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Applicability: KUMC Wide

Smoking, Tobacco Use and Electronic Cigarette Use Policy

PURPOSE:

State law prohibits smoking within and near buildings that are the property of the State of Kansas. Kansas Board of Regents and university policies prohibit the sale of tobacco products in facilities owned or operated by the University of Kansas and its affiliated corporations. This policy sets forth the University of Kansas Medical Center's restrictions on smoking, the use of tobacco products and electronic cigarettes anywhere on its campuses, except in designated areas. This policy also complies with the requirements of Kansas law and related policies.

APPLIES TO:

Faculty, staff, students, volunteers and visitors of the University of Kansas Medical Center, and all other sites owned, operated and/or reporting to the Medical Center.

DEFINITIONS:

Smoking: the consumption of products derived from tobacco or other substances intended to be smoked, heated, absorbed, dissolved, inhaled, snorted, sniffed, or consumed by any other means.

Tobacco Products:

1. Any product containing, made, or derived from tobacco or containing nicotine, whether synthetically produced or derived from other sources that is intended for human consumption (and not marketed for cessation);
2. Any electronic device that delivers nicotine or other substances to the person inhaling from the device, including, but not limited to an electronic cigarette, cigar, pipe, or hookah (and not marketed for cessation);

3. Any component, part or accessory of number 1 or 2, whether or not sold separately (and not marketed for cessation.)

Electronic Cigarette: Any electronic device that delivers nicotine or other substances to the person inhaling from the device, including but not limited to any electronic cigarette, cigar, pipe, or hookah, including any component, part or accessory of such device, whether or not sold separately. E-cigarette shall not include any product that had been approved by the United States food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where such product is marketed and sold solely for such an approved purpose.

POLICY:

The University of Kansas Medical Center is committed to the promotion of good health and the prevention of disease. As such, the Medical Center has an obligation to establish and maintain a healthy, safe and clean environment for patients, faculty, staff, students, volunteers and visitors.

Smoking, the use of tobacco products and electronic cigarettes are not permitted in any facility or on any part of the Medical Center's campuses. Smoking, the use of tobacco products and the use of electronic cigarettes are only allowed in designated areas around the campuses if such designated locales are identified by specific signage.

Individuals must respect the properties and businesses immediately adjacent to the workplace and refrain from littering or loitering on these properties for the purposes addressed above or otherwise.

For purposes of this policy, University of Kansas Medical Center facilities include all buildings owned or leased by the Medical Center as well as all adjacent exterior areas, including parking lots and parking garage buildings. These areas include, but are not limited to:

- Corridors
- Private Offices
- Conference Rooms
- Locker Rooms
- Restrooms
- Building Entrances
- Cafeterias
- Food Vending Areas
- Elevators
- Stairwells
- Parking Garages
- Courtyards and Patios
- Parking Lots
- State Vehicles

Complaints or reports regarding smoking, tobacco use, and electronic cigarette use as well as suggestions should be brought to the attention of the Department of Human Resources at the applicable campus.

EXCLUSIONS OR SPECIAL CIRCUMSTANCES:

CONSEQUENCES:

Persons who violate the provisions of K.S.A. 21-4009 through 21-4014 may be guilty of a cigarette or tobacco infraction punishable by fines ranging from \$100.00 to \$500.00.

Individuals may also be subject to appropriate disciplinary action as an employee or as a student for violating the provisions of this university policy.

Visitors and patients who violate this policy will be asked to comply. In the event of non-compliance after being informed of the policy, the visitor will be escorted from the premises by the University Police. Non-compliance by patients shall be dealt with by the attending clinician and staff.

The university will not discharge, refuse to hire or retaliate against an employee, applicant or customer for reporting or attempting to prosecute a violation of these state statutes.

REFERENCES:

RELATED POLICIES links:

[Tobacco Products, Policy on Sale of \(All-University\)](#)

RELATED PROCEDURES links:

RELATED FORMS links:

Related other with links: [Kansas Indoor Clean Air Act](#) (KSA) 21-6109 et seq.

CONTACT/S BY TITLE w phone number:

REVISION HISTORY NOTES

05/06/2016: Removed Date Last Reviewed

11/04/2015: Updated to include e-cigarettes, vaping and tobacco use.

10/02/2014: Updated

Approved September 1, 2006, but previously published only on webpage, not in policy format

APPROVED BY: (EVC OR VC): Executive Vice Chancellor

Attachments:

