



SYNAR INITIATIVE SYNOPSIS

STRATEGIES TO OVERCOME OBSTACLES AND AVOID RECIDIVISM (SOOAR)

**122 South Street
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**FUNDING FOR THIS PROJECT IS PROVIDED BY A GRANT
FROM DETROIT WAYNE INTEGRATED HEALTH NETWORK**

YOUTH TOBACCO ACT Act 31 of 1915

AN ACT to prohibit the selling, giving, or furnishing of tobacco products, vapor products, and alternative nicotine products to minors; to prohibit the purchase, possession, or use of tobacco products, vapor products, and alternative nicotine products by minors; to regulate the retail sale of tobacco products, vapor products, alternative nicotine products, and liquid nicotine containers; to prescribe penalties; and to prescribe the powers and duties of certain state agencies and departments.

This guide is Adopted from the Michigan Department of Health and Human Services Office of Recovery Oriented Systems of Care (OROSC) – Prevention and Treatment Section and is intended to be a synopsis of the OROSC procedure for conducting activities associated with the Youth Access to Tobacco Act.

Please visit the following site for the complete list of policies, procedures and forms:

https://www.michigan.gov/mdhhs/0,5885,7-339-71550_2941_4871_29888_48562-150144--,00.html

<http://www.healthymichigan.com/PDF/T126.pdf>

”

FEDERAL TOBACCO 21: THE LAW OF THE LAND

State law prohibits the sale of cigarettes to minors. State laws impose civil or criminal penalties upon retailers and other businesses that sell cigarettes to minors. State law defines the age below which is an individual is a “minor.”

Retailers that break the law are subject to fines, jail time, and/or revocation of their license to sell cigarettes. For purposes of state law, a retailer is generally liable for its employees’ illegal sale of cigarettes to minors. Employees may include managers, supervisors, cashiers, as well as clerks.

Under **federal law** (the 1992 Synar Amendment to the Alcohol, Drug Abuse, and Mental Health Administration Reorganization Act), a state that permits the sale of cigarettes to individuals under 18 may be denied Substance Abuse Prevention and Treatment Block Grant (SABG) awards.

*Adopted from the Michigan Department of Health and Human Services
Office of Recovery Oriented Systems of Care – Prevention and Treatment Section*

Tobacco retailers play a direct role in protecting kids from nicotine addiction and the deadly effects of tobacco use. Learn what tobacco retailers need to do to comply with the rules designed to prevent our nation's youth from becoming the next generation of Americans to die prematurely from tobacco-related disease.

FEDERAL TOBACCO 21: THE LAW OF THE LAND

On December 20, 2019, the President signed legislation to amend the Federal Food, Drug, and Cosmetic Act, and raise the federal minimum age of sale of tobacco products from 18 to 21 years.

It is now illegal for a retailer to sell any tobacco product – including cigarettes, cigars, hookah and e-cigarettes – to anyone under 21.

The Federal Food and Drug Administration (FDA) will oversee federal enforcement of the minimum legal sales age of 21. Retailers can visit FDA website for guidance at www.fda.gov/tobacco-products

And click on Compliance, Enforcement & Training for general information

Then click on Retailer Education Materials for the “This is Our Watch” program

A full toolkit of *This is Our Watch* resources is available to retailers—including posters, stickers, age verification tools, and more—to help retailers better comply with federal tobacco regulations.

MICHIGAN YOUTH TOBACCO ACT (YTA)

YTA signs will reflect the current age of tobacco sales in Michigan, which is age 18. However, birthdate signs have been updated to comply with the federal tobacco 21 age.

**YTA and Birthdate Signs are located at MDHHS Health Promotions Clearinghouse
www.healthymichigan.com**

	Sell Tobacco to Someone Under 18	Sell Tobacco to Someone 18-20 Years Old
Federal Law	Violation of Federal Law (owner will receive fine)	Violation of Federal Law (owner will receive fine)
State Law	Violation of State Law (clerk will receive fine)	Currently, State Law does not address this age group

Synar

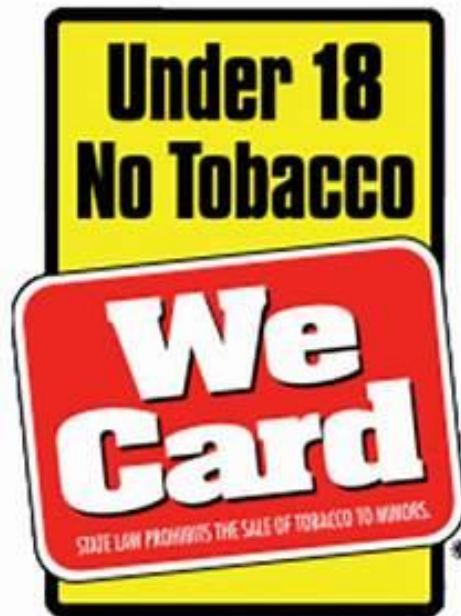
Deterring sales to youth is critical to reducing addictions, respiratory illnesses, some cancers, and ultimately deaths caused by smoking. If youth access to tobacco products is restricted, fewer will become addicted or harmed by the effects of smoking.

The Synar program has also contributed to a decline in the percentage of youth smokers who report retail sources as their usual source of tobacco products. Specifically, according to the Youth Risk Behavior Survey (YRBS), in 1995, 38.7% of students under the age of 18 who were current smokers reported that they usually got their own cigarettes by buying them in a store or gas station. In 2011, this percentage had dropped to 14%.

Recent research also shows that the enforcement of youth access laws through the Synar program is directly responsible for a portion of the decline in youth smoking.

States have made considerable progress in attaining the goals of the Synar legislation. In addition to the consistent decline in the national weighted average RVR, states have implemented a variety of interrelated policies and programs designed to limit youth access to tobacco products through retail sources. In addition to laws banning sales to people under the age of 18, states also have enacted legislation limiting youth access to tobacco products. This includes legislation that:

- Restricts tobacco vending machines
- Requires “age of sale” signs
- Creates a graduated system of civil or criminal penalties for outlet owners and/or clerks
- Requires statewide merchant education
- Specifies state enforcement authority
- Requires random, unannounced inspections
- Requires licensure of tobacco retailers
- Allows people under the age of 18 to conduct compliance checks
- Provides immunity to youth who conduct compliance checks



ACTION STEPS FOR COMPLETING THE SYNAR PROCESS

The dates associated with each task are defined by the State of Michigan, DWIHN, and the DYTUR.

