

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 #: 1480867
Inspection Dates: 06/26/2020 – 07/06/2021
Issuance Date: 07/06/2021
CSHO ID: I0001
Optional Report #: 040-20

**Citation and Notification of Penalty**

Company Name: CA Dept of State Hospitals
Establishment DBA: Patton State Hospital
 and its successors
Inspection Site: 3201 E. Highland Avenue
 Patton, CA 92369

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

California Code of Regulations, Title 8, §342 Reporting Work-Connected Fatalities and Serious Injuries. (a) Every employer shall report immediately by telephone or telegraph to the nearest District Office of 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. Immediately means as soon as practically possible but not longer than 8 hours after the employer knows or with diligent inquiry would have known of the death or serious injury or illness. If the employer can demonstrate that exigent circumstances exist, the time frame for the report may be made no longer than 24 hours after the incident. Serious injury or illness is defined in section 330(h), Title 8, California Administrative Code.

Employer failed to immediately report to the Division the serious illnesses and death of employees who fell ill of COVID-19 that occurred at its workplace or in connection with the employee's work:
Instance 1: Employee was hospitalized as a result of COVID-19 on or about March 28, 2020 and passed away on June 23, 2020 and the employer did not report the hospitalization to the Division until June 23, 2020.

- Instance 2: Employee was hospitalized as a result of COVID-19 on or about April 17, 2020 and the employer did not report the hospitalization to the Division until June 24, 2020.
- Instance 3: Employee was hospitalized as a result of COVID-19 on or about April 17, 2020 and the employer did not report the hospitalization to the Division until June 24, 2020.
- Instance 4: Employee was hospitalized as a result of COVID-19 on or about June 11, 2020 and the employer did not report the hospitalization to the Division until June 23, 2020.
- Instance 5: Employee was hospitalized as a result of COVID-19 on or about June 27, 2020 and the employer did not report the hospitalization to the Division until June 29, 2020.
- Instance 6: Employee was hospitalized as a result of COVID-19 on or about August 10, 2020 and the employer did not report the hospitalization to the Division until August 31, 2020.
- Instance 7: Employee was hospitalized as a result of COVID-19 on or about January 22, 2021 and the employer did not report the hospitalization to the Division until February 11, 2021.
- Instance 8: Employee was hospitalized as a result of COVID-19 on or about January 13, 2021 and the employer did not report the hospitalization to the Division until January 25, 2021.

Date By Which Violation Must be Abated:
Proposed Penalty:

August 06, 2021
\$5000.00

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

California Code of Regulations, Title 8, §5199. 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).

Prior to and during the course of the investigation, including, but not limited to June 26, 2020, the employer failed to establish 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).

Instance 1: The ATD Plan was incomplete, as it referenced other plans for compliance with the requirement to identify methods of implementation of subsections (e), (g), (h), (i) and (j) as they apply to that facility, service or work operation. [5199(d)(2)(E)]

Instance 2: The ATD Plan was incomplete for 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. [5199(d)(2)(H)]

Instance 3: The ATD Plan was incomplete for the procedures for employees and supervisors to follow in the event of an exposure incident, including but not limited to the SARs-CoV-2 virus, how the employer will determine which employees had significant exposures to SARs-CoV-2 virus, in accordance with subsections (h)(6) through (h)(9). [5199(d)(2)(I)].

Instance 4: The ATD Plan was incomplete for the procedures the employer will use to evaluate each exposure incident, including but not limited to the SARs-CoV-2 virus, to determine the cause and to revise existing procedures to prevent future incidences. [5199(d)(2)(J)]

Instance 5: The ATD Plan was incomplete for 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). [5199(d)(2)(K)]

Instance 6: The ATD Plan was incomplete for 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). [5199(d)(2)(L)]

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$7650.00

Lex Eaton
Compliance Officer

Michael Loupé
District Manager