

Existing law prohibits smoking, with certain exceptions, in enclosed areas of all licensed hospitals.

Prior law provided that the following entities shall establish rules and policies to reasonably accommodate inpatients and inmates who smoke:

- (1) The governing board of a psychiatric hospital.
- (2) Dept. of Public Safety and Corrections (DPS&C).
- (3) Dept. of Health and Hospitals (DHH).

New law deletes DHH from the listing of entities required to accommodate inpatients who smoke; provides that governing boards of psychiatric hospitals which are required to accommodate inpatients who smoke shall be those of private facilities; and otherwise retains existing law.

New law requires DHH to establish procedures for treatment of smokers with mental illness in its psychiatric hospitals and forensic facilities which are smoke free. Requires DHH to implement such procedures for current patients and for new patients at the time of admission.

New law provides that in carrying out the provisions of new law relative to treatment of smokers in psychiatric hospitals and forensic facilities which are smoke free, DHH shall:

- (1) Screen the patient for smoking cessation needs.
- (2) Seek the consent of the patient to participate in education and treatment regarding smoking cessation.
- (3) Train psychiatric hospital staff of the department in smoking cessation best practices and monitoring of the patient's treatment plan, symptoms, and medication adjustments. Psychiatric hospital staff so trained may include tobacco cessation in the patient's treatment plan after a review of the patient's diagnosis and medication history.
- (4) Provide patients in department psychiatric hospitals and forensic facilities with access to smoking cessation assistance, including but not limited to counseling, nicotine replacement therapy, and oral medications.
- (5) Provide patients in department psychiatric hospitals and forensic facilities with access to smokeless tobacco cessation assistance.
- (6) Provide information about smoking cessation in discharge planning, including information about smoking cessation resources in the community.

Effective upon signature of governor (May 31, 2012).

(Amends R.S. 40:2115(C))