New Cal/OSHA Regulation – 5199 Aerosolized Transmissible Diseases

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As of August 5, 2009 Cal-OSHA has begun enforcement of the Aerosolized Transmissible Disease (ATD) regulation, California Code of Regulations Title 8, Section 5199. The goal of the new regulation is to reduce the risk of ATD exposures, and therefore impacts the EMS industry by specifically addressing Paramedics, EMT’s and other healthcare professionals. This regulation works in conjunction with another regulation which addresses fit testing for particulate respirators (Cal-OSHA 5144 Respirator Protection regulation adopted from the Federal OSHA 1910.134 regulation).

Companies that have an “Airborne Pathogens Program” may meet some of the 5199 requirements, but there are additional criteria that must be met in order to reach full compliance. The following are a few requirements that should be addressed in the company’s written ATD plan:

1. Vaccinations
Vaccines are provided by the employer. Employees who do not participate must complete a declination form for each vaccination declined, and retain the right to rescind their declination(s) at any time.

2. Control Measures
Control measures include Engineering Practices, Administrative Controls and Personal Protective Equipment. In addition, control measures in the patient compartment need prevent air from circulating back into the cab of the ambulance.

3. Communication Procedures
A set of written procedures should address: communicating patient conditions to receiving facilities; and communicating suspected or confirmed infectious condition of transporting/transported patient from receiving facilities to the responding personnel.

4. California Code of Regulations, Title 8, § 5144
Respirators are provided to all at risk employees by the employer in compliance with § 5144. N95 masks are usually sufficient, however procedures considered high risk such as intubation or administration of aerosolized medications require a Powered Air Purification respirator. If this respirator compromises patient care, then a minimum of a P100 respirator should be used. Fit testing and medical questionnaires must be performed in accordance with § 5144.

5. Ambulance Decontamination Procedures
The standard requires written procedures for decontaminating the ambulance.

6. Initial and Annual Training on the Company ATD Plan
This training is to be provided to all employees who, in the course of their duties, may have been exposed to any ATD and or ATP.

7. Program Administrator
The Program Administrator must be named and titled in the company ATD plan.
There can be more than one program administrator. While not required in the standard, it is recommended that the qualifications of the program administrator be
included in the ATD Plan.

The overview above covers only a few of the requirements for the new standard. The complete standard can be obtained from the Cal/OSHA website at www.dir.ca.gov/dosh/. In addition providers should monitor the Centers for Disease Control website at www.cdc.gov/ and the California Department of Public Health websites at www.cdph.ca.gov to stay updated on any precautionary recommendations or changes in the regulation as they may affect compliance of the ATD Plan.

Once your ATD Plan is developed and all employees are trained on the plan, the document must be available for employees to review and the plan should be reviewed and updated on at least an annual basis.

Recommended Sites for Additional 5199 Information:
Cal/OSHA
www.dir.ca.gov/dosh/

Centers for Disease Control:
www.cdc.gov/

California Department of Public Health
www.cdph.ca.gov

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