

WAC 296-848-30030 Medical evaluations.

IMPORTANT:

Medical evaluations conducted under this section will satisfy the medical evaluation requirement found in another chapter, Respirators, chapter 296-842 WAC.

(1) You must make medical evaluations available to current employees who have been, are, or will be exposed to inorganic arsenic concentrations above the AL:

(a) At least thirty days in any twelve-month period; or

(b) A total of ten years or more of combined employment with you or previous employers with at least thirty days of exposure per year.

(2) You must make medical evaluations available at no cost to employees.

(3) You must pay all costs, including travel costs and wages associated with any time spent outside of the employee's normal work hours.

(4) You must make medical evaluations available at reasonable times and places.

(5) You must make medical evaluations available by completing Steps 1 through 6 of the Medical Evaluation Process for each employee covered.

- Note:**
1. Employees who wear respirators need to be medically evaluated to make sure the respirator will not harm them, before they are assigned work in areas requiring respirators. Employees who decline to receive medical examination and testing to monitor for health effects caused by inorganic arsenic are not excluded from receiving a separate medical evaluation for a respirator use.
 2. If employers discourage participation in medical monitoring for health effects caused by inorganic arsenic, or in any way interfere with an employee's decision to continue with this program, this interference may represent unlawful discrimination under RCW 49.17.160, Discrimination against employee filing, instituting proceeding, or testifying prohibited—Procedure—Remedy.

Medical Evaluation Process

Step 1: Identify employees who qualify, as stated above, for medical evaluations.

Step 2a: Make medical evaluations available for employees identified in Step 1 at the following times:

- Initially, when employees are assigned to work in an area where exposure monitoring results are, or will likely be, above the action level for at least thirty days in a twelve-month period.
- Periodically as specified in Table 3.
- When employment with exposure ends, if the employee has not had an evaluation within the six-month period before exposure ends. Include in these evaluations the same content as specified in Table 4 for initial evaluations, excluding a chest X-ray.

**Table 3
Frequencies for Periodic Medical Evaluations**

For:	Provide periodic medical evaluations every:
Employees less than forty-five years old with less than ten years of exposure above the AL	Twelve months;
Employees forty-five or older;	Six months;
AND	AND

For:	Provide periodic medical evaluations every:
Employees with more than ten years of exposure above the AL	Twelve months to obtain a fourteen by seventeen-inch posterior-anterior chest X-ray for monitoring purposes, unless the LHCP has determined a different frequency for periodic X-rays.

Step 2b: Provide appropriate medical examination and emergency treatment when an employee identified in Step 1 develops signs or symptoms commonly associated with inorganic arsenic exposure.

Step 3: Select a licensed health care professional (LHCP) who will conduct or supervise examinations and procedures.

Step 4: Make sure the LHCP receives all of the following before the medical evaluation is performed:

- A copy of this chapter.
- A description of the duties of the employee being evaluated and how these duties relate to inorganic arsenic exposure.
- The anticipated or representative exposure monitoring results for the employee being evaluated.
- A description of the personal protective equipment (PPE) each employee being evaluated uses or will use.
- Information from previous employment-related examinations when this information is not available to the examining LHCP.
- Instructions that the written opinions the LHCP provides you be limited to the following information:
 - Results from examinations and tests.
 - The LHCP's opinion about whether or not medical conditions were found that would increase the employee's risk for impairment from exposure to inorganic arsenic.
 - Any recommended limitations for:
 - Inorganic arsenic exposure; and
 - Use of respirators or other PPE.
 - A statement that the employee has been informed of medical results and medical conditions caused by inorganic arsenic exposure requiring further examination or treatment.

Step 5: Make the medical evaluation available to the employee. Make sure it includes the content listed in Table 4, Content of Medical Evaluations.

Step 6: Obtain the LHCP's written opinion for the employee's medical evaluation and give a copy to the employee.

- Make sure the written opinion is limited to the information specified for written opinions in Step 4.

Note: If the written opinion contains specific findings or diagnoses unrelated to occupational exposure, send it back and obtain a revised version without the additional information.

**Table 4
Content of Medical Evaluations**

When conducting:	Include:
An initial evaluation	<ul style="list-style-type: none"> • A work history and medical history including: <ul style="list-style-type: none"> - Smoking history.

When conducting:	Include:
	<ul style="list-style-type: none"> – The presence and degree of respiratory symptoms such as breathlessness, cough, sputum production, and wheezing. • A physical examination that includes: <ul style="list-style-type: none"> – A fourteen by seventeen-inch posterior-anterior chest X-ray and the International Labor Office UICC/Cincinnati (ILO U/C) rating. – A nasal and skin examination. • Additional examinations the licensed health care professional (LHCP) believes appropriate based on the employee's exposure to inorganic arsenic or respirator use.
Periodic evaluations for employees less than forty-five years old with less than ten years of exposure above the action level (AL)	<ul style="list-style-type: none"> • The same content as specified for initial evaluations repeated every twelve months.
Periodic evaluations for employees: <ul style="list-style-type: none"> • Forty-five or older; <p style="margin-left: 20px;">OR</p> <ul style="list-style-type: none"> • With more than ten years of exposure above the AL 	<ul style="list-style-type: none"> • The following content repeated every six months: <ul style="list-style-type: none"> – A work history and medical history including: <ul style="list-style-type: none"> ■ Smoking history. ■ The presence and degree of respiratory symptoms such as breathlessness, cough, sputum production, and wheezing. – A physical examination that includes a nasal and skin examination. – Additional examinations the LHCP believes appropriate based on the employee's exposure to inorganic arsenic or respirator use. • A physical examination, repeated every twelve months, that obtains a fourteen by seventeen-inch posterior-anterior chest X-ray and the International Labor Office UICC/Cincinnati (ILO U/C) rating.

[Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060. WSR 18-22-116, § 296-848-30030, filed 11/6/18, effective 12/7/18; WSR 07-03-153, § 296-848-30030, filed 1/23/07, effective 6/1/07; WSR 05-01-173, § 296-848-30030, filed 12/21/04, effective 5/1/05.]