Bill Topic: REQUIRE SURGICAL SMOKE PROTECTION POLICIES

Summary of Fiscal Impact:
- State Revenue
- State Expenditure
- State Transfer
- TABOR Refund
- Local Government
- Statutory Public Entity

This bill requires hospitals and surgical centers to implement a policy to evacuate surgical smoke during medical procedures. Beginning in FY 2021-22, it will minimally increase state workload.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the enacted bill.

Summary of Legislation

This bill requires health facilities that perform surgery (hospitals and ambulatory surgical centers) to adopt and implement a policy to use a surgical smoke evacuation system during any procedure using energy-generating surgical medical devices that produce a gaseous byproduct known as surgical smoke. The policy must be implemented by May 1, 2021.

State Expenditures

The bill minimally increases state agency workload, and may increase costs, as described below.

**Colorado Department of Public Health and Environment.** The Colorado Department of Public Health and Environment will have a minimal workload increase to verify compliance with the surgical smoke policy beginning in FY 2021-22. The department can include this work as part of its existing facility survey process; therefore, this workload can be accomplished within existing appropriations.

**Health facilities.** To the extent that any health facilities operated by institutions of higher education or other state agencies are required to acquire new equipment for surgical facilities in order to comply with the rules concerning surgical smoke, costs will increase. These potential costs will vary by facility and have not been estimated.
Local Government

Similar to the health facility impact discussed in the State Expenditures section, any local governments that operate hospital or other surgical facilities may have costs to comply with the surgical smoke rules required under the bill. These costs will vary by facility and have not been estimated.

Effective Date

The bill was signed into law by the Governor on March 28, 2019, and takes effect August 2, 2019, assuming no referendum petition is filed.

State and Local Government Contacts

Counties
Information Technology
Higher Education
Public Health and Environment

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit: leg.colorado.gov/fiscalnotes.