation of Weighted Retailer Violation Rate									State: FFY: 2017	
(1) Stratum Name	(2) **N** Number of Outlets in Sampling Frame	(3) **n** Original Sample Size	(4) **n1** Number of Sample Outlets Found Eligible	(5) **n2** Number of Outlets Inspected	(6) **x** Number of Outlets Found in Violation	(7) **p=x/n2** Stratum Retailer Violation Rate	(8) **N'=N(n1/n)** Estimated Number of Eligible Outlets in Population	(9) **w=N'/Total Column 8** Relative Stratum Weight	(10) **pw** Stratum Contribution to State Weighted RVR	(11) **s.e.** Standard Error of Stratum RVR
Total										

N - number of outlets in sampling frame
n - original sample size (number of outlets in the original sample)
n1 - number of sample outlets that were found to be eligible
n2 - number of eligible outlets that were inspected
x - number of inspected outlets that were found in violation
p - stratum retailer violation rate (p=x/n2)
N' - estimated number of eligible outlets in population (N'=N*n1/n)
w - relative stratum weight (w=N'/Total Column 8)
pw - stratum contribution to the weighted RVR
s.e. - standard error of the stratum RVR

FORM 3 (Required when a cluster design is used for all states not using the Synar Survey Estimation System [SSES] to analyze the Synar survey data.)

Complete Form 3 to report information about primary sampling units when a cluster design was used for the Synar survey.

Instructions for Completing Form 3: In the top right-hand corner of the form, provide the state name and reporting federal fiscal year (FFY 2017).

Provide information by stratum if stratification was used. Make copies of the form if additional rows are needed to list all the strata.

Column 1: Sequentially number each row.

Column 2: *If stratification was used*: Write in the name of stratum. All strata in the state must be listed.

If no stratification was used: Write "state" in the first row to indicate that the whole state constitutes a single stratum.

Column 3: Report the number of primary sampling units (PSUs) (i.e., first-stage clusters) created for each stratum.

Column 4: Report the number of PSUs selected in the original sample for each stratum.

Column 5: Report the number of PSUs in the final sample for each stratum.

TOTALS: For Columns 3–5, provide totals for the state as a whole in the last row of the table.

Summary of Clusters Created and Sampled

State:

FFY: 2017

(1) Row #	(2) Stratum Name	(3) Number of PSUs Created	(4) Number of PSUs Selected	(5) Number of PSUs in the Final Sample
	Total			

FORM 4 (Required for all states not using the Synar Survey Estimation System [SSES] to analyze the Synar Survey data)

Complete Form 4 to provide detailed tallies of ineligible sample outlets by reasons for ineligibility and detailed tallies of eligible sample outlets with noncomplete inspections by reasons for noncompletion.

Instructions for Completing Form 4: In the top right-hand corner of the form, provide the state name and reporting federal fiscal year (FFY 2017).

Column 1(a): Enter the number of sample outlets found ineligible for inspection by reason for ineligibility. Provide the total number of ineligible outlets in the row marked "Total."

Column 2(a): Enter the number of eligible sample outlets with noncomplete inspections by reason for noncompletion. Provide the total number of eligible outlets with noncomplete inspections in the row marked "Total."

Inspection Tallies by Reason of Ineligibility or Noncompletion

State:

FFY: 2017

(1) INELIGIBLE		**(2) ELIGIBLE**	
Reason for Ineligibility	**(a) Counts**	**Reason for Noncompletion**	**(a) Counts**
Out of business		In operation but closed at time of visit	
Does not sell tobacco products		Unsafe to access	
Inaccessible by youth		Presence of police	
Private club or private residence		Youth inspector knows salesperson	
Temporary closure		Moved to new location	
Unlocatable		Drive-thru only/youth inspector has no driver's license	
Wholesale only/Carton sale only		Tobacco out of stock	
Vending machine broken		Ran out of time	
Duplicate		Other noncompletion reason(s) *(Describe.)*	
Other ineligibility reason(s) *(Describe.)*			
Total		**Total**	

FORM 5 (Required for all states not using the Synar Survey Estimation System [SSES] to analyze the Synar survey data)

Complete Form 5 to show the distribution of outlet inspection results by age and gender of the youth inspectors.

