
Labor & Workplace Standards Committee

HB 1779

Brief Description: Requiring policies addressing surgical smoke.

Sponsors: Representatives Callan, Bronoske, Sells, Dolan and Ramos.

Brief Summary of Bill

- Requires hospitals and ambulatory surgical facilities to adopt policies requiring the use of smoke evacuation systems.

Hearing Date: 1/12/22

Staff: Trudes Tango (786-7384).

Background:

Washington is a "state-plan state" for purposes of the federal Occupational Safety and Health Administration (OSHA), which means Washington administers its own workplace health and safety program. The state's program, the Washington Industrial Safety and Health Act (WISHA), must be at least as effective as the OSHA standards. The WISHA covers nearly all employers and employees in the state, including state, county, and city employees. The Department of Labor and Industries (Department), through the Division of Occupational Safety and Health, administers and enforces the WISHA.

The use of lasers or other electrosurgical equipment used on tissue during surgery can create a smoke byproduct. There are currently no specific OSHA or WISHA standards governing surgical smoke. Oregon recently passed legislation that requires hospitals to have policies addressing surgical smoke.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill:

Hospitals and ambulatory surgical facilities must adopt policies that require the use of a smoke evacuation system during any surgical procedure that is likely to generate surgical smoke. The hospital or ambulatory surgical facility may select any smoke evacuation system that accounts for surgical techniques and procedures vital to patient safety and that takes into account employee safety.

The Department must ensure compliance with this requirement during any on-site inspection. The Department may adopt rules to implement the provision.

"Smoke evacuation system" is defined as equipment that effectively captures, filters, and eliminates surgical smoke at the site of origin, before the smoke makes contact with the eyes or respiratory tract of occupants in the room.

Appropriation: None.

Fiscal Note: Requested on January 7, 2022.

Effective Date: The bill takes effect on January 1, 2024.