

MIOSHA Rule Changes Impacting Healthcare Industry

Presented by

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Regulatory Changes – Office of Regulatory Reinvention

The mission of the ORR is to ensure that Michigan's regulatory environment is:

- simple
- fair
- efficient
- conducive to business growth
- job creation.

The purpose of the Workplace Safety Advisory Rules Committee (ARC) was to produce advisory recommendations to the Office of Regulatory Reinvention (ORR) for changes to Michigan's existing workplace safety regulations.

Recommended elimination of >600 MIOSHA rules

Regulatory Changes – Relationship to Federal OSHA

- State Plan Agreement
- 6 Months allowance to implement
- Compliance Instructions
- Interpretations

Bloodborne Infectious Diseases

Revised Rules Effective October 2014.

The following are changes to the MIOSHA BID Standard as recommended by the Michigan Office of Regulatory Reinvention.

Rule 3. Exposure Determination

An employer shall:

- Evaluate routine and reasonably anticipated tasks and procedures to determine:
 - Actual or reasonably anticipated employee exposure to blood or OPIM
 - Category A or B
- Make determination without regard to PPE
- ~~Document rationale for determination (10/2014 revision)~~
- Maintain a list of all Category A job classes

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Rule 7. Work Practices

- ~~Rule 7. (1) After implementing appropriate engineering controls, an employer shall further reduce the likelihood of exposure to blood and other potentially infectious material by developing and implementing work practices for each task.~~

MIOSHA Compliance will be citing under Exposure Control Plan:

- Rule 4. (a) If an employee is determined to be in category A, then an employer shall establish a written exposure control plan to minimize or eliminate employee exposure.
- (b) An exposure control plan shall contain all of the following information:
 - (v) Task-specific standard operating procedures (SOPs) that address all of the following areas:
 - (A) Employee recognition of reasonably anticipated exposure to blood and other potentially infectious material.
 - (B) Appropriate selection, use, maintenance, and disposal of personal protective equipment.
 - (C) Contingency plans for foreseeable circumstances that prevent following the recommended SOPs.

Rule 7. Work Practices

- Handwashing:
 - immediately after removing gloves or other protective clothing
 - after contact with blood or OPIM
 - ~~upon leaving the work area (10/2014 revision)~~
 - as soon as feasible after use of antiseptic hand cleansers when washing facilities were not available



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Rule 8 Protective Clothing and Equipment

~~(f) (g) Gloves shall be worn by an~~ **An employee shall wear gloves** if there is a reasonable anticipation of direct skin contact with blood, other potentially infectious material, mucous membranes, or nonintact skin of patients.

~~Gloves shall be changed between patient contacts.~~

~~(l) To minimize the need for direct mouth-to-mouth resuscitation, pocket masks, resuscitation bags, or other ventilation devices shall be provided in strategic locations and to trained personnel where the need for resuscitation is likely.~~

Rule 9. Housekeeping

(2)(g) Reusable sharps that are contaminated with blood or other potentially infectious materials shall not be stored or processed in a manner that requires employees to reach by hand into the containers where these sharps have been placed. ~~Reusable items, including reusable sharps, that have been contaminated with blood or other potentially infectious material shall be washed and decontaminated before reprocessing. The order in which washing and decontamination shall be performed shall be chosen so as to minimize exposure to blood or other potentially infectious material. Reusable sharps shall not be stored or processed in a manner that requires reaching by hand into containers where sharps have been placed.~~

For reusable items/equipment, MIOSHA Compliance may cite under Rule 9 (2) "All equipment....shall be maintained in a sanitary condition"

(2)(c) (c) Equipment that may become contaminated with blood or other potentially infectious material shall be examined before servicing or shipping and shall be decontaminated as necessary unless the employer can demonstrate that decontamination is not feasible.

