

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 650
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10335-MG-122

Short Title: Smoke-Free Operating Rooms.

(Public)

Sponsors: Representative White.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT ESTABLISHING STANDARDS FOR SURGICAL SMOKE EVACUATION IN
3 HOSPITALS AND AMBULATORY SURGICAL FACILITIES.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Part 2 of Article 5 of Chapter 131E of the General Statutes is amended
6 by adding a new section to read:

7 "**§ 131E-78.4. Hospital standards for surgical smoke evacuation.**

8 (a) Definitions. – The following definitions apply in this section:

9 (1) Smoke evacuation system. – Equipment that effectively captures, filters, and
10 eliminates surgical smoke at the site of origin before the smoke makes contact
11 with the eyes or the respiratory tracts of occupants in the room.

12 (2) Surgical smoke. – The gaseous by-product produced by energy-generating
13 devices, including surgical plume, smoke plume, bio-aerosols, laser-generated
14 airborne contaminants, or lung-damaging dust.

15 (b) Each hospital licensed under this Part shall adopt and implement policies that require
16 the use of a smoke evacuation system during any surgical procedure that is likely to generate
17 surgical smoke.

18 (c) Adverse Action. – The Department of Health and Human Services may take adverse
19 action against a hospital under G.S. 131E-78 for a violation of this section."

20 SECTION 2. Part 4 of Article 6 of Chapter 131E of the General Statutes is amended
21 by adding a new section to read:

22 "**§ 131E-147.2. Ambulatory surgical facility standards for surgical smoke evacuation.**

23 (a) Definitions. – The following definitions apply in this section:

24 (1) Smoke evacuation system. – Equipment that effectively captures, filters, and
25 eliminates surgical smoke at the site of origin before the smoke makes contact
26 with the eyes or the respiratory tracts of occupants in the room.

27 (2) Surgical smoke. – The gaseous by-product produced by energy-generating
28 devices, including surgical plume, smoke plume, bio-aerosols, laser-generated
29 airborne contaminants, or lung-damaging dust.

30 (b) Each ambulatory surgical facility licensed under this Part shall adopt and implement
31 policies that require the use of a smoke evacuation system during any surgical procedure that is
32 likely to generate surgical smoke.

33 (c) Adverse Action. – The Department of Health and Human Services may take adverse
34 action against an ambulatory surgical facility under G.S. 131E-148 for a violation of this section."

35 SECTION 3. This act becomes effective January 1, 2024.

