

**Regulation 4219.42: Exposure Control Plan for Bloodborne Pathogens**

Status: DRAFT

Original Adopted Date: Pending

**Definitions**

Occupational exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. (8 CCR 5193; 29 CFR 1910.1030)

Exposure incident means a specific eye, mouth, other mucous membrane, nonintact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties. (8 CCR 5193; 29 CFR 1910.1030)

Parenteral contact means piercing mucous membranes or the skin barrier through such events as needlesticks, human bites, cuts, and abrasions. (8 CCR 5193; 29 CFR 1910.1030)

A sharp is any object that can be reasonably anticipated to penetrate the skin or any other part of the body and to result in an exposure incident. (8 CCR 5193)

A sharps injury is any injury caused by a sharp, including, but not limited to, cuts, abrasions, or needlesticks. (8 CCR 5193)

Work practice controls are controls that reduce the likelihood of exposure by defining the manner in which a task is performed. (8 CCR 5193; 29 CFR 1910.1030)

Engineering controls are controls, such as sharps disposal containers, needleless systems, and sharps with engineered sharps injury protection, that isolate or remove the bloodborne pathogens hazard from the workplace. (8 CCR 5193; 29 CFR 1910.1030)

Engineered sharps injury protection is a physical attribute, such as a barrier, blunting, encapsulation, withdrawal, or other effective mechanism, built into a needle device or into a non-needle sharp which effectively reduces the risk of an exposure incident. (8 CCR 5193; 29 CFR 1910.1030)

Personal protective equipment is specialized clothing or equipment worn or used by an employee for protection against a hazard, such as gloves, gowns, laboratory coats, face shields or masks. (8 CCR 5193)

**Exposure Control Plan**

The district's written exposure control plan for bloodborne pathogens shall contain at least the following components: (8 CCR 5193; 29 CFR 1910.1030)

1. A determination of which employees have occupational exposure to blood or other potentially infectious materials, which shall be made without regard to employees' use of personal protective equipment and shall include a list of:
  - a. All job classifications in which all employees have occupational exposure
  - b. Job classifications in which some employees have occupational exposure
  - c. All tasks and procedures, or groups of closely related tasks and procedures, in which occupational exposure occurs and which are performed by employees listed in item #1b above
2. The schedule and method of implementing each of the following in accordance with 8 CCR 5193 and this administrative regulation:
  - a. Methods of compliance required by 8 CCR 5193(d) and 29 CFR 1910.1030, including universal precautions, general and specific engineering and work practice controls, and personal protective equipment

- b. Hepatitis B vaccination
  - c. Bloodborne pathogen post-exposure evaluation and follow-up
  - d. Communication of hazards to employees through information and training
  - e. Recordkeeping, including medical records, training records, and a log of sharps injuries
3. The district's procedure for documenting the route(s) of exposure and the circumstances under which exposure incidents occurred
  4. An effective procedure for gathering information about each exposure incident involving a sharp
  5. An effective procedure for periodically determining the frequency of use of the types and brands of sharps involved in exposure incidents
  6. An effective procedure for identifying currently available engineering controls and selecting such controls, as appropriate, for the procedures performed by employees in their work areas or departments
  7. An effective procedure for documenting instances when a licensed healthcare professional directly involved in an employee's care determines that the use of an engineering control would jeopardize the employee's safety or the success of a medical, dental, or nursing procedure involving the employee
  8. An effective procedure for obtaining the active involvement of employees in reviewing and updating the exposure control plan with respect to the procedures performed by employees in their respective work areas or departments

The exposure control plan shall be reviewed and updated at least annually and whenever necessary to: (8 CCR 5193; 29 CFR 1910.1030)

1. Reflect new or modified tasks and procedures affecting occupational exposure
2. Reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens and, to the extent that sharps are used in the district, document consideration and implementation of appropriate commercially available needleless systems and needle devices and sharps with engineered sharps injury protection
3. Include new or revised employee positions with occupational exposure
4. Review and evaluate the exposure incidents which occurred since the previous update
5. Review and respond to information indicating that the exposure control plan is deficient in any area

The district's exposure control plan shall be accessible to employees upon request. (8 CCR 3204(e), 5193; 29 CFR 1910.1030)

#### **Preventive Measures**

The Superintendent or designee shall use engineering controls and work practice controls, as defined above, to eliminate or minimize employee exposure to bloodborne pathogens. Engineering controls and work practice controls shall be evaluated on a regular schedule and, as applicable, maintained, replaced, or updated to ensure their effectiveness. (8 CCR 5193; 29 CFR 1910.1030)

