

SF3948 - 0 - Surgical Smoke Evacuation System Policies

Chief Author: **Jennifer McEwen**
 Committee: **Labor**
 Date Completed: **2/23/2024 8:47:59 AM**
 Agency: **Labor and Industry Dept**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.
 Reductions shown in the parentheses.

State Cost (Savings)		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
Total		-	-	-	-	-
Biennial Total				-		-

Full Time Equivalent Positions (FTE)		Biennium			Biennium	
		FY2023	FY2024	FY2025	FY2026	FY2027
Total		-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Karl Palm **Date:** 2/23/2024 8:47:59 AM
Phone: 651-296-6055 **Email:** karl.palm@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
	Total	-	-	-	-	-
	Biennial Total			-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
	Total	-	-	-	-	-
	Biennial Total			-		-
2 - Revenues, Transfers In*						
	Total	-	-	-	-	-
	Biennial Total			-		-

Bill Description

This statute covers employees in health care that have exposure to surgical smoke.

Subdivision 1. Definitions.

The subdivision defines the terms "Surgical smoke", "Smoke evacuation system", and "Health care employer".

Subdivision 2. Surgical smoke evacuation system policies.

Employers shall require the use of a smoke evacuation system during any surgical procedure that generates surgical smoke.

Subdivision 3. Enforcement

Enforced by the commissioner under sections 182.66 and 182.661. A violation of this section is subject to the penalties provided under section 182.666.

Assumptions

MNOSHA does not anticipate incurring additional costs related to this bill. Any additional time spent at an on-site health care inspection would be immaterial and considered other duties as assigned through the existing complaint process and checking for compliance when conducting these health care inspections.

MNOSHA does not anticipate any additional costs associated with the contestation process. MNOSHA has reached out to several different health care facilities within the cities as well as northern and central Minnesota. They have all responded that each one currently has a smoke evacuation system, with many employers already using this technology, MNOSHA anticipates a minimal number of citations with penalties being issued and no additional penalties collected in a given year.

No additional equipment is necessary to check for smoke evacuation systems.

DLI assumes MNOSHA's Workplace Safety Consultation (WSC) unit would receive additional requests for assistance in complying with the statute. WSC will respond to any additional requests with existing staff and include the evaluation of surgical smoke compliance in originally planned visits. No additional equipment would be necessary to evaluate smoke evacuation systems.

Expenditure and/or Revenue Formula

NA

Long-Term Fiscal Considerations

NA

Local Fiscal Impact

NA

References/Sources

NA

Agency Contact: James Krueger 651-284-5462

Agency Fiscal Note Coordinator Signature: Jacob Gaub

Phone: 651-284-5812

Date: 2/23/2024 8:08:09 AM

Email: jacob.gaub@state.mn.us