Citation and Notification of Penalty

Company Name: Central Valley Post Acute- Modesto
Establishment DBA: Valley Skilled Nursing Center
and its successors
Inspection Site: 515 East Orangeburg Avenue
Modesto, CA 95350

Citation 1 Item 1 Type of Violation: General

Title 8 CCR 5144(c)(1): Respiratory Protection

(c) Respiratory protection program. This subsection requires the employer to develop and implement a written respiratory protection program with required worksite-specific procedures and elements for required respirator use. The program must be administered by a suitably trained program administrator. In addition, certain program elements may be required for voluntary use to prevent potential hazards associated with the use of the respirator. The Small Entity Compliance Guide contains criteria for the selection of a program administrator and a sample program that meets the requirements of this subsection. Copies of the Small Entity Compliance Guide will be available from the Occupational Safety and Health Administration's Office of Publications, Room N 3101, 200 Constitution Avenue, NW, Washington, DC, 20210 (202-219-4667).

(1) In any workplace where respirators are necessary to protect the health of the employee or whenever respirators are required by the employer, the employer shall establish and implement a written respiratory protection program with worksite-specific procedures. The program shall be updated as necessary to reflect those changes in workplace conditions that affect respirator use.

Prior to and during the course of the inspection, including but not limited to 09/30/2020, Central Valley Post Acute- Modesto (dba: Valley Skilled Nursing Center), failed to establish and implement a written respiratory protection program which is specific to its work place or operation, where respirators are necessary to protect the health of the employee as employees were caring patients with suspected Covid-19 symptoms or positive which is an AirID (Airborne infectious disease) at multiple rooms in Covid unit, located at 515 East Orangeburg Avenue, Modesto, Ca 95350

Date By Which Violation Must be Abated: Corrected During Inspection
Proposed Penalty: $750.00
Citation and Notification of Penalty

Company Name: Central Valley Post Acute- Modesto
Establishment DBA: Valley Skilled Nursing Center and its successors
Inspection Site: 515 East Orangeburg Avenue
Modesto, CA 95350

Citation 1 Item 2 Type of Violation: General

5194(e)(1):

Title 8 CCR 5194(e) (1): Hazard Communication

(e) Written Hazard Communication Program.
(1) Employers shall develop, implement, and maintain at the workplace a written hazard communication program for their employees which at least describes how the criteria specified in sections 5194(f), (g), and (h) for labels and other forms of warning, safety data sheets, and employee information and training will be met, and which also includes the following:
(A) A list of the hazardous chemicals known to be present using a product identifier that is referenced on the appropriate safety data sheet (the list may be compiled for the workplace as a whole or for individual work areas); and
(B) The methods the employer will use to inform employees of the hazards of non-routine tasks (for example, the cleaning of reactor vessels), and the hazards associated with chemicals contained in unlabeled pipes in their work areas.

Prior to and during the course of the inspection, including but not limited to 12/08/2020, Central Valley Post Acute- Modesto (dba: Valley Skilled Nursing Center), failed to develop, implement, and maintain at the workplace a written hazard communication program for their employees which is specific to their workplace or operation, where employees are working with multiple hazardous chemicals and/or materials including but not limited to Microtech Destainer (containing 12.5% Sodium hypochlorite), Oasis 146 Multi-quat sanitizer etc. located at 515 East Orangeburg Avenue, Modesto, Ca 95350

Date By Which Violation Must be Abated: Corrected During Inspection
Proposed Penalty: $750.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.
Citation and Notification of Penalty

Company Name: Central Valley Post Acute- Modesto
Establishment DBA: Valley Skilled Nursing Center and its successors
Inspection Site: 515 East Orangeburg Avenue
Modesto, CA 95350

Citation 1 Item 3 Type of Violation: General

Title 8 CCR 5199(d)(1): Aerosol Transmissible Diseases
(d) Aerosol Transmissible Diseases Exposure Control Plan.
(1) The employer shall establish, implement, and maintain an effective, written ATD Exposure Control Plan which is specific to the work place or operation(s), and which contains all of the elements in subsection (d)(2).

EXCEPTION to subsection (d)(1): Employers with laboratory operations in which employees do not have direct patient contact may establish, implement and maintain an effective, written Biosafety Plan meeting the requirements of subsection (f) in lieu of an Exposure Control Plan for those operations.

Prior to and during the course of the inspection, including but not limited to 09/30/2020, Central Valley Post Acute- Modesto (dba: Valley Skilled Nursing Center), failed to establish, implement, and maintain an effective, written ATD Exposure Control Plan which is specific to its work place or operation, and which contains all of the elements in subsection (d)(2) of CCR 5199, where employees were caring patients with suspected Covid-19 symptoms or positive which is an AirID (Airborne infectious disease) at multiple rooms in Covid unit, located at 515 East Orangeburg Avenue, Modesto, CA 95350

Date By Which Violation Must be Abated: Corrected During Inspection
Proposed Penalty: $935.00

Eddie Miranda
Compliance Officer / District Manager

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.