



COVID-19 Emergency Temporary Standard -- Briefing

OSHA Regulations Subpart U -- Sections 1910.502 - 509

Featured Speakers



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Where Does the Standard Apply?

Limited to healthcare settings where healthcare services are provided.

» *Applies to services provided by healthcare professionals, including:*

- Doctors
- Nurses
- EMS personnel
- Oral health professionals
- Autopsies

» *Types of facilities*

- Hospitals
- Long term care facilities
- Ambulatory care
- Home health and hospice
- Emergency Medical Response
- Patient transport



Also Applies to...

Healthcare support services that facilitate the provision of healthcare services, including:

- » *Patient intake/admission*
- » *Patient food services*
- » *Equipment and facility maintenance*
- » *Housekeeping services*
- » *Healthcare laundry services*
- » *Medical waste handling services*

1910.502 (a)(1)



Does NOT Apply to...

- Provision of first aid by an employee who is not a licensed healthcare provider
- Dispensing of prescriptions by pharmacists in retail settings
- Non-hospital ambulatory care settings
 - » *All non-employees are screened for exclusion*



Does NOT Apply to..

- Well-defined hospital ambulatory care settings
 - » *All employees fully vaccinated*
 - Reasonable accommodations of those with medical or certain religious beliefs
 - Telework
 - Working in isolated area
 - » *Non-employees are screened for exclusion*
- Home healthcare settings
- Healthcare support services not performed in a healthcare setting
- Telehealth services performed outside of direct patient care setting



Special Circumstances

- Areas where there is no reasonable expectation that any suspected or confirmed Covid person will be present
 - » *Employees are fully vaccinated*
- When emergency responders or other healthcare providers enter a non-healthcare facility to provide care
 - » *Only applies to the healthcare services provided by the employee*
- Healthcare unit embedded in non-healthcare facility only applies to the defined healthcare unit and not other areas of the facility
 - » *Industrial facility*
 - » *Retail facility*



Beware of Definitions - 1910.502 (b)

- Regulation contains 6 pages of highly technical definitions
 - » *Incorporate into your policies and procedures*
 - » *Incorporate into your training*



Required: COVID-19 Workplace Plan

- Develop and implement plan for each workplace
 - » *Similar workplace locations may be grouped by type*
 - » *Include site-specific information*
- Review and update existing plans to address ETS
- If 10 or more employees, plan must be in writing
- Designate one or more COVID-19 safety coordinators
 - *Knowledgeable in infection control principles and practices that apply to workplace and employee job*
 - *Name(s) listed in plan*
 - *Authority to enforce plan*



Plan Requirements

- Input and involvement from non-managerial employees and representatives in plan and hazard assessment
- Maintain monitoring of each workplace for plan effectiveness and update as needed
- Address hazards identified by assessment to include policies and procedures
 - » *Minimize risk of transmission of COVID-19 for each employee*
 - » *Effectively communicate and coordinate with other employers with employees onsite*
 - » *Notify controlling employer of employees exposed to risk*
 - » *Protect employees entering non-OSHA locations*



Required: Hazard Assessment

- Conduct workplace COVID-19 hazard assessment
 - » **CAUTION:** *If plan provision for well-defined area is based on employees' fully vaccinated status, plan must include policies and procedures to determine employees' vaccination status*



Patient Screening and Management

- Direct Patient Care Settings:
 - » *Limit and monitor points of entry*
 - » *Screen and triage all non-employees entering*
 - » *Implement “COVID-19 Infection Prevention and Control Recommendations” from CDC (incorp by reference)*



Standard and Transmission-Based Precautions

- Develop and implement Standard Transmission-Based Precautions in accordance with CDC “Guidelines for Isolation Precautions” (incorp by reference)



Personal Protective Equipment

- Provide appropriate PPE
 - » *Facemasks and respirators*
 - » *Sufficient numbers for daily or per patient change*
 - » *Allow for voluntary use of respirators instead of facemasks*



PPE – Not Required

- Alone in room
- Eating or drinking – 6 feet away or physical barrier
- Important to see mouth – e.g. deaf individuals
- Employee unable to wear facemasks due to medical condition or disability under ADA – case-by-case determination and possible use of face shield
- Face shields must be cleaned at least daily



