

State of California
Department of Industrial Relations
Division of Occupational Safety and Health
Los Angeles District Office
320 West 4th Street, Room 820
Los Angeles, CA 90013
(213) 576-7451 FAX: (213) 576-7461

Inspection #: 1472441
Inspection Dates: 04/15/2020–10/16/2020
Issuance Date: 10/28/2020
CSHO ID: D1549
Optional Report #: 035-20



Citation and Notification of Penalty

Company Name: Providence Saint John's Health Center
Establishment DBA: and its successors,
Inspection Site: 2121 Santa Monica Blvd
Santa Monica, CA 90405

Citation 1 Item 1 Type of Violation: **GENERAL**

CALIFORNIA CODE OF REGULATIONS; TITLE 8
Subchapter 7. General Industry Safety Orders
Group 1. General Physical Conditions and Structures Orders

Section 3203 (a) Injury and Illness Prevention Program.

Effective July 1, 1991, every employer shall establish, implement and maintain an effective Injury and Illness Prevention Program (Program). The Program shall be in writing and, shall, at a minimum:

- (6) Include methods and/or procedures for correcting unsafe or unhealthy conditions, work practices and work procedures in a timely manner based on the severity of the hazard:
- (A) When observed or discovered; and,
 - (B) When an imminent hazard exists which cannot be immediately abated without endangering employee(s) and/or property, remove all exposed personnel from the area except those necessary to correct the existing condition. Employees necessary to correct the hazardous condition shall be provided the necessary safeguards.**

VIOLATION:

Prior to April 15, 2020 and during the course of the inspection the employer's written Injury and Illness Prevention Program did not provide a procedure for when an imminent hazard exists which cannot be immediately abated without endangering employee(s) and/or property, to remove all exposed personnel from the area except those necessary to correct the existing condition.

Date by Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$185.00

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AMENDED CITATION

THIS CITATION AMENDS TO CORRECT CITATION NO. 1 ITEM 2 WITH TYPOGRAPHICAL ERROR WITH PENALTY.

ALL OTHER ITEMS OF THE CITATION AND PENALTY REMAIN UNCHANGED AND EFFECTIVE.

Citation 1 Item 2 Type of Violation: **GENERAL**

CALIFORNIA CODE OF REGULATIONS; TITLE 8
Subchapter 7. General Industry Safety Orders
Group 16. Control of Hazardous Substances

Section 5199 (d)(2) Aerosol Transmissible Diseases.

Aerosol Transmissible Diseases Exposure Control Plan.

The Plan shall contain all of the following elements:

(A) The name(s) or title(s) of the person(s) responsible for administering the Plan. This person shall be knowledgeable in infection control principles and practices as they apply to the facility, service or operation.

(B) A list of all job classifications in which employees have occupational exposure.

(C) A list of all high hazard procedures performed in the facility, service or operation, and the job classifications and operations in which employees are exposed to those procedures.

(D) A list of all assignments or tasks requiring personal or respiratory protection.

(E) The methods of implementation of subsections (e), (g), (h), (i) and (j) as they apply to that facility, service or work operation. Specific control measures shall be listed for each operation or work area in which occupational exposure occurs. These measures shall include applicable engineering and work practice controls, cleaning and decontamination procedures, and personal protective equipment and respiratory protection. In establishments where the Plan pertains to laboratory operations, it also shall contain the methods of implementation for subsection (f), unless those operations are included in a Biosafety Plan.

(F) A description of the source control measures to be implemented in the facility, service or operation, and the method of informing people entering the work setting of the source control measures.

(G) The procedures the employer will use to identify, temporarily isolate, and refer or transfer AirID cases or suspected cases to All rooms, areas or facilities. These procedures shall include the methods the employer will use to limit employee exposure to these persons during periods when they are not in airborne infection isolation rooms or areas. These procedures shall also include the methods the employer will use to document medical decisions not to transfer patients in need of All in accordance with subsection (e)(5)(B).

(H) The procedures the employer will use to provide medical services, including recommended vaccinations and follow-up, as required in subsection (h). This shall include the procedures the employer will use to document the lack of availability of a recommended vaccine.

(I) The procedures for employees and supervisors to follow in the event of an exposure incident, including how the employer will determine which employees had a significant exposure, in accordance with subsections (h)(6) through (h)(9).

(J) The procedures the employer will use to evaluate each exposure incident, to determine the cause, and to revise existing procedures to prevent future incidents.

(K) The procedures the employer will use to communicate with its employees and other employers regarding the suspected or confirmed infectious disease status of persons to whom employees are exposed in the course of their duties, in accordance with subsection (h).

(L) The procedures the employer will use to communicate with other employers regarding exposure incidents, including procedures for providing or receiving notification to and from health care providers about the disease status of referred or transferred patients, in accordance with subsection (h).

(M) The procedures the employer will use to ensure that there is an adequate supply of personal protective equipment and other equipment necessary to minimize employee exposure to ATPs, in normal operations and in foreseeable emergencies.

(N) The procedures the employer will use to provide initial and annual training in accordance with subsection (i) to employees in job categories identified in subsection (d)(2)(B).

