

By Senator Garcia

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1 A bill to be entitled
2 An act relating to protection from surgical smoke;
3 creating s. 395.1013, F.S.; defining the terms "smoke
4 evacuation system" and "surgical smoke"; requiring
5 hospitals and ambulatory surgical centers to, by a
6 specified date, adopt and implement policies requiring
7 the use of smoke evacuation systems during certain
8 surgical procedures; providing an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Section 395.1013, Florida Statutes, is created
13 to read:

14 395.1013 Smoke evacuation systems required.-

15 (1) As used in this section, the term:

16 (a) "Smoke evacuation system" means equipment that
17 effectively captures, filters, and eliminates surgical smoke at
18 the site of origin before the smoke makes contact with the eyes
19 or respiratory tract of occupants in the room.

20 (b) "Surgical smoke" means the gaseous byproduct produced
21 by energy-generating devices such as lasers and electrosurgical
22 devices. The term includes, but is not limited to, surgical
23 plume, smoke plume, bio-aerosols, laser-generated airborne
24 contaminants, and lung-damaging dust.

25 (2) By January 1, 2024, each licensed facility shall adopt
26 and implement policies that require the use of a smoke
27 evacuation system during any surgical procedure that is likely
28 to generate surgical smoke.

29 Section 2. This act shall take effect July 1, 2023.