

Model Tobacco-Free Policy for Behavioral Health and Substance Use Treatment Providers

I. Purpose

_____ is committed to providing safe and healthy work environments. Tobacco use is the leading cause of preventable disease, disability, and death. The 2006 U.S. Surgeon General’s Report, *The Health Consequences of Involuntary Exposure to Tobacco Smoke* has concluded that (1) secondhand smoke exposure causes disease and premature death in children and adults who do not smoke; (2) exposure of adults to secondhand smoke has immediate adverse effects on the cardiovascular system and causes coronary heart disease and lung cancer; (3) there is no risk-free level of exposure to secondhand smoke; and (4) establishing smoke free workplaces is the only effective way to ensure that secondhand smoke exposure does not occur in the workplace, because ventilation and other air cleaning technologies cannot completely control for exposure of non-tobacco users to secondhand smoke (U.S. Department of Health and Human Services. *The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General*. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006.) Moreover, electronic cigarettes produce an aerosol by heating a liquid that usually contains nicotine, flavorings, and other chemicals that help to make the aerosol. Most electronic cigarettes contain nicotine—the addictive drug in regular cigarettes, cigars, and other tobacco products. (Smoking and Tobacco Use: About Electronic Cigarettes (E-Cigarettes), Centers for Disease Control and Prevention, 2021.)

_____ believes the use of tobacco products, including electronic cigarettes, on its premises is detrimental to the health and safety of its clients, staff, and visitors. In addition, _____ believes that staff and visitors serve as role models for clients and embraces its obligation to provide clinical and working environments that are safe, healthy, and free from unwanted smoke and tobacco use.

II. Definitions

- a. “Any time” means 24 hours a day, seven days a week.
- b. “Clients” (or “Patients”) means persons receiving health care services.
- c. “Electronic cigarette” means any product that can be used by a person to deliver nicotine, or any other substance through the inhalation of aerosol or vapor from the product. The term includes, but is not limited to, devices manufactured, distributed, marketed, or sold as e-cigarettes, e-cigars, e-pipes, e-hookah, or under any other product name or descriptor.
- d. “Premises” means all buildings (including those owned, leased, rented or maintained by _____), all grounds, parking lots and ramps (including inside privately-owned vehicles parked on or in _____ property), plazas and contiguous sidewalks within 300 feet of the facility, and all vehicles owned, leased, rented, contracted, used, or controlled by the facility.

e. “Promotion” includes product advertising via branded gear, bags, clothing, any personal articles, signs, structures, flyers or any other materials.

f. “Smoking” means inhaling or exhaling smoke, aerosol or vapor from any lighted or heated cigar, cigarette, pipe, or any other product, whether natural or synthetic, made of tobacco, nicotine, tobacco, marijuana, or another plant, that is intended for inhalation. “Smoking” includes being in possession of a lighted or heated cigar, cigarette, pipe or any other tobacco product intended for inhalation, or an electronic cigarette that is turned on or otherwise activated.

g. “Staff” means any person employed by _____ in a full or part-time capacity, any position contracted for or otherwise employed, with direct or indirect monetary wages or profits paid by _____, or any person working on a volunteer basis. This term includes, but is not limited to personnel, contractors, consultants, and vendors.

h. “Tobacco¹ product” means any product containing, made, or commercial tobacco or nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, dipped, or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. “Tobacco product” also means electronic cigarettes and any component or accessory used in the consumption of such a device, such as filter, rolling papers, pipes, and substances used in electronic cigarettes, whether or not they contain nicotine. The term “tobacco” refers to commercial as opposed to traditional tobacco, which is grown, harvested, and used by American Indians and Alaskan Natives for ceremonial or medicinal purposes.

i. “Tobacco-related devices” means ashtrays, cigarette papers, pipes for smoking, or other devices intentionally designed or intended to be used in a manner that enables the chewing, sniffing, smoking, or inhalation of tobacco products.

j. “Visitor” means any person subject to this policy that is not a client or staff member.

III. General Statement of Policy

a. Clients, staff, and visitors are prohibited from possessing, using, consuming, displaying, promoting, furnishing, or selling any tobacco products, tobacco-related devices, or electronic delivery devices at any time on _____ premises.

b. Tobacco use prevention and cessation will be incorporated into _____’s treatment program.

IV. Cessation Assistance

a. Evidence-based tobacco treatment will be integrated into routine clinical practice.

