

A-Engrossed
House Bill 2622

Ordered by the House April 16
Including House Amendments dated April 16

Sponsored by Representative SCHOUTEN; Representatives DEXTER, GRAYBER, HELM, NOSSE, PRUSAK, SANCHEZ (at the request of Oregon Association of Perioperative Nurses) (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires hospitals and ambulatory surgical centers to use smoke evacuation system during surgical procedures likely to generate surgical smoke.

A BILL FOR AN ACT

1
2 Relating to surgical smoke.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS 441.015 to**
5 **441.087.**

6 **SECTION 2. (1) As used in this section:**

7 (a) **"Energy generating device" means a tool that performs a surgical function using**
8 **heat, laser, electricity or other form of energy.**

9 (b) **"Smoke evacuation system" means equipment that effectively captures or neutralizes**
10 **surgical smoke before the smoke makes contact with the eyes or the respiratory tract of the**
11 **occupants of a room.**

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

14 (2) **A hospital or ambulatory surgical center licensed in this state shall adopt policies that**
15 **require the use of a smoke evacuation system during any surgical procedure that is likely**
16 **to generate surgical smoke. The hospital or ambulatory surgical center may select any**
17 **smoke evacuation system that accounts for surgical techniques and procedures vital to pa-**
18 **tient safety.**

19 (3) **The Occupational Safety and Health Division of the Department of Consumer and**
20 **Business Services shall ensure compliance with this section during any on-site inspection.**

21 **SECTION 3. Section 2 of this 2021 Act becomes operative on July 1, 2022.**
22

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.