

<b>Title:</b> Policy for a smoke-free environment	
<b>Codification:</b>	0370 001001 F
<b>Responsible for application :</b>	Directorate-general
<b>Approved by:</b>	Insert approval level (Ex : P&P committee, Board of directors, etc.)
<b>Policy:</b>	<b>New</b> <input checked="" type="checkbox"/> <b>Revision</b> <input type="checkbox"/>
<b>Associated procedure:</b>	<b>Yes</b> <input type="checkbox"/> <b>No</b> <input checked="" type="checkbox"/>
<b>Implication(s):</b>	<input type="checkbox"/> Intra-departmental: Insert directorate or department <input checked="" type="checkbox"/> Inter-departmental: Insert directorates or departments <input type="checkbox"/> Multidisciplinary: Specify the professionals involved (ex : social workers, doctors, nurses, etc.) <input checked="" type="checkbox"/> Governance and higher management <input checked="" type="checkbox"/> CIUSSS-wide

## 1. Scope of application

This policy applies to anyone in CIUSSS West-Central-Montreal and to every facility operated by the CIUSSS. It also applies to every staff member (including doctors, medical residents and interns) and all users (including those who reside in a facility), as well as visitors, including suppliers.

## 2. Frame of reference

The Tobacco Control Act, adopted in 2015 by the National Assembly of Quebec, requires that healthcare and social services institutions adopt a tobacco control policy, in order to create a smoke-free environment, and that this policy should be send to the Ministry of Health and Social Services. According to the Ministry, the policy should have the following main objectives:

- Create a totally smoke-free environments, inside and outside the facility
- Promote non-smoking
- Favour smoking cessation for staff members and users

Furthermore, the policy aims to ensure the safety of the premises by reducing the risk of fire, burns (injuries to the body) and explosions.

The *Tobacco Control Act* (L.6.2) has the following minimum standards for health and social services facilities:

- Smoking or vaping is prohibited inside the facility.

<b>Effective date:</b> Specify the date the policy goes into effect	<b>Revision date:</b> If appropriate, specify the date of the last revision	<b>Next revision:</b> Specify the next scheduled review date
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- Smoking or vaping is prohibited outdoors within a nine-metre (9) radius of any door, air vent or window that opens leading into a facility.
- Setting up a smoking shelter for smokers on the grounds of the facility is prohibited.
- Providing a smoking room for a facility's residents is still permissible, if it complies with specific conditions related to installation and function.
- Reserving up to 20% of rooms where smoking is permitted for a facility's residents is still permissible.

However, according to the Ministry of Health and Social Services, these legislative measures do not guarantee full protection for the facility's users and staff against tobacco smoke in the facility.

The operator of a facility has a right to be more restrictive than the Law Regarding the Use of Tobacco inside the facility and on the grounds of the property, in accordance with his/her rights as owner of the premises. The owner is then responsible to apply these additional restrictions. The measures that are taken in case of failure to comply are of an administrative nature; or they are listed in the disciplinary protocol of the facility.

According to the Ministry of Health and Social Services, the following orientations should guide the development of a Smoke-Free Policy of an establishment:

1. Eliminate rooms where smoking is permitted
2. Plan for smoking rooms to be closed\*
3. Plan to create a smoking ban on the facility's grounds , with or without designated smoking areas
4. Ensure that the use of electronic cigarettes is covered in the Policy
5. Distribute the Tobacco Control Policy and promote awareness of it to intermediate resources and family-type facilities
6. Favour smoking cessation or the management of withdrawal symptoms for users, residents of a facility and staff members

\* Except for smoking rooms that serve residents in a long-term care facility, where some still smoke.

Over the long term, facilities must have a specific plan that culminates in a totally smoke-free environment. However, they maintain the right to evolve at their own pace, based on their specific circumstances.

In addition, dried cannabis that is intended to be smoked is subject the Tobacco Control Act. Therefore, it is also subject to the terms of this Policy.

According to the Commission for Human Rights and the Rights of Youths (*Commission des droits de la personne et des droits de la jeunesse*), any laws, regulations or policies that prohibit the use of tobacco in public places or in the workplace must comply with the Quebec Charter of Human Rights and Freedoms.

Several facilities in CIUSSS West-Central-Montreal have been at the forefront. The Lethbridge-Layton-Mackay Rehabilitation Centre and facilities of the former CSSS de la Montagne are already 100% smoke-free. No rooms are designated for smokers in any of the CIUSSS's facilities, and no smoking room exists in two (2) of the six (6) long-term care residential centres. Also, the former CSSS de la Montagne has implemented a systematic offer of support to help users and staff members stop smoking.