¹ The term tobacco in this tobacco-free policy refers to commercial tobacco and not the sacred and traditional use of tobacco by some American Indian communities.

b. Staff will be provided tobacco cessation resources and referrals.

c. It is not a violation of this policy to use a product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco cessation product, a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

V. Enforcement

A. The success of this policy will depend upon the consideration and cooperation of all clients, staff and visitors. Enforcement is a shared responsibility of all clients, staff, and visitors.

1. Clients

- i. All clients admitted to _____ will be assessed for history of tobacco use and the need for interventions related to tobacco addiction including nicotine replacement and cessation education.
- ii. Clients who violate the policy will be provided information on cessation and referred to the treatment team.
- iii. Employees who encounter clients who are violating the tobacco policy are encouraged to politely explain the policy, and report the violation to the client's treatment team, if known.

2. Staff

- i. Staff are prohibited from smoking or using other tobacco products during all parts of their paid work shift. Employees may not smoke or use other tobacco products in their private vehicles while the vehicle is on _____ grounds.
- ii. Staff who violate this policy will be offered a referral to cessation services.
- iii. Staff who encounter staff or visitors who are violating the tobacco policy are encouraged to politely explain the policy and report the violation to the person's supervisor, if known.
- iv. Staff who fail to adhere to this policy or supervisors who fail to hold their employees accountable may be subject to progressive discipline culminating in corrective or disciplinary action as defined in (name) Human Resources and Staff policies.

3. Visitors

- i. Visitors who violate this policy will be asked to comply.
- ii. Individuals who fail to comply upon request may be asked to leave the property.
- iii. Repeated violations may result in the individual being prohibited from entering the facility for a specified period of time.

B. Whenever _____ does not have jurisdiction over adjoining streets, sidewalks, parking lots, or other common areas, staff, clients, and visitors are strongly encouraged to comply with the spirit of the policy. It is the expectation that staff, clients, and visitors will not loiter near neighboring properties or discard litter in a way that reflects negatively on _____.

VI. Dissemination of Policy

a. Signage indicating _____ is a tobacco-free environment will be posted

throughout the premises at building entrances and other appropriate locations.

b. Clients and guardians will be notified of this policy at time of admission.

c. The tobacco-free policy will be included in organizational guidelines and staff and client handbooks and related materials.

d. Job announcements for all positions on the (name) campus will display a notice that (name) has a tobacco-free work environment policy.

VII. Policy Evaluation

The tobacco-free policy will be assessed at regular intervals to determine whether policies, policy enforcement, communication, education, staff training, and cessation and treatment programs are effective and will be updated and revised accordingly.

VIII. Effective Date

This policy will take effect on _____.

Sample Violation

| Violation examples | First Offense | Second Offense | Third Offense | Fourth Offense |
|--|---|--|--|--|
| <p>Smoking outside on property but complies with request to stop.</p> <p>Smoking outside on property and refuses to comply with policy.</p> <p>Smoking in personal vehicle on campus.</p> <p>*Excessive absences from the workplace during assigned shift (extra breaks, longer lunch breaks, etc.).</p> <p>*Employee's clothing smells strongly of tobacco smoke.</p> | <p>The supervisor must have verifiable reports of the infractions and/or have witnessed the infraction directly.</p> <p>Verbal intervention with employee. Review policy and perimeter of the campus, give clear expectation it is not to reoccur. Review the Help Quit education available and possible assistance with nicotine replacement and alternative therapies for difficulties with compliance while at work.</p> | <p>The supervisor must have verifiable reports of the infractions and/or have witnessed the infraction directly.</p> <p>Repeat first <u>offense interventions</u> and document all discussion in a supervisory log. Refer also to the first verbal intervention and make the expectation clear in writing. Sign the log and have the employee sign that this was reviewed and discussed with them. Again, review the assistance available to comply at work.</p> | <p>The supervisor must have verifiable reports of the infractions and/or have witnessed the infraction directly.</p> <p><u>Present the employee with a Memorandum of Expectation or a Performance Improvement Plan</u> clearly stating the expectation and consequences if the policy is violated again. Clarify that the behavior will affect the performance rating and may result in further corrective or disciplinary action.</p> | <p>The supervisor must have verifiable reports of the infractions and/or have witnessed the infraction directly.</p> <p>Document the new infraction and forward with previous documentation to the appointing authority for consideration of a meeting for corrective or disciplinary action that may affect pay, status, or tenure and possible termination</p> |

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Adopted from the Kansas Tobacco Guideline for Behavioral Health Care: An Implementation Toolkit and California Behavioral Health and Wellness Initiative: Tobacco-free Toolkit for Behavioral Health Agencies