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Rule 11. Laundry

- Laundry workers in health care settings are usually category A and must be supplied and use PPE when handling contaminated laundry.
- Follow universal precautions.
- ~~Laundry cleaned in a way that inactivates or destroys bloodborne pathogens.~~



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Rule 13. Vaccinations and post exposure follow-up

- Within 10 days of initial assignment each category A employee must be offered:
 - HBV vaccination
 - ~~HBV titer for employees who request it~~
 - If an employee declines vaccination the employer must have a signed declination form



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Rule 13. Vaccinations and post exposure follow-up

Employer information limited to:

- ~~Any limitation on employee use of PPE~~
- HBV vaccine information
- Statement that employee has been informed of test results and medical conditions that may have resulted from exposure

Note: The employer does not have the right to know employee's HIV, HBV or HCV status

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Rule 16 Information and Training

~~(7)(c) The training shall include opportunities for supervised practice with personal protective equipment and other equipment which is designed to reduce the likelihood for exposure and which will be used in the employee's work.~~

MIOSHA compliance may cite under Rule 16 (5)(f) An explanation of the use and limitations of practices that will prevent or reduce exposure, including appropriate engineering controls, work practices, and personal protective equipment.

MIOSHA RECORDKEEPING

Part II. Recording and Reporting Occupational Injuries and Illnesses



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Who Must Keep MIOSHA Records?

- All employers with more than 10 employees at any give time during the previous calendar year.
- Employers notified in advance that they have been selected to participate in the mandatory Bureau of Labor Statistics (BLS) annual survey.
- Partially Exempt employers:
 - Employer who had ≤ 10 employees during the previous calendar year.
 - Employers who conduct business in exempted NAICS codes (e.g. doctor and dentist offices)

What Records Must Be Kept?

- Forms
 - MIOSHA Form 300
 - Log of work related injuries and illnesses
 - MIOSHA Form 301
 - Injury and illness incident report
 - MIOSHA Form 300A
 - Summary of work-related injuries and illnesses

MIOSHA Log 300

Year 20 _____

LOG OF WORK RELATED INJURIES AND ILLNESSES
Michigan Department of Labor and Economic Growth
Michigan Occupational Safety and Health Administration (MIOSHA)
Form Appendix OMB No. 1218-0176

ATTENTION: This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.

This information should be reported to the Michigan Department of Labor and Economic Growth, Michigan Occupational Safety and Health Administration, 300 West Washington Street, Lansing, Michigan 48912. The Michigan Department of Labor and Economic Growth, Michigan Occupational Safety and Health Administration, 300 West Washington Street, Lansing, Michigan 48912. The Michigan Department of Labor and Economic Growth, Michigan Occupational Safety and Health Administration, 300 West Washington Street, Lansing, Michigan 48912. The Michigan Department of Labor and Economic Growth, Michigan Occupational Safety and Health Administration, 300 West Washington Street, Lansing, Michigan 48912.

I. IDENTIFY THE PERSON	II. DESCRIBE THE CASE	III. CLASSIFY THE CASE																												
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	

Public reporting burden for this collection of information is estimated to average 14 minutes per response, including time to review the instructions, search existing data sources, gathering and maintaining the data needed, reviewing and reviewing the collection of information, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Service, Paperwork Project Director, Washington, DC 20503-2941.

MIOSHA 300 (Rev. 11/03) (Effective 01/01/2004) Page _____ of _____

MIOSHA Log 301

Year 20 _____

INJURY AND ILLNESS INCIDENT REPORT
Michigan Department of Labor and Economic Growth
Michigan Occupational Safety and Health Administration (MIOSHA)
Form Appendix OMB No. 1218-0176

ATTENTION: This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.