This policy supersedes any existing policy in the facilities of CIUSSS West-Central-Montreal. However, restrictions that are currently in effect will be maintained, unless they do not comply with the current policy of CIUSSS West-Central-Montreal.

### 3. Objective

CIUSSS West-Central-Montreal is committed to maintaining its efforts to promote tobacco control and to become totally smoke-free by January 1, 2020, at the latest.

### 4. Definition of terms

**Smoking:** Also covers the use of electronic cigarettes (L – 6.2, art 1.1)

**Tobacco:** In compliance with the Tobacco Control Act (chapter L-6.2), "tobacco" refers to harvested tobacco, processed or unprocessed, in any form or aspect. It refers to any product containing tobacco, to electronic cigarettes and to any other device of that nature that is place into one's mouth, in order to inhale any substance that may or may not contain nicotine. Also included are the device's components and accessories (art.1) and any other product or class of product that does not contain tobacco and that is intended for smoking (L-6.2, r. 1, art 1). "Tobacco" also includes the following accessories: cigarette tubes, rolling paper and filters, pipes (including their components), and cigarette holders (L – 6.2, art 1.1). Dried cannabis that is intended for smoking, even for medical purposes, is subject to the Tobacco Control Act in Quebec.

**Tobacco smoke in the environment (TSE):** Smoke that is inhaled and exhaled by smokers (primary smoke), as well as the smoke that is emitted into the air through the combustion of tobacco products that is not filtered by the smoker's respiratory system (second-hand smoke)

**Electronic cigarettes:** Electromechanical or electronic device that generates aerosols which can be inhaled

**Staff member:** Any person employed by the facility or working for it, including doctors, interns, consultants and volunteers

**User:** An individual who receives or requests an administrative act, exam, treatment or any other form of health care for herself/himself or for a dependant

**Residents:** Users who reside in the healthcare facilities of CIUSSS West-Central-Montreal

**Short-term counseling in tobacco cessation:** A protocol that enables healthcare professionals to identify tobacco users, to evaluate their receptivity to counseling, and to perform efficient interventions in 15 minutes or less

**Intensive counseling in tobacco cessation:** A specialized resource available in Smoking Cessation Centres, offering individual or group coaching to those who want to stop smoking

**Resources for the cessation of tobacco use and the management of withdrawal symptoms:**  
Support may include:

- information about services promote tobacco cessation (telephone hotline, internet site, text messaging)
- individual or group coaching services in Smoking Cessation Centres
- counseling by a healthcare professional
- pharmacological help

## 5. Guiding principles

Three principles support one's consideration of this Smoke-Free Policy, while guiding toward its adoption.

- **Promotion of health**

This Policy refers to a healthy environment, health, well-being and the quality of life.

- **Responsibility and consistency**

Offer a smoke-free environment and promote tobacco cessation, in accordance with the mission of healthcare and social services facilities to enhance and maintain the health of the clients they serve.

- **Providing an example**

By adopting this policy, CIUSSS West-Central-Montreal leads by example and acts as a model in the fight against tobacco and in protection against TSE, while contributing to the advancement of social norms that oppose the use of tobacco.

The government's policy regarding the prevention of health risks is intended to lower the proportion of smokers in society to 10% by 2025. In the areas of the former CSSS de la Montagne and the former CSSS Cavendish that are now part of CIUSSS West-Central-Montreal, smoking prevalence in society was 14.7% and 13.6%, respectively (compared to 18.9% across Montreal), according to the 2012 TOPO inquiry.

CIUSSS West-Central-Montreal recognizes that smoking tobacco is the main cause of avoidable death and disability in its area; that there is no safe level of exposure to tobacco smoke in the environment; and that only a 100% smoke-free environment offers efficient protection. The CIUSSS must provide an environment that is favorable to health inside and outside its premises, and it must reduce and eventually eliminate, to as great a degree as possible, any risk that is linked to exposure to tobacco smoke in those environments.

According to the Minister of Health and Social Services (with reference to intermediate resources and family-type facilities), even if these facilities are places where users reside, there is a high level of toxicity due to TSE, particularly for some of the residents of these facilities. Therefore, the option to allow smoking indoors should be strongly discouraged.

According to ministerial directions, the Policy should be more global, as opposed to a simple prohibition against tobacco use. It should also include measures in support of tobacco cessation and in opposition to the decision to begin smoking.

