

By the Appropriations Committee on Health and Human Services;
and Senator Davis

603-03209-26

2026162c1

1 A bill to be entitled
2 An act relating to protection from surgical smoke;
3 creating s. 395.1013, F.S.; defining the terms "smoke
4 evacuation system" and "surgical smoke"; requiring
5 hospitals and ambulatory surgical centers, by a
6 specified date, to adopt and implement policies to
7 prevent patients and personnel from being exposed to
8 harmful surgical smoke; providing an effective date.
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10 Be It Enacted by the Legislature of the State of Florida:
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12 Section 1. Section 395.1013, Florida Statutes, is created
13 to read:

14 395.1013 Smoke evacuation systems required.-

15 (1) As used in this section, the term:

16 (a) "Smoke evacuation system" means equipment that
17 effectively captures and filters surgical smoke before the smoke
18 makes contact with the eyes or respiratory tracts of occupants
19 in the room.

20 (b) "Surgical smoke" means the gaseous byproduct produced
21 by energy-generating devices, such as lasers and electrosurgical
22 devices. The term includes, but is not limited to, surgical
23 plume, smoke plume, bioaerosols, laser-generated airborne
24 contaminants, and lung-damaging dust.

25 (2) By January 1, 2027, each licensed facility shall adopt
26 and implement policies to prevent patients and personnel from
27 being exposed to surgical smoke that is deemed a health risk and
28 demonstrated by medical evidence as causing harm, including by
29 using a smoke evacuation system or any other appropriate measure

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30 during any surgical procedure that is likely to generate
31 surgical smoke.

32 Section 2. This act shall take effect July 1, 2026.