Objectives

- Identify the common MIOSHA violations in nursing and residential care facilities
- Differentiate between severity of hazards based on the cited violations and MIOSHA Standards
- Develop a plan to ensure violations are corrected

Big Picture

- North American Industry Classification System (NAICS) = 623
- Nursing and Residential Care Facilities only

<table>
<thead>
<tr>
<th>MIOSHA Inspections</th>
<th>MIOSHA Citations</th>
<th>Total Penalty</th>
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</thead>
<tbody>
<tr>
<td>38</td>
<td>171</td>
<td>$99,325 - Initial</td>
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<td>$62,150 - Final</td>
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MIOSHA Inspections, MIOSHA Citations, Total Penalty
Frequently Cited Standards

**Occupational Health**
- Bloodborne Infectious Diseases (Part 554)
- Hazard Communication (Part 1910)
- Medical Services and First Aid (Part 472)
- Personal Protective Equipment (Part 33/433)
- Asbestos (Part 305)

**Occupational Safety**
- General Provisions (Part 1)
- Floor and Wall Openings, Stairways and Skylights (Part 2)
- Portable Ladders (Part 4)
- Fire Exits (Part 6)
- Electrical Safety-Related Work Practices (Part 40)
- Powered Groundskeeping Equipment (Part 54)

**Administrative for all Industries**
- Recording and Reporting of Occupational Injuries and Illnesses (Part 11)

- Both Occupational Health and Safety.

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**MIOSHA Part 554**

**Bloodborne Infectious Diseases**

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**Bloodborne Infectious Diseases (Part 554)**

**Number of Citations**
- Exposure Control Plan – 21
- Vaccines and Post Exposure Follow-up – 14
- Information and Training – 11
- Recordkeeping – 10
- Exposure Determination – 8
- Engineering Controls – 3
- Communication of Haz – 3
- Waste Disposal - 2
- Work Practice – 1
- Protective clothing - 1

**Monetary Penalties:**
- Vaccines and Post Exposure Follow-up – $11,925
- Exposure Control Plan – $4,700
- Information and Training –$4,500
- Exposure Determination – $4,325
- Waste Disposal - $2,500
- Engineering controls - $200
- Recordkeeping – $150
- Communication of Haz - $0
- Work Practice - $0
- Protective Clothing - $0
Bloodborne Infectious Diseases (Part 554)

Rule 4 Exposure Control Plan:

- The written plan identifies jobs and tasks where occupational exposure to blood or other potentially infectious material occurs.
- The plan describes how the employer will:
  - Use engineering and work practice controls.
  - Ensure use of personal protective equipment.
  - Provide training.
  - Provide medical surveillance.
  - Provide hepatitis B vaccinations.
  - Use signs and labels.

Bloodborne Infectious Diseases (Part 554)

Rule 4 Exposure Control Plan (continued):

- The plan must be reviewed at least annually to reflect changes in:
  - tasks, procedures, or assignments which affect exposure, and
  - technology that will eliminate or reduce exposure.
- The annual review must document employer’s consideration and implementation of safer medical devices.
- The employer must solicit input from potentially exposed employees in the identification, evaluation and selection of engineering and work practice controls.
- The plan must be accessible to exposed employees.

Bloodborne Infectious Diseases (Part 554)

Rule 13 Vaccines and Post exposure:

- HBV vaccination must be made available, free of charge and at a reasonable time and place, to all employees at risk of exposure to blood or OPIM. It must be provided within 10 working days of initial assignment unless:
  - The employee has had the vaccination or
  - Antibody testing reveals immunity.
- The vaccination must be performed by or under the supervision of a licensed physician or other licensed healthcare professional.
Bloodborne Infectious Diseases (Part 554)

Rule 13 Vaccines and Post exposure (continued):
- Must be provided even if the employee initially declines it but later decides to accept the vaccination.
- Employees who decline the vaccination must sign a declination form.
- Employees are not required to participate in antibody prescreening program to receive vaccination series.