Task
State annual Synar information meeting
Mailer (Signage) to all Master Retailer Listing (MRL) establishments
Master Retailer Listing (MRL) development (OROSC)
Master Retailer Listing (MRL) sent to PIHP
PIHP distributes list to DYTUR' for cleaning
Return cleaned MRL list to PIHP
Random sampling by PIHP for accuracy
Return "cleaned" MRL to the State
Merchant/Vendor Education begins <i>Note: (25%-50%) of retailers must be visited. If your area has less than 100 merchants, please educate everyone in your area. The percentage can change according to the PIHP or DYTUR' discretion.</i>
Identify and train youth inspectors
Quiet Period (vendor education or any other Synar related activities can occur)
Synar inspection period (conducted in conjunction with law enforcement)
Submission of all Synar documentation to DYTUR (hand delivered-do not mail)
All agencies involved in Synar must complete the Youth Access to tobacco Activity Report
Post Synar review (PIHP)
Post Synar analysis/reporting (PIHP)
Synar result disseminated
Merchants notifications (compliance or violations) disseminated

REGION 7 COVERAGE

Please review the following chart for the list of Synar initiative providers and the areas they are responsible for. Responsibilities/task include cleaning the MRL list, Vendor education, Official Synar and non-Synar inspections, and any other activities assigned by the Designated Youth Tobacco Use Representative (DYTUR) or Detroit Wayne Integrated health Network (DWHIN).

AGENCY/RESPONSIBILITY	AREA	DYTUR
Youth Connection-Jeff Griffith	Detroit Eastside, Highland Park	Jeff Griffith
LAHC- Wassim Mahfouz and Miriam Ismail	Dearborn, Dearborn Heights, Garden City, Inkster, Redford	Wassim Mahfouz
SOOAR-Valerie Bonner, Trische Duckworth	Belleville, Canton, New Boston, Plymouth, Wayne, Westland, Romulus,	Valerie Bonner
Black Caucus- Minou J.	Detroit Westside	Jeff Griffith
Taylor Teen- Jeff C, Jamie Balavitch, Simone Calvas	Ecorse, Lincoln Park, Melvindale, Taylor, Wyandotte	Valerie Bonner
ACCESS- Corey Beckwith	Dearborn, Garden City, Inkster	Wassim Mahfouz
The Guidance Center-Lisa Horvath	Allen park, Brownstown, Flat Rock, Gross Ile, Riverview, River Rouge, Rockwood, Trenton, Woodhaven, Southgate	Valerie Bonner
The Piast Institute-Virginia Skyniarz, Geneva Rivera	Hamtramck, Harper Wood, All Grosse Pointe (park, words etc.)	Valerie Bonner
Livonia Save Our Youth- Karen Bonano	Livonia and Northville	Valerie Bonner

Designated Youth Tobacco Use Representatives:

Wassim Mahfouz
888-315-5242
wmahfouz@lahc.org

Jeff Griffith
313-826-7099
jgriffith@theyouthconnection.org

Valerie Bonner
734-697-9511
strategictransitions@hotmail.com

MASTER RETAILER LIST (MRL) UPDATE

The State of Michigan develops a Master Retailer List (MRL) of all merchants that sell tobacco products. This list must be verified (cleaned) to ensure that all the information is accurate. "Cleaning" the list includes calling each merchant to verify that accuracy of the name, address, phone number, etc. The following guideline must be used to revise (clean) the list.

Directions for Establishment Updates

Updating your retailers list will help you determine which establishments will be visited for retail education or other non Synar activity. It can also improve the quality of your list by keeping you from having unnecessary ineligible sites.

- 1) In column "B" or the color shaded column, type in the first letter only of revision key to indicate status.
- 2) Provide an explanation for any Deletions (D) or Revisions (R) in the "NOTES" column showing former information (see "Example" tab). Delete the old detail and using bold type, key in any new information in columns D through M.
- 3) When adding a new establishment insert a new row then type an "A" in the revision's column.
- 4) For any establishments with no change, verify that they have been checked by typing in the letter "S" in column "B".
- 5) Verify your work (e.g. check duplicates) to minimize return questions or the necessity to "do over" any establishment listings.

KEY EXPLANATION

A = ADD Add a new establishment.

D = DELETE Delete or remove listing - No longer exists or closed business.
Revisions or corrections OTHER than closure.

Revisions include changes such as

R = REVISE Revised name, address, telephone, type of sale (OTC/VM), vendor type,

S = SAME Listing remains the same, no change.

EXAMPLE ONLY

MRL REVISION													
MRL #	REVISIONS A / D / R / S	PIHP	CO	CO CODE	OTC/V M	Vendor TYPE	RETAILER NAME	STREET ADDRESS	CITY	STATE	ZIP	PHONE	NOTES
L-1234	D	MID-STATE HN	SAGINAW	73	OTC	2	MA & PA STORE	123 Sunny Lane	SAGINAW	MI	48706	555- 1234567	OUT OF BUSINESS
L-7648	D	MID-STATE HN	SAGINAW	73	OTC	1	FOOD AND DRUG	5050 NORTH AVE	SAGINAW	MI	48603	555- 7845989	NO LONGER SELLS TOBACCO
L-3417	R	MID-STATE HN	SAGINAW	73	OTC	1	SHOPPERS PARADISE	2020 VAN BUREN RD	SAGINAW	MI	48603	555- 1755 4222	NAME CHANGE from CYNTHIA'S BOUTIQUE
L-3419	R	MID-STATE HN	SAGINAW	73	OTC	3	GAS STATION	1615 ADAMS AVE	SAGINAW	MI	48603	555- 4871988	ADD PHONE
L-3420	R	MID-STATE HN	SAGINAW	73	OTC	2	THE VILLAGE INC	26310 BAY RD	SAGINAW	MI	48603	555- 7577720	PHONE and ADDRESS CHANGED FROM 555-777- 1234; 11551 BAY RD
L-3422	S	MID-STATE HN	SAGINAW	73	OTC	3	GAS 'N STOP	24826 CENTER	SAGINAW	MI	48603	555- 7562200	SAME
L-3423	S	MID-STATE HN	SAGINAW	73	OTC	6	QUALITY PHARMACY	3121 MC CARTY	SAGINAW	MI	48602	555- 757 6179	SAME
	A	MID-STATE HN	SAGINAW	73	OTC	3	BILL'S SHELL	2611 OSLO RD	SAGINAW	MI	48602	555- 9495752	NEW
	A	MID-STATE HN	SAGINAW	73	OTC	3	SALLY'S PETRO	27256 SHUST	SAGINAW	MI	48602	555- 5982029	NEW

Any item that had been revised; the revision must be in bold. Examples are highlighted in yellow.

