

As Introduced

**134th General Assembly
Regular Session
2021-2022**

S. B. No. 161

**Senator Brenner
Cosponsor: Senator Thomas**

A BILL

To enact sections 3702.3011 and 3727.25 of the
Revised Code regarding surgical smoke.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3702.3011 and 3727.25 of the
Revised Code be enacted to read as follows:

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Sec. 3702.3011. (A) As used in this section:

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(1) "Surgical smoke" means the airborne byproduct of an
energy-generating device used in a surgical procedure, including
smoke plume, bioaerosols, gases, laser-generated contaminants,
and dust.

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(2) "Surgical smoke evacuation system" means equipment
designed to capture and neutralize surgical smoke at the point
of origin, before the smoke makes contact with the eyes or
respiratory tract of individuals.

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(B) Not later than one year after the effective date of
this section, each ambulatory surgical facility shall adopt and
implement a policy designed to prevent human exposure to
surgical smoke during any planned surgical procedure that is

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likely to generate surgical smoke. The policy shall include the 18
use of a surgical smoke evacuation system. 19

(C) The director of health may adopt any rules the 20
director considers necessary to implement this section. The 21
rules shall be adopted in accordance with Chapter 119. of the 22
Revised Code. 23

Sec. 3727.25. As used in this section, "surgical smoke" 24
and "surgical smoke evacuation system" have the same meanings as 25
in section 3702.3011 of the Revised Code. 26

Not later than one year after the effective date of this 27
section, each hospital that performs surgeries shall adopt and 28
implement a policy designed to prevent human exposure to 29
surgical smoke during any planned surgical procedure that is 30
likely to generate surgical smoke. The policy shall include the 31
use of a surgical smoke evacuation system. 32

The director of health may adopt any rules the director 33
considers necessary to implement this section. The rules shall 34
be adopted in accordance with Chapter 119. of the Revised Code. 35