Instructions for Completing Form 5: In the top right-hand corner of the form, provide the state name and reporting federal fiscal year (FFY 2017).

Column 1: Enter the number of attempted buys by youth inspector age and gender.

Column 2: Enter the number of successful buys by youth inspector age and gender.

If the inspectors are age eligible but the gender of the inspector is unknown, include those inspections in the "Other" row. Calculate subtotals for males and females in rows marked "Male Subtotal" and "Female Subtotal." Sum subtotals for Male, Female, and Other and record in the bottom row marked "Total." Verify that that the total of attempted buys and successful buys equals the total for Column 4(c) and Column 5(c), respectively, on Form 1. If the totals do not match, please explain any discrepancies.

Synar Survey Inspector Characteristics **State:** **FFY:** 2017		
	(1) Attempted Buys	(2) Successful Buys
Male		
15 years		
16 years		
17 years		
18 years		
Male Subtotal		
Female		
15 years		
16 years		
17 years		
18 years		
Female Subtotal		
Other		
Total		

APPENDIXES B & C: FORMS

Instructions

Appendix B (Sampling Design) and Appendix C (Inspection Protocol) are to reflect the state's CSAP-approved sampling design and inspection protocol. These appendixes, therefore, should generally describe the design and protocol and, with the exception of Question #10 of Appendix B, are not to be modified with year-specific information. Please note that any changes to either appendix must receive CSAP's advance, written approval. To facilitate the state's completion of this section, simply cut and paste the previously approved sampling design (Appendix B) and inspection protocol (Appendix C).

APPENDIX B: SYNAR SURVEY SAMPLING METHODOLOGY

State: RI
FFY: 2017

1. **What type of sampling frame is used?**

   ☒ List frame *(Go to Question 2.)*
   ☐ Area frame *(Go to Question 3.)*
   ☐ List-assisted area frame *(Go to Question 2.)*

2. **List all sources of the list frame. Indicate the type of source from the list below. Provide a brief description of the frame source. Explain how the lists are updated (method), including how new outlets are identified and added to the frame. In addition, explain how often the lists are updated (cycle).** *(After completing this question, go to Question 4.)*

   Use the corresponding number to indicate* Type of Source *in the table below.

   1 – Statewide commercial business list
   2 – Local commercial business list
   3 – Statewide tobacco license/permit list
   4 – Statewide retail license/permit list
   5 – Statewide liquor license/permit list
   6 – Other

Name of Frame Source	Type of Source	Description	Updating Method and Cycle
State tobacco retailer license list	3	RI Division of Taxation maintains a list of all licensed retail tobacco vendors – licenses are renewed annually for a $25 fee	The list is required by state law to be updated quarterly by the RI Division of Taxation. Annually, Taxation sends out renewal notices and updates the list based on new licenses and renewals. The list if cleaned by reconstructing previous year's list and survey responses as well as by utilizing the results of FDA inspections.
FDA retailer database	6	The retailer list which supports the FDA Tobacco Compliance Inspection Program in RI	The FDA retailer list is updated as a result of state license list updates, the results from the Annual Synar Survey, on-going FDA inspections; and changes originated by FDA

3. **If an area frame is used, describe how area sampling units are defined and formed.**

   a. **Is any area left out in the formation of the area frame?**

      ☐ **Yes** ☐ **No**

      *If **Yes**, what percentage of the state's population is not covered by the area frame?*

_____%

4. **Federal regulation requires that vending machines be inspected as part of the Synar survey. Are vending machines included in the Synar survey?**

☒ **Yes** ☐ **No**

*If **No**, please indicate the reason(s) they are not included in the Synar survey. Please check all that apply.*

☐ State law bans vending machines.
☐ State law bans vending machines from locations accessible to youth.
☐ State has a contract with the FDA and is actively enforcing the vending machine requirements of the Family Smoking Prevention and Tobacco Control Act.
☐ Other *(Please describe.)* _____

*If **Yes**, please indicate how likely it is that vending machines will be sampled.*

☐ Vending machines are sampled separately to ensure vending machines are included in the sample
☒ Vending machines are sampled together with over the counter outlets, so it is possible that no vending machines were sampled, however they are included in the sampling frame and have a non-zero probability of selection
☐ Other reasons *(Please describe.)*_____

5. **Which category below best describes the sample design?** *(Check only one.)*