STATE OF MICHIGAN County
Codes

Code	County	Code	County
1	Alcona	44	Lapeer
2	Alger	45	Leelanau
3	Allegan	46	Lenawee
4	Alpena	47	Livingston
5	Antrim	48	Luce
6	Arenac	49	Mackinaw
7	Baraga	50	Macomb
8	Barry	51	Manistee
9	Bay	52	Marquette
10	Benzie	53	Mason
11	Berrien	54	Mecosta
12	Branch	55	Menominee
13	Calhoun	56	Midland
14	Cass	57	Missaukee
15	Charlevoix	58	Monroe
16	Cheboygan	59	Montcalm
17	Chippewa	60	Montmorency
18	Clare	61	Muskegon
19	Clinton	62	Newaygo
20	Crawford	63	Oakland
21	Delta	64	Oceana
22	Dickinson	65	Ogemaw
23	Eaton	66	Ontonagon
24	Emmet	67	Osceola
25	Genesee	68	Oscoda
26	Gladwin	69	Otsego
27	Gogebic	70	Ottawa
28	Grand Traverse	71	Presque Isle
29	Gratiot	72	Roscommon
30	Hillsdale	73	Saginaw
31	Houghton	74	St. Clair
32	Huron	75	St. Joseph
33	Ingham	76	Sanilac
34	Ionia	77	Schoolcraft
35	Iosco	78	Shiawassee
36	Iron	79	Tuscola
37	Isabella	80	Van Buren
38	Jackson	81	Washtenaw
39	Kalamazoo	82	Wayne (excluding city of Detroit)
40	Kalkaska	83	Wexford
41	Kent	84	City of Detroit
42	Keweenaw	97	Unknown

Synar Master Retailers List (MRL) Glossary of Terms

Master Retailers List	A statewide composite of all retailers known to sell tobacco. It is sorted by Prepaid Inpatient Health Plan (PIHP).
MRL #	The state assigned retailer number - used for tracking.
CO	The county in which the retailer or business is located.
CO Code	The state assigned number identifying the respective counties.
OTC/VM	Used to describe whether the type of sell is OTC = Over the Counter; or VM = Vending Machine.
Vendor Type	A code number that indicates the type of business or retail establishment is represented. There are six codes: 1 = Grocery; 2 = Convenience; 3 = Gas Station; 4 = Restaurant; 5 = Bar; 6 = Other (please indicate). [Note: This was formerly called a PEV code.]
Retailer Name	Name of business or retail establishment as shown on building.
Street Address	Physical address of establishment being checked.
City	City coinciding with establishment address.
State	Will always be Michigan.
Zip	Zip code coinciding with establishment address.
Phone	Telephone number of establishments

GLOSSARY OF SYNAR CODES & ESTABLISHMENT TYPES

(01) Grocery Store: A retail store that primarily sells groceries and household goods with a limited number of nonfood items. Some of the larger chain grocery stores may have an adjacent gas station with the same name. Some grocery store examples: Kroger, IGA, Whole Foods, Ma & Pa Markets (small retail outlet usually owned and

(02) Convenience Store: Located in either residential or commercial areas; they offer a limited range of products at premium prices with a speedy checkout. Some examples: Party stores, 7Eleven, Quality Dairy and Circle K.

(03) Gas Station: a retail station for servicing motor vehicles especially with gasoline and oil. Sometimes have an affiliate convenience store or fast food vendor on site. Examples are Shell, Mobil and Valero.

(04) Restaurant: A business that prepares and serves food and drink to customers in return for money. [Note: As a result of the clean air act, most restaurants no longer sell tobacco products, however, some have adjacent bars/lounges.] Some examples are: Applebee's, Friday's and local restaurants.

(05) Bar/lounge: establishment whose main feature is a bar for the sale of liquor often serves food in a public building combining lounging, smoking and drinking. Examples are sports bars and lounges.

(06) Other: Tend to be large inventory or "big box" retailers who offer a wide array of products and services. They compete mainly on price offers for an extensive assortment of merchandise at affordable and cut-rate prices. Normally, retailers sell less fashion-oriented brands. May be a supercenter, pharmacy, dollar store, chain department

VENDOR EDUCATION PROTOCOL

Adopted from the Michigan Department of Health and Human Services
Office of Recovery Oriented Systems of Care – Prevention and Treatment Section

1. Review the listing of vendors identified within your Prepaid Inpatient Health Plan (PIHP) Region. Utilize the most current tobacco Master Retail List (MRL) provided to the PIHPs.
2. Select 25 – 50%% of those vendors listed within the PIHP region to receive a personal visit by the Designated Youth Tobacco Use Representative (DYTUR) or their designee(s) during the designated vendor education initiative time period. This does not preclude additional Vendor Education at other times of the year. Every region should choose a minimum of 25%, however, if your region or designated catchment area has exceeded the maximum 20% retailer violation rate (RVR) as prescribed by the federal Synar Amendment, for three consecutive years, select 50% of the establishments from the MRL within that PIHP region. During the selection process, please take into consideration:
 - Sites selected for last year’s vendor education initiative
 - New businesses
 - Repeat violator sites identified as part of the Formal Synar Survey and the Non-Synar compliance check process
 - Locations with higher risk factors for selling (i.e. to minority groups, close proximity to middle and high schools)
 - Types of businesses known to sell tobacco to youth at a greater frequency than others, such as, gas stations, bars and lounges, and restaurants.
 - Additionally, you will want to create a limited list of alternates in the event that you encounter establishments that have gone out of business, no longer sell tobacco products, or where the manager is unavailable to speak with you.

Example: If there are 1,000 retailers/vendors within the PIHP region, 25% of those would equal 250. When determined necessary, Synar vendor education recommendations will be provided for you by OROSC.

3. When identifying persons to implement the retailer/vendor education activity, there is flexibility within the PIHP region regarding who is selected for this process. Examples of possible participants for the education visits include, but are not limited to: DYTUR, local tobacco coalition members, state or local law enforcement personnel, and area youth. Any combination or pairing of persons that you feel would be effective is left to your discretion. Three points of caution, however, 1) do not cluster too large a group of individuals to provide the education visits (we do not wish to overwhelm the retailer/ vendor) 2) do not send a youth in by themselves - they need to be accompanied by at least one adult, and 3) make sure that those individuals who did the retailer/vendor education visit (especially the youth) are not the same as those who will conduct the formal Synar compliance check at designated retailers.

