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DIVISION OF MENTAL HEALTH SERVICES  
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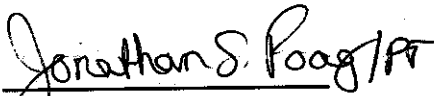
JONATHAN S. POAG  
*Acting Assistant Commissioner*

**DIVISION OF MENTAL HEALTH SERVICES**  
**ADMINISTRATIVE BULLETIN TRANSMITTAL MEMORANDUM**

March 18, 2009

**SUBJECT: Administrative Bulletin 3:33**  
**Smoke/Tobacco-Free State Psychiatric Hospitals**

The attached Administrative Bulletin is being forwarded for your review, action if necessary, and distribution to staff as appropriate. Please be advised that each recipient of this order is responsible for being familiar with the content and ensuring that all affected personnel adhere to it.

  
Jonathan S. Poag  
Acting Assistant Commissioner

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**DIVISION OF MENTAL HEALTH SERVICES**  
**Administrative Bulletin 3:33**

**Effective Date:** March 18, 2009

**SUBJECT:** Smoke/Tobacco-Free State Psychiatric Hospitals

**I. PURPOSE**

The goal of consumer wellness cannot be achieved unless consumers and staff in state psychiatric hospitals are educated about the harmful effects of smoking and provided with treatment; these efforts cannot succeed when they are exposed to smoking and when patients have access to tobacco in the hospital environment. Therefore, in order to ensure the health and safety of consumers, as well as of employees and visitors, it is the intention of the Division of Mental Health Services that all state psychiatric hospital grounds be smoke/tobacco free. To further this goal, and remain in full compliance with law, tobacco addiction treatment shall be integrated into patient programming, and hospital employees will be provided with support and information to assist with their working in a smoke/tobacco free environment.

**II. LEGAL AUTHORITY**

P.L. 2008, Ch. 7, No. 625

**III. SCOPE**

This Bulletin shall apply to all State psychiatric hospitals, including Ancora Psychiatric Hospital, Ann Klein Forensic Center, Greystone Park Psychiatric Hospital, Hagedorn Psychiatric Hospital and Trenton Psychiatric Hospital, including their patients and staff, as appropriate.

**IV. DEFINITIONS**

**Contraband** means any item or material that is unlawful to possess or use, or that has been stolen, or that has the potential to pose a danger to the health or safety of the patient or others under the circumstances that exist in living units, work areas, program spaces, dining areas, or recreational facilities to which patients have supervised/unsupervised access.

**Tobacco products and paraphernalia** shall include but not be limited to cigarettes, cigars, pipes, lighters, matches, rolling papers, cigarette filters, loose tobacco, chewing tobacco, plug tobacco, snuff, and pipe filters.

V. RESPONSIBILITY

- A. All hospital staff shall be responsible for maintaining a smoke/tobacco-free environment through identification and reporting of persons who do not comply with the policy.
- B. Supervisors shall monitor employees' compliance with the policy and shall enforce appropriate employee behavior through education and supervision. Employees who willfully violate the policy shall be subject to disciplinary action in accordance with DHS Administrative Order 4:08.
- C. Clinical and direct care staff shall be required to complete DMHS-approved training so that they develop competencies for treating patients for tobacco addiction in order to meet requirements of DMHS Administrative Bulletin 3:32 (Assessment and Treatment of Tobacco Addiction in State Psychiatric Hospitals).
- D. While hospitals are not permitted to treat employees, they shall offer education about support available in the community and shall provide opportunities and encouragement for staff seeking counseling from community non profit agencies and other providers, including Quit Centers.

