

FIRST REGULAR SESSION

HOUSE BILL NO. 396

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BUCHHEIT-COURTWAY.

0629H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 197, RSMo, by adding thereto one new section relating to surgical smoke plume evacuation.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 197, RSMo, is amended by adding thereto one new section, to be
2 known as section 197.185, to read as follows:

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

2 (1) "Ambulatory surgical center", the same meaning given to the term in section
3 **197.200;**

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

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

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

13 2. On or before January 1, 2025, each hospital and ambulatory surgical center
14 that performs procedures that produce surgical smoke plume shall adopt and
15 implement policies and procedures to ensure the reduction of surgical smoke plume
16 by use of a surgical smoke plume evacuation system for each procedure that generates

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **surgical smoke plume from the use of energy-based devices including, but not limited to,**
18 **electrosurgery and lasers.**

19 **3. Any procedure that generates surgical smoke plume from the use of energy-**
20 **based devices that is performed after December 31, 2024, in any hospital or ambulatory**
21 **surgical center shall be subject to the policies and procedures adopted under subsection**
22 **2 of this section.**

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