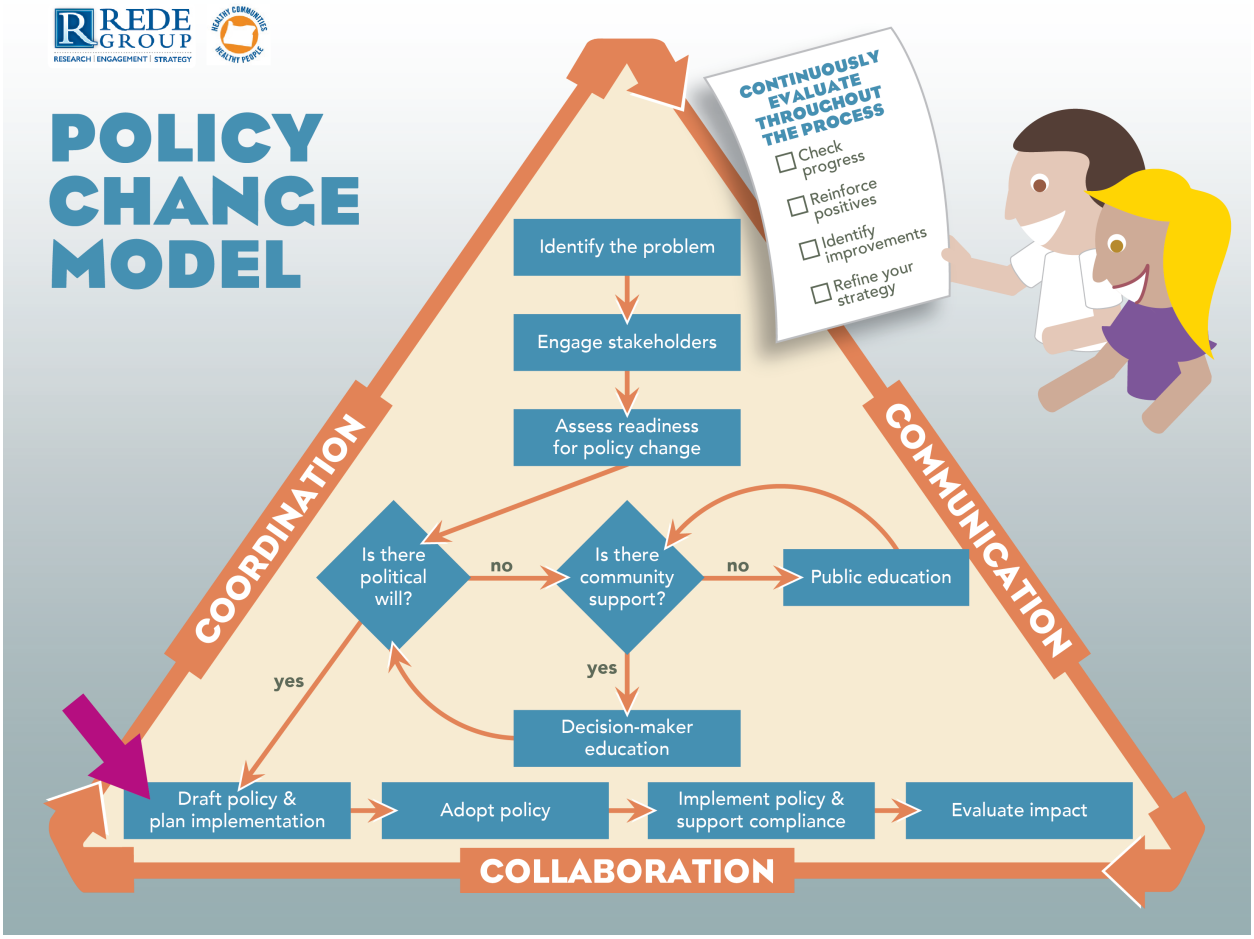
STAGE 6: DRAFT POLICY AND PLAN IMPLEMENTATION



OVERVIEW

⇒ ***Draft the best possible policy, given political and other constraints***

The role of staff in drafting policy differs greatly from county to county. Even if you are not involved in the drafting/editing process, providing resources to those who are is crucial. In addition to having a model policy and policies from other jurisdictions on hand, it can also be important to know the policy drafting/negotiation story of counties who have already passed the policy. Follow these steps to navigate the policy drafting process and plan for implementation:

