

WAC 296-843-21005 Provide medical surveillance for your employees. (1) You must establish a medical surveillance plan for all employees who meet any of the following:

- (a) Are or may be exposed to hazardous substances or health hazards for at least thirty days a year, at or above the permissible exposure limits (PELs) or other published exposure levels.
- (b) Wear a respirator for at least thirty days a year.
- (c) Are injured, become ill, or develop signs or symptoms of possible overexposure to hazardous substances or health hazards.
- (d) Are hazardous materials team (HAZMAT) members.

Reference: Employees who use respirators less than thirty days a year are required to have a respirator medical evaluation as outlined by chapter 296-842 WAC, Respirators. Completion of a medical examination required by this section will meet the requirement for a respirator medical evaluation.

(2) You must make sure medical examinations, consultations, and procedures are:

- (a) Scheduled according to Table 4, Medical Examination Schedule.
- (b) Performed or supervised by a licensed physician.
- (c) Available:
 - (i) At a reasonable time and place.
 - (ii) Without loss of pay.
 - (iii) Without cost to employees.

Note: Examples of costs include: Mileage, gas, bus fare, and time spent outside normal work hours.

**Table 4
Medical Examination Schedule**

| If a worker | Then provide an examination |
|--|---|
| Is assigned to work that is covered by this chapter | Before work assignment begins |
| Continues to work in hazardous waste operations | At least once every twelve months, unless the attending physician decides a different interval, up to twenty-four months or less than twelve months, is appropriate |
| Needs to be examined more frequently based on the examining physician's medical judgment | At an interval less than twelve months |
| Is reassigned to an area where their work is not covered OR Employment is terminated | As soon as possible, unless he or she was examined within the past six months |
| Has an incident that results in injury or illness OR Develops signs or symptoms of possible overexposure to hazardous substances and health hazards OR Has been exposed above the permissible exposure limits or published exposure levels | As soon as possible |

| If a worker | Then provide an examination |
|--|--|
| Requires follow-up examinations or consultations because of medical necessity for an exposure incident or injury | When determined by the examining physician |

(3) You must make sure the medical examination includes the following information for each affected employee:

(a) A medical and work history, with special emphasis on symptoms related to handling hazardous substances and health hazards.

(b) Information about fitness for duty including the ability to wear any personal protective equipment (PPE) under conditions that may be expected at the workplace.

(c) Any additional information that is determined by the examining physician.

Note: The physician should consult the NIOSH Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities <http://www.cdc.gov/niosh/85-115.html>.

(4) You must provide complete information to the examining physician, including:

(a) A copy of WAC 296-843-210.

(b) Medical evaluation information required by chapter 296-842 WAC, Respirators.

(c) A description of the employee's duties that relate to hazardous substance exposure.

(d) The actual or anticipated hazardous substance exposure levels for the employee.

(e) A description of the PPE the employee uses or could use.

(f) Information available from previous medical examinations.

(g) Instruction to the physician that the physician's written opinion **NOT** include specific findings or diagnoses that are not related to occupational exposures.

Note: You are **NOT** required to send duplicate information to the physician for each employee.

(5) You must obtain the physician's written medical opinion that includes the following information:

(a) Whether medical conditions were found that would increase the employee's risk for impairment during emergency response work or respirator use.

(b) Limitations of the employee's assigned work, if any.

(c) Examination and test results, if the employee requests this information.

(d) A statement that the employee has been confidentially informed of medical examination results (including medical conditions requiring followup required by WAC 296-843-210).

(6) You must provide the employee with a copy of the physician evaluation.

[Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060. WSR 18-22-116, § 296-843-21005, filed 11/6/18, effective 12/7/18; WSR 04-02-053, § 296-843-21005, filed 1/5/04, effective 5/1/04.]