

Recordkeeping Requirements

All recordkeeping must be maintained based on requirements.

(h) **Recordkeeping**

(h)(1) **Medical Records.**

(h)(1)(i) The employer must maintain and establish a completely accurate record for every employee with a risk of Occupational Exposure: Providing both employees and their representatives with full rights of access to all required medical or exposure records. Representatives of the Assistant Secretary must also be granted the right to access all files if necessary, to fulfil requirements stated by the Occupational Safety and Health Act.

(h)(1)(ii) *This record must include:*

(h)(1)(ii)(A) The full name plus the social security number of any employee;

(h)(1)(ii)(B) An up-to-date copy of any employee's hepatitis B status of vaccination, to include the dates of any hepatitis B vaccinations plus all medical records related to the employee's capability for vaccination as stated in paragraph (f)(2);

(h)(1)(ii)(C) *A complete copy including any results of the examination, of medical tests or follow up procedures as needed:*

- 1910.1030(f)(3)(i) Documentation including details of any route(s) of exposure, plus the conditions where exposure incident arose;
- 1910.1030(f)(3)(ii) Documentation and identification of any source individual, unless it is the case that the employer perceived identification as not feasible, including through local or state law;
- 1910.1030(f)(3)(ii)(A) The source individual's blood should be tested as quickly as possible and after following consent being obtained to determine any form of HBV and HIV infectiousness. Should consent not be possible, the employer must state that consent cannot be obtained legally. Should the approval of the source individual not be required under law, the source individual's blood, where available, must then be tested and any results fully documented.
- 1910.1030(f)(3)(ii)(B) If the source individual is known to be infectious for either HBV or HIV before testing, testing of the source individual's blood for HBV or HIV status is not required to be repeated.
- 1910.1030(f)(3)(ii)(C) The source individual's test results must then be made freely available to any exposed employees, and those employees must then be fully informed of all regulations and laws surrounding disclosure of infectious status or identity as relating to the source individual.
- 1910.1030(f)(3)(iii) The collection and the testing of any blood to determine the HBV and HIV serological status;
- 1910.1030(f)(3)(iii)(A) All exposed employee's blood must be feasibly collected as soon as possible following an incident and following consent must be tested.

Recordkeeping Requirements

- 1910.1030(f)(3)(iii)(B) Following permission of the employee for baseline blood collection, if consent is not given for HIV serologic tests, this sample must be kept in a preserved state for 90 days at least. Should the employee elect to undergo testing within the 90 days following exposure, this testing must be completed as quickly as possible.
- 1910.1030(f)(3)(iv) *Post-exposure prophylaxis, if indicated in medical testing, is recommended for the following as per the U.S. Public Health Service:*
- 1910.1030(f)(3)(v) A form of counselling; plus
- 1910.1030(f)(3)(vi) Full evaluation of any reported illness.

(h)(1)(ii)(D) *The copy of a healthcare professional's written opinion for the employee is as required:*

- 1910.1030(f)(5)(ii) A healthcare professional's written opinion based on post-exposure evaluation with follow-up must be limited to information listed below:
- 1910.1030(f)(5)(ii)(A) The employee must be informed of all evaluation reports; plus
- 1910.1030(f)(5)(ii)(B) The employee must be told of any medical conditions that have resulted from blood exposure or exposure other potentially infectious materials which need further treatment or evaluation.
- 1910.1030(f)(5)(iii) Any additional diagnoses or findings must be confidential and should not be included as part of any written report.

(h)(1)(ii)(E) *A full copy of all information that is provided directly to the required healthcare professional as below:*

- 1910.1030(f)(4)(ii)(B) A explanation of the duties of the exposed employee concerning an Exposure Incident;
- 1910.1030(f)(4)(ii)(C) Documentation describing any route(s) of exposure and situations where exposure occurred;
- 1910.1030(f)(4)(ii)(D) Any results if available from the blood testing of the source individual.

(h)(1)(iii) *Confidentiality. The employer must ensure any employee records, medical or otherwise, stated in paragraph (h)(1) are:*

(h)(1)(iii)(A) Kept in a confidential state; and

(h)(1)(iii)(B) Not reported or disclosed without the express consent written by the employee for any person in or outside the workplace, except in cases where law detailed within this section requires this.

(h)(1)(iv) The employer must maintain these records for at least 30 years in addition to the duration of employment.

(h)(2) **Training Records.**

(h)(2)(i) *All training records must include all the following evidence:*

Recordkeeping Requirements

(h)(2)(i)(A) The full date of any training courses or sessions;

(h)(2)(i)(B) A clear summary of the contents of training;

(h)(2)(i)(C) The qualifications and name of the individual conducting any training; and

(h)(2)(i)(D) The job roles and name of all attendees of training.

(h)(2)(ii) Records of training must be kept and maintained for at least three years following the date of the training.

(h)(3) **Availability.**

(h)(3)(i) The maintenance and management of all records are required of the employer, and all documents must be available if requested by the Director or Assistant Secretary for both copying and examination.

(h)(3)(ii) Employee records of training that are required within this paragraph must be provided if requested for copying and inspection to employees, to their employee representatives if existing, the Director, and the Assistant Secretary.

(h)(3)(iii) Employee records of a medical type that are required within this paragraph shall be provided if requested for copying and examination to employees, to their employee representatives as dictated in writing if existing, the Director, and the Assistant Secretary.

(h)(4) Records transference. The employer must fully comply with every requirement laid out for the transfer of records under (h).

(h)(5) **Sharps Injury Log.**

(h)(5)(i) The establishment and maintenance of a sharps injury log is a requirement for employers to record all percutaneous injuries resulting from contact with contaminated sharps. All information contained in the register must be maintained and recorded to keep the confidentiality of the employee involved. *A sharps injury log must, at a minimum, include the following:*

(h)(5)(i)(A) The brand and type of device involved in a sharps incident

(h)(5)(i)(B) The work location or department of the Exposure Incident, and

(h)(5)(i)(C) A full description of how the incident happened.

(h)(5)(ii) All employers are required to maintain a sharps injury log should they also need to keep a log of occupational injuries and illnesses for 30 years following employment.

(h)(5)(iii) All sharps injury logs must be maintained for at least 30 years following employment.