AN ACT Relating to requiring policies addressing surgical smoke; adding a new section to chapter 49.17 RCW; and providing an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. A new section is added to chapter 49.17 RCW to read as follows:

(1) A health care employer shall adopt policies that require the use of a smoke evacuation system during any surgical procedure that is likely to generate surgical smoke.

(2) The health care employer may select any smoke evacuation system that accounts for surgical techniques and procedures vital to patient safety and that takes into account employee safety.

(3) The department shall ensure compliance with this section during any on-site inspection.

(4) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Energy generating device" means a tool that performs a surgical function using heat, laser, electricity, or other form of energy.
(b) "Health care employer" means a hospital, as defined in RCW 70.41.020, or an ambulatory surgical facility, as defined in RCW 70.230.010.

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

(d) "Surgical smoke" means the by-product that results from contact with tissue by an energy generating device.

(5) The department may adopt rules as necessary to administer this section.

NEW SECTION. Sec. 2. This act takes effect January 1, 2024.

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