



AEROSOL TRANSMISSIBLE DISEASES STANDARD

*Prepared by Chief Executive Office, Risk Management Branch
Loss Control and Prevention Section*

3333 Wilshire Blvd., Suite 1000, Los Angeles, CA 90010

Contact Loss Control and Prevention at (213) 738-2269 for additional information

Cal/OSHA's Newly Adopted Aerosol Transmissible Disease Protections (June 2009)

The Cal/OSH Standards Board adopted a first-in-the-nation standard to protect workers in various workplace settings from diseases that can be spread by coughing and sneezing. The new regulation - General Industry Safety Orders § 5199 - requires employers to devise control methods appropriate to the workplace to protect workers from exposures to airborne diseases such as tuberculosis and novel influenza strains. **Covered workplaces include health care settings, such as hospitals, clinics, doctor's offices and home health care operations, homeless shelters, correctional facilities, emergency response operations, coroner facilities and laboratories.**

Under the standard, employers are divided into three categories. The regulatory requirements for each category are generally proportional to the exposure risks within the respective operations. These three categories are loosely described below:

- A. Employers who provide services (such as evaluation, diagnosis, treatment, transport, housing or management) to patients with airborne infectious diseases or perform aerosolizing procedures on cadavers that might be infected.
- B. "Referring" employers who refer suspect or confirmed cases but do not provide medical services described above/beyond first aid and screening.
- C. Laboratory operations in which employees do not have direct contact with suspect or confirmed cases.

The regulation also grants Cal/OSHA the authority to issue an order of special action to any employer for compelling compliance with the standard.

Operations that directly contact and interface with patients infected with aerosol transmissible pathogens will be required to establish, implement, and maintain a written, effective Aerosol Transmissible Disease Exposure Control Plan specific to their occupational environment. The plan must contain a listing of all:

- High hazard procedures performed within the operation;
- Job classifications where employees are exposed;
- Tasks requiring personal and/or respiratory protection (PPE);
- Staff members responsible for its administration.

It also contains another dozen specific components, including elements of medical surveillance, procedures for exposure incident response/communication, adequate PPE supply, employee involvement in reviewing the Plan, and recordkeeping.

The requirements for referring employers are scaled down appropriately and include provisions such as maintaining an infection control specialist on site, procedures for communicating suspect/confirmed case status with staff, and written transmission reduction protocol incorporating patient isolation and enhanced room ventilation or filtration methods.

For laboratories (indirect contact with infected cases), requirements include engineering and work practice controls aimed at minimizing employee exposure, assignment of personal protective and/or respiratory protective equipment, and the establishment of a 'Biosafety plan' which is implemented by the identified biosafety officer(s).

Oversight and Effective Date

This new standard will displace or supersede any requirements commenting on related topics (respirator use for TB), thus becoming the exclusive authority on protecting employees from airborne disease exposures.

GISO § 5199 became law on August 5, 2009.

Summarized Overviews of Regulation

The Division of Occupational Safety and Health (DOSH) has prepared draft summary sheets to assist interested parties in understanding how Section 5199 would apply in certain operations. These summary sheets are not intended to modify or replace the actual language of the standard and may undergo further revisions.

Corrections and Law Enforcement:

<http://www.dir.ca.gov/oshsb/ATD-CorrectionsInfoSheet.pdf>

Emergency Medical Services:

<http://www.dir.ca.gov/oshsb/ATD--EmergencyInfoSheet.pdf>

Homeless Shelters and Drug Treatment Programs:

<http://www.dir.ca.gov/oshsb/ATD--HomelessInfoSheet.pdf>

Hospitals:

<http://www.dir.ca.gov/oshsb/ATD--HospitalsInfoSheet.pdf>

Laboratories:

<http://www.dir.ca.gov/oshsb/ATD--LaboratoriesInfoSheet.pdf>

Primary Care Physicians and Clinics:

<http://www.dir.ca.gov/oshsb/ATD--PrimaryCareInfoSheet.pdf>

Additional Information

The actual document and additional information can be found on the California Department of Industrial Relations website in the Occupational Safety & Health Standards Board section at: <http://www.dir.ca.gov/oshsb/atd0.html>.