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HOUSE BILL 1779

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State of Washington

67th Legislature

2022 Regular Session

By Representatives Callan, Bronoske, Sells, Dolan, and Ramos

Prefiled 01/05/22. Read first time 01/10/22. Referred to Committee on Labor & Workplace Standards.

1 AN ACT Relating to requiring policies addressing surgical smoke;  
2 adding a new section to chapter 49.17 RCW; and providing an effective  
3 date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 49.17  
6 RCW to read as follows:

7 (1) A health care employer shall adopt policies that require the  
8 use of a smoke evacuation system during any surgical procedure that  
9 is likely to generate surgical smoke.

10 (2) The health care employer may select any smoke evacuation  
11 system that accounts for surgical techniques and procedures vital to  
12 patient safety and that takes into account employee safety.

13 (3) The department shall ensure compliance with this section  
14 during any on-site inspection.

15 (4) The definitions in this subsection apply throughout this  
16 section unless the context clearly requires otherwise.

17 (a) "Energy generating device" means a tool that performs a  
18 surgical function using heat, laser, electricity, or other form of  
19 energy.

1 (b) "Health care employer" means a hospital, as defined in RCW  
2 70.41.020, or an ambulatory surgical facility, as defined in RCW  
3 70.230.010.

4 (c) "Smoke evacuation system" means equipment that effectively  
5 captures, filters, and eliminates surgical smoke at the site of  
6 origin, before the smoke makes contact with the eyes or the  
7 respiratory tract of occupants in the room.

8 (d) "Surgical smoke" means the by-product that results from  
9 contact with tissue by an energy generating device.

10 (5) The department may adopt rules as necessary to administer  
11 this section.

12 NEW SECTION. **Sec. 2.** This act takes effect January 1, 2024.

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