

House Engrossed

surgical smoke evacuation; requirements

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

CHAPTER 57

HOUSE BILL 2434

AN ACT

AMENDING TITLE 36, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, BY
ADDING SECTION 36-434.01; RELATING TO HEALTH CARE INSTITUTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 36, chapter 4, article 2, Arizona Revised
3 Statutes, is amended by adding section 36-434.01, to read:

4 36-434.01. Outpatient surgical centers; hospitals; surgical
5 smoke evacuation systems; definitions

6 A. BEGINNING JULY 1, 2024, EACH OUTPATIENT SURGICAL CENTER OR
7 HOSPITAL SHALL ADOPT AND IMPLEMENT POLICIES TO PREVENT EXPOSURE TO
8 SURGICAL SMOKE BY USING A SMOKE EVACUATION SYSTEM FOR EACH PROCEDURE THAT
9 GENERATES SURGICAL SMOKE.

10 B. THE DEPARTMENT SHALL ENSURE COMPLIANCE WITH THIS SECTION DURING
11 ANY ONSITE INSPECTION AND IN RESPONSE TO ANY COMPLAINT RECEIVED RELATING
12 TO A VIOLATION OF THIS SECTION.

13 C. FOR THE PURPOSES OF THIS SECTION:

14 1. "SMOKE EVACUATION SYSTEM" MEANS SMOKE EVACUATION EQUIPMENT AND
15 TECHNOLOGIES DESIGNED TO CAPTURE, FILTER AND REMOVE SURGICAL SMOKE AT THE
16 SITE OF ORIGIN AND TO PREVENT SURGICAL SMOKE FROM MAKING OCULAR CONTACT OR
17 CONTACT WITH AN INDIVIDUAL'S RESPIRATORY TRACT.

18 2. "SURGICAL SMOKE":

19 (a) MEANS THE SURGICAL PLUME THAT IS GENERATED FROM THE USE OF AN
20 ENERGY-GENERATING SURGICAL DEVICE.

21 (b) INCLUDES SMOKE PLUME, BIO-AEROSOLS, LASER-GENERATED AIRBORNE
22 CONTAMINANTS AND LUNG-DAMAGING DUST.

APPROVED BY THE GOVERNOR MARCH 24, 2022.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 24, 2022.