☐ **Census** *(STOP HERE: Appendix B is complete.)*

Unstratified statewide sample:
☐ Simple random sample *(Go to Question 9.)*
☐ Systematic random sample *(Go to Question 6.)*
☐ Single-stage cluster sample *(Go to Question 8.)*
☐ Multistage cluster sample *(Go to Question 8.)*

Stratified sample:
☒ Simple random sample *(Go to Question 7.)*
☐ Systematic random sample *(Go to Question 6.)*
☐ Single-stage cluster sample *(Go to Question 7.)*
☐ Multistage cluster sample *(Go to Question 7.)*
☐ **Other** *(Please describe and go to Question 9.)* _____

6. **Describe the systematic sampling methods.** *(After completing Question 6, go to Question 7 if stratification is used. Otherwise go to Question 9.)*

7. **Provide the following information about stratification.**

   a. **Provide a full description of the strata that are created.**

Sampling Procedure

- Copy and paste full list of establishments into Stata/SE 12.0
- Total number of observations is the full universe to sample from
- The effective sample size (n) is calculated to achieve a 95% confidence interval +- 3%:

$$n = \frac{1}{\frac{(s^2)}{p * q} + \frac{1}{N}}$$

Where n= effective sample size
s=standard error=CI/Z=0.03/1.645=0.018
p=estimated prevalence of successful purchase (expected=0.20)
q=estimated prevalence of unsuccessful purchase (expected=0.80)
N=sampling frame size or universe of outlets statewide

- Target sample = effective sample size * design effect (1)
- Original sample size with overdraw = target sample * (1+overdraw factor)
  Where overdraw factor=0.5

- After calculating original sample size, determine what proportion this is of the full universe

  Sampling Fraction = Proportion *100 = Original sample/full universe

In Stata, select a proportionate stratified sample by municipality

- Sort by municipality (CODE: sort city)
- Set random starting point for selection (CODE: set seed 6789)
- Select sample proportionate to municipality representation (CODE: bysort city: sample #)

  Where # = the sampling fraction (calculated above)
  Remaining observations are the establishments sampled

In Stata, select a simple random sample

- Sort by municipality (CODE: sort city)
- Set random starting point for selection (CODE: set seed 6789)
- Select simple random sample (CODE: sample #)

  Where # = the sampling fraction (calculated above)
  Remaining observations are the establishments sampled

b. Is clustering used within the stratified sample?

☐ **Yes** *(Go to Question 8.)*
☒ **No** *(Go to Question 9.)*

8. **Provide the following information about clustering.**

   a. **Provide a full description of how clusters are formed.** *(If multistage clusters are used, give definitions of clusters at each stage.)*

   b. **Specify the sampling method (simple random, systematic, or probability proportional to size sampling) for each stage of sampling and describe how the method(s) is (are) implemented.**

9. **Provide the following information about determining the Synar Sample.**

   a. **Was the Synar Survey Estimation System (SSES) used to calculate the sample size?**

   ☐ **Yes** *(Respond to part b.)*

   ☒ **No** *(Respond to part c and Question 10c.)*

   b. **SSES Sample Size Calculator used?**

   ☐ **State Level** *(Respond to Question 10a.)*

   ☐ **Stratum Level** *(Respond to Question 10a and 10b.)*

   c. **Provide the formulas for determining the effective, target, and original outlet sample sizes.**

- The effective sample size (n) is calculated to achieve a 95% confidence interval +- 3%:

$$n = \frac{1}{\frac{(s^2)}{p*q} + \frac{1}{N}}$$

Where n= effective sample size
s=standard error=CI/Z=0.03/1.645=0.018
p=estimated prevalence of successful purchase (expected=0.20)
q=estimated prevalence of unsuccessful purchase (expected=0.80)
N=sampling frame size or universe of outlets statewide

- Target sample = effective sample size * design effect (1)
- Original sample size with overdraw = target sample * (1+overdraw factor)
  Where overdraw factor=0.5

- After calculating original sample size, determine what proportion this is of the full universe

Sampling Fraction = Proportion *100 = Original sample/full universe

10. Provide the following information about sample size calculations for the current FFY Synar survey.

a. If the state uses the sample size formulas embedded in the SSES Sample Size Calculator to calculate the state level sample size, please provide the following information:

Inputs for Effective Sample Size:
RVR:
Frame Size:

Input for Target Sample Size:
Design Effect:

Inputs for Original Sample Size:
Safety Margin:
Accuracy (Eligibility) Rate:
Completion Rate:

b. If the state uses the sample size formulas embedded in the SSES Sample Size Calculator to calculate the stratum level sample sizes, please provide the stratum level information:

c. If the state does not use the sample size formulas embedded in the SSES Sample Size Calculator, please provide all inputs required to calculate the effective, target, and original sample sizes as indicated in Question 9.

