

HOUSE BILL ANALYSIS

ESB 5597

Brief Description: Requiring occupational health standards to protect workers from airborne and waterborne pathogens.

Sponsors: Senators Fraser and Swecker

Hearing: April 1, 1999

Brief Summary of Bill

- *The Department of Labor and Industries must review information and make recommendations regarding the potential risks to workers in the handling, transport, treatment, and disposal of medical waste.*
- *The Department of Labor and Industries must adopt rules by July 1999 revising current standards governing occupational exposure to blood-borne pathogens.*

BACKGROUND:

The federal government estimates that health care workers incur between 600,000 and one million needle stick injuries per year. Many of these needles have been used and are potentially contaminated. Of all the blood-borne diseases transmitted by used needles, the human immunodeficiency virus (HIV) usually raises the most concern. However, there are up to 20 other blood-borne diseases that can be transmitted to health care workers as a result of exposure to blood on the job. Of these, Hepatitis B and Hepatitis C pose the most serious threat to health care workers. Experts now estimate that more health care workers will eventually die due to complications from occupational exposure to Hepatitis C than from HIV.

The department protects against the exposure of blood borne pathogens through standards of practice. These standards apply to all workplaces that are exposed to blood or other potentially infectious materials, such as semen, saliva, and cerebrospinal fluid. The standards require each employer to have an exposure control plan which establishes

precautions, such as protective equipment, clothing, washing facilities, housekeeping practices, training, labeling, and proper procedures, for minimizing employee exposure to blood or infectious materials.

Biomedical waste is considered solid waste for purposes of regulation. Local health jurisdictions permit the disposal of solid waste. Although biomedical waste may be deposited at a landfill, much of the biomedical waste generated in this state is disposed at two medical waste treatment facilities. Last year, two employees at one of these facilities contracted tuberculosis from medical waste. This was the first recorded instance of such an occurrence in the country. The department does not currently have health and safety standards for the handling of this type of waste.

SUMMARY OF BILL:

The Department of Labor and Industries must review information regarding the potential risks to workers in the handling, transport, treatment, and disposal of medical waste. The department must make recommendations for action under the department's existing authority and for action by the Legislature. The report is due by December 1, 1999.

The department must adopt rules by July 1999, revising current standards governing occupational exposure to blood-borne pathogens, such as Hepatitis B virus, Hepatitis C virus, and HIV.

The rules must require employers to identify and select existing needleless systems that protect against injury. The identification and selection will be conducted by an evaluation committee consisting of front-line health care workers representing a variety of wards and medical specialties. At least once a year, the committee will update the employer's exposure control plans to reflect progress in these types of systems. Employers with less than 11 employees may establish joint evaluation committees.

Each employer must adopt practice rules for the use of available needleless systems or needles that protect against injury, except in cases where the evaluation committee determines that the use of such devices as part of a specific medical procedure jeopardizes patient or employee safety, or use by proficient staff demonstrates that the needleless or injury protection needles are not more effective in preventing exposure incidents than the alternatives in use. The evaluation period should allow for normal adjustment to new devices.

The rules must also require that employers record incidents of contact with blood or other potentially infectious material in a sharps injury log.—

The Department of Health must compile and maintain a list of existing needleless systems and sharps with engineered sharps injury protection, which is available to assist employers in complying with these requirements. If funds are available, the Department of Labor and Industries shall evaluate the impact of the new rules.

RULES AUTHORITY: The bill does contain provisions addressing the rule making powers of an agency.

FISCAL NOTE: Not requested.

EFFECTIVE DATE: Ninety days after adjournment of a session in which bill is passed.