

**State of California**

Department of Industrial Relations  
 Division of Occupational Safety and Health  
 Santa Ana District Office  
 2 MacArthur Place, Suite 720  
 Santa Ana, CA 92707  
 Phone: (714) 558-4451 Fax: (714) 558-2035

**Inspection #:** 1488568  
**Inspection Dates:** 08/12/2020 – 06/21/2021  
**Issuance Date:** 06/22/2021  
**CSHO ID:** M5087  
**Optional Report #:** 020-21

**Citation and Notification of Penalty**

**Company Name:** Life Care Centers of America, Inc.  
**Establishment DBA:** Orangegrove Rehabilitation Hospital  
 and its successors  
**Inspection Site:** 12332 Garden Grove Blvd.  
 Garden Grove, CA 92843

**Citation 1 Item 1** Type of Violation: **Regulatory****T8 CCR 342. Reporting Work-Connected Fatalities and Serious Injuries.**

(a) Every employer shall report immediately to the Division of Occupational Safety and Health any serious injury or illness, or death, of an employee occurring in a place of employment or in connection with any employment. The report shall be made by the telephone or through a specified online mechanism established by the Division for this purpose. Until the division has made such a mechanism available, the report may be made by telephone or email.

**Alleged Violation**

Prior to and during the course of the inspection, including but not limited to, on August 12, 2020, the employer failed to immediately report to the Division of Occupational Safety and Health the serious illness and death of an employee who was hospitalized with Covid-19 on or about July 9, 2020 and passed away on or about August 7, 2020.

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

**July 22, 2021**  
**\$5000.00**

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**Citation 1 Item 2** Type of Violation: **Regulatory****T8 CCR §3203. Injury and Illness Prevention Program.**

(b) Records of the steps taken to implement and maintain the Program shall include:

(1) Records of scheduled and periodic inspections required by subsection (a)(4) to identify unsafe conditions and work practices, including person(s) conducting the inspection, the unsafe conditions and work practices that have been identified and action taken to correct the identified unsafe conditions and work practices. These records shall be maintained for at least one (1) year; and Exception: Employers with fewer than 10 employees may elect to maintain the inspection records only until the hazard is corrected.

(2) Documentation of safety and health training required by subsection (a)(7) for each employee, including employee name or other identifier, training dates, type(s) of training, and training providers. This documentation shall be maintained for at least one (1) year.

**Alleged Violation**

Prior to and during the course of the inspection, including but not limited to, on August 12, 2020, the employer failed to maintain documentation of safety and health training required by subsection (a)(7) for each employee, including employee name or other identifier, training dates, type(s) of training, and training providers.

**Date By Which Violation Must be Abated:****July 22, 2021****Proposed Penalty:****\$375.00**

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Garden Grove, CA 92843

**Citation 1 Item 3** Type of Violation: **Regulatory**

**T8 CCR §5199. Aerosol Transmissible Diseases.**

(c) Referring Employers. In facilities, services, or operations in which there is occupational exposure and which meet the criteria specified by (a)(3)(A), employers are only required to comply with the following provisions:

(9) The employer shall establish and maintain training records, vaccination records, records of exposure incidents, and records of inspection, testing, and maintenance of non-disposable engineering controls, in accordance with subsection (j). If the employer utilizes respirators, the employer shall maintain records of implementation of the Respiratory Protection Program in accordance with Section 5144, Respiratory Protection, of these orders.

**Alleged Violation**

Prior to and during the course of the inspection, including but not limited to, on August 12, 2020, the employer failed establish and maintain training records, vaccination records, records of exposure incidents, and records of inspection, testing, and maintenance of non-disposable engineering controls, in accordance with subsection (j).

**Date By Which Violation Must be Abated:** July 22, 2021  
**Proposed Penalty:** \$375.00

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**Citation 1 Item 4** Type of Violation: **General****T8 CCR § 5193. Bloodborne Pathogens.**

(c) Exposure Response, Prevention and Control.  
 (1) Exposure Control Plan.

(D) The Exposure Control Plan shall be reviewed and updated at least annually and whenever necessary as follows:

1. To reflect new or modified tasks and procedures which affect occupational exposure;
- 2.a. To reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens;  
and
- b. To document consideration and implementation of appropriate commercially available needleless systems and needle devices and sharps with engineered sharps injury protection;
3. To include new or revised employee positions with occupational exposure;
4. To review and evaluate the exposure incidents which occurred since the previous update; and
5. To review and respond to information indicating that the Exposure Control Plan is deficient in any area.

**Alleged Violation**

Prior to and during the course of the inspection, including but not limited to, on August 12, 2020, the employer failed to review and update at least annually and whenever necessary the Exposure Control Plan.

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

**July 22, 2021**  
**\$700.00**

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**Citation 1 Item 5** Type of Violation: **General****T8 CCR §5199. Aerosol Transmissible Diseases.**

(c) Referring Employers. In facilities, services, or operations in which there is occupational exposure and which meet the criteria specified by (a)(3)(A), employers are only required to comply with the following provisions:

(1) The employer shall designate a person as the administrator who will be responsible for the establishment, implementation and maintenance of effective written infection control procedures to control the risk of transmission of aerosol transmissible diseases. The administrator shall have the authority to perform this function and shall be knowledgeable in infection control principles as they apply specifically to the facility, service or operation. The administrator shall also identify in writing the job categories in which employees have occupational exposure to ATDs. When the administrator is not on site, there shall be a designated person with full authority to act on his or her behalf. The infection control procedures shall include procedures for the cleaning and disinfection of work areas, vehicles, and equipment that may become contaminated with ATPs and pose an infection risk to employees. The written procedures shall be available at the worksite.

