Towards a Smoke-Free Workforce: A Roadmap for Private Employers

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Healthcare costs across the board have been rising exponentially. Because employers are the single greatest provider of health insurance for individuals in the United States, these increases are hitting them hard. Faced with these rising costs, employers have been forced to examine their health insurance policies and programs and find ways to save on employee healthcare expenses. The most recent movement is for employers to make employees more responsible for improving and maintaining their own health in order to avoid medical costs in the first place. It is not surprising that employers have focused on eliminating smoking as a contributor to health issues that lead to increased healthcare costs.

The limits an employer can place on employees with regard to smoking are in part dictated by state and local law. Employers must be aware that restrictions on smoking can create liability at the state level. Federal laws also have potential limitations and pitfalls associated with refusing to hire smokers or implementing programs that encourage or require current employees to quit. Significant issues are also likely to arise in regard to the Health Insurance Portability and Accountability Act (HIPAA).

Employers interested in implementing a program to create a smoke-free workforce should consider the potential risks and benefits involved when determining what type of program best suits the company's needs. while employers must comply with the federal and state laws governing these programs, if they do, legally sustainable no-smoking and no-tobacco use programs with significant positive impacts on healthcare costs, productivity and employee morale are possible and worthwhile.

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