Whenever potential occupational exposure continues to exist after institution of engineering and work practice controls, the district shall provide, at no cost to the employee, appropriate personal protective equipment. (8 CCR

5193; 29 CFR 1910.1030)

Employees shall observe universal precautions to prevent contact with blood or other potentially infectious materials, including, but not limited to, handwashing, proper use of personal protective equipment, and proper disposal or washing of contaminated garments or objects. (8 CCR 5193; 29 CFR 1910.1030)

Any use of needleless systems, needle devices, or non-needle sharps shall adhere to the specific requirements of 8 CCR 5193(d) and 29 CFR 1910.1030.

#### Pre-Exposure Hepatitis B Vaccination

The hepatitis B vaccination and vaccination series shall be made available at no cost to all employees who have occupational exposure. The hepatitis B vaccination shall be made available after an employee with occupational exposure has received the required training and within 10 working days of initial assignment, unless the employee has previously received the complete hepatitis B vaccination series, antibody testing has revealed that the employee is immune, or vaccination is contraindicated for medical reasons. (8 CCR 5193; 29 CFR 1910.1030)

Employees who decline to accept the vaccination shall sign the hepatitis B declination statement. (8 CCR 5193; 29 CFR 1910.1030)

The Superintendent or designee may exempt from the pre-exposure hepatitis B vaccine designated first aid providers whose primary job assignment is not the rendering of first aid, provided that the district implements the procedures in its exposure control plan for providing hepatitis B vaccine to all unvaccinated first aid providers who have rendered assistance in any situation involving the presence of blood or other potentially infectious materials and provides appropriate follow-up for those who experience an exposure incident. (8 CCR 5193)

#### Training

The Superintendent or designee shall ensure that all employees with occupational exposure participate in a training program at the time of initial assignment to tasks where occupational exposure may take place and at least annually thereafter. The training shall be offered during working hours and at no cost to the employee. (8 CCR 5193; 29 CFR 1910.1030)

The training shall address, at a minimum: (8 CCR 5193; 29 CFR 1910.1030)

1. The exposure control standard contained in 8 CCR 5193 and 29 CFR 1910.1030
2. The epidemiology and symptoms of bloodborne diseases
3. Modes of transmission of bloodborne pathogens
4. The district's exposure control plan and the means by which employees may obtain a copy of the written plan
5. Appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious materials
6. The use and limitations of methods to prevent or reduce exposure, including appropriate engineering controls, administrative or work practice controls, and personal protective equipment
7. The types, proper use, location, removal, handling, decontamination, and disposal of personal protective equipment
8. The basis for selecting personal protective equipment
9. The hepatitis B vaccine, including its efficacy, safety, and method of administration; the benefits of being vaccinated; and that the vaccine will be offered free of charge

10. Appropriate actions to take and persons to contact in an emergency or exposure incident involving blood or other potentially infectious materials
11. The post-exposure evaluation and follow-up that the district is required to provide for the employee following an exposure incident

Additional training shall be provided to affected employees whenever a change, such as the introduction or modification of tasks or procedures or the introduction of new engineering, administrative, or work practice controls, affects the employee's exposure. The additional training may be limited to addressing the new exposures created. (8 CCR 5193; 29 CFR 1910.1030)

Designated first aid providers shall receive training that includes the specifics of reporting first-aid incidents which involve blood or body fluids which are potentially infectious. (8 CCR 5193)

#### **Reporting Incidents**

All exposure incidents shall be reported as soon as possible to the Superintendent or designee.

Unvaccinated designated first aid providers must report any first aid incident involving the presence of blood or other potentially infectious material, regardless of whether an exposure incident occurred, by the end of the work shift. The full hepatitis B vaccination series shall be made available to such employees no later than 24 hours after the first aid incident. (8 CCR 5193)

#### **Sharps Injury Log**

The Superintendent or designee shall establish and maintain a log recording each exposure incident involving a sharp. (8 CCR 5193; 29 CFR 1910.1030)

The exposure incident shall be recorded within 14 working days of the date the incident is reported to the district. (8 CCR 5193)

The information recorded shall include the following, if known or reasonably available: (8 CCR 5193; 29 CFR 1910.1030)