Several objectives of the Montreal Public Health Integrated Regional Action Plan for 2016-2021 deal with support for tobacco cessation. For example:

- Increase the proportion of smokers who use individual or group coaching services, in particular those who live in poverty and are hard to reach
- 100% of smokers who are admitted to a risk management program for chronic obstructive pulmonary disease (COPD) or cardiometabolic risks will be referred to a smoking cessation Centre (SCC).
- In Montreal, increase the proportion of smokers who register in the Quit to Win! challenge
- Increase the number of smokers who can take advantage of counseling intervention in tobacco cessation in the area where they receive care.

The strategic planning of the CEO of CIUSSS West-Central-Montreal also includes:

- emphasizing prevention and promoting health
- offering an exceptional user experience
- prioritizing and ensuring safe care and services to all users
- favouring the well-being and mobilization of employees

Finally, this policy meets criterion 10.7 of Accreditation Canada's Standard 10, concerning "the offer of service to support the prevention against and cessation of tobacco use".

## **6. Application procedure**

CIUSSS West-Central-Montreal is committed to maintaining its efforts to become totally smoke-free by January 1, 2020, at the latest.

As of that date, the use of tobacco, electronic cigarettes or any other device of this nature will be:

- prohibited inside the facilities
  - setting up new smoking rooms will not be authorized
- prohibited on the grounds of all facilities, including:
  - parking areas
  - service vehicles
  - gardens
  - balconies

Notwithstanding the foregoing,

- Areas which are currently designated as smoking rooms for residents of long-term care facilities can be maintained, as long as some residents still continue to smoke, and as long as these smoking rooms comply with the requirements specified in article 3 of the Tobacco Control Act.
- The use of tobacco and electronic cigarettes will be tolerated in designated areas outside the facility until January 1, 2020.

### **TEMPORARY EXEMPTION**

A temporary exemption beyond the scheduled date may be allowed by the committee that monitors the Policy, acting according to the recommendation of the Clinical Directory.

### **HOME SUPPORT**

- The use of tobacco and electronic cigarettes by any employee of CIUSSS West-Central-Montreal is prohibited in the dwelling of a user, or in the presence of a user whenever a meeting with the user takes place outside the dwelling.
- CIUSSS West-Central-Montreal asks users and their loved ones to maintain a smoke-free environment in their dwellings during visits from staff members.

### **INTERMEDIATE RESOURCES AND FAMILY-TYPE FACILITIES**

- After consultation between CIUSSS West-Central-Montreal and the local coordinating committee for intermediate resources, intermediate resources and family-type facilities will be asked to comply with requirements for a smokeless environment whenever a new contract is signed, an existing contract is renewed, or a call for tenders is issued.

## **MEASURES IN SUPPORT OF SMOKING CESSATION**

To encourage users and employees who are covered by this Policy to reduce or stop using the range of tobacco products, the CIUSSS's facilities will offer various forms of support:

- Services to help employees, doctors, medical residents, users and a facility's residents to stop smoking or manage withdrawal symptoms
- Awareness activities for employees, users, visitors, etc.
- A systematic intervention process in smoking cessation for users and residents of a facility, consisting of (where applicable):
  - identifying an individual's smoking status
  - documenting the smoking status in the individual's file
  - referring the individual to tobacco cessation services
  - offering support in managing withdrawal symptoms, in cooperation with the healthcare team

## **INFRACTIONS AND SANCTIONS**

Anyone who contravenes the Tobacco Control Act (the Act)—namely, by smoking where smoking is prohibited—may be stopped and questioned by an inspector appointed by the Ministry of Health and Social Services, and may be subject to penalties under the law (see appendix 1).

The facility may take measures against anyone who contravenes to this policy. These measures range from a simple warning to expulsion from the premises, depending on circumstances. Any staff member of staff who contravenes this policy could face disciplinary or administrative sanctions, ranging from a simple warning to dismissal, depending on circumstances.

### **7. Roles and responsibilities**

#### **The Board of Directors**

- Adopts the CIUSSS's Tobacco Control Policy

#### **General managers**

- Is responsible for enforcing the Tobacco Control Act in the CIUSSS
- Is obligated to provide a reliable accounting to the Board of Directors every two years regarding enforcement of the Tobacco Control Act.
- Transmits the report to the Ministry of Health and Social Services within 60 days after the report is released
- Forms a policy monitoring committee, including measures in support of smoking cessation

#### **Managers of facilities**

- Ensure that the Policy is enforced and respected in their departments
- Inform members of staff and anyone else in their area about the content of the Policy
- Enforce disciplinary measures that the facility has established for non-compliance with the Policy, in cooperation with the Human Resources Directorate.

