

SURGICAL SMOKE LAWS

STATE	EFFECTIVE DATE	REQUIREMENTS	ENFORCEMENT AUTHORITY
Rhode Island	January 1, 2019	Hospitals and ASCs shall adopt policies to ensure the elimination of surgical smoke by use of a smoke-evacuation system for each procedure that generates surgical smoke (R.I. Gen. Laws § 23-17-49.1)	Hospitals and ASCs shall report to the Rhode Island Department of Health that these policies have been adopted by March 30, 2019. Noncompliance should be reported to this department.
Colorado	May 1, 2021	Hospitals and ASCs shall adopt and implement a policy that prevents human exposure to survival smoke via the use of a surgical smoke evacuation system during any planned surgical procedures that is likely to generate surgical smoke (Col. Rev. Stat. § 25-3-120)	Noncompliance should be reported to the Colorado Department of Public Health and Environment.
Illinois	January 1, 2022	Hospitals and ASCs shall adopt policies to ensure the elimination of surgical smoke plume by use of a surgical smoke plume evacuation system for each procedure that generates surgical smoke plume (210 Ill. Comp. Stat. § 5/6.9; 210 Ill. Comp. Stat. § 85/6.28)	Hospitals and ASCs shall report to the Illinois Department of Public Health that these policies have been adopted by March 30, 2022. Noncompliance should be reported to this department.
Kentucky	January 1, 2022	Hospitals and ASCs are required to make use of a smoke evacuation system during any surgical procedure likely to generate surgical smoke (Ky. Rev. Stat. § 216B [New; not yet numbered])	Kentucky Cabinet for Health and Family Services is to issue regulations implementing this requirement. Regulations are expected December 2021.
Oregon	January 1, 2023	Hospitals and ASCs shall adopt policies that require the use of a smoke evacuation system during any surgical procedure that is likely to generate surgical smoke (Oregon Rev. Stat. § 654 [New; not yet numbered])	Noncompliance should be reported to the Oregon Occupational Safety and Health Division within the Department of Consumer and Business Services. This division is to ensure compliance during any on-site inspection.

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Arizona	January 1, 2024	Hospitals and ASCs shall adopt policies to ensure the elimination of surgical smoke by use of a smoke-evacuation system for each procedure that generates surgical smoke (R.I. Gen. Laws § 23-17-49.1)	The Arizona Department of Health Services shall ensure compliance during any onsite inspection and in response to any complaint received.
Washington	January 1, 2024 January 1, 2025 for CAHs, hospitals with less than 25 beds, sole community hospitals, and Medicare dependent hospitals.	Hospitals and ASCs shall adopt policies that require the use of a smoke evacuation system during any planned surgical procedure that is likely to generate surgical smoke which would otherwise make contact with the eyes or respiratory tract of the occupants of the room (R.C.W. 49.17.____).	The Department of Labor and Industries shall ensure compliance with this section during any on-site inspection.
Connecticut	January 1, 2024	Hospitals and outpatient surgical facilities shall develop a policy for the use of a surgical smoke evacuation system to prevent a person's exposure to surgical smoke, and shall implement such policy and, upon request, provide a copy of such policy to the Department of Public Health (New; not yet numbered).	Hospitals and outpatient surgical facilities shall provide copies of their policy to the Department of Public Health upon request. Noncompliance should be reported to the Department of Public Health.
Georgia	July 1, 2022	Hospitals and ambulatory surgical centers shall adopt policies for the reduction of human exposure to surgical smoke. (31-7-23)	Noncompliance should be reported to the Georgia Department of Community Health.