MAPPING LOCAL MARIJUANA ORDINANCE VARIATION IN WASHINGTON STATE

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Acknowledgments

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Disclosures

- I have nothing to disclose.
Public health implications of regulating marijuana
Presentation today

• Washington’s new marijuana statewide natural legal experiment, public health research value in understanding local government response

• New legal epidemiology methods/policy surveillance – what is it, how do you do it, and what value does it have

• Public Health – Seattle & King County’s policy surveillance system for local city/county marijuana ordinances – what does it tell us, future predictive value
Daily Coverage

The Seattle Times

In Seattle, the medical-marijuana industry is proliferating, but lacks oversight

The Seattle Times

Pot law: Hazy days ahead for state moves into uncharted territory; in 2014 with the recreational pot businesses. Experts say stay in for a

Marijuana business partners sue Bellevue over pot-shop restrictions

The Seattle Times

Marijuana business partners are suing the city of Bellevue, which is banning the opening of their Main Street location because it's too close to another pot shop. The partners and others trying to open pot shops on the Eastside are struggling to find locations to open.

2013’s highlights of marijuana

It was a historic year in marijuana in Washington state, where officials legalized recreational pot that's unofficial in a 2013 initiative.

The Seattle Times

By Alton Holcomb
SPECIAL TO THE TIMES

Marijuana businesses have been hit by waves of lawsuits filed by other businesses in the same industry. Some of the lawsuits are related to the city's ban on new marijuana retail businesses on Main Street in Bellevue. The lawsuit claims that the ban is illegal under state law.

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Google Map of Medical Marijuana Dispensaries (Weedmaps.com)
1.1 Current Use – Students

Taken from the Healthy Youth Survey, which is administered every two years to sixth-, eighth-, 10th-, and 12th-graders, the question, “Have you used marijuana in the past 30 days?” gauges current marijuana use among students. As seen below, for 12th graders, use is increasing by 4 percent per year, from 22 percent in 2006 to 27 percent in 2012. For all other grades there are no significant trends.

1.2 Current Use – Adults

In the Behavioral Risk Factors Surveillance Survey, respondents ages 18 and older are asked, “Have you smoked marijuana in the past 30 days?” With 15 percent responding “Yes” in 2013, those ages 18 to 24 are the most likely current users. There is a significant trend in increased use among those ages 45 to 64, from 4 percent in 2011 to 8 percent in 2013, equaling a 33 percent per year increase. No other trends were identified.

1.6 Poisonings

Marijuana-related calls to the Washington Poison Center were relatively constant from 2011 to 2013, but those calls increased from 158 in 2013 to 246 in 2014. The percentages of calls by age group were, however, similar in 2013 and 2014, especially when taking into consideration the relatively small numbers involved in 2013, with those ages 30 or older constituting the largest percentage and those ages 12 or younger the smallest.

Source: Washington Poison and Drug Information Center

[Graph and pie charts showing age distribution and time trend]
The view from 14,000 feet

We know that the right policies can produce gains in population health

BUT

Little capacity to engage in any sustained, rigorous surveillance of policy at the local level (cities, counties, institutions)

P. Atwater, MPHc, 2014
Why Policy Surveillance?

**Longitudinal monitoring** needed to understand influence of local policy environment & develop evidence-based policies

Surveillance provides **multi-variable detail** – richer analysis than dichotomous (existence/non-existence)

**Comparative analysis** during policy development and evaluation periods

“**Open Data**” supports enforcement/implementation

“Threading the needle with the right policies”
Cycle of Policy Change: Value of Policy Surveillance

- Problem Identification
- Policy Formulation
- Policy Research & Analysis
- Policy Drafting
- Advocacy
- Policy Implementation
- Policy Evaluation
- Policy Tracking & Evaluation

Hitchcock, 2012
Working Definitions of Policy Surveillance

- **Policy surveillance** = Systematic collection, compilation, measurement and synthesis of policies.
- Form of public health **surveillance**
  - Ongoing, systematic collection, analysis, and interpretation of data in order to improve health and safety (CDC 1988).
- **Legal epidemiology** = scientific study of law as factor in cause, distribution and prevention of disease in a population (CDC 2015)
From the literature (Chriqui, 2010)

- Policy surveillance system:
  - Examines changes in policies over time
  - Can be quantitative or qualitative
  - Data tied to specific reference date
  - Evaluation-oriented

- Requires
  - Systematic, reliable and valid methods
  - Understanding of nuances associated with this type of research and how to accurately interpret the laws

- Policy measurement... as much an art as science
Policy Monitoring vs Policy Surveillance

Ad Hoc Comparative Policy Analysis

- Occasional
- Non-systematic
- List/Descriptive

Example:
- One-time report on Trans Fat and Menu Labeling Legislation

On-Going Surveillance

- Regular Updates
- Methodological
- Comparative
- Can be quantitative
- Compare to population health surveillance
State School Immunization Requirements and Vaccine Exemption Laws

State laws establish vaccination requirements for school children. These vaccination laws often apply not only to children attending public schools but also to those attending private schools and day care facilities. The Centers for Disease Control and Prevention’s (CDC’s) Public Health Law Program (PHLP) is compiling a list of state statutes and regulations regarding school vaccinations. This document summarizes state vaccination laws compiled in February and March 2015.

