



General Assembly

February Session, 2020

***Raised Bill No. 5421***

LCO No. 2329



Referred to Committee on PUBLIC HEALTH

Introduced by:  
(PH)

***AN ACT CONCERNING SURGICAL SMOKE IN THE OPERATING ROOM.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective July 1, 2020*) (a) As used in this section:
- 2 (1) "Hospital" means an establishment licensed pursuant to chapter  
3 368v of the general statutes for the lodging, care and treatment of  
4 persons suffering from disease or other abnormal physical or mental  
5 conditions;
- 6 (2) "Outpatient surgical facility" means any entity, individual, firm,  
7 partnership, corporation, limited liability company or association, other  
8 than a hospital, licensed pursuant to chapter 368v of the general statutes  
9 to engage in providing surgical services or diagnostic procedures for  
10 human health conditions that include the use of moderate or deep  
11 sedation, moderate or deep analgesia or general anesthesia, as such  
12 levels of anesthesia are defined from time to time by the American  
13 Society of Anesthesiologists, or by such other professional or accrediting  
14 entity recognized by the Department of Public Health;

15 (3) "Surgical smoke" means the by-product of the use of an energy-  
16 generating device during surgery, including, but not limited to, surgical  
17 plume, smoke plume, bioaerosols, laser-generated airborne  
18 contaminants and lung-damaging dust; and

19 (4) "Surgical smoke evacuation system" means a system, including,  
20 but not limited to, a smoke evacuator, laser plume evacuator or local  
21 exhaust ventilator that captures and neutralizes surgical smoke (A) at  
22 the site of origin of such surgical smoke, and (B) before the surgical  
23 smoke makes contact with the eyes or respiratory tract of any person in  
24 an operating room during surgery.

25 (b) Not later than January 1, 2021, each hospital and outpatient  
26 surgical facility shall develop a policy for the use of a surgical smoke  
27 evacuation system to prevent a person's exposure to surgical smoke.  
28 Not later than October 1, 2021, each hospital and outpatient facility shall  
29 implement such policy and report to the Department of Public Health  
30 regarding the implementation of such policy.

31 (c) Not later than January 1, 2022, the Commissioner of Public Health  
32 shall report, in accordance with the provisions of section 11-4a of the  
33 general statutes, to the joint standing committee of the General  
34 Assembly having cognizance of matters relating to public health  
35 regarding each hospital's and outpatient surgical facility's policy  
36 regarding the use of a surgical smoke evacuation system and the  
37 implementation by each hospital and outpatient surgical facility of such  
38 policy.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2020	New section

**Statement of Purpose:**

To require hospitals and outpatient surgical facilities to adopt and implement a policy to prevent human exposure to surgical smoke through the use of a surgical smoke evacuation system.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*