

# Infectious Diseases Rulemaking

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**Advisory Committee on Construction Safety and Health**  
**April 24, 2024**

# Goal of the Rulemaking

- Supplement the existing Bloodborne Pathogens standard in healthcare, healthcare support, and biomedical laboratory settings.
- Provide protections from infectious agents transmitted by contact, droplet, and airborne routes (e.g., methicillin-resistant *Staphylococcus aureus* (MRSA), norovirus, influenza, tuberculosis).
- Ensure that recognized good infection control practices/good biosafety practices are regularly implemented in typical daily operations in these settings.

# Process to Date

- **May 2010** – Request for Information (RFI) published
- **July 2011** – Stakeholder meetings held
- **October – December 2014** – Small Business Regulatory Enforcement and Fairness Act (SBREFA) process conducted

# Scope of the Rulemaking

- Intent – Protect workers who perform tasks that routinely expose them to infectious diseases
- Settings
  - Settings where any employee:
    - Provides healthcare services
    - Handles contaminated materials
    - Handles human remains
  - Biomedical laboratories
- Within these settings, focus on employees performing job tasks that involve exposure to:
  - Patients, clients, residents
  - Contaminated materials
  - Human remains
  - Infectious agents

# Types of Settings Potentially Covered

- Hospitals
- Primary Care Physician Offices
- Specialty Ambulatory Care
- Embedded Clinics
- Long-term Care Facilities
- Emergency Medical Services
- Home Healthcare
- Funeral Homes
- Healthcare Laundry Services
- Medical Equipment Reprocessing Services
- Medical Waste Handling Services
- Biomedical Laboratories

# Types of Tasks Potentially Covered

- Provision of direct care
- Tasks in areas where direct care is provided
- Handling of contaminated materials generated by direct care or biomedical laboratory operations
- Handling of human remains
- Tasks performed with infectious agents in a biomedical laboratory

# Key Elements Considered for Proposed Rule

## Workplace Infection Control Plan (WICP)

- Hazard Identification
  - In each covered setting, identify job tasks involving exposures to sources of infectious agents.
- Policies and Procedures
  - Prevent or minimize workplace transmission of infectious diseases in accordance with good infection control practices and good biosafety practices.

# Policies and Procedures

- Screening and Management
  - Patient, clients, residents
  - Contaminated materials
  - Human remains
- Cleaning, Disinfection, and Sterilization
- Personal Protective Equipment (PPE)
- Engineering Controls
  - Ventilation
- Employer Support of Employee Vaccination
- Employee Medical Management
- Increased Community Transmission, Outbreaks, Releases
- Training



# Key Elements Considered for Proposed Rule

- Cost and Availability
- Recordkeeping
- Reporting Infectious Disease Fatalities and Hospitalizations to OSHA
- Multiple Employers
  - Includes specific requirements for construction work inside healthcare and other related facilities.

# Coverage of Construction

- ID proposed rule intended to be a general industry (1910) standard
- When employer engaged in construction inside covered settings:
  - Employer that operates or controls the covered setting would be required to provide the construction employer with information to ensure construction workers not exposed to sources of an infectious agent.
  - Based on the information, construction employers obligated to protect employees under the existing requirements of 1926 Subpart C.
- This is consistent with the approach unanimously recommended by ACCSH during the agency's consultation on the COVID-19 Healthcare Rulemaking.

# Small Construction Projects Performed by Maintenance Staff

- Proposed key elements would apply to maintenance in a covered setting.
- For smaller construction projects that might be performed by employees who are also responsible for more typical maintenance activities in similar areas of covered settings:
  - Information sharing still required.
  - 1926 Subpart C protections still apply.
  - Employer will have established policies and procedures in place to protect employees while engaged in similar maintenance tasks in the same areas.
  - Employees who also perform maintenance activities will already be trained.



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