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April 10, 2025

The Honorable Marvin L. Abney, Chair
House Committee on Finance
State House
82 Smith St.
Providence, RI 02903

RE: H 5464 – An Act Relating to Health and Safety – Public Health and Workplace Safety Act

Dear Chair Abney:

Please accept this letter in support of H 5464, legislation that would repeal the exemption granted to parimutuel facilities and casinos from the smoke-free workplace requirement contained in [R.I.G.L. § 23-20.10](#) Public Health and Workplace Safety Act. The Rhode Island Department of Health supports the health benefits of smoke-free environments.

According to the U.S. Surgeon General, there is no risk-free level of secondhand smoke. The only effective way to eliminate secondhand smoke exposure in the workplace is to enact 100% smoke-free policies. Eliminating smoking in indoor spaces fully protects those who do not smoke from exposure to secondhand smoke. Separating areas of smoking and nonsmoking, cleaning the air, and ventilating buildings cannot eliminate exposures of those who do not smoke. Secondhand smoke exposure contributes to approximately 40,000 deaths among non-smoking adults..¹

As of January 2025, 20 states require all state operated gambling venues to be smoke free indoors, including 1,078 casinos and gaming properties.² Locally, Massachusetts is a strong example. According to the June 2022 [Evaluation of Post-Pandemic Non-Smoking Trends in U.S. Casinos](#) research brief, non-smoking casinos are outperforming smoking casinos in several markets; casinos experience immediate cost savings by going non-smoking; and allowing indoor smoking undermines casinos' stated commitment to responsible gambling.³ Both Mohegan Sun and Foxwoods are smoke free on casino floors and Park MGM Las Vegas casino resort is smoke free.⁴

A February 2023 report from the Centers for Disease Control and Prevention (CDC) on casino air quality demonstrated fine particulate matter levels (PM2.5, an indicator for secondhand smoke) in casinos that permit smoking was 5.4 times higher than in a smoke-free casino. PM2.5 levels in the non-smoking sections of casinos that permit smoking, such as restaurants, are 72% higher than comparable areas in a smoke-free casino. The researchers concluded that prohibiting smoking throughout the entirety of a casino is the only way to prevent the harms of secondhand smoke.⁵ Smoke-free policies improve air quality, improve health, reduce smoking, and receive

¹ Centers for Disease Control and Prevention. [Cigarette Smoking](#). September 2024.

² American Nonsmokers Rights Foundation. [Smokefree Casino and Gaming Property Directory](#). January 2025.

³ C3 Gaming. [Evaluation of Post-Pandemic Non-Smoking Trends in U.S. Casinos](#). June 2022.

⁴ Los Angeles Times. [Park MGM is first resort in Las Vegas to ban smoking](#). September 2020.

⁵ Tynan M, Cohen M, Harris J. [What happens in Vegas, stays in your lungs: an assessment of fine particulate matter in casinos that prohibit and allow smoking in Las Vegas, Nevada, USA](#). Tobacco Control. February 23, 2023.

public support.**Error! Bookmark not defined.**⁶ For example, in Massachusetts, comprehensive smoke-free workplace laws were found to be associated with fewer acute myocardial infarction deaths per year.⁷

The American Society of Heating, Refrigerating and Air-Conditioning Engineers states that the only means of avoiding health effects and eliminating indoor environmental tobacco smoke exposure is to not permit any smoking inside and near buildings. They note the conclusions of health authorities that any level of exposure leads to adverse health effects and therefore, a building and its systems can reduce only odor and discomfort but cannot eliminate exposure when smoking is allowed inside or near a building.⁸ The National Institute for Occupational Health and Safety also recommends establishing all workplace indoor areas as smoke free without exception to protect from secondhand smoke and electronic cigarette emissions.⁹

Thank you for the opportunity to comment on this important legislation.

Sincerely,



Jerome M. Larkin, MD
Director

CC: The Honorable Members of the House Committee on Finance
The Honorable Teresa A. Tanzi
Nicole McCarty, Esquire, Chief Legal Counsel
Lynne Urbani, Director of House Policy

⁶ Centers for Disease Control and Prevention. [STATE System Gaming Facilities Fact Sheet](#). September 2024.

⁷ Dove M, Dockery D, Mittleman M, Schwartz J, Sullivan E, Keithly L, Land T. [The impact of Massachusetts' smoke-free workplace laws on acute myocardial infarction deaths](#). Am J Public Health. 2010 Nov;100(11):2206-12.

⁸ American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE). [ASHRAE Position Document on Environmental Tobacco Smoke](#). Atlanta, GA: ASHRAE; 2023.

⁹ National Institute for Occupational Safety and Health. [New NIOSH Report Recommends All Workplaces be Tobacco Free](#). April 2015.