

Helen Rush-Lloyd
Records Access Officer
Massachusetts Department of Public Health
250 Washington Street
Boston, MA 02108

Re: Public Records Request – Tobacco Control Grant Awards, Contracts, and Funding Records

Dear Ms. Rush-Lloyd:

Pursuant to the Massachusetts Public Records Law (M.G.L. c. 66, § 10), I am submitting this request for records related to grants, awards, contracts, and funding disbursements administered by or through the Massachusetts Department of Public Health (“DPH”) for tobacco control, tobacco cessation and prevention, and Nicotine-Free Generation (“NFG”) policy initiatives. This request specifically encompasses records held by or relating to the Massachusetts Tobacco Cessation and Prevention Program (“MTCP”), which operates within the Bureau of Community Health and Prevention.

This request is made on behalf of the New England Convenience Store & Energy Marketers Association (“NECSEMA”) as part of ongoing research into the funding of Tobacco policies, including Nicotine-Free Generation policy adoption across Massachusetts municipalities. FOIA responses from numerous municipalities have revealed a network of DPH-funded entities—including Tobacco-Free Community Partnerships (“TFCPs”), the Massachusetts Health Officers Association (“MHOA”), and the Massachusetts Association of Health Boards (“MAHB”)—that have provided technical assistance, model ordinances, and advocacy support to local boards of health considering NFG regulations. Understanding the funding relationships underlying this coordination is essential to the public interest.

1. Date Range

I request records covering the period from **January 1, 2023 to the present**.

2. Grant Awards and Funding Allocations

I request all records reflecting grant awards, funding allocations, sub-grants, and disbursements from DPH to any entity for the purposes of tobacco control, tobacco cessation and prevention, or Tobacco Policy, including NFG policy development and implementation. This includes, but is not limited to, funding provided to:

- Tobacco-Free Community Partnerships (TFCPs), including all regional partnerships
- Massachusetts boards of health
- Massachusetts Health Officers Association (MHOA)
- Massachusetts Association of Health Boards (MAHB)
- Tobacco Free Massachusetts
- Public Health Advocacy Institute (PHAI)
- Make Smoking History
- All community-based organizations receiving MTCP funding

- Any individual contractors or consultants providing tobacco control services

3. Contracts, Agreements, and MOUs

I request all contracts, agreements, memoranda of understanding (MOUs), scopes of work, and amendments between DPH (including MTCP) and any of the following entities or individuals:

- All Tobacco-Free Community Partnerships (TFCPs) operating in Massachusetts
- Massachusetts Health Officers Association (MHOA)
- Massachusetts Association of Health Boards (MAHB)
- Public Health Advocacy Institute (PHAI)
- Tobacco Free Massachusetts
- Mark Gottlieb
- Maureen Buzby
- Mary Cole
- Ken Elstein
- Ginny Chadwick
- Any other contractors or consultants engaged in tobacco control or Tobacco Policy, including NFG-related work

4. Payment Records

I request all payment records, invoices, vouchers, and financial transaction records reflecting payments from DPH (including MTCP) to the entities and individuals listed in Sections 2 and 3 above. I also request any records reflecting the funding source (state appropriation, federal CDC grant, Master Settlement Agreement funds, or other) for each payment.

5. Grant Applications and Award Notifications

I request all grant applications submitted to DPH for tobacco control funding; all award notification letters, grant agreements, and funding determination letters issued by DPH; and all progress reports, performance evaluations, and compliance reports submitted by grantees to DPH in connection with tobacco control grants.

6. MTCP Program Budgets and Expenditure Reports

I request all MTCP program budgets, line-item expenditure reports, and financial summaries for fiscal years 2023, 2024, 2025, and 2026 (to date), including any documents reflecting the allocation of funds among TFCPs, municipal boards of health, contracted agencies, and other program components.

7. Deliverables and Work Products

I request all deliverables, work products, and reports submitted to DPH by funded entities and contractors in connection with tobacco control grants or contracts, specifically including any deliverables related to Tobacco Policy, including Nicotine-Free Generation policy development, model ordinance drafting, municipal outreach, technical assistance to local boards of health, or public engagement campaigns supporting Tobacco regulations, including NFG regulations.

Request for Fee Estimate

Pursuant to 950 CMR 32.06(2), I request that you provide a fee estimate prior to assembling the records. If the fee is expected to exceed \$50.00, please provide a detailed, itemized estimate of the costs, including the hourly rate and estimated number of hours for search, retrieval, and redaction, as well as any per-page copying fees. Should the fee estimate substantially exceed what is reasonable, I reserve the right to petition the Supervisor of Records pursuant to 950 CMR 32.08(1).

I prefer to receive responsive records in electronic format (PDF) via email where possible, to minimize copying costs.

Please provide your response within 10 business days as required by M.G.L. c. 66, § 10(a).

Thank you for your cooperation.

Sincerely,

Ryan DiCenzo
On behalf of New England Convenience Store & Energy Marketers Association (NECSEMA)
100 Franklin Street
Boston, MA 02110
ryan@tenaxstrategies.com

CC: Doris Cullen, Community Engagement Manager, Massachusetts Tobacco Cessation and Prevention Program (doris.cullen@mass.gov)