This Injury and Illness Incident Report is one of the first forms you must fill out when a recordable work-related injury or illness has occurred. Together with the accompanying Summary, these forms help the employer and MIOSHA develop a picture of the extent and severity of work-related incidents. Within 7 calendar days after you receive information that a recordable work-related injury or illness has occurred, you must fill out this form or an equivalent. Some state workers' compensation, insurance, or other reports may be acceptable substitutes. To be considered an equivalent form, any substitute must contain all the information asked for on this form. According to Public Law of 1978 (P.L. 95-506) and Michigan Occupational Safety and Health Act 154, P.A. 1974, Part 11, Michigan Administrative Rule for Recording and Reporting of Injuries and Illnesses, you must keep this form on file for 5 years following the year to which it pertains. You may be held liable for failure to comply. If you need additional copies of this form, you may photocopy and use as many as you need.

I. INFORMATION ABOUT THE EMPLOYEE		II. INFORMATION ABOUT THE CASE	
1. FULL NAME		11. DATE OF REPORT OR LOSS	
2. STREET		12. TIME (APPROXIMATE HOURS AND MINUTES)	
3. CITY		13. TIME OF EVENT <input type="checkbox"/> AM <input type="checkbox"/> PM	
4. STATE		14. WERE YOU THE ONLY PERSON INVOLVED IN THIS INCIDENT?	
5. ZIP CODE		<input type="checkbox"/> YES <input type="checkbox"/> NO	
6. SEX <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE		15. NAME OF PHYSICIAN OR OTHER HEALTH CARE PROFESSIONAL	
7. EMPLOYER		16. IF TREATMENT WAS GIVEN AWAY FROM THE WORKSITE, WHERE WAS IT GIVEN?	
8. NAME OF PHYSICIAN OR OTHER HEALTH CARE PROFESSIONAL		17. WHAT WAS THE NATURE OF THE INJURY OR ILLNESS?	
9. STREET		18. WHAT PART OF THE BODY WAS AFFECTED AND HOW WAS IT AFFECTED? (Include specific anatomical location, e.g., "Right hand," "Left shoulder," "Cervical vertebrae.")	
10. CITY		19. WHAT PHYSICIAN OR OTHER HEALTH CARE PROFESSIONAL ADVISED THE EMPLOYER?	
11. ZIP CODE		20. IF THE ABOVE ONE OR MORE DID NOT APPLY TO THIS INCIDENT, CHECK ALL THAT APPLY.	
21. WERE YOU HOSPITALIZED OVERNIGHT AS AN INPATIENT? <input type="checkbox"/> YES <input type="checkbox"/> NO		22. IF THE ABOVE ONE OR MORE DID NOT APPLY TO THIS INCIDENT, CHECK ALL THAT APPLY.	
23. WERE YOU HOSPITALIZED OVERNIGHT AS AN INPATIENT? <input type="checkbox"/> YES <input type="checkbox"/> NO		24. DATE OF DEATH	
25. DATE		26. TIME	

Public reporting burden for this collection of information is estimated to average 22 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, reviewing and reviewing the collection of information, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Service, Paperwork Project Director, Washington, DC 20503-2941.

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MIOSHA Log 300A – Posting form

Year 20 _____

SUMMARY OF WORK-RELATED INJURIES AND ILLNESSES
Michigan Department of Labor and Economic Growth
Michigan Occupational Safety and Health Administration (MIOSHA)
Form Appendix OMB No. 1218-0176

All establishments covered by Public Law of 1978 (P.L. 95-506) and Michigan Occupational Safety and Health Act 154, P.A. 1974, Part 11, Michigan Administrative Rule for Recording and Reporting of Injuries and Illnesses must complete this Summary form for each establishment during the year. This form is to be posted in a prominent place in the workplace for the entire year. It is the responsibility of the employer to ensure that this form is posted in a prominent place in the workplace for the entire year. It is the responsibility of the employer to ensure that this form is posted in a prominent place in the workplace for the entire year.

Using this Log, you can track individual injuries you made for each category. Then enter the total number of injuries you entered for each category on the Log. If you had no cases, write "0".

