

**2017 -- H 5324 SUBSTITUTE A AS AMENDED**

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LC001068/SUB A  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2017**

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A N A C T

RELATING TO HEALTH AND SAFETY - LICENSING OF HEALTH CARE FACILITIES

Introduced By: Representatives McNamara, Morin, Messier, McLaughlin, and Bennett

Date Introduced: February 01, 2017

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1           SECTION 1. Chapter 23-17 of the General Laws entitled "Licensing of Health-Care  
2 Facilities" is hereby amended by adding thereto the following section:

3           **23-17-49.1. Workplace and patient safety - evacuation of surgical smoke plume**  
4 **required in operating rooms.**

5           (a) As used in this section, the following definitions shall apply:

6           (1) "Smoke evacuation system" means smoke evacuators, laser plume evacuators, or  
7 local exhaust ventilators that capture and neutralize plume at the site of origin and before plume  
8 can make ocular contact or contact with the respiratory tract of employees.

9           (2) "Surgical smoke" means the by-product of use of energy-generating devices including  
10 surgical plume, smoke plume, bio-aerosols, laser-generated airborne contaminants, and lung-  
11 damaging dust.

12           (b) In order to protect patient and health workers from the hazards of surgical smoke,  
13 each hospital and freestanding ambulatory surgical facility licensed in the state of Rhode Island  
14 pursuant to this chapter shall adopt policies to ensure the elimination of surgical smoke by use of  
15 a smoke evacuation system for each procedure that generates surgical smoke from the use of  
16 energy-based devices such as but not limited to electrosurgery and lasers.

17           (c) Each hospital and freestanding ambulatory surgical center shall report to the  
18 department of health within ninety days (90) of the effective date of this act that policies pursuant  
19 to this section have been adopted.

1 SECTION 2. This act shall take effect on January 1, 2018.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO HEALTH AND SAFETY - LICENSING OF HEALTH CARE FACILITIES

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1           This act would require all hospitals and freestanding ambulatory surgical facilities  
2 licensed in this state to adopt policies to use a smoke evacuation system for surgical procedures  
3 that generate surgical smoke.

4           This act would take effect on January 1, 2018.

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