- Clarify agency process for drafting and proposing policy
- Identify resources, such as a model policy, and examples from other jurisdictions
- Plan a policy review process that incorporates legal and policy expertise
- Monitor the policy drafting process
- Develop a plan to monitor and assist with enacting the change (develop budgets, rules, procedures, materials)
- Create a communication plan for policy roll out

- Work with other entities on structural and programmatic adjustments to assist with effective implementation

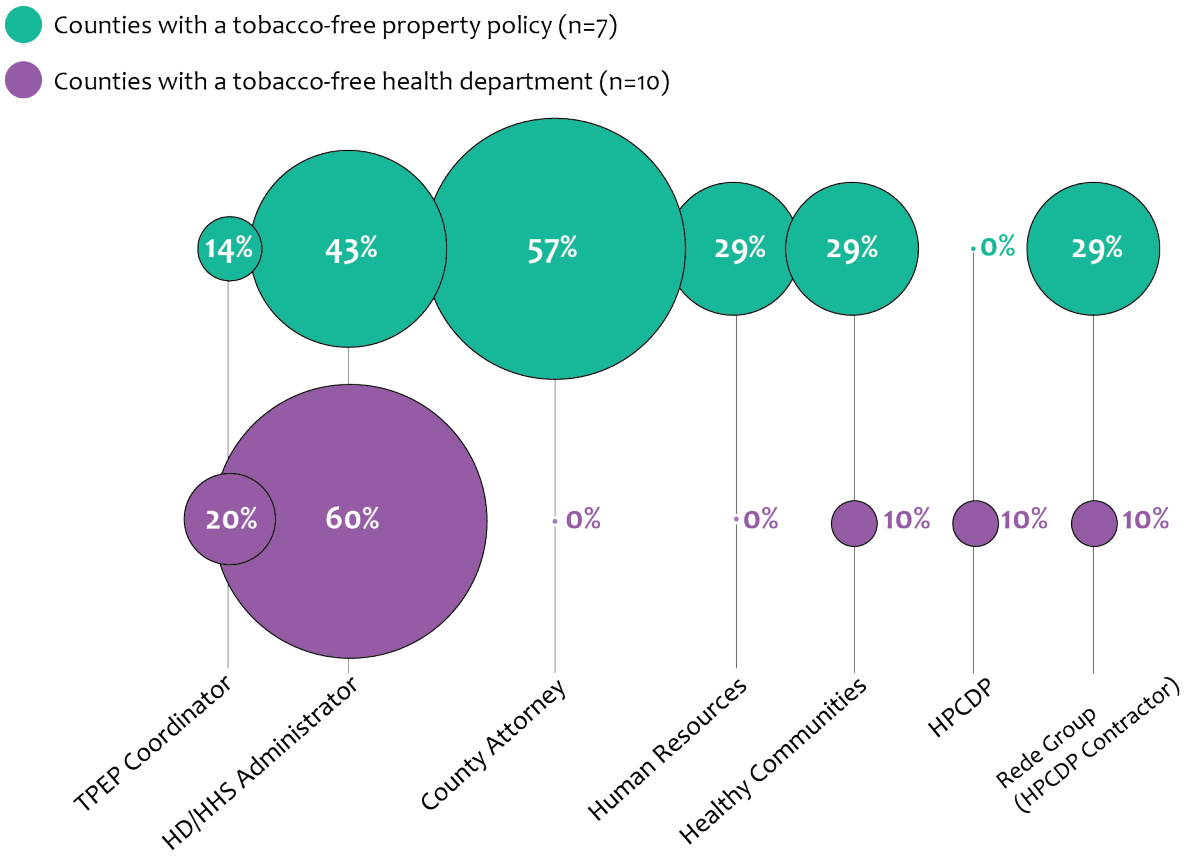
KEY FINDINGS

Drafting the policy

Eighty-nine percent of all counties used one or more example policies from other counties/agencies when drafting their policy. The policy examples most frequently used came from Benton, Deschutes and Multnomah Counties and from the State of Oregon/Oregon Health Authority and HCPDP website (model policy).