- The effective sample size (n) is calculated to achieve a 95% confidence interval +- 3%:

$$n = \frac{1}{\frac{(s^2)}{p * q} + \frac{1}{N}}$$

Where n= effective sample size
s=standard error=CI/Z=0.03/1.645=0.018
p=estimated prevalence of successful purchase (expected=0.20)
q=estimated prevalence of unsuccessful purchase (expected=0.80)
N=sampling frame size or universe of outlets statewide

- Target sample = effective sample size * design effect (1)
- Original sample size with overdraw = target sample * (1+overdraw factor)
  Where overdraw factor=0.5

- After calculating original sample size, determine what proportion this is of the full universe

Sampling Fraction = Proportion *100 = Original sample/full universe

APPENDIX C: SYNAR SURVEY INSPECTION PROTOCOL SUMMARY

State: RI
FFY: 2017

Note: Upload to WebBGAS a copy of the Synar inspection form under the heading "Synar Inspection Form" and a copy of the protocol used to train inspection teams on conducting and reporting the results of the Synar inspections under the heading "Synar Inspection Protocol."

1. **How does the state Synar survey protocol address the following?**

   a. **Consummated buy attempts?**

   ☒ Required
   ☐ Permitted under specified circumstances (Describe:)
   ☐ Not permitted

   b. **Youth inspectors to carry ID?**

   ☐ Required
   ☐ Permitted under specified circumstances (Describe:)
   ☒ Not permitted

   c. **Adult inspectors to enter the outlet?**

   ☐ Required
   ☒ Permitted under specified circumstances (Describe: At the discretion of the supervising police officer)
   ☐ Not permitted

   d. **Youth inspectors to be compensated?**

   ☒ Required
   ☐ Permitted under specified circumstances (Describe:)
   ☐ Not permitted

2. **Identify the agency(ies) or entity(ies) that actually conduct the random, unannounced Synar inspections of tobacco outlets.** *(Check all that apply.)*

   ☒ Law enforcement agency(ies)
   ☐ State or local government agency(ies) other than law enforcement
   ☐ Private contractor(s)
   ☐ Other

   List the agency name(s): Police departments for the municipalities of: Barrington,

Bristol, Burrillville, Central Falls, Coventry, Cranston, Cumberland, East Greenwich, East Providence, Glocester, Hopkinton, Jamestown, Johnston, Lincoln, Little Compton, Middletown, Narragansett, Newport, North Kingstown, North Providence, North Smithfield, Pawtucket, Portsmouth, Providence, Richmond, Scituate, Smithfield, South Kingstown, Warren, Warwick, West Greenwich, West Warwick, Westerly, Woonsocket. The RI State Police conducted the inspections in the Town of Exeter which does not have a municipal police department.

3. **Are Synar inspections combined with law enforcement efforts (i.e., do law enforcement representatives issue warnings or citations to retailers found in violation of the law at the time of the inspection?)?**

☐ Always ☐ Usually ☒ Sometimes ☐ Rarely ☐ Never

4. **Describe the type of tobacco products that are requested during Synar inspections.**

   a. **What type of tobacco products are requested during the inspection?**

   ☒ Cigarettes
   ☒ Small Cigars
   ☒ Cigarillos
   ☒ Smokeless Tobacco
   ☐ Electronic Cigarettes/Electronic Nicotine Delivery Systems (ENDS)
   ☒ Other: blunts, hookah

   b. **Describe the protocol for identifying what types of products and what brands of products are requested during an inspection.**

Products are determined by reports from police officers regarding the types of products youth are able to purchase in their respective communities and from the results of community youth surveys. Police officers participating in the Annual Synar Survey are instructed to advise youth inspectors to request these items if the items are sold in the establishment. For loose cigarettes, youth are advised to request this only if they feel comfortable in doing so as some stores have code words for these transactions and not using these terms might expose the youth as participating in the Survey.

