ASSEMBLY, No. 3982

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MAY 4, 2020

Sponsored by:
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District 21 (Morris, Somerset and Union)
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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

As introduced.

(Sponsorship Updated As Of: 5/11/2020)

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

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

1. a. As used in this section:

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

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

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

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

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

3. This act shall take effect immediately.

STATEMENT

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