TPEP coordinators in most counties played a primary role ***drafting*** their counties' tobacco-free policy. Eighty-six percent of coordinators in counties with a tobacco-free policy and 70% of coordinators in counties with a tobacco-free health department policy were involved in drafting the policy.

Who was involved in the process for *reviewing* the policy before it went to decision makers?



Six of the seven counties with a tobacco-free policy indicated that one or more compromises were made to policy elements prior to the adoption of the policy.

Budget impact

⇒ When drafting the proposed policy, most counties also tried to estimate the costs associated with policy implementation and enforcement.

⇒ Counties reported the cost of signage to be the primary expense, which 52% of counties paid for out of their TPEP budget.

⇒ Twenty-six percent of counties reported that their facilities/maintenance department absorbed the costs associated with outdoor signage and the removal of existing ashtrays.

Challenges & barriers

Twelve counties reported having significant challenges during the drafting of their policy and planning for implementation. Challenges included:

1. Not being able to review the policy draft
2. Management expressed various problems/concerns with how policy enforcement would be handled
3. Communication problems which ran the gamut from having difficulties getting leadership to attend to the policy process once it had been started to concerns with how best to "time" communications about the policy with partners likely to be most impacted by the change
4. One county reported a constant challenge to fend off attempts by leadership to designate smoking areas and/or scrap the policy, entirely.

LOCAL EXAMPLE FROM THE TOPPEC SURVEY

When asked about compromises on policy elements made during the policy process, county program coordinators said…

Voices from the survey

"Our health department was the only tobacco-free building and property and then our addiction and mental health buildings went tobacco-free. So the process was incremental."

"The commissioners decided it would be good to go smokefree first, then tobacco-free six months later. Their thought was it might take employees who were using chewing tobacco more time to either quit, or to prepare not to use tobacco while at work. This required placing smokefree property signs at all locations, and then replacing them with tobacco/-smokefree signs later on."

"The enforcement language was softened and made "friendlier" at the request of the Board of County Commissioners. Exceptions to the policy were made by Public Works Director (i.e. public road rights of way, easements through private property for roads, utility, or trail purposes, common areas within facilities and on all outside property or grounds leased by the county and shared by other occupants). Private vehicle language was removed due to concerns about RVs in the campground and fairgrounds. We removed the language, but did not add an exemption for private vehicles on county property."

"Yes. 1) The Sheriff wanted "any lit smoking devices" added to the policy to cover marijuana 2) a judge requested we exempt a 60 foot section of sidewalk outside of the courthouse for sequestered jurors."

"Yes, leadership was concerned with staff safety at 24-hour operation locations (public works, jail, juvenile detention center) and Risk Management proposed designated smoking areas for those locations for a year to help phase in the ordinance. We originally proposed 100% tobacco-free ordinance but amended it to include designated smoking areas for a year for these three locations."

TIPS

- During the policy drafting stage, it is not uncommon for stakeholders to propose exemptions to a model policy, significantly weakening it. Sharing a story from another county who considered doing something similar but then identified a better solution to overcoming the policy barrier can sometimes prevent this.

TOOLS

To download these tools please go to Stage 6: Tools

The following tools may be useful for drafting a tobacco-free county property policy and corresponding implementation plan; these tools come from county tobacco programs or Health Promotion Chronic Disease Prevention trainings. These tools may or may not meet your exact needs.

- HPCDP Model Policy
- Marion County Policy Comparison Worksheet
- Lane County PowerPoint presentation: Policies in Place in Other Jurisdictions
- Most Frequently Used Sample Policies:
  - ⇒ Benton County Tobacco-free County Property Policy
  - ⇒ Deschutes County Tobacco-free County Property Policy
  - ⇒ Multnomah County Tobacco-free County Property Policy
  - ⇒ State of Oregon OHA Tobacco-free Property Policy
- Implementation Action Items + Timeline
- Sample implementation plan