Note: If you are intending to use youth as part of your retailer/vendor education process, be sure to obtain prior written parental consent for their participation in this effort. Additionally, please provide training for this initiative in advance of the effort to ensure that the youth and adults are prepared and comfortable with their role. It is not mandatory that youth be engaged in the education process.

4. When scheduling time to make your visits, try to be cognizant of peak business times for those establishments on your list and make every effort to avoid those times. This may not always be possible, but if you are able to do so this may increase the likelihood of having a successful visit. Although peak times will certainly vary depending on the community and the type of business, peak times might include:
first thing in the morning, lunch time, routine school adjournment, and when work shifts transition.
5. When approaching retailers/vendors as part of the education initiatives, please observe the following guidelines:
 - A. Upon entering the establishment, approach an available clerk and respectfully request to speak with the owner or manager. If asked, be honest about the purpose of your visit.
 - B. If the owner/manager is available, promptly get to the point of your visit, to be respectful of their time. Explain the purpose of your visit and ask if they have a few minutes to discuss some important and useful information about tobacco sales to youth. A sample script is provided for your convenience.

Note: If you are met with any anger or hostility on the part of the owner/ manager, do not persist. Thank them for their time and leave the establishment. Select another site to visit in place of that site. If the available quantity allows, you may wish to leave a packet. If not, make sure that visited establishments where you were not able to complete the education effort get a packet mailed to them. Your personal safety is always the primary consideration.
 - C. Be succinct in your discussion and presentation of the packet materials. Be prepared to walk them through the information in an organized manner, with the information of greatest importance and usefulness presented most prominently and covered early in the discussion. Some highlights to incorporate in your discussion include: the importance of complying with the Youth Tobacco Act (YTA), the posting of signs relevant to tobacco sales to minors, the necessity of checking identification, and the importance of making all clerks aware of the YTA and relevant details. (See “Education Visit Notes” at the end of this document for details on information to be included as part of Vendor Education visits.)
 - D. Upon concluding your discussion, leave the retailer packet with the owner/manager and let them know how to contact you for further information and/or assistance, and be sure to thank them for their time.
 - E. If for any reason the owner or manager is not available, inquire as to whether the clerk is available for a brief discussion. If so, follow the protocol as if speaking with the owner/manager. If the clerk is not available be sure to thank them for their time and proceed to an alternate site.
6. Continue with this process until you have completed your region’s designated number of retailer/vendor education site visits. You may exceed your designated number of sites and conduct additional Vendor Education visits if you desire.

Education Visit Notes: Entering an establishment and merely leaving a packet with a clerk or owner/manager is not considered a successfully completed retailer/vendor education visit. A successful visit is a dialogue inclusive of the “Do Your Part” brochure which includes:

- Excerpts from the YTA and the potential cost for selling tobacco to minor
- Tips for employee training
- Examples of store policy regarding tobacco sales that vendors can use,
- Examples of directives to employees,
- Examples of employee agreements,
- Instructions on YTA signage and the placement of signage
- Discussion on the SMART Tobacco Vendors Guidelines

If you are unable to have a successful visit, note the reasons and consult with your supervisor about whether a follow-up might be warranted.

Thank you for assisting with this effort.



PIHP/DYTUR SAMPLE VENDOR EDUCATION SCRIPT

Hello,

My name is

I represent (PIHP/Agency)

May I speak with (Owner/Manager/Most responsible person)?

“Thank you for taking time to meet with me, I promise to be brief. Your establishment should have already received a tobacco education mailer from the State of Michigan consisting of a brochure, an excerpt of the Youth Tobacco Act and birthdate signage in English.

THEN ASK: Are aware of this? OR STATE: “I can see that you have already posted this information. Thank you.”

As a follow up to the state’s mailing, annually, my agency meets with merchants like you to reinforce the brochure messages and/or provide updated birthdate signage [HAND THE APPROPRIATE SIGN TO MERCHANT (i.e. English, Spanish, Arabic)] for public posting and to express our gratitude for your help in keeping tobacco away from minors/ youth/ underage [Your choice]. Even though this is a legal requirement we value your cooperation because the stats constantly remind us that every day about 1,000 persons younger than 18 become cigarette smokers. The long-term addiction and related health problems for adults and youth, cost our society billions of dollars . . . BUT it’s preventable. That is why your role is key.

The brochure [HAND THE BROCHURE IF NEEDED] is designed to help you do your part by explaining:

- **Why the law has been implemented**
- **Information posting requirements**
- **Sample content for store policy and employee training**
- **Youth refusal tips**
- **Notice that there are state website addresses in this brochure that provide you with additional guidance. Finally, there is also a special message from Nick Lyon, Director of the Michigan Department of Community Health.**

Ask – “Do you have any questions?”

Listen – to any vendor concerns . . . Answer if you can or refer them to the state.

“Thank you for your time and your ongoing help. Let us know if we can assist you in anyway.”

CHAPERONE GUIDELINES FOR RETAIL OR VENDOR EDUCATION AND COMPLIANCE CHECKS

TOBACCO VENDOR EDUCATION BEST PRACTICES

Recommendation for Merchants When Developing Store Policy:

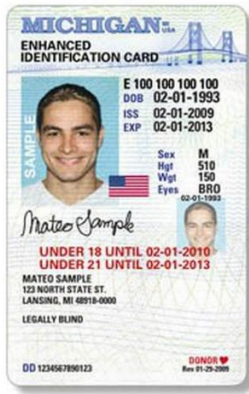
1. Require that IDs are requested and checked for all customers appearing to be younger than 40 years of age.
2. Accept only government-issued, valid, photo ID
3. Require that ID be handed to the clerk to check for alteration or signs of false identification.
4. Require trained staff to handle sales of age-restricted products. Merchant training can be found:
<https://www.improvingmipractices.org/> course title "SUD Tobacco Retailer Education" (account creation will be required)
5. Provide written protocol for staff to follow when refusing out of state, non-government issued or questionable identification.
6. Record in a store log, underage purchase attempts and actions taken by the clerk to refuse the sale.
7. Discuss the situations at staff meetings and during regular management meetings.
8. Determine if local law enforcement will be contacted when an underage teen tries to purchase age restricted products.

Training of Volunteers/Assistants/Etc.