PPE: COVID-19 Individuals

- Exposure to people with suspect or confirmed COVID-19
 - » *Respirator provided and used in compliance with 1910.134*
 - » *Gloves, Isolation gown or protective clothing*
 - » *Eye protection*
 - » *Encouraged to use elastomeric respirators or PAPRs*



Aerosol-generating Procedures

- If person with suspected or confirmed COVID-19
 - » *Limit number of employees present to those essential for patient care*
 - » *Performed in an Airborne Infection Isolation Room if available*
 - » *After completion, clean and disinfect surfaces and equipment in room*



Physical Distancing

- Six feet distancing (indoors) except for hands-on medical care where not feasible
- If 6 feet is not feasible, as far apart as feasible
- Physical barriers – cleanable or disposable



Cleaning and Disinfection

- Standard practices for cleaning and disinfection
 - » *Patient care areas*
 - » *Resident rooms*
 - » *Medical devices and equipment*
- CDC “COVID-19 Infection Prevention and Control Recommendations” (incorp by reference)
- CDC “Guidelines for Environmental Infection Control” pp 86-103, 147-149 (incorp by reference)



Other Areas

- Clean high-touch surface and equipment at least once per day per manufacturer's instructions
- Clean any areas, materials, and equipment under employer's control and likely to have been contaminated by person who is COVID +
- Hand washing facilities with alcohol-based hand rub at least 60% alcohol



Ventilation

- Employers who control HVAC in their facilities
 - » *HVAC used per manufacturer instruction and specs*
 - » *Maximize outside air circulated and number of air exchanges per hour*
 - » *Air filters MERV 13 or higher if compatible with HVAC*
 - » *If NOT, highest compatible filtering efficiency for system*
 - » *Filters maintained and replaced to insure proper HVAC operations*
 - » *Existing AHR maintained and operated in accordance with design and construction criteria*
 - » *CDC “Ventilation Guidance”*



Screening

- Screen all employees each work day and each shift
 - » *Self monitoring*
 - » *In-person by employer*
- If COVID-19 tests are required, employer must furnish at no cost to employee
- Prompt notification of employer
 - » *Positive test or diagnosis*
 - » *Told by healthcare provider they are suspected to have COVID-19*
 - » *Experiencing loss of taste or smell without other known cause*
 - » *Fever 100.4 F or greater*



Notification by Employer

- Notify of COVID-19+ possible exposure within 24 hours
 - » *Notify each employee not wearing respirator or PPE who was in close contact with individual (not named) and date(s)*
 - » *Notify all other employees not wearing respirator or PPE who were in the same well-defined portion of workplace during potential transmission period –(not named) dates*
 - » *Notify all other employees not wearing respirator or PPE who were in the same well-defined portion of workplace or may have close contact – (not named) dates and area*
 - » *Notifications may not include any name, contact information, or occupation*
 - » *NOTIFICATION NOT REQUIRED for areas where services are normally provided to suspected or confirmed COVID-19 patients*



Medical Removal from Workplace

- If an employer notifies exposure or becomes aware that an employee has
 - » *Positive test or diagnosis*
 - » *Told by healthcare provider they are suspected to have COVID-19*
 - » *Experiencing loss of taste or smell without other known cause*
 - » *Fever 100.4 F or greater*
- Must immediately remove employee
- Provide PCR test at no cost to employee
- If employee refuses test, must remain removed without benefits



Return to work

- Remove for 14 days or
- Remove and provide PCR test 5 days after exposure at no cost to employee
- If negative, may return to work 7 days after exposure
- May require employee removed work remotely or in isolation if suitable work is available
- NOT REQUIRED TO REMOVE if employee is not symptomatic and
 - » *Fully vaccinated*
 - » *Had Covid-19 and recovered within past 3 months*



Removal Protection Benefits

- Employers with 10 or fewer employees on effective date, not required to pay benefits during removal
- If employee is allowed to work remotely or in isolation during removal – must pay **full pay and benefits**
- More than 500 employees – must pay **full pay and benefits** up to max **\$1400 per week** until employee is eligible to return to work
- Fewer than 500 employees must pay **full pay and benefits** up to \$1400 for the first **two weeks** of removal and up to \$200 per normal work day thereafter.



