



Wake County Tobacco Free Policy

x	Countywide or	Department:	Division:
Supersedes:			Effective Date: 11/1/2016
Approving Authority:			
Originating Department(s): Human Resources			

- I. **Purpose:** This policy establishes the Tobacco Free Program which allows for a premium surcharge for covered employees, spouses and pre-65 retirees who use tobacco products.

II. **Procedure Statement:**

The Wake County Smoking, Tobacco and Vapor Product Use Ordinance was enacted on November 24, 2015 in accordance to N.C.G.S 130A-498 and N.C.G.S 153A-121. This ordinance amended the August 20 2007 ordinance.

As outlined in the ordinance, the use of smoking tobacco and vapor products is prohibited on any County building, any County vehicle, and on any County grounds. The restriction does not prohibit smoking, use of tobacco products, and vapor products on streets, rights of way, sidewalks, or other property not owned or leased by Wake County as lessor or lessee.

Given the ordinance in place and health risks of tobacco utilization, the County is implementing a tobacco surcharge to health insurance premiums for those that are not tobacco free, as described below.

III. **Definitions:**

The following definitions should be referenced:

- Smoking
- Vapor Product
- Tobacco Product

Additional definitions can be found in the HR Glossary of Terms.

IV. **Applicability:**

This program and the guidelines set forth herein apply to all benefit eligible employees and their covered spouse along with any pre-65 retiree and their covered spouse who elect health insurance through Wake County. Any subscriber (employee or pre-65 retiree) and any spouse enrolled on the health insurance plan is subject to the guidelines below.

V. **Procedure Responsibility and Management:**

The policy becomes will be implemented and managed as follows:

Implementation of Program: The tobacco surcharge will take effect in plan year 2018. Employees, retirees and covered spouses will be eligible to enroll and complete the certified tobacco cessation program in 2017. Any employee, retiree or covered spouse is eligible for the tobacco free premium if they have either (1) not used tobacco in the last 12 months or (2) used tobacco in the last 12 months but completed a certified cessation program. The cessation program must have been completed between November 1st of this year and October 31st of the following year. Participation in a cessation program that is in-progress but not yet completed will not qualify for the tobacco free premium.

Enforcement of Program through Annual Affidavit/Attestation: A tobacco affidavit will be required at new hire enrollment and annually during Open Enrollment. The affidavit will state whether the employee, retiree and any covered spouse has used tobacco in the last 12 months and whether the employee, retiree or covered spouse has completed a certified tobacco cessation program. The employee/retiree along with his/her spouse, if covered, will be required to complete an affidavit by the designated date in order to avoid paying the tobacco surcharge. An e-signature attestation may be implemented and will be a valid means for enforcing the program.

Applicable Surcharge: The surcharge will be applied through a higher medical insurance premium. The tobacco surcharge vary based on plan design and open enrollment changes. The tobacco surcharge would apply individually to an employee, pre-65 retiree and covered spouse. Therefore, an employee or retiree and a covered spouse who use tobacco would each subject to the surcharge. The applicable surcharge is in addition to any Know Your Numbers or other health and well-being related surcharge

Eligibility for Discounted Premiums: An employee, retiree or spouse is eligible for the tobacco free premium based on the affidavit completed during enrollment – whether as a new hire or annually. Eligibility criteria is outlined below:

If an employee, retiree or covered spouse is tobacco free for at least 12 months, the employee, retiree or covered spouse is eligible for the tobacco free premium.

If the employee, retiree or covered spouse attest to using tobacco in the last 12 months and have completed a certified tobacco cessation program within the last 12 months (November 1st – October 31st), then the employee, retiree or spouse will be eligible for the standard, tobacco free premium.

If the employee, retiree or covered spouse attest to using tobacco products and have not completed a certified tobacco cessation program within the last 12 months (November 1st – October 31st), then the employee, retiree or covered spouse will be responsible for paying the tobacco surcharge for the next plan year. The tobacco surcharge can be applied to the employee or retiree and/or the spouse; the surcharge is applied separately for the individual and spouse.

If an employee, retiree or covered spouse stop using tobacco products during the plan year, the employee, retiree and/or covered spouse is eligible for the tobacco free premium during the next open enrollment period, as noted on the Tobacco Affidavit. A special enrollment period will not be provided.

If an employee/retiree or covered spouse begins using tobacco, the employee, retiree or spouse is required to report this usage during the next open enrollment period.

Availability of Resources: The County will provide a variety of resources, including at least two certified Tobacco Cessation Programs. Such resources will be communicated annually as part of Open Enrollment and upon hire and will be made available with other benefits and wellness resources. If it is unreasonably difficult for the employee, retiree or spouse to achieve the standards for the rewards under this program, the individual must contact the Human Resources Department. Human Resources will work with each individual to develop another way to qualify for the reward.

Enforcement of Program: The Human Resources Department will manage the Tobacco Free Program and will communicate to every employee who will be required to pay the tobacco surcharge. With reasonable proof, Human Resources along with the Employee Health Center reserve the right to question an employee's affidavit. A departmental supervisor or manager, including the Department Director, cannot question an employee. A supervisor or manager should submit any questions to the Benefits and Wellness Manager, Deputy Human Resources Director or Human Resources Director.

Management of Program: The Human Resources Department will manage the Tobacco Free Program. Tobacco Cessation resources will be provided annually through employee and retiree communications, accessible online and provided individually when requested. For any questions or concerns about the program, contact LivingGreat@wakegov.com

Questions or concerns regarding the *Living Great @ Wake* program should be shared with Human Resources at LivingGreat@wakegov.com.

VI. Related Policies, Procedures and Publications:

- *Living Great @ Wake* Ordinance XXX
- *Living Great @ Wake* Policy Series 2000

VII. Appendices:

- Tobacco Free Program Guidelines
- Tobacco Free Affidavit

VIII. History:

Effective Date	Version	Section(s) Revised	Author
09/06/16	1.0	New Version	Ashley Lategan

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