

N.Y.N.A.  
New York Nursing Alliance

**Memorandum of Support**

A9974 (Assemblymember Gottfried)/S8869 (Senator Rivera) - Requires general hospitals and ambulatory surgery facilities to adopt and implement policies to prevent exposure to surgical smoke

On behalf of the undersigned organizations that comprise the New York Nursing Alliance (NYNA), we are writing in strong support of A9974/S8869, which would require hospitals and ambulatory surgery facilities to adopt and implement policies to prevent exposure to surgical smoke by requiring surgical smoke evacuation systems used every time there is surgical smoke. This legislation will ensure safe workplaces for all operating room (OR) staff, and we urge its swift passage.

As health care providers, the members of our various organizations work tirelessly for their patients. Every time they step into an operating room (OR) in New York, someone's life is in their hands. Ironically, their lives are also on the line when the operating room fills with surgical smoke during a patient's surgery.

As with cigarette smoke, surgical smoke can be seen and smelled. It is the result of human tissue being cut with mechanical tools and/or heat-producing devices, such as lasers and electro-surgery pencils commonly used for dissection and hemostasis. In other words, it's the smoke from burning flesh. An estimated 90% of all surgical procedures - including such common surgeries as cesarean sections, mastectomies, knee replacements and appendectomies - generate surgical smoke.

Many surgical facilities do evacuate during some procedures, but few facilities evacuate consistently during all procedures which generate surgical smoke. Nurses and other OR staff have little control over whether they are assigned to a smoking or non-smoking operating room. A single day working in an operating room without smoke evacuation is equivalent to inhaling the smoke of 27-30 unfiltered cigarettes. Smoke evacuation systems are already available at most hospitals and ambulatory surgical centers in New York; however, our workplaces are not currently required by law to use them. This must change.

While many agencies – like OSHA, the CDC, and the Joint Commission – recognize the hazards of surgical smoke, there are no national enforceable requirements for the evacuation of surgical smoke. Absent national requirements, five states have enacted surgical smoke evacuation legislation, and we urge New York to be at the forefront of this movement.

Now more than ever, New York needs to take care of its frontline healthcare workers in the OR and protect them from harmful surgical smoke. We need this legislation to ensure the health and safety of our vital healthcare workforce.

For these reasons, the undersigned groups strongly support this legislation and urge its swift passage as the health and safety of all who work in the OR depends on it.

