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# A BILL FOR AN ACT

RELATING TO HOSPITALS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that the vapor inside an  
2   operating room that is created during a surgical procedure is  
3   often referred to as surgical smoke. According to the National  
4   Institute for Occupational Safety and Health, tools used during  
5   a surgical procedure, including lasers or electrosurgical  
6   devices, produce aerosolized chemicals that can be harmful to  
7   inhale. Surgical smoke may contain chemicals such as benzene  
8   and formaldehyde. Studies report that exposure to these  
9   chemicals can produce a range of debilitating effects, including  
10  migraines, nausea, and irritation of the eyes or nose.

11       The legislature further finds that data suggests that each  
12  year roughly five hundred thousand health care professionals are  
13  exposed to hazardous chemicals produced during surgical  
14  operations. Surgical smoke affects health care workers such as  
15  surgeons, nurses, and anesthesiologists, exposing them to  
16  respiratory issues and long-term health risks. Patients and  
17  support staff in health care facilities may also be affected by



1 inhalation. As a result, eighteen states have enacted surgical  
2 smoke evacuation mandate laws.

3 Accordingly, the purpose of this Act is to require any  
4 hospital licensed by the department of health that has an  
5 operating room to adopt and implement policies to prevent  
6 exposure to surgical smoke.

7 SECTION 2. Chapter 321, Hawaii Revised Statutes, is  
8 amended by adding a new section to part I to be appropriately  
9 designated and to read as follows:

10 "§321- Surgical smoke; exposure prevention; operating  
11 rooms; policies. (a) No later than July 1, 2027, any hospital  
12 licensed pursuant to section 321-14.5 that has an operating room  
13 shall adopt and implement policies to prevent exposure to  
14 surgical smoke by using a smoke evacuation system or any other  
15 appropriate measure for each procedure that generates surgical  
16 smoke. The department shall ensure compliance with this section  
17 during any onsite inspection and in response to any complaint  
18 received relating to a violation of this section.

19 (b) For the purposes of this section:

20 "Smoke evacuation system" means smoke evacuation equipment  
21 and technologies designed to capture, filter, and remove



1 surgical smoke at the site of origin and to prevent surgical  
2 smoke from making ocular contact or contact with a person's  
3 respiratory tract.

4 "Surgical smoke" means the surgical plume that is generated  
5 from the use of an energy-generating surgical device, including  
6 a smoke plume, bio-aerosol, laser-generated airborne  
7 contaminant, and lung-damaging dust."

8 SECTION 3. New statutory material is underscored.

9 SECTION 4. This Act shall take effect on July 1, 3000.



**Report Title:**

DOH; Hospitals; Surgical Smoke; Exposure Prevention; Operating Rooms; Policies

**Description:**

Requires any hospital licensed by the Department of Health that has an operating room to adopt and implement policies to prevent exposure to surgical smoke. Effective 7/1/3000. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

