

SENSENBRENNER HOSPITAL
ADMINISTRATIVE
POLICY & PROCEDURE MANUAL

POLICY NO.: I-3-160
PAGE 1 of 1
APPENDICES 1 & 2

ISSUED BY: BOARD OF DIRECTORS

MANUAL DISTRIBUTION:
ADMINISTRATIVE

APPROVED BY: CEO

CATEGORY: PATIENT & COMMUNITY
RELATIONS



ORIGINAL DATE OF ISSUE:
April 1996

REVIEW/REVISION (YY/MM): R08/07, R19/01

SMOKING

POLICY

Sensenbrenner Hospital has a responsibility to provide a healthy environment for patients/clients, staff and visitors. Because of the associated health risks, smoking is prohibited within the hospital including vehicles used for work purposes.

As of January 1, 2018, Sensenbrenner Hospital will have no smoking on the hospital property as part of the Smoke Free Ontario Act (SFOA).

Hospital patients/clients, visitors and staff are to smoke off the property of 101 Progress Crescent. Smoking in cars on the Sensenbrenner Hospital property will not be tolerated.

NOTE: It is the responsibility of all hospital staff to follow and enforce this policy.

Complaints of non-compliance are to be forwarded to Administration.

This policy will come into effect on January 1, 2018.

The Porcupine Health Unit (PHU) contact is at 705-267-1181 or 1-800-461-1818 or by email at inspections@porcupinehu.on.ca.

Inpatient Smoking

1. Patients/Clients whose condition permits, may be allowed to go off property to smoke provided that:
 - a. The patient's/client's physician has written an order on the health record permitting the patient/client to go outside to smoke. Please note: Patients/ Clients that are "one to one" will not be granted permission.
 - b. Saline locks will be instituted for a patient/client who has permission to smoke as no intravenous pumps will be allowed outside.
 - c. The patient/client will sign a *Release of Liability* form.
 - d. The patient/client will notify a staff member at the nursing desk when leaving the unit and upon their return.
2. If a nurse is of the opinion that a patient/client should not leave the unit because his/her condition she will inform the patient/client and contact the attending physician if required.

If a **hospital patient/client** is found smoking on hospital property, the following are appropriate actions to be taken:

1. Request that the patient/client who is smoking cease to do so immediately and inform them that as per the law, the hospital and all of its property is a smoke free zone.
2. In the event that the patient/client continues to smoke, the patient'/client's physician will be consulted regarding the patient's/client's discharge.
3. If the smoking concern continues and the issue is not resolved an incident report will be filled out and the hospital Administration will be notified.

**Appendix 1
Administrative
Policy No. I-3-160**

If **hospital visitors** are found smoking on hospital property, the following is the appropriate response procedure:

1. Request that the people who are smoking cease to do so immediately, and inform them that as per the law, the hospital and all of its property is a smoke free zone.
2. In the event that these people continue to smoke, they should be asked to leave the hospital property immediately, and if the issue is not resolved an incident report will be filled out and the hospital Administration will be notified.

If **hospital employees** are found smoking on the hospital property Human Resources Policy I-9-40 '*Disciplinary Process and Procedure*' will be followed.



RELEASE FROM LIABILITY – SMOKING

I, the undersigned, hereby acknowledge that I have been informed as per the “Smoke Free Ontario Act” of January 2016 and that as of January 1, 2018 patients/clients are NOT permitted to smoke on hospital property. **I am to smoke off the property on 101 Progress Crescent. I am also aware that smoking in a vehicle on Sensenbrenner Hospital’s property will not be tolerated.**

I, on behalf of myself, my heirs, executors and/or administrators agree to release Sensenbrenner Hospital, employees of the hospital and physicians involved in my care in respect of all claims or demands for damages, loss or injury which may hereafter be sustained by me in consequence of **my decision to go off hospital property** for the purpose of smoking.

Patient’s/Client’s Signature

Signature of Parent/Guardian

Date

If patient/client is under 19 years of age

Witness Signature

LIBÉRATION DE RESPONSABILITÉE – L’USAGE DU TABAC

Je, soussigné, reconnais d’avoir été informé(e) conformément à la « Loi Ontario Sans Fumée » de janvier 2016 et qu’à compter du 1^{er} janvier 2018, les patients NE SONT PAS autorisés à fumer sur la propriété de l’hôpital. **Je ne dois pas fumer sur la propriété du 101 croissant Progress. Je suis également conscient(e) que fumer dans un véhicule sur la propriété de l’Hôpital Sensenbrenner ne sera pas toléré.**

En mon nom personnel, mes héritiers, exécuteurs testamentaires et / ou administrateurs acceptent de libérer l’Hôpital Sensenbrenner, les employés de l’hôpital et les médecins qui contribuent à mes soins, de toutes réclamations ou demandes de dommages, de pertes ou de blessures qui pourraient être soutenu par moi à la suite de **ma décision de sortir de la propriété de l’hôpital** pour fumer.

Signature du patient(e)

Signature du parent tuteur si
le/la patient(e) a moins de 19 ans

Date

Signature du témoin

Prepared: December 11, 2017

Approved: Executive Committee – Dec. 21’17



Smoke-Free Ontario Act, 2017

How the Act Affects: Hospitals and Hospital Properties

The Basics

The *Smoke-Free Ontario Act, 2017* prohibits the smoking of tobacco, the use of electronic cigarettes (e-cigarettes) to vape any substance, and the smoking of cannabis (medical and recreational) in enclosed workplaces and enclosed public places, as well as other designated places in Ontario, to protect workers and the public from second-hand smoke and vapour.

