



## Minnesota's Surgical Smoke Evacuation Law

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## Why do we need a law to evacuate surgical smoke?

- Workplace Safety
- Workforce Retention
- Voluntary Compliance Doesn't Work
- No National or Statewide Enforceable Requirements

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## 2024 Legislation



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## What's in the Minnesota law?

Every hospital, ASC, and outpatient surgery center must adopt and implement policies to prevent exposure to surgical smoke by requiring the use of a smoke evacuation system during any surgical procedures likely to generate surgical smoke.



The Department of Labor and Industry/Minnesota OSHA will ensure compliance.

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## Compliance Considerations

### Facility Policy

- How will your facility ensure compliance?
- How will your facility handle non-compliance internally?

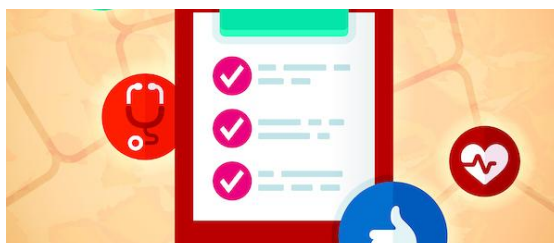
### Minnesota OSHA

- Non-compliance may be reported externally to MN OSHA.
- MN OSHA may issue fines for repeated or willful violations.

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## AORN Resources



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7 **AORN** **SURGICAL SMOKE SAFETY**

### GUIDELINE FOR SURGICAL SMOKE SAFETY

**Introduction**

The AORN Guideline for Surgical Smoke Safety is a comprehensive resource for the perioperative team. It provides a clear, concise overview of the risks associated with surgical smoke and offers practical strategies for minimizing exposure. The guideline is designed to be used as a reference tool for developing and implementing a surgical smoke safety plan.

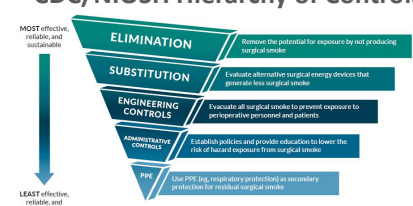
**Key Topics:**

- Understanding surgical smoke and its potential hazards.
- Assessing the risk of surgical smoke exposure.
- Implementing engineering controls, administrative controls, and PPE.
- Establishing a surgical smoke safety plan.
- Monitoring and evaluating the effectiveness of the plan.



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### CDC/NIOSH Hierarchy of Controls



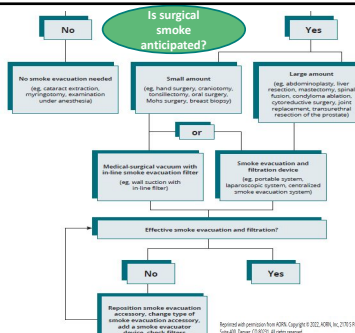
**Most effective, reliable, and sustainable**

- ELIMINATION:** Remove the potential for exposure by not producing surgical smoke.
- SUBSTITUTION:** Evaluate alternative surgical energy devices that generate less surgical smoke.
- ENGINEERING CONTROLS:** Evaluate all surgical smoke to prevent exposure to perioperative personnel and patients.
- ADMINISTRATIVE CONTROLS:** Establish policies and provide education to lower the risk of hazard exposure from surgical smoke.
- PPE:** Use PPE (eg, respiratory protection) as secondary protection for residual surgical smoke.

**Least effective, reliable, and sustainable**

**AORN Guideline recommendation:** Use the OSHA-endorsed CDC/NIOSH hierarchy of controls to reduce the perioperative team's exposure to surgical smoke and establish safe practices.

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**Is surgical smoke anticipated?**

- No:** No smoke extraction needed (eg, catheter extraction, laparoscopy, examination under anesthesia).
- Yes:**
  - Small amount:** (eg, hand surgery, arthroscopy, laparoscopy, oral surgery, Mohs surgery, breast biopsy).
  - Large amount:** (eg, ablation/coagulation, laser resection, intraoperative spinal fusion, endosseous implants, cytoreductive surgery, joint replacement, transurethral resection of the prostate).

**OR**

- Medical surgical vacuum with in-line smoke evacuation filter:** (eg, wall suction with in-line filter).
- Smoke evacuation and filtration device:** (eg, portable system, laparoscopic system, centralized smoke evacuation system).

**Effective smoke evacuation and filtration?**

- No:** Reposition smoke extraction device, change system or add a smoke evacuation device, check filters.
- Yes:** Proceed with procedure.

**In collaboration with the perioperative team, determine a surgical smoke safety plan before the procedure and reassess the plan as surgical smoke management needs change.**

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### GO CLEAR AWARD™

**SURGICAL SMOKE EVACUATION RECOGNITION**

**A comprehensive Surgical Smoke-Free Recognition Program to ensure a safe environment wherever surgical smoke is generated to protect patient and worker safety**



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### Support for Surgical Smoke Safety



