

MONEY

Home > Money

Workplace smoking bans meant to cut insurance costs spark privacy concerns

By **LAURA GREEN**

Palm Beach Post Staff Writer

12-26-2010

Local businesses and nonprofits are pushing their employees to stop smoking and lead healthier lives with the goal of controlling ballooning health care costs and increasing productivity.

Palm Beach County's MorseLife is the latest organization to join the trend, offering Weight Watchers, yoga classes to reduce stress and a new midweek green market, where employees are encouraged to shop for the ingredients to make a healthful dinner instead of hitting the drive-through.

But along with the carrot is a big stick: Starting in January, employees will be prohibited from smoking on campus.

Other companies have taken an even harder line on healthy living. At Hedrick Brothers Construction in West Palm Beach, employees who smoke or are considered obese, based on their body mass index, pay more for insurance.

The Centers for Disease Control and Prevention in Atlanta estimates that each smoker costs an employer about \$3,400 annually in higher health care bills, reduced productivity and increased absenteeism. While moves by employers to stamp out smoking may be unpopular with some employees, they are perfectly legal. The American Civil Liberties Union opposes measures that cost smokers more or dictate what they can or cannot do in their off hours. But the organization has had little success in controlling what some see as the hand of Big Brother.

In the early 1990s, the ACLU sued North Miami, asserting a violation of privacy, after the government began requiring applicants to sign an affidavit saying they did not use tobacco in the past year. But the state Supreme Court ruled in the city's favor in 1995, arguing that individuals today regularly reveal whether they smoke in many aspects of life, such as when they book a hotel room.

James Green, a West Palm Beach based constitutional law expert who has handled cases on behalf of the ACLU, said he's personally torn by employers trying to discourage smoking.

"As a civil libertarian, I am concerned," he said. "As a private employer, I want my employees to be healthy and productive and protected by cost-effective health insurance wherever possible. There's a real tension between those concerns."

Health care organizations around the country have taken the lead among employers in banning smoking

in the workplace. In Palm Beach County, in 2007, Palm Beach Gardens Medical Center became the first hospital to ban smoking everywhere on its campus. St. Mary's Medical Center followed suit. It also screens applicants for nicotine and rejects candidates who are smokers. Delray Medical Center is slated to join the county's other smoke-free hospitals in 2011.

At MorseLife, the goal is creating "a culture of wellness on campus," said Mary Alice Pappas, senior vice president of MorseLife Foundation. "We want the responsibility of providing leadership and encouraging others to follow suit."

The nonprofit's desire to stop employees from smoking and improve their health isn't entirely selfless. Pappas hopes the spiraling health care costs will begin to moderate or even drop.

"We are running a business, and it is our responsibility to do everything we can to reduce expenses," she said.

MorseLife is getting some help striking the right balance through a partnership with Cleveland Clinic, one of the nation's first organizations to push a comprehensive wellness program. A focus on health has become so entrenched at Cleveland Clinic that employees who agree to stop smoking, lose weight or follow other doctors' orders to stave off or reverse illnesses such as diabetes, high cholesterol, asthma or obesity, receive rebates to cover any increases in health insurance premiums. At this year's open enrollment, that was a 17 percent increase.

Cleveland Clinic started by banning smoking on campus but expanded its anti-smoking stance to its hiring protocol. Anyone offered a job is tested to see if they smoke. If a nicotine metabolite is detected, their job offer is rescinded.

Cleveland Clinic faced opposition from critics who said eliminating smokers from its candidate pool was insanity in the face of a nursing shortage, said Dr. Paul Terpeluk, director of Corporate Health and Employee Health at Cleveland Clinic. The hospital made the switch before the recession hit, when health care workers had plenty of choices.

Despite the doomsday warnings, banning smoking has had little effect on hiring. Since 2007, 15,000 applicants have been tested and 250 have tested positive and been turned away, Terpeluk said.

Cleveland Clinic

- 40,000 employees
- Applicants who are offered a job must submit to a test. If they test positive for a nicotine metabolite, their offer is rescinded. Tested more than 15,000 applicants. Offers rescinded: 250.
- Weekly farmers' market.
- No sodas in the vending machine. Junk food gone and replaced by healthier snacks, such as baked potato chips and 72 percent cacao dark chocolate.

- Only healthy food
- Employees have logged 160,000 pounds lost.

Employees who have obesity, asthma, hypertension, Type II diabetes, high cholesterol or who smoke are not targeted with higher health insurance premiums. Instead, if they go to a doctor and follow orders, they receive a rebate on health insurance.

<http://www.palmbeachpost.com/money/workplace-smoking-bans-meant-to-cut-insurance-costs-1147694.html>