Bloodborne Infectious Diseases (Part 554)

Rule 13 Vaccines and Post exposure (continued):
- Document route of exposure and circumstances
- Source individual testing
- Source individual test results made available to exposed employee
- Testing of the exposed employee
- Postexposure prophylaxis
- Counseling
- Confidential

Bloodborne Infectious Diseases (Part 554)

Rule 16 Information and Training:
- Must provide at no cost to employees during work hours.
- Must provide at the time of initial assignment to a job with occupational exposure to blood or OPIM.
- Additional training needed when existing tasks are modified or new tasks are required which affect the worker’s occupational exposure.
- Refresher training every year.
- Maintain training records for 3 years.
Bloodborne Infectious Diseases (Part 554)

Rule 15 Recordkeeping
- Medical records:
  - Maintain duration of employment plus 30 years.
  - Contains:
    - Name and SSN of employee,
    - Vaccination status,
    - Medical history/results of examinations (as permitted by the standard),
    - Physician’s written opinions, and
    - Copy of info provided to physician.
  - Maintained confidential
- Training records: date, contents/summary, name(s)/qualification(s) of trainer, and name/job title of attendees

Rule 15 Recordkeeping (12) Sharps Injury Log:
- Employers required to maintain an injury and illness log (i.e., MIOSHA Form 300) must maintain a sharps injury log for the recording of injuries from contaminated sharps.
- The log must be maintained in a way that ensures employee privacy and must contain, at a minimum:
  - Type and brand of device involved in the incident,
  - Location of the incident, and
  - Description of the incident.

Rule 3 Exposure Determination:
- Category A: Reasonably anticipated to be exposed to blood or other potentially infectious materials during routine and non-routine tasks.
- Category B: Those who are not reasonably anticipated to have exposure.
- An employer shall determine and document a rationale for an exposure determination.
- An employer shall maintain a list of all job classifications which are determined to be category A.
Rule 6 Engineering Controls:
- Shall be used.
- Reduce employee exposure by either removing the hazard or isolating the worker from the hazard.
- Examples include:
  - Sharps disposal containers,
  - Self-sheathing needles,
  - Safer medical devices, and
  - Needleless systems
  - Sharps with engineered sharps injury protections.

Rule 7 Work Practice Controls:
- Reduce the likelihood of exposure by altering how a task is performed.
- Examples include:
  - Washing of hands after removing gloves and as soon as possible after exposure.
  - Do not shear, bend, or break contaminated needles; do not recap or resheath unless no alternative available.

Rule 7 Work Practice Controls (continued):
- Remove PPE prior to leaving work area.
- Immediately, or as soon as feasible, remove contaminated garments.
- Do not eat, drink, apply cosmetics or lip balm, or handle contact lenses in potential areas of exposure.
- Do not store food and drink in areas of potential exposure.
- Minimize spraying, splashing, and aerosolization of blood and OPIM.
- Do not pick up potentially contaminated glassware by hand – use mechanical means (e.g., a brush and dust pan, tongs, cotton swabs, or forceps).
Bloodborne Infectious Diseases (Part 554)

Rule 10 Regulated Waste Disposal:
- Closable, leakproof containers or bags
- Labeled or color-coded
- Sharps:
  - Closable
  - Leakproof
  - Puncture-resistant
  - Labeled or color-coded
  - Accessible and conveniently located
  - Not allowed to overfill
- Medical waste regulatory act (DEQ rules)

Bloodborne Infectious Diseases (Part 554)

Rule 14 Communication of Hazards - Signs and Labels:
- Warning labels are required on:
  - Containers of regulated waste,
  - Refrigerators and freezers containing blood and other potentially infectious materials. Not allowed to overfill
  - Other containers used to store, and transport, or ship blood or other potentially infectious materials.
- Red bags or containers may be substituted for warning labels

Bloodborne Infectious Diseases (Part 554)

Rule 8 Protective work clothing and equipment:
- Must be properly cleaned, laundered, repaired, and disposed of at no cost to employees.
- Must be removed when leaving area or upon contamination.
- Includes gloves; nose mouth, and eye protection (e.g., safety glasses and mask or face shields); gowns; head and shoe covers.
## Hazard Communication
Includes Act 154 Section 14

