

111TH CONGRESS
1ST SESSION

S. 1299

To protect health care workers and first responders, including police, firefighters, emergency medical personnel, and other workers at risk of workplace exposure to infectious agents and drug resistant infections, such as MRSA.

IN THE SENATE OF THE UNITED STATES

JUNE 18, 2009

Mr. MENENDEZ (for himself and Mr. KENNEDY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To protect health care workers and first responders, including police, firefighters, emergency medical personnel, and other workers at risk of workplace exposure to infectious agents and drug resistant infections, such as MRSA.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Worker Infection Pro-
5 tection Act”.

1 **SEC. 2. PROTECTING WORKERS FROM INFECTIONS.**

2 (a) IN GENERAL.—The Secretary of Labor and the
3 Secretary of Health and Human Services shall jointly de-
4 velop and issue workplace standards, recommendations,
5 and plans to protect health care workers and first respond-
6 ers, including police, firefighters, emergency medical per-
7 sonnel, and other workers at risk of workplace exposure
8 to infectious agents and drug resistant infections, such as
9 Methicillin-resistant *Staphylococcus aureus* (referred to in
10 this Act as “MRSA”).

11 (b) WORKPLACE SAFETY AND HEALTH STAND-
12 ARDS.—

13 (1) TEMPORARY STANDARD.—Not later than
14 180 days after the date of the enactment of this Act,
15 the Secretary of Labor, in consultation with the Di-
16 rector of the National Institute for Occupational
17 Safety and Health, pursuant to section 6(c) of the
18 Occupational Safety and Health Act of 1970 (29
19 U.S.C. 655(c)), shall develop and issue an emer-
20 gency temporary standard for the protection of
21 health care workers and first responders and other
22 workers at risk of exposure, to prevent occupational
23 exposure to infectious agents and toxins, such as
24 MRSA.

25 (2) PERMANENT STANDARD.—Not later than
26 180 days after the issuance of the emergency tem-

1 porary standard under paragraph (1), the Secretary
2 of Labor shall issue a final permanent standard for
3 occupational exposure to infectious agents and tox-
4 ins, including MRSA, under section 6(b) of the Oc-
5 cupational Safety and Health Act of 1970 (29
6 U.S.C. 655(B)).

7 (3) REQUIREMENTS.—The emergency tem-
8 porary standard and final permanent standard
9 under paragraphs (1) and (2) shall, at a minimum,
10 provide for the following:

11 (A) The development and implementation
12 of an infectious agent control plan in settings
13 where health care is delivered, in order to pro-
14 tect workers from infectious agents, in accord-
15 ance with the recommendations of the Centers
16 for Disease Control and Prevention in the
17 Guideline for Isolation Precautions: Preventing
18 Transmission of Infectious Agents in
19 Healthcare Settings 2007 and the Management
20 of Multidrug-Resistant Organisms in
21 Healthcare Settings 2006.

22 (B) Personal protective equipment, in ac-
23 cordance with the requirements of sections
24 1910.134 and 1910.132 of title 29, Code of
25 Federal Regulations.

1 (C) Training and information in accord-
2 ance with section III of part IV of the Guideline
3 for Isolation Precautions: Preventing Trans-
4 mission of Infectious Agents in Healthcare Set-
5 tings 2007 of the Centers for Disease Control
6 and Prevention, including—

7 (i) providing job-specific training and
8 education regarding the prevention of
9 transmission of infectious agents; and

10 (ii) providing instructional materials
11 for patients and visitors.

12 (D) Appropriate medical surveillance for
13 workers exposed to infections agents, including
14 MRSA.

15 (4) EFFECTIVE DATE.—The temporary emer-
16 gency standard issued under paragraph (1) shall
17 take effect not later than 90 days after the promul-
18 gation of such standard, except that the effective
19 date for any requirements for engineering controls
20 shall go into effect not later than 90 days after the
21 promulgation of the permanent standard under
22 paragraph (2). The provisions of the emergency tem-
23 porary standard under paragraph (1) shall remain in

- 1 effect until the permanent standard takes effect
- 2 under paragraph (2).

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