(O) The procedures the employer will use for recordkeeping, in accordance with subsection (j).

(P) An effective procedure for obtaining the active involvement of employees in reviewing and updating the exposure control plan with respect to the procedures performed in their respective work areas or departments in accordance with subsection (d)(3).

(Q) Surge procedures. Employers of employees who are designated to provide services in surge conditions, and employers of employees who are designated to provide services to persons who have been contaminated as the result of a release of a biological agent as described in subsection (a)(1)(B), shall include procedures for these activities in the plan. The plan shall include work practices, decontamination facilities, and appropriate personal protective equipment and respiratory protection for such events. The procedures shall include how respiratory and personal protective equipment will be stockpiled, accessed or procured, and how the facility or operation will interact with the local and regional emergency plan. (3) The ATD Plan shall be reviewed at least annually by the program administrator, and by employees regarding the effectiveness of the program in their respective work areas. Deficiencies found shall be corrected. The review(s) shall be documented in writing, in accordance with subsection (j)(3)(A).

(4) The Plan shall be made available to employees, employee representatives, the Chief and NIOSH for examination and copying, in accordance with subsection (j)(4).

(Continued)

VIOLATION:

Prior to and during the course of the inspection, including but not limited to on April 21, 2020 the employer's Aerosol Transmissible Diseases Exposure Control Plan was missing the following elements:

- Instance One:** The written Plan did not set forth the procedures the employer would use to evaluate each exposure incident, to determine the cause, and to revise existing procedures to prevent future incidents. [8 CCR 5199 (d)(2)(J)]
- Instance Two:** The written Plan did not include procedures for work practices and decontamination facilities pertaining to surge events, and did not include procedures pertaining to how respiratory and personal protective equipment would be stockpiled, accessed or procured for surge events. [8 CCR 5199 (d)(2)(Q)]
- Instance Three:** The implemented Plan did not include provision for adequate personal protective eyewear equipment, when working in proximity to COVID-19 and COVID-19 suspect patients. [8 CCR 5199 (d)(2)(E)]

Date by Which Violation Must be Abated:
Proposed Penalty:

November 09, 2020
\$1125.00

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Citation and Notification of Penalty

Company Name: Providence Saint John's Health Center
Establishment DBA: and its successors,
Inspection Site: 2121 Santa Monica Blvd
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Citation 2 Item 1 Type of Violation: **SERIOUS**

CALIFORNIA CODE OF REGULATIONS; TITLE 8
 Subchapter 7. General Industry Safety Orders
 Group 16. Control of Hazardous Substances

Section 5199 (g)(4) Aerosol Transmissible Diseases.

Respiratory Protection.

The employer shall provide, and ensure that employees use, a respirator selected in accordance with subsection (g)(3) and Section 5144 when the employee:

- (A) Enters an All room or area in use for All;**
- (B) Is present during the performance of procedures or services for an AirlD case or suspected case;**
- (C) Repairs, replaces, or maintains air systems or equipment that may contain or generate aerosolized pathogens;
- (D) Is working in an area occupied by an AirlD case or suspected case, during decontamination procedures after the person has left the area and as required by subsection (e)(5)(D)9;
- (E) Is working in a residence where an AirlD case or suspected case is known to be present;
- (F) Is present during the performance of aerosol generating procedures on cadavers that are suspected of, or confirmed as, being infected with aerosol transmissible pathogens;
- (G) Is performing a task for which the Biosafety Plan or Exposure Control Plan requires the use of respirators; or
- (H) Transports an AirlD case or suspected case within the facility or in an enclosed vehicle (e.g., van, car, ambulance or helicopter) when the patient is not masked.

REFERENCE IS MADE TO 8 CCR 5199 (g)(3):

Aerosol Transmissible Diseases. Respiratory Protection. Respirator selection.

(A) Where respirator use is required for protection against potentially infectious aerosols and is not required to meet the requirements of subsections (g)(3)(B) or (g)(3)(C), the employer shall provide a

respirator that is at least as effective as an N95 filtering facepiece respirator, unless the employer's evaluation of respiratory hazards determines that a more protective respirator is necessary, in which case the more protective respirator shall be provided.

VIOLATION:

Prior to and during the course of the inspection, including but not limited to on April 21, 2020 the employer did not ensure that employees used respiratory protection when working in areas where COVID-19 cases and suspected COVID-19 cases, were present.

Instance One: Employees were assigned to enter airborne infection isolation rooms where cases and suspected cases of COVID-19 were located without an appropriate respirator as required by 8 CCR 5199 (g)(4)(A).

Instance Two: During the first two weeks of March 2020, employees worked in proximity to high flow oxygen administration, and when conducting lung examinations in airborne infection isolation rooms in which cases and suspected cases of COVID-19 were located, without an appropriate respirator, as required by 8 CCR 5199 (g)(4)(B).

**Date by Which Violation Must be Abated:
Proposed Penalty:**

**Corrected During Inspection
\$5060.00**

Paul M. Grier
Compliance Officer

| Victor Copelan
District Manager