



SMOKEFREE AIR ACT

Health Care & Long Term-Care Providers

Overview

The Smokefree Air Act restricts smoking in health care provider locations and facilities.

Definitions

- The Smokefree Air Act defines health care provider locations as “an office or institution providing care or treatment of disease whether physical, mental, or emotional...including but not limited to a hospital, a long-term care facility, and adult day service program, clinics, laboratories, and locations of professionals regulated pursuant to Title IV, subtitle III.”
- All enclosed areas of a health care provider location include waiting rooms, hallways, other common areas, private rooms, semi-private rooms, and wards must be nonsmoking.

Public Providers

- Smoking is prohibited in all enclosed places of public health care provider locations.
- Smoking is prohibited on the grounds* of public health care provider locations.

*The Administrative Rules defines “grounds” as “an outdoor area of a public building that is used in connection with the building...or any other outdoor area as designated by the person having custody or control of the public building.” (See the Fact Sheet titled, “Grounds of a Public Building.”)

Private Providers

- Smoking is prohibited in all enclosed places of private health care provider locations.
- The Smokefree Air Act does not regulate smoking in outdoor areas of private health care provider locations.
- Smoking is prohibited in private residences that are used as health care provider locations.
- Any lease entered into by the state, county or city government and a private health care provider on or after July 1, 2008 must also include language that prohibits smoking on the grounds of the leased building.

Exemptions

- Smoking is allowed in private and semi-private rooms in long-term care facilities as long as the room is occupied by one or more smokers that have requested in writing to be placed in a room where smoking is permitted.
- Smoke from smoking rooms cannot drift into common areas, such as hallways, stairwells or lobbies.
- If there are state or federal regulations that already prohibit smoking within a facility, then the Smokefree Air Act does not limit those regulations.

NOTE: The information provided in this document is not intended to be legal advice. Please consult state statutes or contact an attorney for additional information about the Smokefree Air Act (Iowa Code 142D).