

## SURGICAL SMOKE EQUIPMENT ACQUISITION REIMBURSEMENT (SSEAR) PROGRAM 2024 NOTICE OF FUNDING OPPORTUNITY

Each year, thousands of health care workers including surgeons, nurses, anesthesiologists, and surgical technologists are exposed to hazardous smoke generated during surgical procedures that use a laser or electrosurgical device. State law requires hospitals and ambulatory surgery centers have controls in place to decrease the risk of worker exposure to surgical smoke. Labor & Industries (L&I's) Division of Occupational Safety and Health (DOSH) adopted rules under Washington Administrative Code (WAC) 296-62-510 implementing this legislation.

DOSH's rules require facilities licensed by the Washington State Department of Health as hospitals and ambulatory surgery centers to have a written surgical smoke program and to use surgical smoke evacuation systems during any planned surgical procedure likely to generate surgical smoke. The rules go into effect on Jan. 1, 2025 for hospitals certified as critical access hospitals under 42 U.S.C. Sec. 1395i-4; hospitals with fewer than 25 licensed acute care beds; hospitals certified by the Centers for Medicare and Medicaid Services as sole community hospitals; and hospitals that qualify as a Medicare dependent hospital. For all other facilities, the rules were effective on Jan. 1, 2024.

For facilities required to be in compliance with the rules on Jan. 1, 2025 funding is available for reimbursement of up to \$1,000 per operating room for surgical smoke evacuation equipment purchased on or before Jan. 1, 2025. This program will reimburse costs for purchases and installation of equipment. Reimbursement requests may be submitted from Jan. 2 to April 30, 2025.

### Eligible applicants:

- Hospitals certified as critical access hospitals under 42 U.S.C. Sec. 1395i-4;
- Hospitals with fewer than 25 licensed acute care beds;
- Hospitals certified by the Centers for Medicare and Medicaid Services as sole community hospitals; and
- Hospitals that qualify as a Medicare dependent hospital.

### Reimbursement application timeline:

Jan. 2 to April 30, 2025.

### Notification of reimbursement awards:

L&I will begin to notify applicants of reimbursement awards following application intake Jan. 2, 2025.

#### Reimbursement disbursement date:

L&I expects to disburse funds beginning Jan. 2, 2025. Disbursement of funds will continue until all funds are exhausted or June 30, 2025.

#### Reimbursement limits:

\$1,000 per operating room in the hospital or center. There is no limit on the number of operating rooms that may be included in an application.

#### Required supporting documentation:

Requests should include itemized receipts, invoices, operating room floor plans, and other documentation as needed to show reimbursable expenses.

#### Eligible reimbursement categories:

Reimbursement may be requested for costs incurred on or before Jan. 1, 2025 for the purchase and/or installation of surgical smoke evacuation system equipment. This equipment is defined as, either integrated with or separate from the energy generating device, which is designed to capture and neutralize surgical smoke at the point of origin, before the smoke makes contact with the eyes or the respiratory tract of occupants in the room.

#### Non-eligible reimbursements:

Costs for equipment that does not meet the definition of “smoke evacuation system” and does not meet the requirements under the rule will not be reimbursed, including but not limited to:

- Area HVAC systems
- Area HVAC system upgrades not related to point source capture of surgical smoke
- Area air purifying equipment.

#### Priority sequence for awards:

Reimbursement applications will be reviewed on a first-come, first-served basis. If required documents are not provided with the application, it will not be processed until all requirements have been met. All reimbursement applications will be considered until grant funds have been exhausted.

#### Questions:

If you have questions, please contact us at [SurgicalSmokeInfo@Lni.wa.gov](mailto:SurgicalSmokeInfo@Lni.wa.gov). Additional information and resources can be found at [L&I's Surgical Smoke web page](#).