



**Office for People With
Developmental Disabilities**

INFORMATIONAL LETTER

Transmittal:	19-INF-02
To:	Executive Directors of Voluntary Provider Agencies Developmental Disabilities Regional Office Directors Developmental Disabilities State Operations Office Directors
Issuing OPWDD Office:	Office of Counsel
Date:	November 26, 2019
Subject:	Inclusion of E-Cigarette Cessation Within Smoking Cessation Materials
Suggested Distribution:	Executive Directors of Voluntary Provider Agencies Developmental Disabilities Regional Office Directors Developmental Disabilities State Operations Office Directors Care Coordination Organizations
Contact:	Counsel's Office, OPWDD Central Office (518) 474-7700
Attachments:	Executive Order 196

Related ADMs/INFs	Releases Cancelled	Regulatory Authority	MHL & Other Statutory Authority	Records Retention
ADM #2012-02		14 NYCRR §§ 633.23, 633.4	N.Y. Exec. Order No. 196 (Sep. 12, 2019)	

Purpose: The Office for People With Developmental Disabilities (OPWDD) requires providers of certified residential facilities to develop policies and procedures which address smoking safety and smoking related health care issues for each individual with a developmental disability who lives there and who smokes.

This transmittal provides notice of an important change in the standards for smoking related policies and procedures.

Background:

Currently, OPWDD requires policies and procedures to address smoking related health care issues that include mechanisms to:

- evaluate smoking habits annually and as changes occur;
- develop, implement, and monitor individualized smoking safeguards; and
- offer and provide individuals who smoke with services and supports to actively promote smoking cessation.

On September 12, 2019, Governor Andrew Cuomo issued Executive Order 196, requiring the incorporation of vaping and e-cigarette prevention and cessation materials into all preexisting tobacco, anti-smoking, or smoking cessation materials, programs or advocacy on behalf of the individuals we serve.

Program Implications:

All preexisting tobacco, anti-smoking, or smoking cessation materials, programs, or advocacy offered to individuals at residential facilities must be updated to incorporate information about vaping and e-cigarette prevention and cessation, including any challenges unique to vaping or e-cigarette prevention or cessation versus traditional tobacco products, and information regarding the specific health dangers presented by the use of vape pens, e-cigarettes, or liquid nicotine.

Smoking cessation goals should be developed as part of an individual's person-centered plan/Life Plan and are individualized based on a person-centered review. Consequently, there are no specifically required materials applicable to every individual whose service plan includes provisions for smoking cessation; instead the process is individualized.