

1 **SURGICAL SMOKE EVACUATION SYSTEM REQUIREMENTS**

2 2022 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Rosemary T. Lesser**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill requires certain facilities to develop policies regarding surgical smoke
10 evacuation.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ defines terms;
- 14 ▶ directs facilities that conduct surgeries that are likely to generate smoke to develop
15 policies to eliminate surgical smoke exposure;
- 16 ▶ requires the Department of Health to ensure compliance; and
- 17 ▶ makes technical changes.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 ENACTS:

24 **26-21-36**, Utah Code Annotated 1953

26 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section **26-21-36** is enacted to read:



28 26-21-36. Surgical smoke evacuation.

29 (1) As used in this section:

30 (a) "Smoke evacuation policy" means a policy to prevent human exposure to surgical
31 smoke through the use of a surgical smoke evacuation system for a planned surgical procedure
32 that is likely to generate surgical smoke.

33 (b) "Surgical smoke" means the gaseous by-product produced by energy-generating
34 devices including surgical plume, smoke plume, bio-aerosols, laser-generated airborne
35 contaminants, or lung-damaging dust.

36 (c) "Surgical smoke evacuation system" means equipment designed to capture and
37 neutralize surgical smoke before the surgical smoke makes contact with the eyes or the
38 respiratory tract of any individual in the room.

39 (2) Beginning on July 1, 2023, any of the following facilities that conduct surgical
40 procedures that are likely to generate surgical smoke shall adopt and implement a smoke
41 evacuation policy:

42 (a) an ambulatory surgical center;

43 (b) a general acute hospital; or

44 (c) a specialty hospital.

45 (3) The department shall ensure a facility described in Subsection (2) has adopted and
46 implemented a smoke evacuation policy when:

47 (a) issuing a license to the facility;

48 (b) renewing a facility's license; and

49 (c) conducting an inspection of the facility.