

 <p><b>Tobacco Use Policy</b></p>	<b>Policy Number</b>	OS-3401
	<b>Effective Date</b>	May 12, 2005
	<b>Revision Date</b>	
	<b>Subject Matter Expert</b>	Director, Executive and Staff Operations Section
	<b>Approval Authority</b>	Chief Operating Officer

## 1.0 Purpose

The purpose of this policy is to support the Department of State Health Services (DSHS) mission of promoting optimal health for individuals and communities by providing a healthy environment on DSHS property with regard to the use of tobacco products. In addition, this policy is intended to reduce risks associated with secondhand smoke and to define expectations with respect to a tobacco-free environment.

## 2.0 Policy

It is DSHS intent that the use of all tobacco products be prohibited on all property owned or wholly leased by DSHS. DSHS facilities or properties that have not already implemented tobacco-free provisions will have up to six months from the adoption date of this policy to do so.

Certain areas adjacent to DSHS campuses are owned by other state agencies, such as the Texas Building and Procurement Commission (TBPC), and may be subject to other tobacco-use policies.

## 3.0 Definitions

3.1 **Property** – For purposes of this policy, “property” applies to buildings owned or wholly leased by DSHS, state vehicles, and outdoor premises.

## 4.0 Persons Affected

- All DSHS employees and all persons who work or live on DSHS property
- Visitors
- Patients

## 5.0 Responsibilities

### 5.1 DSHS Employees

- Employees of DSHS, while in the performance of their official duties, will not use tobacco products in the presence of a client or a patient in the care of DSHS.
- Employees and persons working or living on DSHS property will not use tobacco products on any property owned or wholly leased by DSHS or on any non-state property contiguous to DSHS property, such as the sidewalk or street adjacent to DSHS buildings.

- Employees and persons working or living on DSHS property must discard all waste products associated with tobacco use into containers provided for this purpose. Employees and persons working or living on DSHS property are expected to follow “good neighbor” practices and to be respectful of the properties and roadways adjacent to DSHS property by not discarding any waste products associated with tobacco use, including cigarette butts and packaging, onto roadways, sidewalks, right-of-ways, or yards.
- Violations of this policy are reported to the employee's supervisor and are handled as described in Chapter 10, “Positive Performance,” and Chapter 11, “Disciplinary Actions,” of the *Health and Human Services (HHS) Human Resources Manual*.
- Employees and persons working or living on DSHS property are responsible for ensuring that this policy is observed.

## 5.2 **Visitors**

- Visitors will not use tobacco products while on DSHS property.

## 5.3 **Patients**

- Patients will not use tobacco products while on DSHS property.

## 5.4 **DSHS Leadership**

- The Assistant Commissioner for Prevention and Preparedness is responsible for designating employees who will provide tobacco-cessation training and related training materials to a clinical-services provider from each hospital.
- The Assistant Commissioner for Mental Health and Substance Abuse is responsible for designating a clinical-services provider from each hospital who will ensure that the hospital offers appropriate tobacco-cessation services.
- All hospital directors and regional directors are responsible for implementing this policy at their locations if applicable and for providing appropriate tobacco-cessation programs, training, and policy enforcement.
- The Chief Operating Officer is responsible for implementing this policy at all remaining applicable DSHS locations, other than those specified above, and for providing appropriate tobacco-cessation programs, training, and policy enforcement at those locations.

## 6.0 **Procedures**

- 6.1 Within six months of the adoption of this policy, DSHS facilities that were not tobacco-free before September 1, 2004, or have not subsequently become tobacco-free, will develop and implement appropriate protocols that address tobacco cessation, employee training, and policy enforcement. Facility-specific issues, including those dealing with contraband, cessation programs for long-term patients, state-owned rental properties on DSHS

campuses, and employee break times, will be addressed through local procedures that are consistent with applicable sections of this policy and with relevant HHS policies.

- 6.2 DSHS and/or TBPC will post “Tobacco-Free Property” signs on DSHS property as appropriate.
- 6.3 On property leased by DSHS, the Regional Director or the appropriate Assistant Commissioner is authorized to work with the lease agent and other tenants to expand the areas beyond those in which the use of tobacco products is commonly restricted (inside the buildings and within 15 feet of entrances).
- 6.4 TBPC has the authority to specify the extent to which tobacco products may be used on property it owns or leases. The DSHS Chief Operating Officer, or designee, will work with the appropriate TBPC representative to identify areas on such property where tobacco products may be used so that it will be clear which property is tobacco-free and which is not. Additionally:
  - The locations of such TBPC areas designated for tobacco use will comply with all applicable laws and will not be visible from main public entrances.
  - The DSHS Chief Operating Officer, or designee, will work with TBPC to provide adequate waste receptacles and grounds-maintenance services to ensure the cleanliness of TBPC areas designated for tobacco use.
- 6.5 DSHS will encourage tobacco-cessation programs through employee-wellness initiatives (as provided for in section K, “Wellness Programs,” of Chapter 8, “Benefits,” of the *Health and Human Services (HHS) Human Resources Manual*), as well as through employee advisory groups, patient-care programs, and/or initiatives of the DSHS tobacco-prevention program.
- 6.6 Each hospital director or designee is responsible for developing and implementing a training program for clinical providers that includes:
  - appropriate methodology for approaching and counseling patients about tobacco cessation; and
  - appropriate resources to provide cessation programs to patients.

The DSHS Tobacco Prevention Program Unit provides additional online information about training methodologies in the document *DSHS Physicians Training on Tobacco Cessation Resources*.