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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

S.B. 161  
134<sup>th</sup> General Assembly

## Fiscal Note & Local Impact Statement

[Click here for S.B. 161's Bill Analysis](#)

**Version:** As Introduced

**Primary Sponsor:** Sen. Brenner

**Local Impact Statement Procedure Required:** Yes

Jacquelyn Schroeder, Senior Budget Analyst

### Highlights

- Government-owned hospitals will experience an increase in costs to implement policies to prevent surgical smoke exposure and to obtain surgical smoke evacuation systems if such systems are not already in use. Costs will depend on the number of systems necessary and the type of evacuation system obtained.
- The Ohio Department of Health may experience an increase in costs to ensure compliance of the bill's provisions and to adopt rules.

### Detailed Analysis

#### Regulation of surgical smoke

The bill requires ambulatory surgical facilities and hospitals that perform surgeries to adopt and implement policies designed to prevent human exposure to surgical smoke during planned surgical procedures likely to generate such smoke. The policy must include the use of a surgical smoke evacuation system, and must be in place within one year of the bill's effective date. The Ohio Department of Health (ODH) is permitted to adopt rules to implement the bill's requirements.

Government-owned hospitals will experience an increase in costs to implement the policies described above and to obtain surgical smoke evacuation systems if such systems are not already in use. Costs will depend on the number of systems necessary at each hospital and the type of evacuation system obtained, as well as any necessary equipment (e.g., tubing and filters).

The costs of evacuation systems vary depending on a system's features.<sup>1</sup> ODH may experience an increase in costs to ensure compliance of the bill's provisions and to adopt rules.

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<sup>1</sup> According to a December 2020 Final Report of the Georgia State Senate Study Committee on Surgical Smoke Evacuation Systems, a smoke evacuator could cost about \$2,000 with additional costs for tubing and filters, etc. [https://www.senate.ga.gov/committees/Documents/2020SurgicalSmokeEvacuationSystems\\_FinalReportandAppendices.pdf](https://www.senate.ga.gov/committees/Documents/2020SurgicalSmokeEvacuationSystems_FinalReportandAppendices.pdf).