

# ASSEMBLY, No. 3982

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 4, 2020

**Sponsored by:**

**Assemblywoman NANCY F. MUNOZ**

**District 21 (Morris, Somerset and Union)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**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)**

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.

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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.