

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 104

Representative Robb Blasdel

Cosponsors: Representatives Hillyer, Johnson, Miller, J., Seitz, Loychik,
Carruthers, Somani, White, Dell'Aquila, Bird

A BILL

To enact sections 3702.3012 and 3727.25 of the
Revised Code regarding surgical smoke.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3702.3012 and 3727.25 of the
Revised Code be enacted to read as follows:

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Sec. 3702.3012. (A) As used in this section, "surgical
smoke" and "surgical smoke evacuation system" have the same
meanings as in section 3727.25 of the Revised Code.

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(B) Not later than one year after the effective date of
this section, each ambulatory surgical facility shall adopt and
implement a policy designed to prevent human exposure to
surgical smoke during any planned surgical procedure that is
likely to generate surgical smoke. The policy shall include the
use of a surgical smoke evacuation system.

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(C) The director of health may adopt any rules the
director considers necessary to implement this section. The
rules shall be adopted in accordance with Chapter 119. of the
Revised Code.

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Sec. 3727.25. (A) As used in this section:

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(1) "Surgical smoke" means the airborne byproduct of an
energy-generating device used in a surgical procedure, including
smoke plume, bioaerosols, gases, laser-generated contaminants,
and dust.

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(2) "Surgical smoke evacuation system" means equipment
designed to capture, filter, and eliminate surgical smoke at the
point of origin, before the smoke makes contact with the eyes or
respiratory tract of individuals.

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(B) Not later than one year after the effective date of
this section, each hospital that offers surgical services shall
adopt and implement a policy designed to prevent human exposure
to surgical smoke during any planned surgical procedure that is
likely to generate surgical smoke. The policy shall include the
use of a surgical smoke evacuation system.

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(C) The director of health may adopt any rules the
director considers necessary to implement this section. The
rules shall be adopted in accordance with Chapter 119. of the
Revised Code.

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