VI. SMOKE/TOBACCO FREE IMPLEMENTATION

A. Designation of the Hospital as Smoke/Tobacco-Free

- 1. Each hospital shall have a Smoke/Tobacco-Free Committee that establishes the scope, timeline and implementation plan for the hospital to become smoke/tobacco-free, including a detailed local plan to provide smoking cessation programs for both consumers and employees.
- 2. In accordance with requirements established by the DMHS Medical Director and the Office of State Hospital Management, the hospital committees shall be responsible for the collection of data that monitors patients' treatment and service needs in relation to smoking, as well as indicators and outcomes that result from instituting a smoke-free environment (e.g., incidents of assault, contraband, etc.).
- 3. When the implementation of the plan meets all requirements of P.L. 2008, Ch. 7, No. 625, the hospital shall receive approval from the Division to establish and announce a smoke/tobacco-free date. On this date, the possession and use or sale of tobacco products or paraphernalia shall be prohibited on hospital grounds, and hospital policies and procedures shall establish the following:

- a. Demarcation of smoke/tobacco-free area(s), as well as indication of any area(s) on grounds that are outside of smoke/tobacco-free zones.
- b. Notification to all visitors and to the public regarding the smoke/tobacco-free environment at the hospital, which shall include letters and notices to family and updated signage on grounds.
- c. Requirements that tobacco products and paraphernalia be kept in vehicles if brought on grounds by staff or visitors.
- d. Notification to staff that any employee who sells or gives tobacco products or paraphernalia to patients after the effective date of this Bulletin shall be disciplined under existing policies that govern patient exploitation.
- e. Notification to patients that possession of tobacco products or paraphernalia will require that they either forfeit these products or have them sent or given to a family member.

**B. Notification about Smoke/Tobacco Policy and Restrictions**

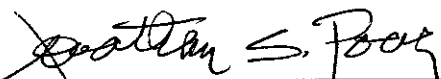
1. Patients shall be informed of the hospital's smoke/tobacco-free policy prior to admission through communications between the hospitals' admissions offices with the referring agency or facility. Upon their admission, patients, along with their family members, shall receive information about the policy and its restrictions.
2. They shall be notified that no smoking rules shall apply to patients who are being escorted by staff off grounds, such as while they are on therapeutic field trips or placement visits. However, patients who are going off grounds without staff supervision, such as on Brief Visit or trial placement, cannot be prevented from smoking at these times.
3. The smoke/tobacco-free policy shall be routinely addressed in community/patient government meetings, in family meetings, and in meetings with community agencies, and any other appropriate times.
4. Staff and all other persons entering the facility, including contract workers, vendors, and students, shall be educated about the policy and expected to comply. They shall be notified that all smoke/tobacco materials are considered to be contraband, and so must be kept in their vehicles and not carried on their person while on grounds.

C. Interactions with Non-Smoke/Tobacco-Free Environments

1. Privately owned residential/program space on the grounds of the facility shall be included in the smoke/tobacco-free zone only if the operator of the entity agrees.
2. Patients going to on-grounds programs that are operated by other entities that allow smoking, similar to those who are going off grounds without staff supervision, cannot be prevented from smoking at these times; however, these patients shall be offered Nicotine Replacement Therapy, such as nicotine patches or gum, and shall be counseled about bringing tobacco products into the facility upon return.
3. Staff accompanying patients in any of the areas outside of the smoke/tobacco-free perimeter or when supervising any off grounds trips or visits shall not smoke in patients' presence.

D. Violations of Smoke/Tobacco-Free Policy

1. Treatment teams will enforce patient compliance with the smoke/tobacco-free policy in an appropriate supportive manner. They shall re-educate patients about the policy and offer tobacco addiction treatment as indicated. Repeat violations of the smoke/tobacco-free rules by a patient shall be addressed similarly to other violations of the contraband policy.
2. If families or visitors bring tobacco products into the facility, they shall be advised of the policies, and the tobacco products shall be confiscated by staff until the visitor leaves the grounds. If the visitor will not relinquish the contraband, s/he shall be asked to leave the facility and the visit shall be cancelled.
3. Staff failing to comply with the smoke/tobacco-free requirements shall be subject to progressive discipline, as set forth in DHS Administrative Order 4:08.

  
Jonathan S. Poag, Acting Assistant Commissioner  
Division of Mental Health Services

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