To provide updates to relevant immunization laws from your state, please email Ala Hoss at ahoss@cdc.gov.

State Laws Regarding Application of School Vaccination Laws in Different Settings

All states require children to be vaccinated against certain communicable diseases as a condition for school attendance. In most instances, state school vaccination laws expressly apply to both public school as well as private schools with identical immunization and exemption provisions. All states establish vaccination requirements for children as a condition for day care attendance. These requirements also mirror the requirements for public school children and are often located in the same school vaccination provisions. Appendix 1 lists PHLP’s results to date regarding the application of state school vaccination laws to public schools, private schools, and day care facilities.


## National Policy Surveillance & Comparative Analysis Systems (examples)

<table>
<thead>
<tr>
<th>Ad Hoc Comparative Policy Analysis</th>
<th>On-Going Surveillance</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Council of State Legislatures (many types of legislation tracked)</td>
<td>Alcohol Policy Information System</td>
</tr>
<tr>
<td>ChangeLab Solutions</td>
<td>Public Health Law Research LawAtlas*</td>
</tr>
<tr>
<td>Americans for Non-Smokers’ Rights</td>
<td>Others?</td>
</tr>
<tr>
<td>Municipal Research Services Center</td>
<td>*King County system interfaces with LawAtlas</td>
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</tbody>
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Predicted Long-Term Benefits of Policy Surveillance

- **Benchmarking**

- Variation, monitoring of implementation

- Context for population health status, by jurisdiction/institution

- Context for policy, systems, environment work, including ‘assets’
Figure 1: Comparison of Seattle, Tukwila, and King County, WA code to IPMC and NHHS

- Seattle
- Tukwila
- King County
- NHHS Stretch* (best)
- NHHS Mandatory (better)
- IPMC (good)

Notes:
Percentages exclude those not applicable. See Tables 1 to 6 for details.
* "NHHS Stretch" includes mandatory and stretch provisions of NHHS.
National surveillance example: Since 2008, youth sport concussion laws have swept through state legislatures...
From 2 youth concussion laws in 2009, to most states in 2011....
Since 2009...to all states by 2014...

Did you know?
In the past six years, every state and the District of Columbia has passed a law intended to protect youth athletes from repeat TBIs. The majority of these laws are structured following a three-tenet approach based upon the first youth sports concussion law passed in Washington.
“Pot-Friendly or Pot-Restrictive? Mapping Local Marijuana Laws in WA State

Comparison Policy Study

• Study of **zoning / land use** action by cities & counties in Washington state

• Also **other action** that might address youth use / protection

• **2 time points / multiple variables** – 2013-2014

A Robert Wood Johnson-funded project
Washington State Marijuana Activities 2012-2016

2012
Nov. 6 Initiative 502 Passes

2013
Aug. 29 US AG Guidance

2014
Jan. 6 WA AG Opinion (No state preemption)
First licenses issued
July 8 First stores open

2015
SB 5052 passes, regulating medical

2016
July 1 New Medical system in place
Methods

- Develop **Data Collection Protocol**
- **Search** for Ordinances (Online Codification Database)
- Develop **Codebook** (Iterative)/ Coding Protocol
  - Zoning Conversion Chart
- **Test Code**, Revise Codebook
- **Code** Ordinances w/Quality Assurance
- Enter Coding to PolicyTracker LawAtlas
Data Collection Protocol

• 130 of 180 cities plus 39 counties
  • Search terms: “Marijuana”; “Cannabis”
• Search Municipal Research Services Center [http://www.mrsc.org/codescombined.aspx](http://www.mrsc.org/codescombined.aspx)
• Search individual city websites
• General Google search
• Quality Assurance – direct validation w/some cities
• Exclusion Criteria: Cities >3000
Statewide municipal code database
... and a few the old-fashioned way
Codebook development

- What baseline? (No legal recreational pot – WA one of first 2)
  - Looked to alcohol literature
  - King County’s work on identifying key public health issues
  - US Attorney General guidance
- Focus:
  - Youth access & exposure
  - Variation in medical store regulation
  - Equity, neighborhoods
  - Unique tools for local regulation (new? Taken from other industries, e.g., alcohol?)