- ANSI:** American National Standards Institute, Z39.5 Safe Use of Lasers in Healthcare Settings.
- ISO:** International Organization for Standardization, ISO 24478.
- AST:** Association of Surgical Technologists, GL for laser safety.
- AORN:** Association of perioperative nurses, Surgical Plume Standard.
- IFPN:** International Federation of Perioperative Nurses, Guidelines on risks, hazards, and management of surgical plume.
- ECRI:** The Joint Commission, TJC 02.02.01 Minimum risk associated with laser/light gases and vapors.
- CSPS:** Council on Surgical & Perioperative Safety, Guidelines smoke evacuation.
- NFPA:** NFPA/ANSI, NFPA 704, NFPA 705, NFPA 720, NFPA 721, NFPA 722, NFPA 723, NFPA 724, NFPA 725, NFPA 726, NFPA 727, NFPA 728, NFPA 729, NFPA 730, NFPA 731, NFPA 732, NFPA 733, NFPA 734, NFPA 735, NFPA 736, NFPA 737, NFPA 738, NFPA 739, NFPA 740, NFPA 741, NFPA 742, NFPA 743, NFPA 744, NFPA 745, NFPA 746, NFPA 747, NFPA 748, NFPA 749, NFPA 750, NFPA 751, NFPA 752, NFPA 753, NFPA 754, NFPA 755, NFPA 756, NFPA 757, NFPA 758, NFPA 759, NFPA 760, NFPA 761, NFPA 762, NFPA 763, NFPA 764, NFPA 765, NFPA 766, NFPA 767, NFPA 768, NFPA 769, NFPA 770, NFPA 771, NFPA 772, NFPA 773, NFPA 774, NFPA 775, NFPA 776, NFPA 777, NFPA 778, NFPA 779, NFPA 780, NFPA 781, NFPA 782, NFPA 783, NFPA 784, NFPA 785, NFPA 786, NFPA 787, NFPA 788, NFPA 789, NFPA 790, NFPA 791, NFPA 792, NFPA 793, NFPA 794, NFPA 795, NFPA 796, NFPA 797, NFPA 798, NFPA 799, NFPA 800, NFPA 801, NFPA 802, NFPA 803, NFPA 804, NFPA 805, NFPA 806, NFPA 807, NFPA 808, NFPA 809, NFPA 810, NFPA 811, NFPA 812, NFPA 813, NFPA 814, NFPA 815, NFPA 816, NFPA 817, NFPA 818, NFPA 819, NFPA 820, NFPA 821, NFPA 822, NFPA 823, NFPA 824, NFPA 825, NFPA 826, NFPA 827, NFPA 828, NFPA 829, NFPA 830, NFPA 831, NFPA 832, NFPA 833, NFPA 834, NFPA 835, NFPA 836, NFPA 837, NFPA 838, NFPA 839, NFPA 840, NFPA 841, NFPA 842, NFPA 843, NFPA 844, NFPA 845, NFPA 846, NFPA 847, NFPA 848, NFPA 849, NFPA 850, NFPA 851, NFPA 852, NFPA 853, NFPA 854, NFPA 855, NFPA 856, NFPA 857, NFPA 858, NFPA 859, NFPA 860, NFPA 861, NFPA 862, NFPA 863, NFPA 864, NFPA 865, NFPA 866, NFPA 867, NFPA 868, NFPA 869, NFPA 870, NFPA 871, NFPA 872, NFPA 873, NFPA 874, NFPA 875, NFPA 876, NFPA 877, NFPA 878, NFPA 879, NFPA 880, NFPA 881, NFPA 882, NFPA 883, NFPA 884, NFPA 885, NFPA 886, NFPA 887, NFPA 888, NFPA 889, NFPA 890, NFPA 891, NFPA 892, NFPA 893, NFPA 894, NFPA 895, NFPA 896, NFPA 897, NFPA 898, NFPA 899, NFPA 900, NFPA 901, NFPA 902, NFPA 903, NFPA 904, NFPA 905, NFPA 906, NFPA 907, NFPA 908, NFPA 909, NFPA 910, NFPA 911, NFPA 912, NFPA 913, NFPA 914, NFPA 915, NFPA 916, NFPA 917, NFPA 918, NFPA 919, NFPA 920, NFPA 921, NFPA 922, NFPA 923, NFPA 924, NFPA 925, NFPA 926, NFPA 927, NFPA 928, NFPA 929, NFPA 930, NFPA 931, NFPA 932, NFPA 933, NFPA 934, NFPA 935, NFPA 936, NFPA 937, NFPA 938, NFPA 939, NFPA 940, NFPA 941, NFPA 942, NFPA 943, NFPA 944, NFPA 945, NFPA 946, NFPA 947, NFPA 948, NFPA 949, NFPA 950, NFPA 951, NFPA 952, NFPA 953, NFPA 954, NFPA 955, NFPA 956, NFPA 957, NFPA 958, NFPA 959, NFPA 960, NFPA 961, NFPA 962, NFPA 963, NFPA 964, NFPA 965, NFPA 966, NFPA 967, NFPA 968, NFPA 969, NFPA 970, NFPA 971, NFPA 972, NFPA 973, NFPA 974, NFPA 975, NFPA 976, NFPA 977, NFPA 978, NFPA 979, NFPA 980, NFPA 981, NFPA 982, NFPA 983, NFPA 984, NFPA 985, NFPA 986, NFPA 987, NFPA 988, NFPA 989, NFPA 990, NFPA 991, NFPA 992, NFPA 993, NFPA 994, NFPA 995, NFPA 996, NFPA 997, NFPA 998, NFPA 999.

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### MN OSHA WSC Safety Grant Program

- Dollar-for-dollar match up to \$10,000
- Projects designed to reduce risk of injury and illness to an employer's workers
- Reimbursement program
- More information available [online](#)

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Questions?

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