5a. Describe the methods used to recruit, select, and train adult supervisors.

Adult supervisors are required by state law to be adult law enforcement officers. BHDDH contracts with municipal police departments to conduct inspections as part of the Annual Synar Survey and to engage in on-going enforcement efforts. Each police department selects the officers to conduct the Survey within their respective municipality or in another municipality pursuant to a mutual aid agreement. Almost all of the officers supervising the youth participants have been trained by BHDDH in conjunction with the RI Municipal Police Training Academy. The most recent training occurred in May, 2016. Officers who did not participate in this or previous trainings, were trained individually by BHDDH staff or by an officer who had completed the formal training.

5b. Describe the methods used to recruit, select, and train youth inspectors.

Recruitment and training of youth inspectors primarily is done by each police department with assistance from their community prevention coalition as well as through the FDA Youth Coordinator for RI. Some youth participants also received training from the FDA Youth Coordinator. Inspection protocols are reviewed with the youth inspectors just prior to conducting the inspections.

6. Are there specific legal or procedural requirements instituted by the state to address the issue of youth inspectors' immunity when conducting inspections?

a. Legal

☒ **Yes** ☐ **No**

*(If **Yes,** please describe.)*

RI General Laws Title 11 Criminal Offenses Chapter 11-9 Children (11-9-13.6) Underage individuals, acting as agents for the department of behavioral healthcare, developmental disabilities and hospitals and with the written permission of parent or guardian, may purchase, with impunity from prosecution, tobacco products for the purposes of law enforcement or government research involving monitoring compliance with this chapter, provided that the underage individuals are supervised by an adult law enforcement official. Any individual participating in an unannounced compliance check of over the counter or vending machine sales, must state his or her accurate age if asked by the sales representative of the retail establishment being checked.

b. Procedural

☒ **Yes** ☐ **No**

*(If **Yes,** please describe.)*

Synar Survey inspections should be conducted in accordance with established Synar Survey Protocol:

Synar Tobacco Survey Protocol

Survey Dates:

Start: Upon receipt of survey materials
End: September 23, 2016

If you are unable to complete the survey by the deadline, please contact Bette Ann McHugh at 462-5686 or bette.mchugh@bhddh.ri.gov .

Survey Times: The survey should be conducted during the day or evening when the outlets to be inspected are likely to be open for business.

Survey Sites: Survey those outlets for which you receive a pre-printed survey form. If the outlet is closed, no longer sells tobacco products, or if conditions are unsafe for inspecting, check

the appropriate box on the data collection form and include the reason why the purchase attempt was not completed.

Additional Sites: If you will be surveying additional sites either immediately following inspection of assigned sites or as part of ongoing enforcement efforts, please complete all assigned inspections before inspecting additional sites. Included with the survey materials are a current list of all licensed retail tobacco outlets within your municipality and blank survey forms which may be copied as required.

Survey Teams: Survey teams preferably should consist of one police officer and two youth surveyors.

Procedures:

- Each participating law enforcement official will receive the survey forms for the sites for which she or he is responsible.

Due to federal guidelines regarding the survey process, it is critical that you only survey sites for which you have received a report form; no site substitution is allowed for the survey. Purchase attempts at additional sites are permitted.

- Police officers are to drive surveyors to the selected site in an unmarked police vehicle.

- Police officers should park cars in a location where the surveyor can enter and exit the car and the establishment safely but not be in direct view of the survey site's employees.

- The youth will enter the establishment and attempt to make a purchase if:
  - There are no police officers who are not part of the survey team present in the establishment.
  - The youth, upon entering the establishment determines that she or he does not know anyone present.
  - The situation does not appear to be dangerous.

Please note: Surveyors are to leave their ID in the vehicle with the officer.

- If asked their age, the surveyor must be truthful (per State law); and if asked for ID, they are to answer that they don't have any with them.

- If a purchase attempt is successful, the surveyor is to pay for the product and leave the establishment quickly.

- Prior to inspecting **tobacco vending machines**, please explain to the youth surveyor that the machines should have a locking device which must be unlocked by a clerk in order for a purchase to be made. The youth should make an initial check of the machine to determine if the machine is locked. If the machine is not locked, the youth should attempt to make the purchase without approaching a clerk. If the machine is locked, the youth should ask the clerk to unlock it so that a purchase can be made.

