Engage PEO Client Alert

OSHA Announces Healthcare Facility Readiness Inspections For Future COVID-19 Variants

What's New: On March 7, 2022, OSHA announced a new COVID-19 initiative to increase inspections at hospitals and skilled nursing facilities that treat COVID-19 patients. **OSHA's goal is to mitigate the spread of COVID-19 and any future variants of the SARS-CoV-2 virus that might emerge and ensure the health and safety of healthcare workers at heightened risk for contracting the virus**. This effort will magnify OSHA's presence in high-hazard healthcare facilities over a three-month period (March 9, 2022 to June 9, 2022).

What It Means: Through this initiative, OSHA will assess employer compliance efforts, including the readiness of hospitals and skilled nursing care employers to address any ongoing or future COVID-19 surges. **Hospitals and Skilled Nursing Care employers under targeted enforcement and compliance of OSHA's COVID-19 National Emphasis Program or listed under the following NAICS codes should prepare for a follow-up inspection if your facility had been previously inspected or investigated during the pandemic**.

622110 General Medical and Surgical Hospitals

622210 Psychiatric and Substance Abuse Hospitals

623110 Nursing Care Facilities (Skilled Nursing Facilities)

623312 Assisted Living Facilities for the Elderly

OSHA has established certain criteria for conducting these healthcare inspections:

1. Follow-up inspection of any prior inspection where a COVID-19-related citation or hazard alert letter (HAL) was issued;
2. Follow-up or monitoring inspections for randomly selected closed COVID-19 unprogrammed activity (UPA), to include COVID-19 complaints and Rapid Response Investigations (RRIs); *or*
3. Monitoring inspections for randomly selected, remote-only COVID-19 inspections where COVID-19-related citations were previously issued.

It is important for healthcare employers subject to this new enforcement initiative to be prepared for a follow-up inspection that may be related to previous inspection or to a complaint that was filed where an onsite inspection did not occur. Scope of inspections include:

- **Validation of previously cited COVID-19 violations** have been corrected or are still in the process of being corrected.
- Determine whether a COVID-19 plan has been implemented and includes preparedness, response, and control measures for the SARS-CoV-2 virus. This review to be limited to addressing issues only related to exposure to SARS-CoV-2.

- **Verification of vaccination protocols as an indicator of mitigation strategies. OSHA will refer to CMS for any vaccine related deficiencies.**
- **Request and evaluate COVID-19 Log and Injury and Illness Logs for 2020-2022.**
- Review the facility's procedures for conducting hazard assessments and protocols for personal protective equipment (PPE) use.
- Conduct a limited records review of the employer's respiratory protection program. The records reviewed may be limited to the written respiratory protection program and fit tests, medical evaluations, and training records for the interviewed employees.
- Perform a limited, focused walkaround of areas designated for COVID-19 patient treatment or handling (common areas, walkways, and vacant treatment areas where patients have been or will be treated), including performing employee interviews to determine compliance.

To review the full text of the standard interpretation of **OSHA's COVID-19 Focused Inspection Initiative in Healthcare** read OSHA's memo.

For further guidance and assistance contact the Engage Risk Division at wc@engagepeo.com.