

House Study Bill 504 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON HEALTH
AND HUMAN SERVICES BILL BY
CHAIRPERSON HARRIS)

A BILL FOR

1 An Act relating to the elimination of surgical smoke by
2 hospitals, critical access hospitals, and ambulatory surgical
3 centers.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. NEW SECTION. **135S.1 Smoke evacuation system —**
2 **requirements.**

3 1. As used in this section, unless the context otherwise
4 requires:

5 a. "*Ambulatory surgical center*" means an outpatient surgical
6 facility as defined in section 135.61.

7 b. "*Critical access hospital*" means a hospital designated as
8 a critical access hospital pursuant to 42 U.S.C. §1395i-4.

9 c. "*Department*" means the department of inspections, appeals,
10 and licensing.

11 d. "*Smoke evacuation system*" means smoke evacuators, laser
12 plume evacuators, or local exhaust ventilators that capture and
13 filter surgical smoke at the site of origin before the surgical
14 smoke can make ocular contact or contact with the respiratory
15 tract of a person.

16 e. "*Surgical smoke*" means the by-product from the use
17 of energy-generating devices including surgical plume, smoke
18 plume, bioaerosols, laser-generated airborne contaminants, and
19 lung-damaging dust.

20 2. The department shall adopt rules pursuant to chapter 17A
21 to require the following entities to adopt policies on or before
22 January 1, 2027, to ensure the elimination of surgical smoke
23 through the use of a smoke evacuation system for each procedure
24 that generates surgical smoke through the use of energy-based
25 devices including but not limited to electrosurgical devices and
26 lasers:

27 a. An ambulatory surgical center.

28 b. A hospital as defined in section 135B.1.

29 c. A critical access hospital.

30 EXPLANATION

31 The inclusion of this explanation does not constitute agreement with
32 the explanation's substance by the members of the general assembly.

33 This bill requires the department of inspections, appeals,
34 and licensing (DIAL) to adopt rules that require each hospital,
35 critical access hospital, and ambulatory surgical center in the

1 state to adopt policies to ensure the elimination of surgical
2 smoke through the use of a smoke evacuation system for each
3 procedure that generates surgical smoke through the use of
4 energy-based devices including but not limited to electrosurgical
5 devices and lasers.

6 The bill defines "ambulatory surgical center", "critical
7 access hospital", "smoke evacuation system", and "surgical smoke"
8 for the purposes of the bill.

unofficial