

2023 Regular Session

SENATE BILL NO. 29

BY SENATORS BOUDREAUX AND HENRY

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 heat-**
14 **producing equipment on tissue during surgery.**

15 **(2) "Surgical smoke plume evacuation system" means a dedicated device**
16 **or equipment that is designed to capture, filter, and remove surgical smoke**
17 **plume before it can diffuse to mitigate exposure to the occupants of the**

1 operating or treatment room.

2 B. Healthcare facilities licensed pursuant to this Chapter which provide
 3 any surgical procedure using heat-producing equipment, including but not
 4 limited to electrosurgery and lasers, shall adopt and implement policies for the
 5 use of a surgical smoke plume evacuation system to mitigate and remove the
 6 surgical smoke plume.

7 C. The Louisiana Department of Health shall verify compliance with
 8 this Section through onsite surveys that are specific to surgical services, full
 9 licensing surveys, full recertification surveys, and complaint surveys if
 10 allegations specific to surgical services are alleged.

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

DIGEST

SB 29 Engrossed

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Boudreaux

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

Proposed law requires licensed healthcare facilities which provide surgical procedures using heat-producing equipment, including but not limited to electrosurgery and lasers, to adopt and implement policies for the use of a surgical smoke plume evacuation system to mitigate and remove the surgical smoke plume.

Proposed law provides for the La. Department of Health to verify compliance with proposed law through onsite surveys that are specific to surgical services, full licensing surveys, full recertification surveys, and complaint surveys if allegations specific to surgical services are alleged.

Effective August 1, 2023.

(Adds R.S. 40:2200.11)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Amend the definition of surgical smoke plume.
2. Amend the definition of surgical smoke plume evacuation system.
3. Amend the healthcare facility policy requirements.
4. Clarify the authority of the La. Dept. of Health.