

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
American Canyon District Office
3419 Broadway Street Ste H8
American Canyon, CA 94503
Phone: (707) 649-3700 Fax: (707) 649-3712

Inspection #: 1494588
Inspection Dates: 09/25/2020 - 07/15/2021
Issuance Date: 07/15/2021
CSHO ID: R4096
Optional Report #: 018-21



Citation and Notification of Penalty

Company Name: Aurora Behavioral Healthcare-Santa Rosa, LLC
Establishment DBA:

and its successors

Inspection Site: 1287 Fulton Road
Santa Rosa, CA 95401

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

Title 8 CCR 3203(a). Injury and Illness Prevention Program.

(a) 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.

...

(8) Allow employee access to the Program.

(A) As used in this subsection:

1. The term "access" means the right and opportunity to examine and receive a copy.
2. The term "designated representative" means any individual or organization to whom an employee gives written authorization to exercise a right of access. A recognized or certified collective bargaining agent shall be treated automatically as a designated representative for the purpose of access to the Program.
3. The term "written authorization" means a request provided to the employer containing the following information:
 - a. The name and signature of the employee authorizing a designated representative to access the Program on the employee's behalf;
 - b. The date of the request;
 - c. The name of the designated representative (individual or organization) authorized to receive the Program on the employee's behalf; and
 - d. The date upon which the written authorization will expire (if less than one (1) year).

(B) The employer shall provide access to the Program by doing one of the following:

1. Provide access in a reasonable time, place, and manner, but in no event later than five (5)

business days after the request for access is received from an employee or designated representative.

a. Whenever an employee or designated representative requests a copy of the Program, the employer shall provide the requester a printed copy of the Program, unless the employee or designated representative agrees to receive an electronic copy of the Program.

b. One printed copy of the Program shall be provided free of charge. If the employee or designated representative requests additional copies of the Program within one (1) year of the previous request and the Program has not been updated with new information since the prior copy was provided, the employer may charge reasonable, non-discriminatory reproduction costs (per Section 3204(e)(1)(E)) for the additional copies. or,

2. Provide unobstructed access through a company server or website, which allows an employee to review, print, and email the current version of the Program. Unobstructed access means that the employee, as part of his or her regular work duties, predictably and routinely uses the electronic means to communicate with management or coworkers.

(C) The Program provided to the employee or designated representative need not include any of the records of the steps taken to implement and maintain the written Program.

(D) If an employer has distinctly different and separate operations with distinctly separate and different Programs, the employer may limit access to the Program (or Programs) applicable to the employee requesting it.

(E) The employer shall communicate the right and procedure to access the Program to all employees.

(F) Nothing in this section is intended to preclude employees and collective bargaining agents from collectively bargaining to obtain access to information in addition to that available under this section.

Alleged Violation Description (AVD):

Prior to and during the course of the investigation, including but not limited to, on September 25, 2020, the employer failed to establish and maintain its Injury and Illness Prevention Program to include the following required elements:

Instance 1: The employer did not establish procedures for the correction of unsafe or unhealthy conditions, work practices and work procedures in a timely manner based on the severity of the hazard. [3203(a)(6)];

Instance 2: The employer did not establish procedures for employees to have access to the program and how the employer will provide access. [3203(a)(8)]

Date By Which Violation Must be Abated:
Proposed Penalty:

August 19, 2021
\$560.00

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Inspection Site: 1287 Fulton Road
Santa Rosa, CA 95401

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

Title 8 CCR 5199(c). 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 Description (AVD):

Prior to and during the course of the investigation, including, but not limited to, on September 25, 2020, the employer failed to designate an existing person knowledgeable in infection control principles, 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.

Date By Which Violation Must be Abated:

August 19, 2021

Proposed Penalty:

\$750.00

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**Citation and Notification of Penalty**

Company Name: Aurora Behavioral Healthcare-Santa Rosa, LLC

Establishment DBA:

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Inspection Site: 1287 Fulton Road
Santa Rosa, CA 95401

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

Title 8 CCR 5199(c). 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:

(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.

Ref. T8 CCR 5144(c)

(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).

Alleged Violation Description (AVD):

Prior to and during the course of the investigation, including, but not limited to, on September 25, 2020, the employer failed to have established and maintained in its written COVID-19 Mitigation Plan, effective procedures to reduce the risk of transmission of aerosol transmissible diseases, to the extent

feasible, during the period that suspected and/or confirmed COVID-19 cases were in the facility or in contact with employees. Specifically, respiratory protection used to protect employees when entering the room(s) or area(s) in which the suspect or confirmed COVID-19 case are located, where those cases are not compliant with source control measures, failed to meet the requirements of Section 5144 in that the employer's respiratory protection program did not identify a suitably trained administrator.

Date By Which Violation Must be Abated:

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Proposed Penalty:

\$750.00

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Inspection Site: 1287 Fulton Road
Santa Rosa, CA 95401

Citation 1 Item 4 Type of Violation: **General**

Title 8 CCR 5199(c). 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:

(6) The employer shall establish a system of medical services for employees which meets the following requirements:

(B) The employer shall develop, implement, and maintain effective written procedures for exposure incidents in accordance with subsections (h)(6) through (h)(9).

Alleged Violation Description (AVD):

Prior to and during the course of the investigation, including, but not limited to, on September 25, 2020, the employer failed to develop, implement, and/or maintain effective written procedures for employee exposure incidents related to aerosol transmissible diseases in accordance with T8 CCR Section 5199 subsections (h)(6) through (h)(9).

Date By Which Violation Must be Abated:
Proposed Penalty:

August 19, 2021
\$935.00

Stephen Stevenson / Kathy Lynn Garner
Compliance Officer / District Manager