### Hazard Communication Standard
(Part 92/430)
Total citations = 20 (12%)
Total penalties = $5,225 (8%)

- Written Program – 10
- Info and Training - 4
- Safety Data Sheets (MSDSs/SDSs) – 3
- Labels - 2

### Act 154
- Section 14 C Piping and pipe labeling – 2 = $525
- Section 14 K Safety Data Sheet Organization – 1 = $0

### Hazard Communication Standard
(Part 92/430)

(e) Written Haz Com Program:
- (1) Employers shall develop, implement, and maintain program including management of:
  - Labels
  - MSDSs/SDSs
  - Training
- (1)(i) A list of the hazardous chemicals
- (1)(ii) Inform employees of the hazards of non-routine tasks
- (2) Multi-employer workplaces
(h) Information and Training for employees:
   (1) **Effective** information and training on hazardous chemicals in their work area...categories of hazards (e.g., flammability, carcinogenicity) or specific chemicals.
   At time of initial assignment and whenever a new chemical hazard introduced
   (2)(i) Operation where chemicals are present
   (2)(ii) Location and availability of the written hazard communication program
   (3)(i) Methods and observations to detect the presence or release of a hazardous chemical (i.e. carbon monoxide detector)
   (3)(ii) Hazards of the chemicals (physical and health hazards)
   (3)(iii) Protective measures
   (3)(v) Labeling system

(g) Safety Data Sheets (SDSs):
   (1) Employers shall have a safety data sheet in the workplace for each hazardous chemical which they use.
   (6)(iii) If the safety data sheet is not provided with a shipment, the employer shall obtain one from the chemical manufacturer or importer as soon as possible
   (8) The employer shall maintain safety data sheets for each hazardous chemical, and shall ensure that they are readily accessible to employees.

(f) Labels and other forms of warning
   (6) Workplace labeling: each container of hazardous chemicals in the workplace is labeled, tagged or marked:
      - original manufacturer’s label
      - Product identifier and words, pictures, symbols, or combination...which provide at least general information regarding the hazards of the chemicals
   (7) The employer may use signs, placards in lieu of affixing labels to individual stationary process containers [i.e. kitchen or janitorial chemical dispensing systems]
   (9) The employer shall not remove or deface existing labels
Hazard Communication Standard (Part 92/430)

Act 154
- Section 14 C Piping and pipe labeling:
Pipes carrying hazardous chemicals must have label or a sign, placard, written operating instructions...that conveys information about the hazard (i.e. natural gas, oxygen)
- Section 14 K Safety Data Sheet Organization:
Employer shall organize the safety data sheets for the hazardous chemicals in the workplace in a systematic and consistent manner and shall train employees in locating particular safety data sheets.

Medical Services and First Aid

Medical Services and First Aid (Part 472)
Total citations =13 (8%)
Total penalties = $6,500 (10%)

(3) An employer shall ensure that suitable facilities for quick drenching or flushing of the eyes and body are provided within the work area for immediate emergency use when the eyes or body of any person may be exposed to injurious or corrosive materials.

Refer to MIOSHA Compliance Instruction:
MIOSHA-STD-07-1R2 Emergency Eyewash/Shower Equipment Rules
Medical Services and First Aid (Part 472)

MIOSHA-STD-07-1R2 Emergency Eyewash/Shower Equipment Rules:
- Plumbed or self-contained emergency shower and/or eyewash equipment, or eye/face wash equipment
- Meeting the engineering design specifications of the American National Standard for Emergency Eyewash and Shower Equipment (i.e., ANSI Z358.1 - 2009)
- Self-contained eyewash equipment (i.e., portable units) must be capable of delivering to the eyes not less than 1.5 liters per minute (0.4 gallons per minute) for 15 minutes.