1. Date and time of the exposure incident
2. Type and brand of sharp involved in the exposure incident
3. A description of the exposure incident, including:
  - a. Job classification of the exposed employee
  - b. Department or work area where the exposure incident occurred
  - c. The procedure that the exposed employee was performing at the time of the incident
  - d. How the incident occurred
  - e. The body part involved in the incident
  - f. If the sharp had engineered sharps injury protection, whether the protective mechanism was activated and whether the injury occurred before, during, or after the protective mechanism was activated
  - g. If the sharp had no engineered sharps injury protection, the injured employee's opinion as to whether and how such a mechanism could have prevented the injury

- h. The employee's opinion about whether any other engineering, administrative, or work practice could have prevented the injury

#### **Post-Exposure Evaluation and Follow-up**

Following a report of an exposure incident, the Superintendent or designee shall immediately make available to the exposed employee, at no cost, a confidential medical evaluation, post-exposure evaluation, and follow-up. The Superintendent or designee shall, at a minimum: (8 CCR 5193; 29 CFR 1910.1030)

1. Document the route(s) of exposure and the circumstances under which the exposure incident occurred
2. Identify and document the source individual, unless that identification is not feasible or is prohibited by law
3. With the consent of the exposed employee, provide for the collection and testing of the employee's blood for hepatitis B, hepatitis C, and HIV serological status
4. Provide for post-exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service
5. Provide for counseling and evaluation of reported illnesses

The Superintendent or designee shall provide the health care professional responsible for the employee's hepatitis B vaccination with a copy of 8 CCR 5193 and 29 CFR 1910.1030; a description of the employee's duties as they relate to the exposure incident; documentation of the route(s) of exposure and circumstances under which exposure occurred; results of the source individual's blood testing, if available; and all medical records maintained by the district relevant to the appropriate treatment of the employee, including vaccination status. (8 CCR 5193; 29 CFR 1910.1030)

The district shall maintain the confidentiality of the affected employee and the exposure source during all phases of the post-exposure evaluation. (8 CCR 5193)

#### **Records**

Upon an employee's initial employment and at least annually thereafter, the Superintendent or designee shall inform employees with occupational exposure of the existence, location, and availability of related records; the person responsible for maintaining and providing access to records; and the employee's right of access to these records. (8 CCR 3204)

The district shall maintain a medical record of each employee with occupational exposure, including the employee's hepatitis B vaccination status, the results of any post-exposure medical examinations and follow-up procedures, a copy of the information provided to the health care professional, and a copy of the health care professional's written opinion. The medical record shall be kept confidential and not disclosed or reported without the employee's written consent to any person within or outside the workplace except as required by law. (8 CCR 5193; 29 CFR 1910.1030)

Upon request by an employee, or a designated representative with the employee's written consent, the Superintendent or designee shall provide access to a record in a reasonable time, place, and manner, no later than 15 days after the request is made. (8 CCR 3204)

Records shall be maintained as follows: (8 CCR 3204, 5193; 29 CFR 1910.1030)

1. The medical records of each employee with occupational exposure shall be maintained for the duration of employment plus 30 years.
2. Training records shall be maintained for three years from the date of training.
3. The sharps injury log shall be maintained five years from the date the exposure incident occurred.

4. Exposure records shall be maintained for at least 30 years.

5. Each analysis using medical or exposure records shall be maintained for at least 30 years.

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

	<b>Description</b>
8 CCR 3204	Access to employee exposure and medical records
8 CCR 5193	Bloodborne pathogens
Gov. Code 3543.2	Scope of representation
Lab. Code 142.3	Authority of Cal/OSHA to adopt standards
Lab. Code 144.7	Requirement to amend standards
Lab. Code 6401.7	Injury and illness prevention program

**Federal References**

	<b>Description</b>
29 CFR 1910.1030	Bloodborne pathogens

**Management Resources References**

	<b>Description</b>
CA Department of Industrial Relations Publication	A Best Practices Approach for Reducing Bloodborne Pathogens Exposure, 2001
CA Department of Industrial Relations Publication	Exposure Control Plan for Bloodborne Pathogens, 2001
CA Department of Industrial Relations Publication	Frequently Asked Questions About the Bloodborne Pathogens Standard
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==</a>
Website	California Department of Industrial Relations, Occupational Safety and Health - <a href="https://simbli.eboardsolutions.com/SU/YgH1AaGVzBQIJFVTeFex4Q==">https://simbli.eboardsolutions.com/SU/YgH1AaGVzBQIJFVTeFex4Q==</a>
Website	U.S. Department of Labor, Occupational Safety and Health Administration - <a href="https://simbli.eboardsolutions.com/SU/3chzxaztydPHSslshAUF6PdVA==">https://simbli.eboardsolutions.com/SU/3chzxaztydPHSslshAUF6PdVA==</a>
Website	Centers for Disease Control and Prevention - <a href="https://simbli.eboardsolutions.com/SU/Gfx4spY2pCn7TBGiShp9oA==">https://simbli.eboardsolutions.com/SU/Gfx4spY2pCn7TBGiShp9oA==</a>