Smoking refers to the smoking or holding of lighted tobacco or cannabis (medical or recreational).

Vaping refers to inhaling or exhaling vapour from an electronic cigarette or holding an activated electronic cigarette, whether or not the vapour contains nicotine.

Public and Private Hospitals and Psychiatric Facilities

Under the *Smoke-Free Ontario Act, 2017* (SFOA, 2017), public and private hospitals (hospitals) and psychiatric facilities are considered to be enclosed workplaces and enclosed public places, and smoking and vaping is prohibited inside these facilities. For more information, please see the Fact Sheets on Enclosed Public Places and Enclosed Workplaces.

Smoking and vaping is also not permitted on the outdoor grounds and within a nine (9) metre radius surrounding any entrance or exit of a hospital or a psychiatric facility.

The sale of tobacco and vapour products is prohibited in hospitals and psychiatric facilities.

Responsibilities of Hospitals as Employers/Proprietors

Proprietors (owners, operators, and / or persons in charge) and employers of staff in hospitals and psychiatric facilities must make sure that smoking and vaping laws are complied with. They must:

- Give notice to staff, patients and visitors that smoking and vaping is not allowed in the smoke-free and vape-free areas.
- Post “No Smoking” and “No Vaping”, or a dual “No Smoking and No Vaping” sign at entrances, exits and washrooms of the area, in appropriate locations and in sufficient numbers, to ensure that the public is aware that smoking and vaping is not allowed.
- Ensure that no ashtrays or similar items remain in the smoke-free and vape-free areas.
- Ensure that employees, patients and visitors do not smoke or vape in the smoke-free and vape-free areas.
- Ensure that someone who refuses to comply with the smoking and vaping ban does not remain in the smoke-free and vape-free area.

Use of Tobacco for Traditional Indigenous Cultural or Spiritual Purposes

The proprietor of a hospital or psychiatric facility must, at the request of an Indigenous resident, set aside an indoor area in the facility for the use of tobacco for traditional Indigenous cultural or spiritual purposes.

The restriction on smoking or holding lighted tobacco in the smoke-free areas of a hospital or a psychiatric facility does not apply to tobacco used for traditional Indigenous cultural or spiritual purposes.

Enforcement

Local public health units will carry out inspections and respond to complaints regarding the sale of tobacco and vapour products, and smoking and vaping in hospitals and psychiatric facilities. Local public health units will also respond to complaints regarding smoking or vaping on the outdoor smoke-free and vape-free areas of a hospital and psychiatric facility.

Penalties

Failing to comply with prohibition on smoking or vaping

An individual found to be smoking or vaping in the smoke-free and vape-free area (indoor or outdoor) of a hospital or psychiatric facility may be charged with an offence, and if convicted, could face a maximum fine of \$1,000 (for a first offence) or \$5,000 (for any further offence).

A proprietor or employer of a hospital or psychiatric facility that fails to fulfill their responsibility under the law may be charged with an offence, and if convicted, could face a maximum fine:

Signage responsibilities

- For individuals: \$2,000 (for a first offence); \$5,000 (for a second offence); \$10,000 (for a third offence); \$50,000 (four or more offences).
- For corporations: \$5,000 (for a first offence); \$10,000 (for a second offence); \$25,000 (for a third offence); \$75,000 (four or more offences).

Other responsibilities

- For individuals: \$1,000 (for a first offence); \$5,000 (two or more offences).
- For corporations: \$100,000 (for a first offence); \$300,000 (two or more offences).

Failing to comply with prohibition on selling tobacco or vapour products

Any individual convicted of selling tobacco or vapour products in a hospital or psychiatric facility could face a maximum fine ranging from \$2,000 to \$50,000, depending on the individual's number of prior convictions.

Any corporation convicted of selling tobacco in a hospital or psychiatric facility could face a maximum fine ranging from \$5,000 to \$75,000, depending on the corporation's number of prior convictions.

Failing to accommodate right of Indigenous residents

Any operator of a hospital that fails to meet an Indigenous resident's request for an indoor area to use tobacco for traditional Indigenous cultural or spiritual purposes may be charged with an offence, and if convicted, could face a maximum fine of \$4,000 (in the case of an individual) or \$10,000 (in the case of a corporation).

This fact sheet is intended as a quick reference only and should not be considered to be legal advice. For more information, please contact your local Public Health Unit.

You may also obtain information by calling toll-free:

- **INFOline** 1-866-532-3161
- **TTY** 1-800-387-5559

Hours of operation: Monday to Friday, 8:30 a.m. - 5:00 p.m. (Eastern Standard Time)

For specific information on smoking and vaping laws in hospitals, contact your local Public Health Unit. To find the public health unit serving your region, please visit their website at:

<http://www.health.gov.on.ca/en/common/system/services/phu/locations.aspx>.

For more information on the *Smoke-Free Ontario Act, 2017*, please visit the Ontario Ministry of Health and Long-Term Care website: ontario.ca/smokefree.