

**Title: Tobacco as it relates to religious or ceremonial use**

**PEBB Program Administrative Policy 91-2**

<b>Contact:</b>	Policy and Rules Coordinator, ERB Division	<b>Effective:</b>	January 1, 2023
<b>Associated RCW:</b>	41.05.065 Laws of 2022, ch. 297, §§ 212 & 932	<b>Owner:</b>	Policy, Rules & Compliance Manager, ERB Division
<b>Associated PEB Board Policy Resolutions:</b>	PEBB 2019-06	<b>Approved by:</b>	
<b>Associated WAC:</b>	182-08-015 182-08-185(1) 182-12-300	<b>Position:</b>	Director of the PEBB Program
<b>Assoc. fed law/reg:</b>	45 CFR 146.121(f)	<b>Date approved:</b>	August 24, 2022
<b>Associated Forms &amp; Communication</b>	HCA 50-0100 HCA 50-0801 HCA 51-0205		

**Purpose:**

This policy applies whenever a Public Employees Benefits Board (PEBB) subscriber is attesting to an enrolled member’s tobacco use status. The purpose of the policy is to clarify the exception for the religious or ceremonial use of tobacco.

WAC 182-08-015 Definitions: “Tobacco use” means any use of tobacco products within the past two months. Tobacco use, however, does not include the religious or ceremonial use of tobacco.

**Policy:**

1. “Religious use of tobacco” means the use of tobacco products as part of a formal tradition, rite, or ritual. An example of this would be the use of tobacco products during a Native American religious ritual.
2. “Ceremonial use of tobacco” means the use of tobacco products for ceremonial purposes in connection with the practice of a traditional ceremony or ritual.
3. A subscriber may attest that an enrolled member does not use tobacco products if that enrollee’s only use within the past two months falls within the exception for religious or ceremonial use.