

A SUMMARY OF HOUSE BILL 4780 AS INTRODUCED 6-11-99

The Michigan Administrative Code currently regulates those persons who, in the course of their employment, come into contact with blood and other infectious diseases. The bill would amend the Michigan Occupational Safety and Health Act to require that the Occupational Health Standards Commission promulgate emergency rules to revise the blood-borne pathogen standards currently found in R 325.70001 to R 325.70017. The emergency rules would have to be adopted within 90 days of the bill's effective date, and the commission would have to formally adopt rules meeting a standard prescribed by the bill within nine months of the bill's effective date. The emergency rules would remain in effect until the nonemergency regulation became effective.

The new standard would have to include, at a minimum, all of the following:

* A revised definition of "engineering controls" that would include sharps prevention technology that, at a minimum, contained needleless systems and needles with engineered sharps injury protection. The new standard would have to define "engineered sharps injury protection" as prescribed by the bill.

* A requirement that employers whose employees have occupational exposure establish an evaluation committee to conduct an evaluation of needleless systems and sharps with engineered sharps injury protections. Fifty percent of the members would have to be frontline health care workers from a variety of health fields such as nurses, technicians, phlebotomists, and physicians.

* A requirement that engineered sharps injury protection be included as engineering or work practice controls, except for those situations in which the technology did not promote employee or patient safety or interfered with a medical procedure.

* A requirement that written exposure control plans include an effective procedure for identifying and selecting existing sharps prevention technology as specified in the bill.

* A requirement that written exposure control plans be updated at least annually and be reviewed by the evaluation committee.

* A requirement that information concerning exposure incidents be recorded in a sharps injury log, as specified by the bill.

The Department of Community Health (DCH) could, but would not be required to, consider and propose additional revisions to the blood-borne pathogen standards such as training requirements and measures to increase vaccinations. The Occupational Health Standards Commission, in conjunction with the DCH, would have to compile and maintain a list of existing needleless systems and needles with engineered sharps injury protection and make that list available to assist employers in complying with the new standard. The list could be developed from existing sources of information such as the U.S. Food and Drug Administration, the U.S. Centers for Disease Control, the National Institute of Occupational Safety and Health, and the U.S. Department of Veterans Affairs.

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