

ASSEMBLY, No. 256

STATE OF NEW JERSEY

220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

Sponsored by:

Assemblywoman NANCY F. MUNOZ

District 21 (Morris, Somerset and Union)

Co-Sponsored by:

Assemblyman Benson

SYNOPSIS

Requires health care facilities to adopt and implement policies to prevent exposure to surgical smoke via use of smoke evacuation system.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 6/2/2022)

1 **AN ACT** concerning surgical smoke and supplementing Title 26 of
2 the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. a. As used in this section:

8 "Health care facility" means a health care facility licensed by the
9 Department of Health pursuant to P.L.1971, c.136 (C.26:2H-1 et
10 seq.)

11 "Smoke evacuation system" means smoke evacuation equipment
12 and technologies designed to capture, neutralize, or eliminate
13 surgical smoke at the site of origin and before the surgical smoke
14 makes ocular contact or contact with the respiratory tract of an
15 individual.

16 "Surgical smoke" means the surgical plume that is generated
17 from the use of an energy generating surgical device, and shall
18 include, but shall not be limited to, smoke plume, bio-aerosols,
19 laser-generated airborne contaminants, and lung damaging dust.

20 b. A health care facility shall adopt and implement policies to
21 prevent exposure to surgical smoke via use of a smoke evacuation
22 system for each procedure that generates surgical smoke.

23

24 2. The Commissioner of Health shall adopt rules and
25 regulations, in accordance with the "Administrative Procedure Act,"
26 P.L.1968, c.410 (C.52:14B-1 et seq.), as are necessary to effectuate
27 the provisions of this act.

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29 3. This act shall take effect immediately.

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STATEMENT

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34 This bill requires health care facilities to adopt and implement
35 policies to prevent exposure to surgical smoke via use of a smoke
36 evacuation system. The Commissioner of Health is to adopt rules
37 and regulations as are necessary to effectuate the provisions of this
38 bill.