



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB3011

Introduced 1/5/2022, by Sen. Julie A. Morrison

#### SYNOPSIS AS INTRODUCED:

110 ILCS 330/8f  
210 ILCS 5/6.9  
210 ILCS 85/6.32

Amends the University of Illinois Hospital Act, the Ambulatory Surgical Treatment Center Act, and the Hospital Licensing Act. In provisions regarding surgical smoke plume evacuation, provides that "surgical smoke plume evacuation system" means a dedicated device that is designed to capture, transport, and filter (rather than capture, transport, filter, and neutralize) surgical smoke plume at the site of origin and before it can diffuse and pose a risk to the occupants of the operating or treatment room (rather than before surgical smoke plume can make ocular contact, or contact with the respiratory tract, of an employee). Corrects a typographical error. Effective immediately.

LRB102 20072 CPF 31783 b

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The University of Illinois Hospital Act is  
5 amended by renumbering and changing Section 8d, as added by  
6 Public Act 102-533, as follows:

7 (110 ILCS 330/8f)

8 Sec. 8f ~~8d~~. Surgical smoke plume evacuation.

9 (a) In this Section:

10 "Department" means the Department of Public Health.

11 "Surgical smoke plume" means the by-product of the use of  
12 energy-based devices on tissue during surgery and containing  
13 hazardous materials, including, but not limited to,  
14 bioaerosols ~~bio-aecorsols~~, smoke, gases, tissue and cellular  
15 fragments and particulates, and viruses.

16 "Surgical smoke plume evacuation system" means a dedicated  
17 device that is designed to capture, transport, and filter, ~~and~~  
18 ~~neutralize~~ surgical smoke plume at the site of origin and  
19 before it can diffuse and pose a risk to the occupants of the  
20 operating or treatment room ~~surgical smoke plume can make~~  
21 ~~ocular contact, or contact with the respiratory tract, of an~~  
22 ~~employee.~~

23 (b) To protect patients and health care workers from the

1 hazards of surgical smoke plume, the University of Illinois  
2 Hospital shall adopt policies to ensure the elimination of  
3 surgical smoke plume by use of a surgical smoke plume  
4 evacuation system for each procedure that generates surgical  
5 smoke plume from the use of energy-based devices, including,  
6 but not limited to, electrosurgery and lasers.

7 (c) The University of Illinois Hospital shall report to  
8 the Department within 90 days after January 1, 2022 (the  
9 effective date of Public Act 102-533) ~~this amendatory Act of~~  
10 ~~the 102nd General Assembly~~ that policies under subsection (b)  
11 of this Section have been adopted.

12 (Source: P.A. 102-533, eff. 1-1-22; revised 11-9-21.)

13 Section 10. The Ambulatory Surgical Treatment Center Act  
14 is amended by changing Section 6.9 as follows:

15 (210 ILCS 5/6.9)

16 Sec. 6.9. Surgical smoke plume evacuation.

17 (a) In this Section:

18 "Surgical smoke plume" means the by-product of the use of  
19 energy-based devices on tissue during surgery and containing  
20 hazardous materials, including, but not limited to,  
21 bioaerosols ~~bio-aersols~~, smoke, gases, tissue and cellular  
22 fragments and particulates, and viruses.

23 "Surgical smoke plume evacuation system" means a dedicated  
24 device that is designed to capture, transport, and filter, ~~and~~

1 ~~neutralize~~ surgical smoke plume at the site of origin and  
2 before it can diffuse and pose a risk to the occupants of the  
3 operating or treatment room ~~surgical smoke plume can make~~  
4 ~~ocular contact, or contact with the respiratory tract, of an~~  
5 ~~employee.~~

6 (b) To protect patients and health care workers from the  
7 hazards of surgical smoke plume, an ambulatory surgical  
8 treatment center licensed under this Act shall adopt policies  
9 to ensure the elimination of surgical smoke plume by use of a  
10 surgical smoke plume evacuation system for each procedure that  
11 generates surgical smoke plume from the use of energy-based  
12 devices, including, but not limited to, electrosurgery and  
13 lasers.

14 (c) An ambulatory surgical treatment center licensed under  
15 this Act shall report to the Department within 90 days after  
16 the effective date of this amendatory Act of the 102nd General  
17 Assembly that policies under subsection (b) of this Section  
18 have been adopted.

19 (Source: P.A. 102-533, eff. 1-1-22; revised 11-22-21.)

20 Section 15. The Hospital Licensing Act is amended by  
21 renumbering and changing Section 6.28, as added by Public Act  
22 102-533, as follows:

23 (210 ILCS 85/6.32)

24 Sec. 6.32 ~~6.28~~. Surgical smoke plume evacuation.

1 (a) In this Section:

2 "Surgical smoke plume" means the by-product of the use of  
3 energy-based devices on tissue during surgery and containing  
4 hazardous materials, including, but not limited to,  
5 bioaerosols ~~bio-aersols~~, smoke, gases, tissue and cellular  
6 fragments and particulates, and viruses.

7 "Surgical smoke plume evacuation system" means a dedicated  
8 device that is designed to capture, transport, and filter, ~~and~~  
9 ~~neutralize~~ surgical smoke plume at the site of origin and  
10 before it can diffuse and pose a risk to the occupants of the  
11 operating or treatment room ~~surgical smoke plume can make~~  
12 ~~ocular contact, or contact with the respiratory tract, of an~~  
13 ~~employee.~~

14 (b) To protect patients and health care workers from the  
15 hazards of surgical smoke plume, a hospital licensed under  
16 this Act shall adopt policies to ensure the elimination of  
17 surgical smoke plume by use of a surgical smoke plume  
18 evacuation system for each procedure that generates surgical  
19 smoke plume from the use of energy-based devices, including,  
20 but not limited to, electrosurgery and lasers.

21 (c) A hospital licensed under this Act shall report to the  
22 Department within 90 days after January 1, 2022 (the effective  
23 date of Public Act 102-533) ~~this amendatory Act of the 102nd~~  
24 ~~General Assembly~~ that policies under subsection (b) of this  
25 Section have been adopted.

26 (Source: P.A. 102-533, eff. 1-1-22; revised 11-10-21.)

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.