1. When training volunteers/assistants, ensure they know what they are supposed to be doing.
 - a. Go through the protocol and materials ahead of time
 - b. Have them shadow an experienced volunteer on several visits – do a few visits together, then allow them to take the lead while the adult supervises the activity.
 - c. Provide the full retailer list to all individuals conducting vendor education. This way, if the trainers see a retailer that is not on their list, they can add the retailer to the overall list.
2. Youth usually have a sense of comfort providing education to the vendors they visited the previous year – if possible, plan to allow for this.
 - a. Vendor Ed using youth is a great way for youth to develop leadership skills.
 - b. Sending Youth in pairs makes the process less intimidating.
3. Always ask for the owner or manager for the most effective visit.
 - a. Give vendor education to clerks only when the others are unavailable.
 - b. Keep the visit short and focused.
 - c. Be prepared to give a brief overview of what is contained within the folders.
 - d. Recipients of vendor education are busy people – do not deter them from their primary job functions.
 - e. Focus your presentation around youth safety.
 - f. Most people can buy in to this concept
 - g. If met with hostile behavior from retailers, cut the visit short, stay friendly, and exit the establishment.
 - h. If possible, encourage law enforcement participation in vendor education.
 - i. This is especially important when visiting troubled or difficult vendors – vendors tend to respond with respect for law enforcement officers.
 - i. Target vendor education to those retailers who are chronic sellers, baseline violators, and/or Synar sellers.

Training of Merchants/Vendors

1. Train all employees on procedures for sale of age restricted products and the consequences of violations for the clerk, store, customer, and community.
2. Provide Date of birth (DOB) signs.
3. Provide education on how to “Read the Red” for a vertical Michigan ID. Printed in red on the vertical license are the dates when the card owner will be 18 and 21 years of age. Remember to “READ THE RED”, and no calculating will be needed.



4. Discuss the option of providing electronic age verification at the register.



5. Provide written consequences for sales of age-restricted products to a minor.
6. Review store policies and train all staff upon hire and every 6-months thereafter; use real situations to help clerks practice refusal skills.
7. Train to refuse sales and train to support those efforts.
8. Send staff to Clerk Trainings, if available.

Support Tools/ Materials

1. Have the large DOB sign available.
 - a. Pre-plan for education being provided to larger stores and provide additional small stickers.
 - b. Post signs upon entry that explain store policy.
2. Use age verification aids at checkout – calendars, DOB signs, register prompts, and electronic age verification machines.
3. Conduct “Secret Shopper” programs that recognize and reward employees for following written store procedures.
4. Offer incentives for individuals providing vendor education.
5. Create identification badges for vendor educators.
6. Laminate a badge that can be pinned to individuals’ shirts that say “Prevention Educator” with the coalition/agency logo.
7. In the vendor education packets, consider including the following:
 - a. Quit-Tobacco Help phone number/ 211
 - b. Copies of all Local and State laws related to the store.
 - c. Business cards for contact organization/person.

- d. Model clerk training protocol.
- e. Vertical license info/ enhanced driver's license information.
- f. Information about the coalitions/agency and this initiative.

Other

- 1. Keep tobacco displays behind the counter.
- 2. No smoking paraphernalia should be sold to anyone under the age of 18.
- 3. Do not sell candy cigarettes or tobacco look-alike products.
- 4. Do not sell single cigarettes or cigars.
- 5. Limit tobacco promotional materials to the product area display.
- 6. Report all suspected sales to a minor to local law enforcement.

CHAPERONE GUIDELINES FOR RETAIL COMPLIANCE CHECKS

PLEASE NOTE: Vending machine may be extinct. The state hasn't updated their policy. Therefore, I did not omit the verbiage as it relates to vending machines.

- 1. Recruit young adults 16 and 17. Send a letter requesting their participation and return of a signed permission slip.



- 2. Have the inspectors signed a permission slip/release authorizing participation as a youth inspector in the Synar Survey Project. Inspectors must submit this permission slip to the coordinator of this project to be eligible to participate
- 3. Contact your DYTUR to plan the dates and times for training and preparation, and dates and times your team will conduct compliance checks. All compliance checks must be completed by the prescribed deadline. If the deadline is on a weekend or holiday the PIHP may request submission of the survey report and documentation on the last working day prior to the deadline. *
 - a. Complete the training for youth inspectors provided in your area and discuss the procedures for conducting the compliance check with your adult chaperone to assure that you are both comfortable with the process.
- 4. Compliance checks: Even though the inspector has received youth inspector training, discuss the procedures for conducting the compliance check with your inspector. Give him/her a copy of the procedure if necessary. Make sure the youth inspector is thoroughly trained and prepared to conduct the compliance checks.
- 5. Remind the inspector to dress as he/she normally dresses (this includes make-up). The youth inspector should not attempt to appear older than he/she is.

6. An inspection team should at minimum consist of one adult chaperone and two inspectors (one male and one female). One male or one female should work alternately at separate establishments and receive an equal number of assignments per region.

This will allow OROSC and ultimately CSAP to determine if clerks exhibit a selling bias between males and females. Ideally, male chaperones should be paired with male inspectors and female chaperones should be paired with female inspectors. In addition, an adult chaperone must accompany each youth inspector and witness the attempted tobacco purchase.

- a. When conducting the compliance checks, your team does not want to give the impression of being together, *nor should you announce at any time the purpose of your visit.*
7. The Adult chaperone is responsible for driving the youth inspector between sites and for the safety of the inspector at all times. Seat belts must be worn. Carry emergency phone numbers with you. Arrange to pick up and drop off the inspector if necessary.
 8. Survey the scene and plan your strategy for each outlet that you approach. The chaperone must enter the outlet first; the chaperone can ensure that it is prudent for you the youth inspector to enter and the chaperone will determine the presence of a vending machine. If the chaperone determines that the outlet is a candidate for a compliance check, he/she will return to the car to inform the youth inspector. ***If the outlet has an admittance policy posted that includes an age restriction that prohibits you from entering the outlet, do not enter. Please record on the report form that you could not inspect the outlet because of an age restriction.***
 9. At the discretion of the chaperone, the inspector may attempt to purchase any brand of cigarettes, cigars or loose tobacco products prevalent in the targeted communities. You may also attempt to purchase a single cigarette or “loosie.”
 10. Try to obtain the tobacco without the clerk’s assistance. If single packs are not within reach for customers, ask the clerk for it.
 11. If a vending machine is present walk up to the cash register and ask for change. Be specific that the change is for the cigarette vending machine (i.e. “Can I get change for your cigarette machine?” If the clerk refuses to give change for the vending machine or to sell tobacco products to the youth inspector, the youth inspector should leave the outlet without argument. Record this as an unsuccessful sale on the data collection form. If you receive change and are not interrupted by the individual responsible for the vending machine, approach the machine and deposit one coin. This transaction is considered a successful sale, a non-consummated buy. Do not complete the transaction by depositing all the coins and purchasing the tobacco product. Record this as a successful sale on the data collection form. Be sure to note whether the machine has a Youth Tobacco Act sign posted.
 12. Be truthful about your age if asked. If asked for identification, provide it. *Identification must include both a picture and birth date.* Do not use false identification. Also reply that the tobacco is for you if asked. ***Act natural, and do not reveal the true reason you are purchasing tobacco.***
 13. Chaperone, when possible, witness the attempted tobacco purchase. This is necessary to validate the results since tobacco products were not actually purchased. A consummated check

(completing the tobacco purchase) is only conducted in the presence of a law enforcement officer capable of writing a citation.

