

115 STATE STREET  
MONTPELIER, VT 05633  
TEL: (802) 828-2228  
FAX: (802) 828-2424

SEN. CLAIRE AYER, CHAIR  
SEN. VIRGINIA "GINNY" LYONS, VICE CHAIR  
SEN. BRIAN COLLAMORE, CLERK  
SEN. DICK MCCORMACK  
SEN. ANTHONY POLLINA



STATE OF VERMONT  
GENERAL ASSEMBLY  
SENATE COMMITTEE ON HEALTH AND  
WELFARE

MEMORANDUM

To: Senator M. Jane Kitchel, Chair, Senate Committee on Appropriations

From: Senator Claire D. Ayer, Chair, Senate Committee on Health and Welfare

Date: February 2, 2016

Subject: Smoking at treatment centers

A handwritten signature in black ink, appearing to read "Claire D. Ayer", written over the "From:" line of the memorandum.

On Friday, January 29, 2016, the Senate Health and Welfare Committee took extensive testimony on the topic of smoking at mental health and substance abuse treatment centers. The Committee heard from the Department of Mental Health about language in the FY16 Master Grant agreement between the Agency of Human Services and the designated agencies requiring all treatment facilities except mental health residences to be tobacco-free by July 1, 2015. Similar language was included in contracts with the substance abuse treatment facilities, with an implementation date of July 1, 2015 for Valley Vista and of January 1, 2016 for Maple Leaf Farm and Serenity House.

The Committee heard from Catherine Iacuzzi, Executive Director of Maple Leaf Farm and Jack Duffy, Executive Director and CEO of Valley Vista about problems with implementation of the smoke-free policy. In the four weeks since its policy took effect, Maple Leaf Farm had three potential clients refuse admission because of the no smoking policy, 12 clients leave before their treatment was finished because of the policy, two potential clients arrive for treatment but leave before beginning the program because of the policy, and five clients administratively discharged because of issues related to their use of tobacco products on campus. Ms. Iacuzzi reported increased smoking inside buildings (which has always been prohibited), clients and staff sneaking cigarettes, and discipline issues with staff who smoke. She spoke of the need for a culture shift at all three residential substance abuse treatment facilities – Maple Leaf Farm, Valley Vista, and Serenity House – and expressed a willingness to continue working toward a smoke-free campus over time. Maple Leaf Farm is currently allowing smoking but providing reduced opportunities for clients and staff to smoke. Mr. Duffy discussed the importance of patients' willingness to participate in addiction treatment, saying that patients may come to treatment with a willingness to stop using drugs but not necessarily a willingness to stop

smoking. He was not able to provide numbers of patients who refused treatment or left Valley Vista early, but told the Committee that while Valley Vista has not actually banned smoking yet, the level of anxiety created by knowledge of the potential for the policy was causing clients to leave prematurely.

Mary Moulton, Executive Director of Washington County Mental Health told the Committee that her agency has been working toward a smoke-free campus since 2003, and that it took a lot of dedication to changing the culture in order to make the policy successful. The agency's crisis beds have only been smoke-free since July 2015, and while clients expressed concerns about giving up smoking while experiencing a mental health crisis, none has left early or refused treatment. Similarly, Peter Albert from the Brattleboro Retreat said the Retreat has had a tobacco-free campus since 2008, and while there was initially a short-term drop in the number of patients coming for treatment, that number recovered and the Retreat has improved its ability to support tobacco cessation.

Barbara Cimaglio, Deputy Commissioner for Alcohol and Drug Abuse Programs at the Department of Health, told the Committee that addiction to nicotine is as serious as addiction to opioids, though the consequences are more long-term. The Department had attempted to implement a smoking ban in prior years but delayed implementation because of concerns from providers. She said the Department is open to helping the substance abuse treatment facilities to effect a culture shift away from smoking and that she wants to see smoking breaks reduced over time, designated smoking areas created, and more training for staff on tobacco cessation. She expressed the Department's willingness to work with the treatment facilities on implementation of the ban and spoke of the importance of maintaining the smoke-free goal in all State-supported facilities. The Department agreed, on the record and in the presence of the representatives from Maple Leaf Farm and Valley Vista, to be flexible in enforcing the smoke-free ban and supportive of the facilities' efforts to work toward the smoke-free goal.

It is my understanding that shortly after the testimony in the Senate Health and Welfare Committee, a representative of Valley Vista approached the Senate Appropriations Committee to request that language be added to H.611, An act relating to fiscal year 2016 budget adjustments, to exempt Valley Vista from the smoke-free ban. As Chair of the Senate Health and Welfare Committee, I urge you not to include such language in the budget adjustment bill. The parties had an opportunity present their concerns in the Health and Welfare Committee and reached what appeared to be a satisfactory agreement regarding a more gradual approach to achieving the goal of a smoke-free campus at the substance abuse treatment facilities. In order to continuing progressing toward that goal, I believe it is essential to keep the smoke-free language in the contracts in place.

cc: Harry Chen, M.D., Commissioner, Vermont Department of Health  
Catherine Iacuzzi, Executive Director, Maple Leaf Farm  
Jack Duffy, Executive Director and Chief Executive Officer, Valley Vista