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| General Assembly |  | ***Raised Bill No. 89***  |
| ***February Session, 2022*** |  | LCO No. **1115** |
|  | \*01115\_\_\_\_\_\_\_PH\_\* |
| Referred to Committee on PUBLIC HEALTH  |  |
| Introduced by: |  |
| (PH) |  |

AN ACT CONCERNING SURGICAL SMOKE.

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

Section 1. (NEW) (*Effective July 1, 2022*) (a) As used in this section:

(1) "Hospital" means an establishment licensed pursuant to chapter 368v of the general statutes for the lodging, care and treatment of persons suffering from disease or other abnormal physical or mental conditions;

(2) "Outpatient surgical facility" means any entity, individual, firm, partnership, corporation, limited liability company or association, other than a hospital, licensed pursuant to chapter 368v of the general statutes to engage in providing surgical services or diagnostic procedures for human health conditions that include the use of moderate or deep sedation, moderate or deep analgesia or general anesthesia, as such levels of anesthesia are defined from time to time by the American Society of Anesthesiologists, or by such other professional or accrediting entity recognized by the Department of Public Health;

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

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

(b) Not later than January 1, 2023, each hospital and outpatient surgical facility shall develop a policy for the use of a surgical smoke evacuation system to prevent a person's exposure to surgical smoke. Not later than October 1, 2023, each hospital and outpatient facility shall implement such policy and report to the Department of Public Health regarding the implementation of such policy.

(c) Not later than January 1, 2024, the Commissioner of Public Health shall report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to public health regarding each hospital's and outpatient surgical facility's policy regarding the use of a surgical smoke evacuation system and the implementation by each hospital and outpatient surgical facility of such policy.

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| This act shall take effect as follows and shall amend the following sections: |
| Section 1 | *July 1, 2022* | 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.]***