



To: Louisiana Nursing Homes
Regarding: The Louisiana Smoke-Free Air Act and Nursing Homes

In order to protect workers from the dangers of secondhand smoke, the Louisiana Legislators have enacted the Louisiana Smoke-Free Air Act (ACT 815) in January 2007.

Secondhand smoke is a serious health threat in Louisiana:

- Approximately 1,000 children and adults die each year due to secondhand smoke exposure.
- Breathing 30 minutes of second hand smoke has the same effect as smoking a cigarette yourself.
- Breathing/inhaling secondhand smoke increases the risk of developing heart disease.
- In children, exposure to secondhand smoke is associated with an increased risk for developing asthma.

Within nursing homes, this law protects staff and visiting family and friends from secondhand smoke. In order to provide clarity to the law specific to nursing homes, ACT 490 was passed during the 2008 Regular Session. ACT 490 provides an exception which permits smoking in designated and well-ventilated rooms of nursing homes, provided that the designated smoking room is not the reception area, lobby, waiting room, dining room, or any other room or area defined as a public place under the provisions of the law.

Under the statutory jurisdiction of the Department of Health and Hospitals, nursing homes within Louisiana should comply with the state's law by clearly and conspicuously posting "No Smoking" signs or the international "No smoking" symbol in every public place of the nursing home. Ashtrays should also be removed from any area where smoking is prohibited.

Under ACT 815, the Department of Health and Hospitals may treat a violation of this law as a deficiency to be assessed against any licensee or facility over which it has statutory jurisdiction. Any violation of the law can also be cited by any law enforcement officer by the issuance of a citation and summons to appear before a court of proper jurisdiction. Any employer who is guilty of a violation of the law shall be fined \$100 for first offense, \$250 for second offense, and \$500 for third offense.

If you have any questions about this information, please contact Chandra Thomas at 225-342-5497.