

Assessment of Public Comment

The Office of Children and Family Services (OCFS) received one comment from a voluntary authorized agency. The comment stated that, while the agency understood and appreciated the need to regulate smoking by residents and staff, it had a concern with the prohibition against smoking by staff anywhere on facility grounds. The comment noted that on campus settings the regulation would require staff to go some distance to get completely off a facility campus. The extra time needed to get off campus would create workload coverage and time management problems for the agency. It also could lead to conflict with neighbors of the facility who might object to staff smoking on local streets. Finally, having to smoke on a public street could also be very embarrassing to staff.

OCFS considered the comment and consulted with the New York State Office of Alcoholism and Substance Abuse. Based on such consideration and consultation, the proposed regulation was not revised.