Medical Services and First Aid (Part 472)

MIOSHA-STD-07-1R2 Emergency Eyewash/Shower Equipment Rules (continued):
- The proximity of the emergency shower and/or eyewash facility shall be determined by the injurious or corrosive nature of the chemical(s)
  - 100 feet or less for chemicals that are injurious or corrosive (pH > 2 and ≤ 4 or pH ≥ 9 and < 11.5).
  - 25 feet or less for chemicals that are considered highly corrosive or capable of causing severe tissue damage.
    - pH ≤ 2.0 or ≥ 11.5
    - Certain organic materials known to cause severe tissue damage.

Asbestos for General Industry
Asbestos for General Industry
(Part 305)
Total citations = 9 (5%)
Total penalties = $2,500 (4%)

(j) Communication of hazards to housekeeping
(3)(i) Building and facility owners shall determine the presence, location, and quantity.
(3)(iii) Building and facility owners shall inform employers [who] shall inform housekeeping employees of the presence and location of asbestos material which may be contacted.
(4) and (5) Warning signs and labels of material
(7)(iv) Information and training for housekeeping employees - initial and annual.

Recording & Reporting of Occupational Injuries & Illnesses

Number of Citations
- Forms - 9
- Recording criteria for needlestick and sharps injuries - 5
- Annual summary - 2
- Annual injury and illness survey of 11 or more employees - 1

Monetary Penalties:
- Forms - $1,490
- Recording criteria for needlestick and sharps injuries - $625
- Annual summary - $700
- Annual injury and illness survey of 11 or more employees - $300

Explanation of Part 11 requirements will be covered in separate program
Personal Protective Equipment

(5) Hazard assessment and equipment selection:
(5)(1) An employer shall assess the workplace to determine if hazards are present then:
   (a) Select, and ensure employees use the types of PPE needed.
   (b) Communicate selection decisions to employees.
   (c) Select PPE that properly fits employees.
(5)(2) An employer certify that the required workplace hazard assessment has been performed. The certification shall identify all of the following:
   (a) The workplace evaluated.
   (b) The name of the person certifying.
   (c) The date of the hazard assessment.
Rule 8 Face and eye protection
(1) An employer shall ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from any of the following:
- Flying particles (i.e. maintenance shop – cutting or grinding)
- Molten metal
- Liquid chemicals (i.e. cleaners in housekeeping, laundry, kitchen and use of disinfectant spray)
- Corrosive materials (i.e. cleaning and water treatment/boiler chemicals)
- Air contaminants
- Radiation

Training:
(6)(1) An employer shall train employees in the following:
- When PPE is necessary
- What PPE is necessary
- How to:
- Put it on
- Take it off
- Adjust, and wear PPE
(2) Employees must understand
(3) Retraining if employee lacks understanding or for new PPE
(4) Document training: employee name, date and content
Personal Protective Equipment (Part 33/433)

Rule 10 Hand Protection
An employer shall select and require employees to use, appropriate hand protection when employees' hands are exposed to hazards, such as any of the following:
(a) Skin absorption of harmful substances.
(b) Severe cuts or lacerations. [maintenance and kitchen]
(c) Severe abrasions. [maintenance and kitchen]
(d) Punctures. [needle sticks and bites covered under bloodborne]
(e) Chemical burns. [housekeeping and maintenance]
(f) Irritating materials. [housekeeping and maintenance]
(g) Thermal burns. [kitchen and maintenance]
(h) Harmful temperature extremes. [grounds keeping and kitchen]

General Industry Safety Standards
Total citations = 11 (6%)
Total penalties = $5,810 (9%)

- General Provisions (Part 1)
- Floor and Wall Openings, Stairways and Skylights (Part 2)
- Portable Ladders (Part 4)
- Fire Exits (Part 6)
- Design Safety Standards for Electrical Systems (Part 39)
- Electrical Safety-Related Work Practices (Part 40)
- Powered Groundskeeping Equipment (Part 54)

General Provisions (Part 1)
Rule 34. Machine Guards and Devices
(3) A point of operation guard or device shall be... designed and constructed, when required, to prevent the machine operator exposed to the hazard from having any part of his/her body in the hazardous area during the operating cycle.
General Provisions (Part 1)

Rule 34. Machine Guards and Devices

Examples:
- Commercial kitchen garbage disposal in sink >4 inch opening
- Mixing blades
- Unprotected belt and pulley in maintenance area (HVAC equipment, pumps, compressors, equipment, etc.)

