

PUBLIC HOUSING AGENCY OF THE CITY OF SAINT PAUL

REPORT TO COMMISSIONERS

FROM JON M. GUTZMANN
EXECUTIVE DIRECTOR

REGARDING INFORMATIONAL REPORT
HUD's Final Rule on
Smoke-Free Public Housing

DATE January 25, 2017

On November 30, 2016, HUD announced a final rule entitled, "Instituting Smoke-Free Public Housing." The final rule, which takes effect on February 3, 2017, requires all public housing agencies that administer a public housing program to implement a smoke-free housing policy within 18 months (no later than August 3, 2018). The final rule bans the use of lit tobacco products in all public housing units, indoor common areas in public housing, and in PHA administrative office buildings; as well as all outdoor areas up to 25 feet from public housing and administrative office buildings. All PHAs will be required to include smoking prohibitions in the public housing lease, and follow the administrative grievance procedures during enforcement. Public housing dwelling units in mixed-income properties, as well as Section 8 units, are exempt from the rule.

Background:

On November 12, 2015, HUD released a proposed rule on "Instituting Smoke-Free Housing" and solicited comments for a period of 60 days. Staff drafted and submitted comments and also helped the Agency's resident leadership groups as they discussed the proposed rule and drafted comments to submit. Staff believes that the Agency is well positioned for making the transition to smoke-free due in part to our continued work with St. Paul-Ramsey County Public Health (SPRCPH) on tobacco reduction and smoking cessation through the Statewide Health Improvement Program (SHIP). The PHA has just entered the second year of "SHIP 4"; a five-year long program with one-year grant renewals. A main objective for the PHA's work under SHIP 4 was to provide "Increased support for tobacco cessation and preparation for tobacco-free

living initiatives, including plans to implement smoke-free policies in the event HUD mandates such policies nationwide.” The Minnesota Department of Health (MDH) has contracted with the American Lung Association (ALA) to provide technical assistance to assist SHIP 4 partners with implementing smoke-free public housing policies.

On December 5, 2016, PHA staff met with staff from SPRCPH, ALA, and the Public Health Law Center to discuss the ramifications of the final rule and to begin outlining goals and expectations for implementing this final rule by the end of the 18 month period. ALA staff have offered the following resources and services to the PHA during the 18 month implementation phase:

- Provide staff education and training on the requirements of the final rule;
- Provide presentations to residents to introduce the purpose, nature and importance of the policy, with linkages to smoking cessation resources;
- Provide culturally diverse and bilingual Community Health Workers to assist residents and staff with information and resources during the implementation phase;
- Provide translated printed materials on the final rule and available cessation resources;
- Educate and assist residents in accessing nicotine replacement therapy options; and
- Coordinate resident access to certified tobacco treatment specialists.

The PHA’s Legal Team will also begin working with staff to review and draft proposed changes to PHA legal documents, such as the public housing lease, to comply with the final rule.

JMG/ANH

Attachments: HUD’s November 30, 2016 Press Announcement
PHA’s December 2, 2016 Press Release