14. When leaving the outlet, don't let the clerk be aware that you and your chaperone are together.
15. You will be given a set of forms for randomly selected outlets. All forms must be completed. If a compliance check cannot be completed at a site, state the reason why. Also, correct any misspellings or incorrect addresses for an outlet on the form in the space provided. Be sure to fully complete and submit all original paperwork.
16. Complete the data collection form in its entirety after leaving each outlet. Bring a pen or pencil. *Please note that the current Synar survey form has two categories of reasons for why an outlet was not able to be completed: 1) one category was for an outlet that is considered ineligible; and 2) the second was for an outlet that was eligible, but for some legitimate reason the inspection could not be completed.*
17. When the Synar inspections are completed, collect all completed survey report forms and hand deliver the original forms to the DYTUR or their designee for your region.
18. Record mileage for reimbursement (if allowed).

*Note: Timeline adjustments may be made per OROSC memorandum as deemed necessary.

COMPLETION OF VENDOR EDUCATION FORMS

INSTRUCTIONS FOR COMPLETING YTA PROTOCOL COMPLIANCE CHECK REPORTING FORM

Prepaid Inpatient Health Plan (PIHP): Insert the name of the PIHP overseeing the compliance checks being conducted in this region.

MRL #: Use the establishment's assigned Master Retailer List (MRL) number (formerly called Record #). If you are adding a new establishment, simply write in the word "NEW" -- OROSC will assign a number later and advise the PIHP.

Inspection Date: Write the month, day and year on which the compliance check is being conducted.

Time of Visit: Write the time that the check was conducted, such as 3:41 – then indicate by marking the appropriate box whether it was a.m. or p.m.

Youth Inspector:

Name/ID #: Enter the name of the youth inspector conducting the compliance check. After the slash mark write in the five-character youth inspector ID number. Each youth inspector will be given his or her own individual ID number designed from a preordained pattern and assigned by the PIHP/DYTUR. The first three characters are alpha indicators of the PIHP region in which the youth inspector will be conducting the compliance checks (i.e. DWH for Detroit Wayne Integrated health Network). Refer to the end of this document for additional PIHP alpha indicators. The remaining two characters are numbers assigned by the provider to each youth inspector. Each character must be filled. Therefore, after the PIHP alpha indicator, the number characters will begin with 01, 02, 03 ...10, 11, etc., continuing until all youth inspectors being utilized in the PIHP region have a unique ID number. Technically, you could go up to, but not exceed 99.

Age: Write in the age of the youth inspector (date of birth is not required).

Gender: Indicate the gender of the youth inspector by marking the corresponding box for male or female. Each inspection group must have one female and one male youth.

Adult Chaperone:

Name/ID #: Enter the name of the adult chaperone supervising/conducting the compliance check. Then, after the slash mark write in the five-character adult chaperone ID number. Each adult chaperone will be given their own individual ID number designed from a preordained pattern and assigned by the PIHP. **The first three characters are alpha indicators of the PIHP region in which the adult chaperone will be conducting the compliance checks. The remaining two characters are numbers assigned by the PIHP to each adult chaperone. Each character must be filled. Therefore, after the PIHP alpha indicator, the number characters will begin with 01, 02, 03.....10, 11, etc., continuing until all adult chaperones being utilized in the PIHP region have a unique ID number. Technically, you could go up to, but not exceed 99.**

Outlet Information: Please complete this information. **During the official Synar period, A label or label template will be provided with the following details:**

ID: This is the same MRL ID number shown as a combination alpha-numeric code listed in the section titled "MRL Number" on your regional sample draw list. The Synar sample list is a formulated random sample taken from the Synar tobacco Master Retailer List.

Name: Name of the tobacco outlet.

Address: Street address of the tobacco outlet.

City: City in which the tobacco outlet is located.

State: State in which that City is located.

Zip: Zip code for the address of the tobacco outlet.

Name or Address "Correction": Following the direction for each address element outlined above, provide all corrected information in this space. Please do not cross out old information and writing over it. Print legibly or type the correct information in the correction space provided.

Type of Retailer: Indicate the type of retailer by marking the corresponding box next to the identified type. The options are (01) Grocery, (02) Convenience, (03) Gas Station, (04) Restaurant, (05) Bar/lounge and (06) Other. If a type of retailer other than those listed is visited please mark "Other" and specify what type of retailer it was, in writing in the space provided. There is a glossary of codes attached to the protocol form.

Type of Outlet: Indicate what type of compliance check/inspection was conducted at the retailer by marking the box corresponding with either “over the counter” (OTC) or “vending machine” (VM).

Is Outlet Eligible: If the outlet is eligible for the Synar Survey process, indicate by marking the box next to “Yes”. If the outlet was not eligible for the Synar Survey process mark the box next to “No”.

If no, check one of the following reasons: If the outlet was not eligible after marking the box next to “No”, follow up by indicating why the outlet was not eligible by marking the box corresponding with the reason. If identifying a reason other than those listed mark the box next to “Other”, and please specify the reason in writing in the space provided.

If Outlet was Eligible, was inspection completed: If you were able to complete the compliance check/inspection, indicate by marking the corresponding box next to “Yes”.

If the outlet is eligible for the Synar Survey process, but the compliance check/inspection was not completed indicate why by marking the box corresponding with the reason that it could not be completed. If identifying a reason other than those listed mark the box next to “Other”, and please specify the reason in writing in the space provided. Note that the following reasons are excluded from use for the Michigan Synar Survey process: (N1) In operation but closed at the time of visit, and (N8) Run out of time.

