101ST GENERAL ASSEMBLY
State of Illinois
2019 and 2020
SB3753

Introduced 2/14/2020, by Sen. Julie A. Morrison

SYNOPSIS AS INTRODUCED:

110 ILCS 330/8d new
210 ILCS 5/6.9 new
210 ILCS 85/6.28 new

Amends the University of Illinois Hospital Act, the Ambulatory Surgical Treatment Center Act, and the Hospital Licensing Act. Requires hospitals organized under the University of Illinois Hospital Act or licensed under the Hospital Licensing Act and ambulatory surgical treatment centers licensed under the Ambulatory Surgical Treatment Center Act to: adopt policies to ensure the elimination of surgical smoke by use of a surgical smoke evacuation system for each procedure that generates surgical smoke from the use of energy-based devices, including electrosurgery and lasers; and report to the Department of Public Health within 90 days after the amendatory Act's effective date that the policies have been adopted.

LRB101 20050 CPF 69581 b
AN ACT concerning health.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The University of Illinois Hospital Act is amended by adding Section 8d as follows:

(110 ILCS 330/8d new)

Sec. 8d. Surgical smoke evacuation system.

(a) In this Section:

"Department" means the Department of Public Health.

"Surgical smoke" means the by-product of use of energy-generating devices, including, but not limited to, surgical plume, smoke plume, bio-aerosols, laser-generated airborne contaminants, and lung-damaging dust.

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

(b) To protect patients and health care workers from the hazards of surgical smoke, the University of Illinois Hospital shall adopt policies to ensure the elimination of surgical smoke by use of a surgical smoke evacuation system for each procedure that generates surgical smoke from the use of
energy-based devices, including, but not limited to, electrosurgery and lasers.

(c) The University of Illinois Hospital shall report to the Department within 90 days after the effective date of this amendatory Act of the 101st General Assembly that policies under subsection (b) of this Section have been adopted.

Section 10. The Ambulatory Surgical Treatment Center Act is amended by adding Section 6.9 as follows:

(210 ILCS 5/6.9 new)

Sec. 6.9. Surgical smoke evacuation system.

(a) In this Section:

"Surgical smoke" means the by-product of use of energy-generating devices, including, but not limited to, surgical plume, smoke plume, bio-aerosols, laser-generated airborne contaminants, and lung-damaging dust.

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

(b) To protect patients and health care workers from the hazards of surgical smoke, an ambulatory surgical treatment center licensed under this Act shall adopt policies to ensure the elimination of surgical smoke by use of a surgical smoke
evacuation system for each procedure that generates surgical
smoke from the use of energy-based devices, including, but not
limited to, electrosurgery and lasers.

(c) An ambulatory surgical treatment center licensed under
this Act shall report to the Department within 90 days after
the effective date of this amendatory Act of the 101st General
Assembly that policies under subsection (b) of this Section
have been adopted.

Section 15. The Hospital Licensing Act is amended by adding
Section 6.28 as follows:

(210 ILCS 85/6.28 new)

Sec. 6.28. Surgical smoke evacuation system.

(a) In this Section:

"Surgical smoke" means the by-product of use of
energy-generating devices, including, but not limited to,
surgical plume, smoke plume, bio-aerosols, laser-generated
airborne contaminants, and lung-damaging dust.

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

(b) To protect patients and health care workers from the
hazards of surgical smoke, a hospital licensed under this Act
shall adopt policies to ensure the elimination of surgical
smoke by use of a surgical smoke evacuation system for each
procedure that generates surgical smoke from the use of
energy-based devices, including, but not limited to, electrosurgery and lasers.

(c) A hospital licensed under this Act shall report to the
Department within 90 days after the effective date of this amendatory Act of the 101st General Assembly that policies
under subsection (b) of this Section have been adopted.