



RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/22/01)

Agency: Department of Labor and Industries

- Permanent Rule
- Emergency Rule
- Expedited Rule Making

(1) Date of adoption: June 1, 2004

(2) Purpose: Chapter 296-823 WAC, Occupational Exposure to Bloodborne Pathogens
The department clarified the Occupational Exposure to Bloodborne Pathogens Rule (Chapter 296-823 WAC) to ensure consistency with Federal standards. Additional housekeeping changes were made.

(3) Citation of existing rules affected by this order:

Repealed: None
 Amended: See attachment (3)
 Suspended: None

(4) Statutory authority for adoption: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060
Other Authority: None

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 04-07-158 on 3/23/04.
Describe any changes other than editing from proposed to adopted version: No changes have been made to the proposed wording.

EMERGENCY RULE ONLY

- Under RCW 34.05.350 the agency for good cause finds:
- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
 - (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?:

Yes No If Yes, explain:

(6) Effective date of rule:

Permanent Rules

- 31 days after filing
- Other (specify) 9-1-2004

Emergency Rules

- Immediately
- Later (specify) _____

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY

WSR #04-12-070

Name (Type or Print)

Paul Trause

Signature

Title
Director

Date
June 1, 2004

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	2	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	24	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	24	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	26	Repealed	_____

(3) Citation of existing rules affected by this order:

AMENDED SECTIONS:

- WAC 296-823-100, Scope.
- WAC 296-823-11010, Develop and implement a written exposure control plan.
- WAC 296-823-12010, Provide additional training.
- WAC 296-823-13005, Make hepatitis B vaccination available to employees.
- WAC 296-823-14005, Use appropriate equipment and safer medical devices to eliminate or minimize occupational exposure.
- WAC 296-823-14015, Handle reusable sharps properly and safely.
- WAC 296-823-14025, Make sure items are appropriately labeled.
- WAC 296-823-14050, Examine and label contaminated equipment.
- WAC 296-823-14060, Handle regulated waste properly and safely.
- WAC 296-823-14065, Handle contaminated laundry properly and safely.
- WAC 296-823-15010, Make sure gloves are worn.
- WAC 296-823-15015, Make sure appropriate masks, eye protection, and face shields are worn.
- WAC 296-823-15020, Wear appropriate protective clothing.
- WAC 296-823-160, Post-exposure requirements.
- WAC 296-823-16005, Make a confidential medical evaluation and follow-up available to employees who experience an exposure incident.
- WAC 296-823-16010, Test the blood of the source person.
- WAC 296-823-16015, Provide the results of the source person's blood test to the exposed employee.
- WAC 296-823-16025, Provide information to the healthcare professional evaluating the employee.
- WAC 296-823-16030, Provide a copy of the healthcare professional's written opinion to the employee.
- WAC 296-823-17010, Maintain a sharps injury log.
- WAC 296-823-180, Additional requirements for HIV and HBV research laboratories and production facilities.
- WAC 296-823-18015, Make sure these practices for contaminated material and waste are followed.
- WAC 296-823-18045, Provide additional training for facility employees.
- WAC 296-823-18050, Furnish a sink for washing hands and a readily available eye wash facility.
- WAC 296-823-18055, Make sure these additional criteria are followed.
- WAC 296-823-200, Definitions.