**Alleged Violation**

Prior to and during the course of the inspection, including but not limited to, on August 12, 2020, the employer failed to identify in writing the job categories in which employees have occupational exposure to ATDs.

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

**July 21, 2021**  
**\$700.00**

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**Inspection Site:** 12332 Garden Grove Blvd.  
Garden Grove, CA 92843

**Citation 1 Item 6** Type of Violation: **General**

**T8 CCR §5199. Aerosol Transmissible Diseases.**

(c) Referring Employers. In facilities, services, or operations in which there is occupational exposure and which meet the criteria specified by (a)(3)(A), employers are only required to comply with the following provisions:

(2) The employer shall establish, implement, and maintain effective written source control procedures. For fixed health care and correctional facilities, and in other facilities, services, and operations to the extent reasonably practicable, these procedures shall incorporate the recommendations contained in the Respiratory Hygiene/Cough Etiquette in Health Care Settings. These procedures shall include the method of informing persons with whom employees will have contact of the employer's source control measures.

**Alleged Violation**

Prior to and during the course of the inspection, including but not limited to, on August 12, 2020, the employer failed to include in writing the method of informing persons with whom employees will have contact of the employer's source control measures.

**Date By Which Violation Must be Abated:**

**July 22, 2021**

**Proposed Penalty:**

**\$700.00**

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**Citation 1 Item 7** Type of Violation: **General**

**T8 CCR §5199. Aerosol Transmissible Diseases.**

(c) Referring Employers. In facilities, services, or operations in which there is occupational exposure and which meet the criteria specified by (a)(3)(A), employers are only required to comply with the following provisions:  
(3) The employer shall establish, implement, and maintain effective written procedures for the screening and referral of cases and suspected cases of AirIDs to appropriate facilities.  
(A) Transfers shall occur within 5 hours of the identification of the case or suspected case, unless:  
(1) the initial encounter with the case or suspected case occurs after 3:30 p.m. and prior to 7 a.m., in which event the employer shall ensure that transfer occurs no later than 11:00 a.m.; or  
(2) the employer has contacted the local health officer, determined that there is no facility that can provide appropriate All, and complied with all of the conditions in (e)(5)(B)2.; or  
(3) the case meets the conditions of either of the exceptions to subsection (e)(5)(B).  
(B) When screening is provided by persons who are not health care providers, the employer shall meet the requirements of this section by establishing criteria and procedures for referral of persons to a health care provider for further evaluation within the timeframes in subsection (c)(3)(A). Referrals shall be provided to persons who do any of the following:  
1. Have a cough for more than three weeks that is not explained by non-infectious conditions.  
2. Exhibit signs and symptoms of a flu-like illness during March through October, the months outside of the typical period for seasonal influenza, or exhibit these signs and symptoms for a period longer than two weeks at any time during the year. These signs and symptoms generally include combinations of the following: coughing and other respiratory symptoms, fever, sweating, chills, muscle aches, weakness and malaise.  
3. State that they have a transmissible respiratory disease, excluding the common cold and seasonal influenza.  
4. State that they have been exposed to an infectious ATD case, other than seasonal influenza.

**Alleged Violation**

Prior to and during the course of the inspection, including but not limited to, on August 12, 2020, the employer failed to establish, implement, and maintain effective written procedures for the screening and referral of cases and suspected cases of AirID's.

**Date By Which Violation Must be Abated:** **July 22, 2021**  
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**Citation 1 Item 8** Type of Violation: **General**

**T8 CCR §5199. Aerosol Transmissible Diseases.**

(c) Referring Employers. In facilities, services, or operations in which there is occupational exposure and which meet the criteria specified by (a)(3)(A), employers are only required to comply with the following provisions:

(4) The employer shall establish, implement, and maintain effective written procedures to communicate with employees, other employers, and the local health officer regarding the suspected or diagnosed infectious disease status of referred patients. These shall include procedures to receive information from the facility to which patients were referred and to provide necessary infection control information to employees who were exposed to the referred person.

**Alleged Violation**

Prior to and during the course of the inspection, including but not limited to, on August 12, 2020, the employer failed to establish, implement, and maintain effective written procedures to communicate with employees, other employers, and the local health officer regarding the suspected or diagnosed infectious disease status of referred patients.

**Date By Which Violation Must be Abated:** July 22, 2021  
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**Citation 1 Item 9** Type of Violation: **General**

**T8 CCR §5199. Aerosol Transmissible Diseases.**

(c) Referring Employers. In facilities, services, or operations in which there is occupational exposure and which meet the criteria specified by (a)(3)(A), employers are only required to comply with the following provisions:

(5) The employer shall establish, implement and maintain effective written procedures to reduce the risk of transmission of aerosol transmissible disease, to the extent feasible, during the period the person requiring referral is in the facility or is in contact with employees. In addition to source control measures, these procedures shall include, to the extent feasible:

- (A) placement of the person requiring referral in a separate room or area;
- (B) provision of separate ventilation or filtration in the room or area; and
- (C) employee use of respiratory protection when entering the room or area in which the person requiring referral is located, if that person is not compliant with source control measures. Respirator use shall meet the requirements of subsection (g) and Section 5144, Respiratory Protection, of these orders.

**Alleged Violation**

Prior to and during the course of the inspection, including but not limited to, on August 12, 2020, the employer failed to establish, implement and maintain effective written procedures to reduce the risk of transmission of aerosol transmissible disease, to the extent feasible, during the period the person requiring referral is in the facility or is in contact with employees.

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| <b>Date By Which Violation Must be Abated:</b> | <b>July 22, 2021</b> |
| <b>Proposed Penalty:</b>                       | <b>\$700.00</b>      |

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Juan Nava / Ujitha Perera  
Compliance Officer / District Manager