The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
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Maura T. Healey
Governor

Kiame Mahaniah, MD, MBA
Secretary

Kimberley Driscoll
Lieutenant Governor

Robert Goldstein, MD, PhD
Commissioner

July 20, 2026

SENT VIA ELECTRONIC MAIL
[redacted]

Re: Public Records Request – BCHAP-2026-26

Dear Mr. [redacted]:

This letter is regarding the above reference public records request received by the Department of Public Health (DPH"), Bureau of Community Health and Prevention ("BCHAP") on March 25, 2026. This request has been assigned tracking number: BCHAP-2026-26. Specifically, you requested:

*" **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"

On April 3, 2026, we discussed via email the broad scope of your request and whether you would be willing to narrow the scope. On April 8, 2026, DPH sent you a cost estimate to preserve our right to assess a fee, but reiterated DPH's willingness to continue to work with you to modify your request. On April 13, 2026, you sent a modification to your request to narrow the dates to October 1, 2023, through September 30, 2024. On April 28, 2026, DPH met with you via zoom call to further discuss modifying your request. In the meeting you agreed to the following modification of your request and provided a written summary of your modification of the request via email on May 11, 2026, which stated:

"**1. Date Range**

I request records covering Massachusetts state Fiscal Year 2024 (July 1, 2023 through June 30, 2024).

2. Grant Awards and Funding Allocations (Narrowed to Six Procurements)
I request all records reflecting grant awards, funding allocations, sub-grants, and disbursements from DPH for the purposes of tobacco control, tobacco cessation and prevention, or Tobacco Policy (including NFG policy development and implementation) made under the following procurements:
RFR# 180725 — Tobacco Free Community Partnership Program (and re-opens)

RFQ# 185008241124 — Municipal Trade Association to Work with Local Health Department Employees

RFQ# 185008241024 — Municipal Trade Association to Work with Municipal Officials

RFQ# 185008241224 — Municipal Trade Association to Work with Appointed or Elected Local Boards of Health

RFQ# 500824BCHAP05 — Smoke Free Housing Mobilization Capacity Building

RFR# 190128 — Municipal Board of Health Tobacco and Public Health Policy Programs (and re-opens)

I understand from our conference that DPH does not maintain contracts or subcontracts with the individual contractors identified in the prior submission; those individual references are accordingly withdrawn, and the awarded vendors under the above procurements will satisfy this section.

3. Contracts, Agreements, and MOUs — Withdrawn as Redundant
This section is withdrawn. The records produced in response to Section 2 will satisfy the underlying request.

4. Payment Records — Narrowed to Summary Reports by Organization
In lieu of underlying invoices, vouchers, and individual transaction records, I request the financial reports DPH described during our conference for Fiscal Year 2024. The reports should be organized to list payments by each funded organization responsive to this request, and should include accounts, object codes, and annual spending. I understand DPH anticipates fewer than 25 such reports and that this production will substantially overlap with or fulfill Section 6.

5. Grant Applications and Award Notifications — Narrowed
In lieu of the original Section 5, I request:
COMMBuys links for each of the procurements listed in Section 2 (sufficient to show award notices, scopes of work, original procurement documents, and applicable procurement requirements and conditions);

The applicable progress report and work plan templates for each procurement and vendor type under Section 2; and

The application response forms submitted by the awarded entities under the procurements listed in Section 2.

I understand DPH estimates approximately 500 records for review under this narrowed scope.

6. MTCP Program Budgets and Expenditure Reports — Narrowed to FY2024
I request the MTCP program budget narrative and line-item expenditure report for Fiscal Year 2024, including documents reflecting the allocation of funds among TFCPs, municipal boards of health, and contracted agencies. I understand the FY2024 financial report produced under Section 4 will satisfy this section.

7. Deliverables and Work Products — Narrowed to NFG-Related Materials
I request deliverables and work products submitted to DPH by the contractors and vendors awarded under the procurements listed in Section 2 that relate specifically to NFG policy development; this includes model ordinance drafting, municipal outreach materials, technical assistance to local boards of health, and public engagement campaigns supporting NFG regulations."

Enclosed please find the Final installment of records responsive to your request. This installment consists of 2 PDF (410 pages total) in response to number 5 commbuy and number 7 of your request subject to disclosure under the public records law, G.L. c. 66, § 10 and G.L. c. 4, § 7, cl. 26. The redacted information also constitutes personal data, which is protected from disclosure by the Fair Information Practices Act, G. L. c. 66A ("FIPA"). If DPH disclosed such information, it may be liable for damages under G. L. c. 214, § 3B. See also 801 CMR 3.00 (regulating dissemination of personal data under FIPA). Therefore, this information is also exempt pursuant to G. L. c. 4, § 7(26)(a) because it is exempt by statute or necessary implication thereof, including FIPA and G. L. c. 4, § 7(26)(c), as outlined above.

The Department is prohibited from disclosing personal information regarding contact information because this information constitutes personal data protected from disclosure pursuant to G.L. c. 66A, the Massachusetts Fair Information Practices Act ("FIPA"). If the Department disclosed such information, the Department may be liable for damages under G.L. c. 214, § 3B. See also 801 CMR 3.00 (regulating dissemination of personal data under FIPA).

Additionally, this information is exempt from disclosure pursuant to G.L. c. 4, §7(26)(c) as it is private information, the disclosure of which may constitute an unwarranted invasion of personal privacy. This information is of a highly personal nature and contains specific details, which may identify an individual. The individual's privacy interests outweigh the public's interest in disclosure.

Accordingly, this information is also exempt pursuant to G.L. c. 4, §7(26)(a) because it is exempt by statute or necessary implication thereof, including FIPA and G.L. c. 4, § 7(26)(c), as outlined above.

DPH reserves the right to retrieve any exempted, privileged, or otherwise protected materials inadvertently included in this production. Any such production is not, and shall not be considered or deemed, a waiver of any applicable privileges or protections from disclosure.

DPH now considers this public records request closed. If you wish to challenge this response, you may appeal to the Supervisor of Records following the procedure set forth in 950 CMR 32.08 a copy of which is attached. Pursuant to G.L c. 66, § 10A, you may also seek judicial review by commencing a civil action in Suffolk Superior Court.

Please contact me with any questions. In any communication regarding this request, please refer to the assigned tracking number: BCHAP-2026-26.

Sincerely,

Juanita Woods

Juanita Woods
Public Records Request Liaison, BCHAP

cc: Helen Rush-Lloyd, Records Access Officer