- Upon completion of each inspection, the youth surveyor is to complete the **survey form** prior to moving to the next site. Also, if a purchase is made, the tobacco product is to be turned over to the law enforcement official immediately upon return to the vehicle.

- Document on the report form the tobacco product the youth surveyor attempted to purchase regardless of the outcome of the purchase attempt.

Products Eligible for Purchase:

- Products eligible for purchase are listed on the bottom of the inspection forms. If an establishment sells hookah exclusively, please contact Bette Ann McHugh at 462-5686 prior to conducting an inspection at that site.

- If you are aware that underage youth in your community are using tobacco products other than cigarettes such as Snus or cigars/blunts or that a vendor sells loose cigarettes; please have the youth surveyor attempt to purchase such products.

- Electronic nicotine delivery system products ("ENDS products") a/k/a electronic or e-cigarettes are included in the State law banning sales to individuals under the age of 18; however, because current law does not define ENDS products as tobacco products, they are NOT eligible for purchase during the Synar Survey. ENDS products MAY be purchased by minors as part of on-going enforcement of RIGL 11-9-13.

Please Note: Rhode Island continues to experience a problem with the sale of unstamped or fraudulently stamped cigarettes. If, during the Annual Synar Survey or ongoing enforcement efforts, youth purchase such cigarettes, please follow your department's procedure for handling evidence and contact James Galvin at the RI Division of Taxation (574-8768).

Surveyors:

BHDDH has a group of trained youth inspectors available to assist with the annual survey and with ongoing enforcement efforts. These youth have been trained in conducting compliance inspections, have been age-rated, and have all parental consent form information on file at the Department. If you will be recruiting the youth surveyors yourself, Maureen Mulligan at BHDDH can assist you with this process. She may be reached at 462- 3051 or maureen.mulligan@bhddh.ri.gov . Please inform her that you will be conducting Synar compliance inspections.

Surveyors MUST be between the age of 16 and 17. Do not use youth who are or who appear to be either older or younger than these ages in conducting the survey and/or compliance checks. The youth surveyor age restriction is a federal mandate in accordance with an administrative ruling made by the federal Labor Relations Board.

If you are not using previously-trained youth, please convene an age verification panel prior to conducting the survey, using the **Age Rating Sheet** enclosed in the packet. The Age-Rating Panel should consist of 4-5 adults who estimate the apparent age of the youth surveyor. Federal Synar advisors also suggest taking a photo of the youth surveyor(s) prior to conducting

the survey and/or checks. The photo should show the clothes worn by the surveyor during the survey/compliance checks.

Please obtain **parental consent** for all youth surveyors to participate in the survey. A sample consent form is included in the survey packet.

Surveyors should dress as they would normally; avoiding makeup and clothing that would make them appear older than 17 years of age.

According to federal guidelines, there should be approximately 50% female surveyors and 50% male surveyors in order to have a valid survey. Please make every effort to recruit both males and females to conduct the inspections and to have male and female youth inspectors conduct an equal number of inspections.

Reimbursement

All departments will be required to have money for the purchase of the cigarettes during the survey and only give the buy money to the youth once you reach the survey site. The department will be reimbursed by BHDDH for any tobacco products purchased during the survey.

Police Departments are responsible for paying the youth surveyors. Surveyors must be paid at the rate of $10.10 per hour which is the current federal contractor minimum rate. BHDDH will reimburse the police departments for the cost of the surveyors. Request for reimbursement must be made on the approved invoice form which is included in the survey packet. The invoice should include as separate line items the amount requested for each officer and each surveyor as well as for the cost of any cigarettes purchased during the survey. The invoice form is available electronically by request. Please e-mail your request to: bette.mchugh@bhddh.ri.gov.

