



General Assembly

Substitute Bill No. 89

February Session, 2022



AN ACT CONCERNING SURGICAL SMOKE.

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

- 1 Section 1. (NEW) (*Effective July 1, 2022*) (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. "Surgical smoke" does not
19 include the by-product of the use of an energy-generating device during
20 a gastroenterological or ophthalmic procedure, which by-product is not
21 emitted into the operating room during surgery; and

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

28 (b) Not later than January 1, 2023, each hospital and outpatient
29 surgical facility shall develop a policy for the use of a surgical smoke
30 evacuation system to prevent a person's exposure to surgical smoke.
31 Not later than October 1, 2023, each hospital and outpatient facility shall
32 implement such policy and, upon request, provide a copy of such policy
33 to the Department of Public Health.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2022	New section

PH *Joint Favorable Subst.*