Number of Cases			
Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
(1)	(2)	(3)	(4)

Number of Days	
Total number of days	Total number of days of job transfer or restriction
(5)	(6)

Injury and Illness Types			
Total number of ...	(1) Injuries	(2) Skin disorders	(3) Respiratory conditions
(4)	(5)	(6)	(7)

Post this Summary page from February 1 to April 30 of the year following the year covered by the form. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time to review the instructions, search and gather the data needed, and reviewing and reviewing the collection of information. Send comments regarding this burden estimate or any aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Service, Paperwork Project Director, Washington, DC 20503-2941.

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Expanded Reporting Requirements

Starting **January 1, 2015**, all covered employers **must report** the following (OSHA states; MIOSHA rules to come soon):

- All work-related fatalities within 8 hours (same as current requirement)
- All work-related in-patient hospitalizations of one or more employees within 24 hours
- All work-related amputations within 24 hours
- All work-related losses of an eye within 24 hours

Newly included NAICS

NAICS Code	Title of NAICS Code
3118	Bakeries and tortilla manufacturing
4411	Automobile dealers
4413	Automotive parts, accessories, and tire stores
4441	Building material and supplies dealers
4452	Specialty food stores
4453	Beer, wine, and liquor stores
4539	Other miscellaneous store retailers
4543	Direct selling establishments
5311	Lessors of real estate
5313	Activities related to real estate
5322	Consumer goods rental
5324	Commercial and industrial machinery and equipment rental and leasing
5419	Other professional, scientific, and technical services
5612	Facilities support services
5617	Services to buildings and dwellings
5619	Other support services
6219	Other ambulatory health care services
6241	Individual and family services
6242	Community food and housing, and emergency and other relief services
7111	Performing arts companies
7113	Promoters of performing arts, sports, and similar events
7121	Museums, historical sites, and similar institutions
7139	Other amusement and recreation industries
7223	Special food services
8129	Other personal services

New list of exempt industries

NAICS Code and Industry Description															
4412	Other Motor Vehicle Dealers	5151	Radio and Television Broadcasting	5412	Accounting, Tax Preparation, Bookkeeping, and Payroll Services	6210	Offices of Other Health Practitioners	4810	Nonscheduled Air Transportation	5231	Securities and Commodity Contracts Intermediation and Brokerage	5616	Investigation and Security Services	8114	Personal and Household Goods Repair and Maintenance
4431	Electronics and Appliance Stores	5172	Wireless Telecommunications Carriers (except Satellite)	5413	Architectural, Engineering, and Related Services	6214	Outpatient Care Centers	4801	Pipeline Transportation of Crude Oil	5232	Securities and Commodity Exchanges	8111	Elementary and Secondary Schools	8121	Personal Care Services
4461	Health and Personal Care Stores	5173	Telecommunications Resellers	5414	Specialized Design Services	6215	Medical and Diagnostic Laboratories	4802	Pipeline Transportation of Natural Gas	5239	Other Financial Investment Activities	8112	Junior Colleges	8122	Death Care Services
4471	Gasoline Stations	5179	Other Telecommunications	5415	Computer Systems Design and Related Services	6244	Child Day Care Services	4803	Other Pipeline Transportation	5241	Insurance Carriers	8113	Colleges, Universities, and Professional Schools	8131	Religious Organizations
4481	Clothing Stores	5181	Internet Service Providers and Web Search Portals	5416	Management, Scientific, and Technical Consulting Services	7114	Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures	4870	Scenic and Sightseeing Transportation, Other	5242	Agencies, Brokerages, and Other Insurance Related Activities	8114	Business Schools and Computer and Management Training	8132	Grantmaking and Giving Services
4492	Shoe Stores	5192	Data Processing, Hosting, and Related Services	5417	Scientific Research and Development Services	7115	Independent Artists, Writers, and Performers	4885	Freight Transportation Arrangement	5251	Insurance and Employee Benefit Funds	8115	Technical and Trade Schools	8133	Social Advocacy Organizations
4493	Jewelry, Luggage, and Leather Goods Stores	5191	Other Information Services	5418	Advertising and Public Relations Services	7213	Rooming and Boarding Houses	5111	Newspaper, Periodical, Book, and Directory Publishers	5259	Other Investment Pools and Funds	8116	Other Schools and Instruction	8134	Civic and Social Organizations
4511	Sporting Goods, Hobby, and Musical Instrument Stores	5211	Monetary Authorities - Central Bank	5511	Management of Companies and Enterprises	7221	Full-Service Restaurants	5112	Software Publishers	5312	Offices of Real Estate Agents and Brokers	8117	Educational Support Services	8139	Business, Professional, Labor, Political, and Similar Organizations
4512	Book, Periodical, and Music Stores	5221	Depository Credit Intermediation	5611	Office Administrative Services	7222	Limited-Service Eating Places	5121	Motion Picture and Video Industries	5301	Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)	8211	Offices of Physicians		
4531	Florists	5222	Nondepository Credit Intermediation	5614	Business Support Services	7224	Drinking Places (Alcoholic Beverages)	5122	Sound Recording Industries	5411	Legal Services	8212	Offices of Dentists		
4532	Office Supplies, Stationery, and Gift Stores	5223	Activities Related to Credit Intermediation	5615	Travel Arrangement and Reservation Services	8112	Electronic and Precision Equipment Repair and Maintenance								