7. **Are there specific legal or procedural requirements instituted by the state to address the issue of the safety of youth inspectors during all aspects of the Synar inspection process?**

   a. **Legal**

   ☐ **Yes** ☒ **No**

   *(If **Yes,** please describe.)*

   b. **Procedural**

   ☒ **Yes** ☐ **No**

   *(If **Yes,** please describe.)*

Synar Survey inspections should be conducted in accordance with established Synar Survey Protocol:

Synar Tobacco Survey Protocol

Survey Dates:

Start: Upon receipt of survey materials
End: September 23, 2016

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Survey Sites: Survey those outlets for which you receive a pre-printed survey form. If the outlet is closed, no longer sells tobacco products, or if conditions are unsafe for inspecting, check the appropriate box on the data collection form and include the reason why the purchase attempt was not completed.

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- The youth will enter the establishment and attempt to make a purchase if:
  - There are no police officers who are not part of the survey team present in the establishment.
  - The youth, upon entering the establishment determines that she or he does not know anyone present.
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Please note: Surveyors are to leave their ID in the vehicle with the officer.

- If asked their age, the surveyor must be truthful (per State law); and if asked for ID, they are to answer that they don't have any with them.

- If a purchase attempt is successful, the surveyor is to pay for the product and leave the establishment quickly.

- Prior to inspecting **tobacco vending machines**, please explain to the youth surveyor that the machines should have a locking device which must be unlocked by a clerk in order for a purchase to be made. The youth should make an initial check of the machine to determine if the machine is locked. If the machine is not locked, the youth should attempt to make the purchase without approaching a clerk. If the machine is locked, the youth should ask the clerk to unlock it so that a purchase can be made.

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Please Note: Rhode Island continues to experience a problem with the sale of unstamped or fraudulently stamped cigarettes. If, during the Annual Synar Survey or ongoing enforcement efforts, youth purchase such cigarettes, please follow your department's procedure for handling evidence and contact James Galvin at the RI Division of Taxation (574-8768).

Surveyors:

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inspections, have been age-rated, and have all parental consent form information on file at the Department. If you will be recruiting the youth surveyors yourself, Maureen Mulligan at BHDDH can assist you with this process. She may be reached at 462- 3051 or maureen.mulligan@bhddh.ri.gov . Please inform her that you will be conducting Synar compliance inspections.

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8. **Are there any other legal or procedural requirements the state has regarding how inspections are to be conducted (e.g., age of youth inspector, time of inspections, training that must occur)?**

a. Legal

☒ **Yes** ☐ **No**

*(If **Yes,** please describe.)*

RI General Laws Title 11 Criminal Offenses Chapter 11-9 Children (11-9-13.6)

Underage individuals, acting as agents for the department of behavioral healthcare, developmental disabilities and hospitals and with the written permission of parent or guardian, may purchase, with impunity from prosecution, tobacco products for the purposes of law enforcement or government research involving monitoring compliance with this chapter, provided that the underage individuals are supervised by an adult law enforcement official. Any individual participating in an unannounced compliance check of over the counter or vending machine sales, must state his or her accurate age if asked by the sales representative of the retail establishment being checked.

(ii) In fulfilling the requirement of unannounced statewide compliance checks, the department of mental health, retardation and hospitals shall maintain complete records of the unannounced compliance checks, detailing, at least, the date of the compliance check, the name and address of the retail establishment checked or the mail order company, the results of the compliance check (sale/no sale), whether the sale was made as an over-the-counter sale, a mail order purchase or a tobacco vending machine sale, and if a citation was issued for any violation found. The records shall be subject to public disclosure. Further, the department of mental health, retardation and hospitals shall report to the owner of each retail establishment checked or mail order company, the results of any compliance check (sale/no sale) whether the sale was made as an over-the-counter sale, a mail order purchase or a tobacco vending machine sale, and if a citation was issued for any violation found.

(5) Seek enforcement, concurrently with other state and local officials, of the penalties as detailed in this chapter.

(6) Develop and disseminate community health education information and materials relating to this chapter.

b. Procedural

☒ **Yes** ☐ **No**

*(If **Yes,** please describe.)*

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Synar Tobacco Survey Protocol

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Please Note: Rhode Island continues to experience a problem with the sale of unstamped or fraudulently stamped cigarettes. If, during the Annual Synar Survey or ongoing enforcement efforts, youth purchase such cigarettes, please follow your department's procedure for handling evidence and contact James Galvin at the RI Division of Taxation (574-8768).

