

**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 #:** 1500415  
**Inspection Dates:** 11/02/2020 - 07/15/2021  
**Issuance Date:** 07/15/2021  
**CSHO ID:** R4096  
**Optional Report #:** 20-021



**Citation and Notification of Penalty**

**Company Name:** Sutter Bay Hospitals  
**Establishment DBA:** Sutter Santa Rosa Regional Hospital  
and its successors  
**Inspection Site:** 30 Mark West Spring Road  
Santa Rosa, CA 95403

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

**Title 8 CCR Section 5199(j)(3)(A). 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, on November 2, 2020, the employer failed to establish and maintain records of the annual review of its Aerosol Transmissible Diseases (ATD) Exposure Control Plan with the following information as required by this section:

- 1) The documents provided did not identify the name(s) of the person(s) conducting the annual review.
- 2) The documents provided did not record the name(s) and work area(s) of any employee involved in the annual review.
- 3) The documents provided did not record any summary of conclusions of the review.

<b>Date By Which Violation Must be Abated:</b>	<b>Corrected During Inspection</b>
<b>Proposed Penalty:</b>	<b>\$425.00</b>

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

**Title 8 CCR Section 5199(j)(3)(B). Aerosol Transmissible Diseases.**

**(j) Recordkeeping.**

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

**(B) Records of exposure incidents shall be retained and made available as employee exposure records in accordance with Section 3204. These records shall include:**

- 1. The date of the exposure incident;**
- 2. The names, and any other employee identifiers used in the workplace, of employees who were included in the exposure evaluation;**
- 3. The disease or pathogen to which employees may have been exposed;**
- 4. The name and job title of the person performing the evaluation;**
- 5. The identity of any local health officer and/or PLHCP consulted;**
- 6. The date of the evaluation; and**
- 7. The date of contact and contact information for any other employer who either notified the employer or was notified by the employer regarding potential employee exposure.**

**Alleged Violation Description (AVD):**

Prior to and during the course of the inspection, including but not limited to, on November 2, 2020, the employer failed to establish and maintain records of exposure incidents involving occupational exposure to pathogens such as SARS-CoV-2, the virus that causes COVID-19.

<b>Date By Which Violation Must be Abated:</b>	<b>Corrected During Inspection</b>
<b>Proposed Penalty:</b>	<b>\$425.00</b>

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

**Title 8 CCR Section 5199(g)(7). Aerosol Transmissible Diseases.**

**(7) The employer shall ensure that each respirator user is provided with initial and annual training in accordance with Section 5144, Respiratory Protection of these orders.**

**Reference: 5144. Respiratory Protection.**

**(k) Training and information. This subsection requires the employer to provide effective training to employees who are required to use respirators. The training must be comprehensive, understandable, and recur annually, and more often if necessary.**

**(1) The employer shall ensure that each employee can demonstrate knowledge of at least the following:**

- (A) Why the respirator is necessary and how improper fit, usage, or maintenance can compromise the protective effect of the respirator;**
- (B) What the limitations and capabilities of the respirator are;**
- (C) How to use the respirator effectively in emergency situations, including situations in which the respirator malfunctions;**
- (D) How to inspect, put on and remove, use, and check the seals of the respirator;**
- (E) What the procedures are for maintenance and storage of the respirator;**
- (F) How to recognize medical signs and symptoms that may limit or prevent the effective use of respirators; and**
- (G) The general requirements of this section.**

**Alleged Violation Description (AVD):**

Prior to and during the course of the inspection, including but not limited to, on November 2, 2020, the employer failed to ensure that employees required to wear respirators with occupational exposure to pathogens such as SARS-CoV-2, the virus that causes COVID-19, were provided with initial and annual training in accordance with Section 5144.

<b>Date By Which Violation Must be Abated:</b>	<b>July 29, 2021</b>
<b>Proposed Penalty:</b>	<b>\$15300.00</b>

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

**Title 8 CCR 5199(h)(6)(C)(1). Aerosol Transmissible Diseases.**

**(h) Medical Services.**

**(6) Exposure Incidents.**

**(C) Each employer who becomes aware that his or her employees may have been exposed to an RATD case or suspected case, or to an exposure incident involving an ATP-L shall do all of the following:**

**1. Within a timeframe that is reasonable for the specific disease, as described in subsection (h)(6)(B), but in no case later than 72 hours following, as applicable, the employer's report to the local health officer or the receipt of notification from another employer or the local health officer, conduct an analysis of the exposure scenario to determine which employees had significant exposures. This analysis shall be conducted by an individual knowledgeable in the mechanisms of exposure to ATPs or ATPs-L, and shall record the names and any other employee identifier used in the workplace of persons who were included in the analysis. The analysis shall also record the basis for any determination that an employee need not be included in post-exposure follow-up because the employee did not have a significant exposure or because a PLHCP determined that the employee is immune to the infection in accordance with applicable public health guidelines. The exposure analysis shall be made available to the local health officer upon request. The name of the person making the determination, and the identity of any PLHCP or local health officer consulted in making the determination shall be recorded.**

Prior to and during the course of the inspection, including but not limited to, on November 2, 2020, the employer failed to conduct an analysis of the exposure scenarios when an employee tested positive for COVID-19 in October, 2020, to determine which employees had significant exposures when the employee experienced symptoms on the same day after leaving work.

**Date By Which Violation Must be Abated:** July 29, 2021  
**Proposed Penalty:** \$15300.00

Stephen Stevenson / Kathy Lynn Garner  
Compliance Officer / District Manager