

Medical News

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OSHA Announces Enforcement of Safety Devices

On November 5, 1999, OSHA issued a revised Compliance Directive 2-2.44D, Enforcement Procedures for the Occupational Exposure to Bloodborne Pathogens, replacing the previous CPL 2-2.44C issued in February 1992 (see <http://www.osha.gov>). This CPL is used by OSHA to establish uniform procedures for compliance officers to enforce the Bloodborne Pathogen Standard (29 CFR 1910.30) that was issued in December 1991. Clarification was needed in light of the increased use and acknowledged feasibility of effective engineering controls since the release of the standard in 1991, the agency said.

Providing greater detail than the original directive, the revision states that preventing worker exposure to bloodborne pathogens, such as human immunodeficiency virus and hepatitis, requires a comprehensive program including engineering controls, such as needleless devices, shielded needle devices, and plastic capillary tubes, as well as proper work practices. The employer must make changes to its exposure control plan to include these engineering controls.

"Where engineering controls will reduce employee exposure either by removing, eliminating, or isolating the hazard, they must be used," according to OSHA. "Significant improvements in technology are most evident in the growing market of safer medical devices that minimize, control, or prevent exposure incidents," the directive said. OSHA, however, does not advocate the use of one particular device over another.

The agency encourages employers to involve employees in the device selection process to improve employee acceptance of the newer devices and to improve the quality of the selection process. "This directive doesn't place new requirements on employers, but it does recognize and emphasize the advances made in medical technology," Secretary of Labor Alexis Herman said in a statement. "And it reminds employers that they must use readily available technology in their safety and health programs."

Although adoption of this directive is not required by those states that have approved state OSHA plans (approximately half of the states), these state-plan states are required

to have enforcement policies and procedures in place that are at least as effective as those of federal OSHA. It is likely that most OSHA-approved state plans will adopt the federal directive. Some states plans, such as California's, already have adopted more stringent requirements.

An employer's failure to evaluate or consider effective engineering controls or safe needle devices will result in a citation, the agency said. Citations will be issued if a combination of engineering or work practice controls used by the employer do not eliminate or minimize exposure or when the compliance officer finds that an employer is using an engineering control but believes another device would be clearly more effective than the one in use.

In the latter case, the compliance officer should document how the device was used, and how it was selected by the employer or the employee. Engineering controls must be maintained or replaced on a regular schedule to ensure their effectiveness, the directive said. If a compliance officer finds that there is no system for regular checking of the engineering controls or that regular checking is not done, the employer will be cited.

The rush to purchase newer technology in California has resulted in product availability problems. The new OSHA mandate will only heighten this problem. Someone that is familiar with the devices being used should be actively involved in evaluating the supply and the use of potential alternatives when there may be a back order. Appropriate records should be kept of products that are on back order to document for OSHA the attempt to comply, with failure due to lack of market availability of a particular safety device.

The directive provides employers with safety evaluation forms and a Web-site resource list in its appendix section to assist in the evaluation of the devices.

FROM: OSHA. National News Release: OSHA Revises Bloodborne Pathogen compliance directive; November 5, 1999. <http://www.osha.gov/media/oshnews/nov99/national-19991105.html>.

Blood Cultures Drawn From CVCs

Because of concern about low specificity, American College of Physicians guidelines and expert opinion dis-