

State of New York OFFICE OF MENTAL HEALTH OMH OFFICIAL POLICY MANUAL	Date Issued	T. L.	Section #
	03/22/04	04-01	PC-1405
	Section	PATIENT CARE	
	Directive	SMOKING	

A. Policy Statement

It is the responsibility of the Office of Mental Health to promote the health, welfare and safety of persons receiving services in its facilities. Smoking has been recognized as a health hazard to active smokers and to those nonsmokers who are exposed to secondhand smoke in the environment. Smoking is also regarded as a fire safety hazard. It is therefore the policy of the Office of Mental Health to promote the cessation of smoking in its facilities, facilitate smoke cessation behavior, and protect patients, employees and visitors from the adverse health consequences of involuntary exposure to environmental tobacco smoke.

Facilities operated by the Office of Mental Health are also obligated to comply with New York State's Clean Indoor Air Act which essentially prohibits all indoor smoking in places of employment subject to certain exceptions and waivers. Regardless of any exceptions or waivers which may have been granted, effective July 24, 2004, all Office of Mental Health psychiatric centers must prohibit all indoor smoking. Facilities must also comply with the Adolescent Tobacco-Use Prevention Act, which imposes restrictions on the distribution of tobacco products.

Nicotine addiction is regarded as a health problem and as such must be addressed by the treatment team, in collaboration with the patient, in the development and implementation of the patient's treatment plan. To that end, the Office of Mental Health advocates an individualized, clinical and educational approach to treat smokers who are receiving services in a psychiatric inpatient facility. In developing individualized plans to address nicotine addiction, consideration shall be given to, but not limited to, the use of comprehensive smoke cessation programs. For those adult patients who choose to smoke, facilities may provide access to appropriate outdoor smoking areas.

This policy directive, which is applicable to all State-operated inpatient facilities, supersedes all previous correspondence on this subject, as it relates to smoking by inpatients.

B. Relevant Statutes and Standards

Public Health Law, Articles 13-E and 13-F JCAHO Accreditation Manual for Hospitals
National Fire Protection Association 101 Life Safety Code

C. Principles

- 1) Each facility shall provide patients access to and encourage participation in smoke cessation programs, with relevant literature, workshops and support made available in an ongoing educational process.
- 2) Smoke cessation programs should include diverse approaches including, but not limited to, the following:
 - a) nicotine replacement via nicotine gum or nicotine patches;
 - b) increasing motivation;
 - c) developing stress management skills;
 - d) developing interpersonal supports;
 - e) providing individual and/or group sessions;
- 3) Key elements in the difficult task of quitting smoking have been identified as motivation, life-style, personal support, behavioral counseling, and educational and pharmacological strategies. Different techniques and interventions have been found to have varying degrees of success for different individuals and groups. Currently, research on the relationship between smoking and psychiatric disorders is in the beginning stages and findings are not yet conclusive.
- 4) Overcoming nicotine addiction and permanently maintaining abstinence can be an extended and difficult process, and requires educational, therapeutic and supportive processes to take effect in maintaining abstinence. This process is expected to be implemented in a humane and clinically sound manner in recognition of the seriousness of nicotine addiction.
- 5) Patients shall not be expected to quit smoking without the provision of alternative supports.
- 6) Facilities may decide to permit smoking in appropriate outdoor areas or may elect to prohibit smoking in all areas of the campus.
- 7) Cigarettes shall not be utilized as an incentive, reward or penalty at any time.
- 8) No smoking shall be permitted within children's psychiatric centers or within children's units of adult psychiatric centers, and no vending machines which sell tobacco products shall be allowed in such locations.
- 9) Pursuant to Public Health Law section 1399-cc, Community Stores which sell tobacco products:
 - a) shall not sell such products to persons under eighteen years of age;

- b) shall post in a conspicuous place a sign, on a white card with red letters at least 1/2 inch in height, stating "SALE OF CIGARETTES, CIGARS, CHEWING TOBACCO, POWDERED TOBACCO, OR OTHER TOBACCO PRODUCTS, HERBAL CIGARETTES, ROLLING PAPERS OR PIPES TO PERSONS UNDER EIGHTEEN YEARS OF AGE IS PROHIBITED BY LAW";
 - c) shall require proof of age from purchasers who appear to be less than twenty-five years of age. Such proof must consist of a driver's license or other photographic identification card issued by a government entity or educational institution, and may include identification as an Office of Mental Health adult facility patient.
- 10) Vending machines used for the sale of tobacco products must not be located in areas accessible to the general public, and must be under the direct supervision and control of the person in charge of the location.
 - 11) Facilities shall not engage in the free distribution of any tobacco products.

D. Procedures

- 1) Each facility is responsible for the development and implementation of written policies and procedures which reflect the requirements of this directive.
- 2) Written copies of the facility's smoking policies and procedures shall be available to patients upon admission and upon request.
- 3) Nicotine addiction shall be addressed, when applicable, in the Screening/Admission Note and Psychiatric Evaluation included in the patient's Uniform Case Record. Such information shall be utilized in the development of the patient's treatment plan, including the identification of goals, objectives and interventions designed to meet the needs of the patient.
- 4) For adult patients who choose to smoke, facilities may provide access to appropriate outdoor smoking areas. Such areas shall be limited to designated outdoor smoking areas, as defined in section E of this directive.
- 5) Smoking in State vehicles is prohibited.

E. Definition Designated Outdoor Smoking Area means an outdoor area on the grounds of the facility in which smoking is permitted, and which is located so that smoke does not enter any building.