General Provisions (Part 1)

Rule 15. Housekeeping

(1) Materials, including scrap and debris, shall be piled, stacked, or placed in a container in a manner that does not create a hazard to an employee. All places of employment, aisles, passageways, storerooms, and service rooms shall be kept clean and orderly.

Example: Equipment or material storage areas including non-public hallways, dirty utility/laundry and kitchen storage areas.

General Provisions (Part 1)

Rule 15. Housekeeping - continued

(3) The floor of a work area, passageway, or aisle shall be maintained free of hazardous accumulations of scrap, debris, water, oil, grease, and other slip and trip hazards, except where an immediate emergency operation must be performed.

(4) Where a wet process, such as, but not limited to, plating operations, food processing, or car washing, is used, drainage shall be maintained or false floors, platforms, or mats used. Where an employee is required to work on a wet surface in a wet process, the surface shall be slip resistant.

Example: Kitchen, dish room, shower room, entrance, boiler room and other.

(6) A storage area shall be kept free from accumulations of materials that constitute a hazard from fire, explosion, or pest harborage.
Floor & Wall Openings, Stairways & Skylights (Part 2)

Rule 215. Guards for other floor openings or platforms

(i) Where operating conditions necessitate the feeding of material into a hatchway or chute opening, protection shall be provided to prevent a person from falling through the opening.

Floor & Wall Openings, Stairways & Skylights (Part 2)

Rule 235. Handrail Specifications

(1) A handrail shall consist of a lengthwise member that is mounted on a wall or partition in a manner which does not obstruct a smooth surface along the top and both sides of the handrail.

The handrail shall be of a configuration that will furnish an adequate handhold for a person grasping it to avoid falling.

The ends of the handrail shall be arranged so as not to constitute a hazard.

Floor & Wall Openings, Stairways & Skylights (Part 2)

Rule 241. Maintenance

Floors, platform stair treads and landings shall be maintained free of broken, worn, splintered or loose pieces that would constitute a tripping or falling hazard. Material used for repair of these components shall meet the design strength of the component.
Portable Ladders (Part 4)

Rule 446. Use of step ladders.
(3) If a step ladder (> 48 inches) does not have a guard rail, the top step and cap shall not be used to work from or to climb on.

Fire Exits (Part 6)

Rule 631. Construction, maintenance and changes.
(1) The components of a means of egress including doors, stairs, ramps, passages and signs shall be of substantial construction and shall be maintained in an operable condition.

Design Safety Standards for Electrical Systems (Part 39)

Rule 1910.303(g) 600 Volts, nominal, or less
(1) Space about electric equipment.
Sufficient access and working space shall be provided and maintained about all electric equipment to permit ready and safe operation and maintenance of such equipment.
(1)(B) The width of working space in front of the electric equipment shall be the width of the equipment or 30 in., whichever is greater. In all cases, the working space shall permit at least a 90-degree opening of equipment doors or hinged panels.
Electrical Safety-Related Work Practices (Part 40)

Rule 4003. Selection and use of work practices.
(1) When work is performed near or on equipment or circuits which are or may be energized, safety related work practices shall be employed to prevent electric shock or other injuries resulting from either direct or indirect electrical contacts.

The specific safety-related work practices shall be consistent with the nature and extent of the associated electrical hazards.

Powered Groundskeeping Equipment (Part 54)

Rule 5413. Personal protective equipment.
(1) An operator of powered groundskeeping equipment subjected to a noise level in excess of that established by the division of occupational health, shall be provided with hearing protection prescribed by rule 6260 of the occupational health standards of the division of occupational health.

Rule 5416. Operating rules generally.
(2) A portable container used for refueling shall be an approved safety can with an automatic closing cap and flame arrester.

Review of Objectives

- Identify the common MIOSHA violations in nursing and residential care facilities
- Differentiate between severity of hazards based on the cited violations and MIOSHA Standards
- Develop a plan to ensure violations are corrected