

Vaping and e-cigarettes added to definition of tobacco use

Starting September 1, all participants in Texas Employees Group Benefits Program (GBP) health plans who use electronic cigarettes and vaping products must be certified as tobacco users and pay the tobacco user premium.

The ERS Board of Trustees voted in March to update the definition of tobacco products in ERS' tobacco policy. Under the new definition, tobacco products are any type of tobacco, including but not limited to cigarettes, cigars, pipe tobacco, chewing tobacco, snuff, dip and all e-cigarettes or vaping products. Vaping products that do not contain tobacco or nicotine are considered tobacco products.

A tobacco user is a person who has used any tobacco product (as defined in ERS policy) five or more times in the past three consecutive months.

Health plan participants who need to certify themselves or a dependent as a tobacco user because of the change should do so during their two-week Summer Enrollment phase. **Failure to appropriately certify tobacco use can result in a fraud investigation, financial penalties and termination from the GBP health plans.** Find the dates of this two-week period in the top left corner of your Personal Benefits Enrollment Statement or at <https://www.ers.texas.gov/SE>.

Why this change is happening

The revised definition of tobacco products aligns with Texas Health and Safety Code, as well as policies by the federal Food and Drug Administration (FDA) and guidance from the Centers for Disease Control and Prevention (CDC). Studies show that using e-cigarettes and vaping products—even those that don't contain tobacco or nicotine—can be harmful to the lungs and overall health.

Promoting a healthier, tobacco-free lifestyle

ERS' tobacco policy provides an incentive for health plan participants to stop using tobacco products and supports ERS' efforts to promote healthy behaviors. Employees and retirees enrolling themselves or their dependents in a GBP health plan must certify whether or not they are a tobacco user. Certified tobacco users pay a monthly premium of \$30 per tobacco user, with a maximum of \$90 per month per household.

Participants who stop using tobacco products can change their certification and stop paying their tobacco user premium.

Resources to kick the tobacco habit

All GBP health plans cover some type of tobacco cessation products or resources. Contact your health plan for more information: <https://ers.texas.gov/Programs>. ERS also offers Choose to Quit, a program in which participants work with their health care provider to develop a plan to limit or end their use of tobacco products. See details at <https://ers.texas.gov/Contact-ERS/Additional-Resources/FAQs/Choose-to-Quit>.

Learn more

For more information about ERS' tobacco policy and the tobacco user premium, view <https://ers.texas.gov/Contact-ERS/Additional-Resources/FAQs/Tobacco-Policy>.

How to certify tobacco use

Certify tobacco use or change your tobacco-use status in your ERS OnLine account 24/7.

1. Log in to ERS OnLine.
2. Click "Tobacco User Certification."
3. Check "Yes" or "No" to indicate your tobacco use status. Do the same for all covered dependents.
4. Check the box confirming you understand the certification agreement and click "Save."

You also can call ERS toll-free at (866) 399-6908, Monday – Friday, 7:30 a.m. – 7 p.m. CT (Summer Enrollment hours).

View your current tobacco-use status in your Personal Benefits Enrollment Statement or in your ERS OnLine account.