In line 2 of the printed A-engrossed bill, after “smoke” insert “; creating new provisions; and amending ORS 654.412”.

In line 4, after “ORS” delete the rest of the line and delete lines 5 through 14 and insert “654.412 to 654.423.”

**SECTION 2.** (1) A health care employer shall adopt policies that.

Delete line 21 and insert:

**SECTION 3.** ORS 654.412 is amended to read:

“654.412. As used in ORS 654.412 to 654.423:

“(1) ‘Assault’ means intentionally, knowingly or recklessly causing physical injury.

“(2) ‘Energy generating device’ means a tool that performs a surgical function using heat, laser, electricity or other form of energy.

“(3) ‘Health care employer’ means:

“(a) An ambulatory surgical center as defined in ORS 442.015.

“(b) A hospital as defined in ORS 442.015.

“(4) ‘Home health care services’ means items or services furnished to a patient by an employee of a health care employer in a place of temporary or permanent residence used as the patient’s home.

“(5) ‘Smoke evacuation system’ means equipment that effectively captures or neutralizes surgical smoke before the smoke makes contact with the eyes or the respiratory tract of the occupants of a room.

“(6) ‘Surgical smoke’ means the by-product that results from contact with tissue by an energy generating device.

**SECTION 4.** Section 2 of this 2021 Act becomes operative on January 1, 2023.”.

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