

SENATE AMENDMENT NO. _____

Offered by _____ of _____

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

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

4 Further amend said bill and page, section 197.020, line
5 13 by inserting after all of said line the following:

6 "197.185. 1. For purposes of this section, the
7 following terms mean:

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

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

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

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

23 2. On or before January 1, 2025, each hospital and
24 ambulatory surgical center that performs procedures that
25 produce surgical smoke plume shall adopt and implement
26 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.