

2023 Regular Session

SENATE BILL NO. 29

BY SENATOR BOUDREAUX

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HEALTH CARE. Provides relative to the use of a surgical smoke plume evacuation system.
(8/1/23)

1 AN ACT

2 To enact Part XV of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 40:2200.11, relative to surgical smoke plume; to provide for
4 definitions; to require certain healthcare facilities to adopt and implement policies
5 regarding surgical smoke plume evacuation; to provide for the authority of the
6 Louisiana Department of Health; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Part XV of Chapter 11 of Title 40 of the Louisiana Revised Statutes of
9 1950, comprised of R.S. 40:2200.11, is hereby enacted to read as follows:

10 **PART XV. SURGICAL SAFETY PROCEDURES**

11 **§2200.11. Surgical smoke plume evacuation policy required**

12 **A. For the purposes of this Section, the following definitions apply:**

13 **(1) "Surgical smoke plume" means the byproduct of using an**
14 **energy-based device on tissue during surgery which contains hazardous**
15 **materials, including but not limited to bioaerosols, smoke, gases, tissue, cellular**
16 **fragments, particulates, and viruses.**

17 **(2) "Surgical smoke plume evacuation system" means a dedicated device**

1 that is designed to capture, filter, and eliminate surgical smoke plume at the site
2 of origin before it can diffuse and pose a risk to the occupants of the operating
3 or treatment room.

4 B. Healthcare facilities licensed pursuant to this Chapter which provide
5 any surgical procedure using energy-based devices, including but not limited to
6 electrosurgery and lasers, shall adopt and implement policies for the use of a
7 surgical smoke plume evacuation system to eliminate the surgical smoke plume.

8 C. The Louisiana Department of Health shall verify compliance with
9 this Section during any onsite inspection and in response to any complaint
10 received relating to an alleged violation of this Section.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Brandi Cannon.

DIGEST

SB 29 Original

2023 Regular Session

Boudreaux

Proposed law defines "surgical smoke plume" and "surgical smoke plume evacuation system".

Proposed law requires licensed healthcare facilities which provide surgical procedures using energy-based devices, including but not limited to electrosurgery and lasers, to adopt and implement policies for the use of a surgical smoke plume evacuation system to eliminate the surgical smoke plume.

Proposed law provides for the La. Department of Health to verify compliance with proposed law during any onsite inspection and in response to any complaint received relating to an alleged violation of proposed law.

Effective August 1, 2023.

(Adds R.S. 40:2200.11)