SENATE AMENDMENT NO. ___

Offered by _____ **Of** _____

Amend House Bill No. 402, Page 1, Section Title, Line 3,

by striking the word "hospitals" and inserting in lieu thereof the following: "health care facilities"; and

Further amend said bill and page, section 197.020, line 13 by inserting after all of said line the following:

"197.185. 1. For purposes of this section, the following terms mean:

(1) "Ambulatory surgical center", the same meaning given to the term in section 197.200;

(2) "Hospital", the same meaning given to the term in section 197.020;

(3) "Surgical smoke", the smoke that is generated from the use of a surgical device, including, but not limited to, surgical plume, smoke plume, bioaerosols, laser-generated airborne contaminants, and lung-damaging dust;

(4) "Surgical smoke plume evacuation system", equipment designed to capture, filter, and eliminate surgical smoke at the point of origin and before the surgical smoke makes contact with the eyes or contact with the respiratory tract of patients and staff occupying the room where a procedure that produces surgical smoke plume is being performed.

2. On or before January 1, 2025, each hospital and ambulatory surgical center that performs procedures that produce surgical smoke plume shall adopt and implement policies and procedures to ensure the evacuation of surgical

27 smoke plume by use of a surgical smoke plume evacuation
28 system for each procedure that generates surgical smoke
29 plume from the use of energy-based devices, including, but
30 not limited to, electrosurgery and lasers.
31 3. Any procedure that generates surgical smoke plume
32 from the use of energy-based devices that is performed after
33 December 31, 2024, in any hospital or ambulatory surgical
34 center shall be subject to the policies and procedures
35 adopted under subsection 2 of this section."; and
36 Further amend the title and enacting clause accordingly.