

MDS Alert

Workplace Safety: Be Prepared for More Intensive SNF, NF Scrutiny

Know what federal agencies and Congress are looking into.

The Occupational Health and Safety Administration (OSHA) has released updated interim guidance for workplace safety during the COVID-19 pandemic. The updated guidance highlights nursing homes as high-risk workplaces, which means that OSHA may be more likely to target facilities in inspections, especially if the organization has experienced higher rates of hospitalizations or deaths from COVID-19.

"OSHA will prioritize COVID-19-related inspections involving deaths or multiple hospitalizations due to occupational exposures to COVID-19," says **Patrick J. Kapust**, acting director for the Directorate of Enforcement Programs for the Department of Labor, in a March 12 memorandum.

"On the date this memorandum is issued, the previous memorandum on this topic will be rescinded, and this new Updated Interim Enforcement Response Plan will go into and remain in effect until further notice. This guidance is intended to be time-limited to the current COVID-19 public health crisis," Kapust says.

See This as a Win for Workers

OSHA is in the business of protecting people's health, data, and rights. This new release touches on several COVID-19 matters and ideas to inform staff about the dangers of the virus while ensuring the workplace is safe.



Consider asking yourself these OSHA-inspired questions as you plan on how to train staff, manage COVID-19 cases among employees, and communicate the protocols - and the dangers - of the virus:

- Do you have a COVID-19 coordinator on staff?
- Have you assessed your organization's risks on employees contracting the virus?
- What mitigation steps have you taken to ensure workers' safety?
- Are your policies and procedures in line with federal health, privacy, and workplace standards?
- Do you have "reasonable accommodations" to protect older or disabled employees, who are at a higher risk of getting sick?
- Have you instituted a comprehensive training program that instructs employees on the most recent mandates related to masks, personal protective equipment (PPE), barriers, ventilation, cleaning, and disinfecting?
- Do you have screening and isolation policies in place for before, during, and after shifts?
- Are your protocols proactive, encouraging sick employees to stay home without fear of repercussions?
- Have you enabled an alert system that allows employees to know when a co-worker has come down with COVID-19 while ensuring the sick individual's privacy and health data are protected?
- Is your IT enabled to track and report staff cases of COVID-19?
- Do you have a plan in place that promotes COVID-19 vaccination while not infringing on workers' rights or choices to not get inoculated, too?

Resource: Read the updated interim guidance at www.osha.gov/memos/2021-03-12/updated-interim-enforcement-response-plan-coronavirus-disease-2019-covid-19.