**Notice References**

	<b>Description</b>
Unique Policy	This policy is unique to the district/COE and is not connected to an existing CSBA sample policy or included in regular quarterly updates from CSBA.

**Cross References**

	<b>Description</b>
1340	Access To District Records - <a href="https://simbli.eboardsolutions.com/SU/ilradJh510f82Bjhbu4vRw==">https://simbli.eboardsolutions.com/SU/ilradJh510f82Bjhbu4vRw==</a>
1340	Access To District Records - <a href="https://simbli.eboardsolutions.com/SU/zrxxplusFTeTpg8XDnadUSa6Q==">https://simbli.eboardsolutions.com/SU/zrxxplusFTeTpg8XDnadUSa6Q==</a>
3514.1	Hazardous Substances - <a href="https://simbli.eboardsolutions.com/SU/slshF2BkEjXOTUMpv1mpMHddg==">https://simbli.eboardsolutions.com/SU/slshF2BkEjXOTUMpv1mpMHddg==</a>
3514.1	Hazardous Substances - <a href="https://simbli.eboardsolutions.com/SU/3NzLgS05rIhR3fm2YbgOmw==">https://simbli.eboardsolutions.com/SU/3NzLgS05rIhR3fm2YbgOmw==</a>
3530	Risk Management/Insurance - <a href="https://simbli.eboardsolutions.com/SU/AwD0gWC1fp3vplus35CcotDig==">https://simbli.eboardsolutions.com/SU/AwD0gWC1fp3vplus35CcotDig==</a>

3530 Risk Management/Insurance -  
<https://simbli.eboardsolutions.com/SU/usslshWhTtZbMepJAoA7BVd6g==>

3580 District Records -  
<https://simbli.eboardsolutions.com/SU/slshum9iqF5JwslshMnliyP5FuWQ==>

4119.41 Employees With Infectious Disease -  
<https://simbli.eboardsolutions.com/SU/UW7i21Bcj9ORkQ5ObHAUAQ==>

4131 Staff Development -  
<https://simbli.eboardsolutions.com/SU/qM93MntQ08IXE19SqyYgzA==>

4131 Staff Development -  
<https://simbli.eboardsolutions.com/SU/xnIUHul4wamrtLwplus2OFxcA==>

4219.41 Employees With Infectious Disease -  
<https://simbli.eboardsolutions.com/SU/NpZq3EcMaaByISSsQZkUvw==>

4319.41 Employees With Infectious Disease -  
<https://simbli.eboardsolutions.com/SU/U6X8VCGYePZQtETEvG6GyQ==>

5141.22 Infectious Diseases -  
<https://simbli.eboardsolutions.com/SU/fofkG2y9KkyVyTef5VpjPQ==>

5141.22 Infectious Diseases -  
<https://simbli.eboardsolutions.com/SU/SSzp7t1kSjfizyfJoaeq7A==>

5142 Safety -  
<https://simbli.eboardsolutions.com/SU/vslshigYplusv4NHL39jRnsIBHXQ==>

5142 Safety -  
<https://simbli.eboardsolutions.com/SU/slshsco1xZIT7EdARuvpslshR7rg==>

6142.93 Science Instruction -  
<https://simbli.eboardsolutions.com/SU/QEYGjOljqbri0UeG8YxrbQ==>

6145.2 Athletic Competition -  
<https://simbli.eboardsolutions.com/SU/mjzVr4hwth0plusJplusU0vFgStw==>

6145.2 Athletic Competition -  
<https://simbli.eboardsolutions.com/SU/li7fyXj9QEE0CqwFCiOzbQ==>

9011 Disclosure Of Confidential/Privileged Information -  
<https://simbli.eboardsolutions.com/SU/RXe8Xj7wrVHXZFERVqhX3OA==>