Surveyors:

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with ongoing enforcement efforts. These youth have been trained in conducting compliance inspections, have been age-rated, and have all parental consent form information on file at the Department. If you will be recruiting the youth surveyors yourself, Maureen Mulligan at BHDDH can assist you with this process. She may be reached at 462- 3051 or maureen.mulligan@bhddh.ri.gov . Please inform her that you will be conducting Synar compliance inspections.

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Please obtain **parental consent** for all youth surveyors to participate in the survey. A sample consent form is included in the survey packet.

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Reimbursement

All departments will be required to have money for the purchase of the cigarettes during the survey and only give the buy money to the youth once you reach the survey site. The department will be reimbursed by BHDDH for any tobacco products purchased during the survey.

Police Departments are responsible for paying the youth surveyors. Surveyors must be paid at the rate of $10.10 per hour which is the current federal contractor minimum rate. BHDDH will reimburse the police departments for the cost of the surveyors. Request for reimbursement must be made on the approved invoice form which is included in the survey packet. The invoice should include as separate line items the amount requested for each officer and each surveyor as well as for the cost of any cigarettes purchased during the survey. The invoice form is available electronically by request. Please e-mail your request to: bette.mchugh@bhddh.ri.gov.

APPENDIX D: LIST SAMPLING FRAME COVERAGE STUDY

(LIST FRAME ONLY)

State: _____
FFY: 2017

1. **Calendar year of the coverage study:** _____

2. a. **Unweighted percent coverage found:** _____%
   b. **Weighted percent coverage found:** _____%
   c. **Number of outlets found through canvassing:** _____
   d. **Number of outlets matched on the list frame:** _____

3. a. **Describe how areas were defined.** *(e.g., census tracts, counties, etc.)*

   b. **Were any areas of the state excluded from sampling?**

   ☐ **Yes** ☐ **No**

   *If **Yes**, please explain.*

4. **Please answer the following questions about the selection of canvassing areas.**

   a. **Which category below best describes the sample design?** *(Check only one.)*

   ☐ **Census** *(Go to Question 6.)*

   Unstratified statewide sample:

   ☐ Simple random sample *(Respond to Part b.)*
   ☐ Systematic random sample *(Respond to Part b.)*
   ☐ Single-stage cluster sample *(Respond to Parts b and d.)*
   ☐ Multistage cluster sample *(Respond to Parts b and d.)*

   Stratified sample:

   ☐ Simple random sample *(Respond to Parts b and c.)*
   ☐ Systematic random sample *(Respond to Parts b and c.)*
   ☐ Single-stage cluster sample *(Respond to Parts b, c, and d.)*
   ☐ Multistage cluster sample *(Respond to Parts b, c, and d.)*
   ☐ **Other** *(Please describe and respond to Part b.)* _____

   b. **Describe the sampling methods.**

c. **Provide a full description of the strata that were created.**

d. **Provide a full description of how clusters were formed.**

5. **Were borders of the selected areas clearly identified at the time of canvassing?**

☐ **Yes** ☐ **No**

6. **Were all sampled areas visited by canvassing teams?**

☐ **Yes** *(Go to Question 7.)* ☐ **No** *(Respond to Parts a and b.)*

a. **Was the subset of areas randomly chosen?**

☐ **Yes** ☐ **No**

b. **Describe how the subsample of visited areas was drawn. Include the number of areas sampled and the number of areas canvassed.**

7. **Were field observers provided with a detailed map of the canvassing areas?**

☐ **Yes** ☐ **No**

*If **No,** describe the canvassing instructions given to the field observers.*

8. **Were field observers instructed to find all outlets in the assigned area?**

☐ **Yes** ☐ **No**

*If **No,** respond to Question 9.*
*If **Yes,** describe any instructions given to the field observers to ensure the entire area was canvassed, then go to Question 10.*

9. **If a full canvassing was not conducted:**

a. **How many predetermined outlets were to be observed in each area?** _____

b. **What were the starting points for each area?** _____

c. **Were these starting points randomly chosen?**

☐ **Yes** ☐ **No**

d. **Describe the selection of the starting points.**

e. **Please describe the canvassing instructions given to the field observers, including predetermined routes.**

10. Describe the process field observers used to determine if an outlet sold tobacco.

11. Please provide the state's definition of "matches" or "mismatches" to the Synar sampling frame? (i.e., address, business name, business license number, etc).

12. Provide the calculation of the weighted percent coverage (if applicable).