

OSHA Moves Forward with July 1 Fit-Testing Mandate

July 19, 2004

Despite extensive efforts to delay the enforcement deadline for the Occupational Safety and Health Administration's (OSHA) General Industry Respiratory Protection Standard as it applies to occupational exposure to TB, this mandate went into effect for healthcare facilities on July 1, 2004.

APIC had worked closely with OSHA and the American Hospital Association (AHA) in recent months to address this issue and had hoped that OSHA would grant a further delay in the enforcement date. At an April 29th meeting with OSHA officials, Assistant Secretary Henshaw said that he would indeed consider a delay and would work with CDC to determine how best to proceed in developing effective worker protections. Unfortunately, OSHA moved forward without further consideration of a delay.

Late in the afternoon on Tuesday, July 13, APIC issued a grassroots Call to Action asking APIC members to contact key Members of Congress in support of an amendment to the House Labor, Health and Human Services appropriations bill that would delay the July 1 enforcement of the OSHA General Industry Respiratory Protection Standard as it now applies to TB. This amendment, crafted through collaboration between APIC, the AHA, and Congressman Wicker's office, would prohibit the use of federal funds to enforce OSHA's General Industry Respiratory Protection Standard for TB.

Congressman Wicker introduced and defended the amendment before the House Appropriations Committee on Wednesday, July 15, and the amendment passed. We thank you for your assistance in this important effort. While the Committee's acceptance of this language is a tremendous success, the final outcome for this issue is still unknown. The bill still has to come before the full House of Representatives for a vote, and we will need your assistance again when the time comes. Please continue to watch for further communications from APIC.

APIC and the AHA had worked diligently in recent weeks to secure the support of 15 fellow health associations in requesting a delay. Despite this impressive cadre of organizations spanning the spectrum of health care, the Administration refused to budge. A list of all the organizations involved in our efforts is as follows:

- Association for Professionals in Infection Control and Epidemiology (APIC)
- American College of Chest Physicians (ACCP)
- American Organization of Nurse Executives (AONE)
- American Hospital Association (AHA)
- Association of Occupational Health Professionals (AOHP)
- Society for Healthcare Epidemiology of America (SHEA)

- American Thoracic Society (ATS)
- American Society for Clinical Pathology (ASCP)
- American Health Care Association (AHCA)
- National Association for Home Care and Hospice (NAHCH)
- American Society for Healthcare Engineering (ASHE)
- American Association of Homes and Services for the Aging (AAHSA)
- National Rural Health Association (NRHA)
- College of American Pathologists (CAP)
- Federation of American Hospitals (FAH)
- American Ambulance Association (AAA)
- American College of Occupational and Environmental Medicine (ACOEM)

Meanwhile, we are told that OSHA is moving forward with crafting a compliance directive to address these new requirements. We do not know how the agency intends to enforce this standard and hope that OSHA provides this guidance to facilities as soon as possible.