Occupational Disease Report – Reporting Occupational Diseases

- Employee information
- Employer information
- Illness and comments information
- Report submitted to the State (see MIOSHA website)

Michigan Department of Licensing and Regulatory Affairs Management and Technical Services Division
Known or Suspected Occupational Disease Report
(Information will be held confidential as prescribed in Act.)

EMPLOYEE AFFECTED					
Name (Last, First, Middle)	Age	Sex M F	Race <input type="radio"/> White <input type="radio"/> Black <input type="radio"/> Hispanic <input type="radio"/> Other		
Street	City	State	Zip		
Home Phone Number	Last Four Digits of Social Security Number (Optional)				
CURRENT EMPLOYER					
Current Employer Name	Worksite County				
Worksite Address	City	State	Zip		

Recordkeeping Questions?

- ✓ General Assistance
- ✓ Forms
- ✓ Posters
- ✓ Information

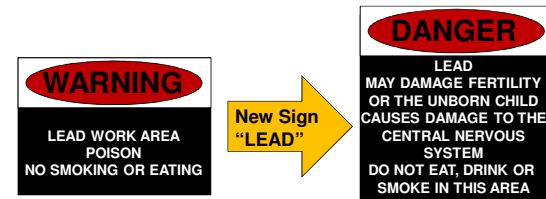
www.michigan.gov/recordkeeping

Management Information Systems Section
7150 Harris Drive
Lansing, MI 48909
(517) 322-1848

MIOSHA Hazard Communication

- Implementation Dates:
 - June 1, 2015 – New SDS and Labels (manufacturers)
 - December 1, 2015 – Labels (distributors)
 - June 1, 2016 – Employer implementation
 - Written program
 - Secondary container label changes
 - Training on new hazards identified by manufacturers
 - Chemical specific labeling (i.e. asbestos, lead, ETO)

Lead Signs



Ethylene Oxide

Prior to June 1, 2016	June 1, 2016
DANGER ETHYLENE OXIDE CANCER HAZARD AND REPRODUCTIVE HAZARD	DANGER ETHYLENE OXIDE MAY CAUSE CANCER
AUTHORIZED PERSONNEL ONLY	MAY DAMAGE FERTILITY OR THE UNBORN CHILD
RESPIRATORS AND PROTECTIVE CLOTHING MAY BE REQUIRED TO BE WORN IN THIS AREA	RESPIRATORY PROTECTION AND PROTECTIVE CLOTHING MAY BE REQUIRED IN THIS AREA
	AUTHORIZED PERSONNEL ONLY

Instruction for Emergency Eyewash

- MIOSHA Agency Compliance Instruction
- American National Standards Institute (ANSI) reference
- Current compliance citations
- Review and revision anticipated 2015