

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
San Bernardino District Office
464 West 4th Street, Suite 332
San Bernardino, CA 92401
Phone: (909) 383-4321 Fax: (909) 383-6789

Inspection #: 1510890
Inspection Dates: 06/29/2020 - 03/01/2021
Issuance Date: 03/01/2021
CSHO ID: X4225
Optional Report #:



Citation and Notification of Penalty

Company Name: Kaiser Foundation Hospitals
Establishment DBA: Kaiser Permanente - Riverside
and its successors
Inspection Site: 10800 Magnolia Avenue
Riverside, CA 92505

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

T8CCR 5199(j) Aerosol Transmissible Diseases.

(j) Recordkeeping.

(3) Records of implementation of ATD Plan and/or Biosafety Plan.

(A) Records of annual review of the ATD Plan and Biosafety Plan shall include the name(s) of the person conducting the review, the dates the review was conducted and completed, the name(s) and work area(s) of employees involved, and a summary of the conclusions. The record shall be retained for three years.

Prior to and during the course of the inspection, including, but not limited to June 29, 2020, the employer failed to maintain records of annual review of the ATD Plan including the name(s) of the person conducting the review, the dates the review was conducted and completed, the name(s) and work area(s) of employees involved, a summary of the conclusions; and failed to retain records for three years.

Date By Which Violation Must be Abated:

March 25, 2021

Proposed Penalty:

\$375.00

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Company Name: Kaiser Foundation Hospitals
Establishment DBA: Kaiser Permanente - Riverside
and its successors
Inspection Site: 10800 Magnolia Avenue
Riverside, CA 92505

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

T8CCR 5199(d) 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 (Plan) which is specific to the work place or operation(s), and which contains all of the elements in subsection (d)(2).

(2) The Plan shall contain all of the following elements:

(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).

(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.

Instance 1

Prior to and during the course of the inspection, including, but not limited to, on June 29, 2020, the employer's written ATD Exposure Control Plan (Plan) was not specific to the work place or operation(s) at the Family Care Center/Postpartum/Delivery Department.

Instance 2

Prior to and during the course of inspection, including but not limited to June 29, 2020, the employer's written Aerosol Transmissible Diseases Exposure Control Plan (ATD Plan) failed to contain procedures for the following subsections:

(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).

(Q) Surge procedures, if designated to provide services in surge conditions shall provide a plan to include work practices, decontamination facilities and appropriate PPE, equipment and respiratory protection.

Date By Which Violation Must be Abated:

March 25, 2021

Proposed Penalty:

\$1405.00

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Citation and Notification of Penalty

Company Name: Kaiser Foundation Hospitals
Establishment DBA: Kaiser Permanente - Riverside
and its successors
Inspection Site: 10800 Magnolia Avenue
Riverside, CA 92505

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

T8CCR 5199(g) Aerosol Transmissible Diseases.

(g) Respiratory Protection.

(1) Respirators provided for compliance with this section shall be approved by NIOSH for the purpose for which they are used.

(4) 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 AirID 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 AirID 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 AirID 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 AirID 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.

Prior to and during the course of the inspection, including, but not limited to, on June 29, 2020, the employer failed to comply with respiratory protection in accordance with this section in that:

Instance 1

The employer failed to maintain NIOSH approval for filtering facepiece respirators provided for employees who work in the Family Care Center/Postpartum/Delivery Department. The unapproved cleaning methods and/or extended use of filtering facepiece respirators voided NIOSH approval.

[5199(g)(1)]

Instance 2

The employer failed to provide, and ensure that employees used, a respirator at least as effective as an N95 filtering facepiece, when the employee was working at the Family Care Center/Postpartum/Delivery Department where an AirID case or a person suspected of having COVID-19 was known to be present. The employer's plan also mandate the use of respirators selected in accordance with subsection (g)(3)(B) for employees performing or present for high hazard procedures on AirID cases or suspected cases. [5199(g)(4)(B)]

Date By Which Violation Must be Abated:

March 11, 2021

Proposed Penalty:

\$16875.00

Robert Delgado / Rubin Carr
Compliance Officer / Associate Safety Engineer