If inspection was completed, was buy attempt successful? Indicate whether the buy attempt was successful by marking the appropriate box.

Clerk Age/ID question? Indicate whether the Clerk asked how old you were and/or asked to see your identification by checking the appropriate box. If the clerk asked both, then check both. If the clerk did not ask either question, check the box indicating that they did not ask either one.

What was the clerk’s gender? Indicate whether the clerk who assisted you was male or female by marking the appropriate box.

What was the race/ethnicity of the clerk? Please indicate, to the best of your ability, the race/ethnicity of the clerk. Indicate by marking one of the boxes from the selection provided.

Tobacco was accessible for self-service? If you were able to reach the tobacco from an open shelf or on top of the counter, check the box next to “Yes”. If the product was out of reach or behind the counter and you had to ask the clerk to get the tobacco for you, respond by marking the “No” box.

What kind of tobacco did you attempt to purchase? Indicate the kind of tobacco that you asked for by checking one of the listed choices. Do not deviate from the varieties listed in the protocol (i.e. do not attempt to purchase bidis or pipe tobacco, etc.). Remember, you cannot make a random independent decision. Youth decoys can only act under the direct supervision of a chaperone. It is acceptable if you and your supervisor have arrived at a mutual decision, however, the final direction must be determined prior to going out on the compliance check trip and must come from the adult chaperone or the Prevention Coordinator.

“Loosie” questions?

If you attempted a “buy” and used an excuse such as, “I don’t have enough money . . .”, did the clerk offer to sell you single cigarettes (loosies) or a partial pack at a reduced price? If so, mark the “a.” portion of the question as a “Yes”. If not mark “No”.

Whether you were overtly offered a single cigarette or not, did you notice if there was an open container (i.e. a cup, box other open display) of loosies (single cigarettes) available for sale? If so, mark the “b.” portion of the question as a “Yes”. If not mark “No”.

Was a Youth Tobacco Act Sign posted? The Michigan Youth Tobacco Act (YTA) sign is a direct quote from Michigan law. Indicate whether the YTA sign was posted either in the store (i.e. on a wall or cash register) or on a vending machine by marking the appropriate box, “Yes” or “No”. (Important Note: The “We Card” sign does not count as a substitute for state YTA signage.)

Comments: Write any pertinent comments in this space that were made to the youth inspector while the compliance check/inspection was being conducted.

Youth Inspector Signature: The youth inspector will need to sign each form in this designated space.

Adult Chaperone Signature: The adult chaperone will need to sign each form in this designated space.

Youth Inspector – ID Number

PIHP Alpha Indicators

As explained under “Youth Inspector”, the first three placements of the five-placement youth inspector ID number are alpha indicators of the PIHP region in which the youth inspector will be conducting Synar Survey compliance checks/inspections. Listed below are the three placement alpha indicators for each PIHP.

Region 1	NCN – North Care Network
Region 2	NMR – Northern MI Regional Entity (NMRE)
Region 3	LRE – Lakeshore Regional Entity (LSRE) dba Lakeshore Regional Partners
Region 4	SWM – Southwest MI Behavioral Health (SWMBH)
Region 5	MHN – Mid-State Health Network
Region 6	PSE – CMH Partnership of Southeast Michigan
Region 7	DWH – Detroit-Wayne Integrated Health Network (DWIHN)
Region 8	OCC – Oakland County CMH Authority (OCCMHA)
Region 9	MCC – Macomb CO CMH Services
Region 10	RHP – Region 10 PIHP

Please note that the Protocol for YTA Compliance Check reporting form is used for vendor education and official Synar. The following is a sample of how the form should be completed for vendor education. During the Official Synar period, the form will be completed in its entirety.

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VENDOR EDUCATION Sample

PROTOCOL FORM - YTA COMPLIANCE CHECK REPORTING

Prepaid Inpatient Health Plan: **DWIHN**

MRL #: **R-7901**

Inspection Date: (MM/DD/YY): **01/21/2020**

Time of Visit: 3: **15** a.m. **XX** p.m.

Youth Inspector: Name/ID Number: **Jacob Tobacco** **DWH01** State assigned PIHP code/first inspector

Age/Date of Birth: **16** ___/___/___

Gender: **xx(M) Male** (F) Female

Adult Chaperone: Name/ID Number: **Valerie Tobacco** **DWH** /A1 (first adult inspector)

Outlet Information (affix label or print legibly):

The label is affixed for official Synar only

CORRECTION to outlet information listed above:

Name: _____ Address: _____

City: _____ Zip: _____ Phone: _____

- 1. Type of Retailer* [Select only one]: **(01) Grocery** **(02) Convenience** **(03) Gas Station**
 (04) Restaurant **(05) Bar/lounge** **(06) Other (Specify)**

- 2. Type of Outlet: **(OTC) Over the Counter** **(VM) Vending Machine**

- 3. Is Outlet Eligible? **(1) Yes** (If yes, go to #4b.)
 (0) No (If no, complete #4a, then skip to signatures.)

4a. If no, check one of the following reasons:

- (I-1) Out of Business** **(I-6) Unlocatable**
- (I-2) Does not Sell Tobacco products** **(I-7) Wholesale only/Carton sale only**
- (I-3) Inaccessible by Youth** **(I-8) Vending Machine Broken**
- (I-4) Private Club or private Residence** **(I-9) Duplicate**
- (I-5) Temporary closure** **(I-10) Other ineligibility (Specify): _____**

4b. If Outlet was eligible, was inspection completed?

- (EC) Yes** (If yes, go to #5.)
- (0) No** (If no, complete #4c, then skip to signatures)

4c. If no, check one of the following reasons. (N1 and N8 are not valid for Synar Checks):

- (N1) In operation but closed at time of visit** **(N6) Drive thru youth has no driver's license**
- (N2) Unsafe to access** **(N7) Tobacco out of stock**
- (N3) Presence of Police** **(N8) Ran out of time**
- (N4) Youth inspector knows salesperson** **(N9) Other noncompletion (Specify):**
- (N5) Moved to new location but not inspected**

5. If inspection was completed, was buy attempt successful? (1) Yes (0) No

Not applicable/vendor education

6. Clerk: (01) Only asked my age (02) Asked for my ID (0) Did not ask either

Not applicable/vendor education

What was clerk's gender? (M) Male (F) Female

7. What is the race/ethnicity of the clerk? (01) Black (02) White (03) Native American

(04) Hispanic (05) Asian (06) Arab/Chaldean (07) Other _____

8. Tobacco was accessible for self-service. (1) Yes (0) No

9. What kind of tobacco did you attempt to purchase? [Choose one of the varieties below]

Not applicable vendor education

(01) Pack of Cigarettes (full package of 20)

