

1 AN ACT concerning health.

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

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

6 (110 ILCS 330/8d new)

7 Sec. 8d. Surgical smoke plume evacuation.

8 (a) In this Section:

9 "Department" means the Department of Public Health.

10 "Surgical smoke plume" means the by-product of the use of  
11 energy-based devices on tissue during surgery and containing  
12 hazardous materials, including, but not limited to,  
13 bio-aerosols, smoke, gases, tissue and cellular fragments and  
14 particulates, and viruses.

15 "Surgical smoke plume evacuation system" means a dedicated  
16 device that is designed to capture, transport, filter, and  
17 neutralize surgical smoke plume at the site of origin and  
18 before surgical smoke plume can make ocular contact, or  
19 contact with the respiratory tract, of an employee.

20 (b) To protect patients and health care workers from the  
21 hazards of surgical smoke plume, the University of Illinois  
22 Hospital shall adopt policies to ensure the elimination of  
23 surgical smoke plume by use of a surgical smoke plume

1 evacuation system for each procedure that generates surgical  
2 smoke plume from the use of energy-based devices, including,  
3 but not limited to, electrosurgery and lasers.

4 (c) The University of Illinois Hospital shall report to  
5 the Department within 90 days after the effective date of this  
6 amendatory Act of the 102nd General Assembly that policies  
7 under subsection (b) of this Section have been adopted.

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

10 (210 ILCS 5/6.9 new)

11 Sec. 6.9. Surgical smoke plume evacuation.

12 (a) In this Section:

13 "Surgical smoke plume" means the by-product of the use of  
14 energy-based devices on tissue during surgery and containing  
15 hazardous materials, including, but not limited to,  
16 bio-aerosols, smoke, gases, tissue and cellular fragments and  
17 particulates, and viruses.

18 "Surgical smoke plume evacuation system" means a dedicated  
19 device that is designed to capture, transport, filter, and  
20 neutralize surgical smoke plume at the site of origin and  
21 before surgical smoke plume can make ocular contact, or  
22 contact with the respiratory tract, of an employee.

23 (b) To protect patients and health care workers from the  
24 hazards of surgical smoke plume, an ambulatory surgical

1 treatment center licensed under this Act shall adopt policies  
2 to ensure the elimination of surgical smoke plume by use of a  
3 surgical smoke plume evacuation system for each procedure that  
4 generates surgical smoke plume from the use of energy-based  
5 devices, including, but not limited to, electrosurgery and  
6 lasers.

7 (c) An ambulatory surgical treatment center licensed under  
8 this Act shall report to the Department within 90 days after  
9 the effective date of this amendatory Act of the 102nd General  
10 Assembly that policies under subsection (b) of this Section  
11 have been adopted.

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

14 (210 ILCS 85/6.28 new)

15 Sec. 6.28. Surgical smoke plume evacuation.

16 (a) In this Section:

17 "Surgical smoke plume" means the by-product of the use of  
18 energy-based devices on tissue during surgery and containing  
19 hazardous materials, including, but not limited to,  
20 bio-aerosols, smoke, gases, tissue and cellular fragments and  
21 particulates, and viruses.

22 "Surgical smoke plume evacuation system" means a dedicated  
23 device that is designed to capture, transport, filter, and  
24 neutralize surgical smoke plume at the site of origin and

1 before surgical smoke plume can make ocular contact, or  
2 contact with the respiratory tract, of an employee.

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

10 (c) A hospital licensed under this Act shall report to the  
11 Department within 90 days after the effective date of this  
12 amendatory Act of the 102nd General Assembly that policies  
13 under subsection (b) of this Section have been adopted.