#### **Directorate of Human Resources, Communications and Legal Affairs**

- Ensures publication of this Policy and access to it at all times
- Arranges for the Policy to be properly posted
- Assists managers in establishing and imposing sanctions for non-compliance
- Carries out activities related to awareness, information and smoking cessation for all staff members
- Oversees monitoring to ensure compliance with the policy
  - Security agents
    - Inform the offending person that the Tobacco Control Policy has been contravened, and take any appropriate measures within their jurisdiction
    - Issue tickets or warnings to any non-compliant person, in their roles as inspectors, as mandated by the Ministry of Health and Social Services, with to enforcing the Tobacco Control Act

#### **Technical Services Directorate**

- Collaborates in implementing this policy
- Ensures signs are prepared and posted
- Ensures that entrepreneurs, contractors and sub-contractors are aware of and comply with the Policy
- Ensures compliance with the rules in maintaining smoking rooms, if needed, as required by the Act
- Ensures that cigarette butts are removed

#### **Frontline Integrated Services Directorate**

- Assists general managers in forming of the monitoring committee
- Supports directorates in their efforts to create a smokeless environment, while providing support to users and employees who wish to stop smoking

#### **Nursing Directorate**

- Ensures systematic intervention in smoking cessation and in managing withdrawal symptoms among users and a facility's residents

#### **Directorate covering the Program for the Autonomy of Seniors**

- Collaborates in systemic intervention for smoking cessation and managing withdrawal symptoms.
- Ensures implementation and compliance with the Policy, while taking into account the particular nature of the users and the facility

#### **Office of the Commissioner of Complaints and Quality of Service**

- Diligently processes users' complaints about the use of tobacco and enforcement of the Policy

#### **Directorate for Quality, Evaluation, Performance, Ethics and Archives**

- Contributes to the evaluation and enforcement of the Policy, while suggesting adjustments, if necessary

#### **Staff members, doctors and contractors, visitors, volunteers, interns, residents and students**

- Respect this policy and promote its enforcement

### **8. Date of introduction**

The Policy takes effect as soon as it is adopted by the Board of Directors. However, CIUSSS West-Central-Montreal can make compliance with the Policy mandatory before the Policy's target date.

### **9. Revision of the Policy**

The Policy must be revised every five (5) years—with the next revision scheduled for 2022—in compliance with the administrative provisions of CIUSSS West-Central-Montreal.

### **10. Credentials**

- Montreal Health and Social Services Agency, 2014, *Local smoking profile*, CSSS de la Montagne and CSSS Cavendish, TOPO 2012
- Accreditation Canada, 2017, *Standards: Public Health*
- Regional Directorate of Public Health, 2017, *Montreal Integrated Public Health Regional Action Plan – Detailed service offer*
- Government of Quebec, *Tobacco Control Act L-6.2 (2016)*
- Ministry of Health and Social Services, 2016, *Ministerial Orientations: Tobacco Control Policy in Healthcare and Social Services Facilities*
- Ministry of Health and Social services, 2016, *Government Policy for Prevention in Health*
- *Policy on Tobacco in the facilities of CIUSSS West-Central-Montreal*

## Appendix 1: Table of fines

Offence	First infraction		Subsequent infractions		
Smoking where smoking is prohibited	\$250	to \$700	\$500	to	\$1,500
Removing or defacing a notice indicating areas where smoking is prohibited	\$500	to \$1,500	\$1,000	to	\$3,000
Impeding the duties of an inspector in any way	\$2,500	to \$125,000	\$ 5,000	to	\$250,000
Failing to provide reasonable assistance to an inspector who is performing his/her duties	\$2,500	to \$125,000	\$5,000	to	\$250,000
Refusing or neglecting to comply with a request to provide information or documentation on enforcement of the Act or its regulations	\$2,500	to \$125,000	\$5,000	to	\$250,000
Tolerating smoking where it is prohibited	\$500	to \$12,500	\$1,000	to	\$25,000
Failing to indicate, through signage, areas where smoking is prohibited	\$500	to \$12,500	\$1,000	to	\$25,000
Contravening the use, installation, construction or layout standards prescribed by the Act	\$1,000	to \$5,000	\$2,000	to	\$100,000
Installing, maintaining or leaving in place a dispensing machine that sells tobacco	\$2,500	to \$62,500	\$5,000	to	\$125,000
Operating a retail outlet that sells tobacco on the grounds or inside a healthcare and social services facility	\$2,500	to \$125,000	\$5,000	to	\$250,000
Associating a name, logo, distinctive symbol, drawing, image or slogan that is related to tobacco with a facility that is operated by a health and social service institution (CIUSSS) or with a research centre that is attached to the facility.	\$2,500	to \$62,500	\$5,000	to	\$125,000