(02) Cigars (cigars, cigarillos, little cigars)

(03) Smokeless Tobacco (chew, snuff, spit)

(04) Single Cigarette (a.k.a. "loosie")

10. Loosie questions:

a. Was a loosie offered after purchase of cigarette pack attempted? (1) Yes (0) No

Not applicable vendor education

b. Were loosies openly displayed for self-service? (1) Yes (0) No

11. Was a Youth Tobacco Act Sign posted? (1) Yes (0) No

Comments:

Were electronic nicotine devices available for purchase? (1) Yes (0) No

Youth Inspector Signature: _____

Adult Chaperone Signature: _____

MERCHANT COMPLAINT FORM:

State law penalties for the offense of selling cigarettes to a minor vary. Some states treat the offense as a violation or a civil offense, and subject the retailer engaged in the offense to fines. Several state laws provide that the fine is a certain amount for a first offense, then a higher amount for each later offense. The license to sell cigarettes may be revoked if enough later offenses are committed.

Some states classify the offense of selling cigarettes to a minor as a misdemeanor crime. Penalties associated with these misdemeanor fines can include fines and license revocation, and, in some states, jail time of less than a year.

The following form should be completed and submitted to file a complaint

**Michigan Department of Health & Human Services
Office of Recovery Oriented Systems of Care (MDHHS/OROSC)**

TOBACCO COMPLAINT FORM

Use for reporting sales to minors or suspected violations of the Youth Tobacco Act (YTA)

[Michigan Youth Tobacco Act](#) (Click here for Copy of YTA)

DATE: _____

Reported to Agency or Staff Person:

Agency _____

Staff Person's Name (if known): _____

Telephone: _____

E-mail: _____

Caller (choose an option below)

Citizen Complaint

Business

Anonymous

Other

Name (Optional): _____

Contact Information (if follow-up desired) _____

Suspected Establishment Information:

Name: _____

Address: _____

City/State/Zip: _____

Telephone: _____

Other Directions: _____

Observation or Possible Offense:

YOU MAY SEND COMPLETED FORM BY

E-MAIL TO: mdch-bhdda@michigan.gov

or

U.S. MAIL TO: MDCH/OROSC - Synar, 320 S. Walnut Street, Lewis Cass Bldg., 5th Floor, Lansing, MI 48913

Questions: 517-373-4700

FOR OFFICE USE ONLY:

ACTION TAKEN - Progressively add follow-up action to bullet responses. Note when case closed:

- Initial Activity Report: _____
- Follow-up Action (1): _____
- Follow-up Action (2): _____

YOUTH ACCESS TO TOBACCO ACTIVITY REPORT

Please complete all applicable section of this report (highlighted in yellow) upon completion of vendor education and official Synar activities and return to your DYTUR by the designated date:

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Youth Access to Tobacco (YAT) Activity Report

Civilian Inspections

Were those retailers who didn't pass the inspection identified/tagged for a vendor education visit? YES NO

If not, why: _____

Please provide the number of law enforcement entities from which you **requested** YTA violation information: _____

Please provide the number of law enforcement entities from which you **received** YTA violation information: _____

Activities in Support of Enforcement: Please indicate what activities are conducted in your region to support enforcement and compliance with the State's YTA. (Check all that apply).

- Merchant Education and/or Training
- Incentives for Merchants who are in compliance (e.g., Reward and Reminder)
- Community Education regarding the YTA
- Media Use to publish compliance inspection results
- Community Mobilization to increase support for retailer compliance with youth access laws
- Other activities (please list): _____

Briefly describe activities under all checked areas: _____

Tobacco Retailer Master List Improvement and Clarification: Please respond to the following questions regarding this process.

How many tobacco outlets were on your region's segment of the Tobacco Retailer Master List for the fiscal year ending September 30? _____

How many tobacco outlets were removed (closed, no longer sell tobacco, etc) from your region's segment of the Master List to update it for the fiscal year ending September 30? _____

How many tobacco outlets were added (new outlets) to your region's segment of the Master List to update it for the fiscal year ending September 30? _____

Vendor Education: Please provide the following information with regard to the Vendor Education initiative in your region.

Youth Access to Tobacco (YAT) Activity Report

Please list the total number of tobacco outlets visited for the provision of Vendor Education: _____

Of the outlets visited for Vendor Education, please identify the number of those outlets that were included in your region's Synar Survey Sample Draw: _____

Of those tobacco outlets appearing in both the Vendor Education initiative and the Synar Survey Sample Draw, how many failed the inspection (would have sold)? _____

Of those tobacco outlets appearing in both the Vendor Education initiative and the Synar Survey Sample Draw, how many passed the inspection (would not have sold)? _____

How are tobacco outlets within your region identified for Vendor Education visits? _____

Please provide a description of any trends identified during the Vendor Education initiative, such as: changes in retailer response, attitude, behavior, etc. _____

Formal Synar Inspections: Please provide the following information with regard to the Formal Synar Inspection process within your region.

How many Outlets were assigned to your region for inspection? _____

How many Inspections were completed in your region? _____

Of those inspections completed, how many retailers would have made the sale? _____

Compare the compliance rate for the fiscal year ending September 30 with that of the three previous years. If your PIHP's rate for the current fiscal year was lower than the previous 3 years, what did you do that you felt worked and will this be continued in the current fiscal year? _____

If your PIHP's rate for the current fiscal year was higher than the previous 3 years, what is your analysis regarding the increase and what are your plans to lower your region's rate in the current fiscal year? _____

Youth Access to Tobacco (YAT) Activity Report

Please provide comments about anything you believe to be significant about your Formal Synar Inspection process: _____

Please identify any Synar related technical assistance needs that you have in your PIHP region: _____

Please provide below your current DYTUR Contact Information. Include each contact person's name, county, e-mail address, mailing address and phone:

Name	County	E-mail Address	Mailing Address	Phone
Jeff Griffith				
Valerie Kelley-Bonner				
Wassim Mahfouz				

Additional Information: _____

MPDS SYNAR DATA ENTRY

All Synar related activities must be entered in the data system. Please reference the MICHIGAN PREVENTION DATA SYSTEM FOR SUBSTANCE USE DISORDER SERVICES (MPDS-SUDS) manual for further instruction: <https://mpds.sudpds.com/>