

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

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HOUSE BILL 650

Short Title: Smoke-Free Operating Rooms.

(Public)

Sponsors: Representative White.

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Health, if favorable, Rules, Calendar, and Operations of the House

April 18, 2023

1 A BILL TO BE ENTITLED  
2 AN ACT ESTABLISHING STANDARDS FOR SURGICAL SMOKE EVACUATION IN  
3 HOSPITALS AND AMBULATORY SURGICAL FACILITIES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Part 2 of Article 5 of Chapter 131E of the General Statutes is amended  
6 by adding a new section to read:

7 "**§ 131E-78.4. Hospital standards for surgical smoke evacuation.**

8 (a) Definitions. – The following definitions apply in this section:

9 (1) Smoke evacuation system. – Equipment that effectively captures, filters, and  
10 eliminates surgical smoke at the site of origin before the smoke makes contact  
11 with the eyes or the respiratory tracts of occupants in the room.

12 (2) Surgical smoke. – The gaseous by-product produced by energy-generating  
13 devices, including surgical plume, smoke plume, bio-aerosols, laser-generated  
14 airborne contaminants, or lung-damaging dust.

15 (b) Each hospital licensed under this Part shall adopt and implement policies that require  
16 the use of a smoke evacuation system during any surgical procedure that is likely to generate  
17 surgical smoke.

18 (c) Adverse Action. – The Department of Health and Human Services may take adverse  
19 action against a hospital under G.S. 131E-78 for a violation of this section."

20 **SECTION 2.** Part 4 of Article 6 of Chapter 131E of the General Statutes is amended  
21 by adding a new section to read:

22 "**§ 131E-147.2. Ambulatory surgical facility standards for surgical smoke evacuation.**

23 (a) Definitions. – The following definitions apply in this section:

24 (1) Smoke evacuation system. – Equipment that effectively captures, filters, and  
25 eliminates surgical smoke at the site of origin before the smoke makes contact  
26 with the eyes or the respiratory tracts of occupants in the room.

27 (2) Surgical smoke. – The gaseous by-product produced by energy-generating  
28 devices, including surgical plume, smoke plume, bio-aerosols, laser-generated  
29 airborne contaminants, or lung-damaging dust.

30 (b) Each ambulatory surgical facility licensed under this Part shall adopt and implement  
31 policies that require the use of a smoke evacuation system during any surgical procedure that is  
32 likely to generate surgical smoke.

33 (c) Adverse Action. – The Department of Health and Human Services may take adverse  
34 action against an ambulatory surgical facility under G.S. 131E-148 for a violation of this section."

35 **SECTION 3.** This act becomes effective January 1, 2024.

