§ 131E-147.2. Ambulatory surgical facility standards for surgical smoke evacuation.

(a) Definitions. – The following definitions apply in this section:

(1) Smoke evacuation/filtering system. – Equipment that effectively captures, filters, and eliminates surgical smoke at the site of origin before the smoke makes contact with the eyes or the respiratory tracts of occupants in the room. This equipment is not required to be interconnected to the ambulatory surgical ventilation or medical gas system.

(2) Surgical smoke. – The gaseous by-product produced by energy-generating devices, including surgical plume, smoke plume, bio-aerosols, laser-generated airborne contaminants, or lung-damaging dust.

(b) [Requirement. –] Each ambulatory surgical facility licensed under this Part shall adopt and implement policies that require the use of a smoke evacuation/filtering system during any surgical procedure that is likely to generate surgical smoke.

(c) Adverse Action. – The Department of Health and Human Services may take adverse action against an ambulatory surgical facility under G.S. 131E-148 for a violation of this section." (2025-37, s. 8(b).)