

# Department of Legislative Services

Maryland General Assembly

2000 Session

## FISCAL NOTE

Revised

House Bill 360 (Delegate Morhaim. *et al.*)

Environmental Matters

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### Health Care Workers' Safety Act - Bloodborne Pathogen Standard

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This bill requires the Commissioner of the Maryland Occupational Safety and Health Advisory Board and the Secretary of the Department of Health and Mental Hygiene to adopt regulations to implement the bloodborne pathogen standard as established by the federal Occupational Safety and Health Administration, which became effective November 5, 1999.

The commissioner shall submit notice of any modifications made to the federal standard as well as any suggested legislative recommendations to the Senate Economic and Environmental Affairs Committee, the House Environmental Matters Committee, and the General Assembly within 30 days of the issuance of the modifications.

The bill is effective June 1, 2000.

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### Fiscal Summary

**State Effect:** None. Some parts of the bill clarify current law. The bill also brings State law into compliance with federal regulations.

**Local Effect:** None.

**Small Business Effect:** None.

**Current Law:** The Maryland Occupational Safety and Health (MOSH) law reflects federal law which requires an employer to minimize employee exposure. Acceptable methods of controlling exposure include disposal, containers, and self-sheathing needles.

**Background:** Chapter 408 of 1999 established a study group on health care worker safety. The study group reported two major findings: (1) 24% of State facilities do not currently utilize safety devices; and (2) federal Occupational Safety and Health Administration regulations did not require record keeping that accurately reflects the number of injuries caused by such exposures until November 1999.

The study group concluded its work after November and recommended the following be added to the bloodborne pathogen standards: (1) a requirement for written exposure control plans within facilities; (2) procedures for selecting safety technology; (3) accident/incident logs; and (4) training and vaccination protocols.

In 1999 California adopted similar standards including a needleless system and a complete system of record keeping.

The revised federal bloodborne pathogen regulations include:

- encouragement to use "needleless" technology;
- requirements that exposure control plans consider the use of "commercially available safer medical devices;" and
- clarifies that employer reports of occupational exposures must include needle sticks.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 553 (Senators Hollinger and Harris) - Economic and Environmental Affairs.

**Information Source(s):** Department of Health and Mental Hygiene; Department of Labor, Licensing, and Regulation; Maryland Board of Nursing; Department of Legislative Services

**Fiscal Note History:** First Reader - April 26, 2000

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