Removal Protection Benefits

- Payments are **REDUCED** by amounts received from third party benefits
- Upon return to work employee retains all employee rights and benefits, including job status without discrimination
- Return to work – Employer must follow CDC “Isolation Guidance” and CDC “Return to Work Healthcare Guidance” (incorp by reference)



Vaccination

- Employer must support COVID-19 vaccination
 - » *Provide reasonable time and paid leave for vaccination and side effects*



COVID-19 Training

- Must provide training in language and level understood by the employee
 - » *How transmitted*
 - » *Hand hygiene to reduce spread*
 - » *Proper covering of nose and mouth*
 - » *Signs and symptoms*
 - » *Risk factors for severe illness*
 - » *When to seek medical care*



COVID-19 Training

- Employer-specific policies and procedures on patient screening and management
- Tasks and situations in the workplace that could result in COVID-19
- Employer-specific policies and procedures on specific job duties
 - » *Transmission-based precautions*
 - » *Physical distancing*
 - » *Physical barriers*
 - » *Ventilation*
 - » *Aerosol-generating procedures*



COVID-19 Training

- Employer-specific multi-employer infection control agreements
- Employer-specific PPE policies and procedures
 - » *When PPE is required*
 - » *Limitations of PPE*
 - » *How to properly don and doff PPE*
 - » *How to care for, store, clean, and maintain PPE*
 - » *Modifications necessary for care and use of PPE used for other workplace hazards*
 - » *Cleaning and disinfection*
 - » *Health screening and medical management*
 - » *Sick leave and other benefits*
 - » *Workplace safety coordinators*
 - » *How to obtain copies of Standard and policies and procedures*



COVID-19 Training

- Additional training
 - » *Changes in risk*
 - » *Changes in policies and procedures*
 - » *Indication*
- Provided overseen/conducted by person knowledgeable in subject matter as it applies to specific job duties
- Training must provide opportunity for interactive questions and answers with a person knowledgeable in the subject matter as it applies to specific job duties



Anti-Retaliation

- Employer must inform each employee
 - » *Right to protections of this Standard*
 - » *Employer may not discharge or discriminate against employee for exercising their rights under this Standard or filing safety or health complaints with OSHA*
 - » *Rights are available with no cost to employee*



Recordkeeping

- Employers of 10 or fewer excluded from requirement for COVID records
- Required records of employers with more than 10 employees
 - » *Retain all versions of the COVID-19 plan*
 - » *COVID-19 log of employees who are + regardless of work related*
 - Name
 - Contact information
 - Location of workplace
 - Date of last day at workplace
 - Date of + test or diagnosis
 - Date of first symptoms



Recordkeeping

- Log entries must be recorded within 24 hours of learning employee is +
- Maintained as a confidential medical record
- May not be disclosed except as required by this ETS or other federal law
- Log maintained and preserved while ETS is in effect



Availability

- Employer must produce for examination and copying by end of next business day after a request:
 - » *All versions of written COVID-19 plan to employee, personal representative, authorize representative*
 - » *Individual COVID-19 log entry applicable to the employee to that employee or person with written authorization of employee*
 - » *Redacted version of log removing name, contact information, and occupation of each Log entry to any employee, personal representative, or authorized representatives*
 - » *All required records to the Assistant Secretary of Labor*



Note: OSHA records

- Employers must continue to record **work-related COVID-19 + cases** on OSHA 300, 300A, and 301 or equivalent forms



Reporting to OSHA

- Each work-related COVID-19 fatality within 8 hours of learning of fatality
- Each work-related COVID-19 hospitalization within 24 hours of learning of hospitalization



Effective Dates

- Date of Publication: **TBD**
- 30 days after publication
 - » *Physical barriers*
 - » *Ventilation*
 - » *Training*
- 14 days after publication
 - » *All other sections*



Mini Respiratory Protection Program

- Applies only to respirator use under 1910.502(f)(4) and will not be covered in detail in this program
 - » *Optional use but not required*
 - Provided by employer instead of facemask
 - Face mask provided by employer but employee chooses to use own respirator



ETS Download Link

Download the full ETS:

<https://www.osha.gov/sites/default/files/covid-19-healthcare-ets-reg-text.pdf>



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