



Exempt Action Final Regulation Agency Background Document

Agency name	Virginia Department of Labor and Industry/Safety and Health Codes Board
Virginia Administrative Code (VAC) citation	16 VAC25-90-1910.1030
Regulation title	Bloodborne Pathogens Standard
Action title	Corrections and Technical Amendments to the Bloodborne Pathogens Standard
Final agency action date	September 12, 2012
Document preparation date	September 17, 2012

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

Federal OSHA made a technical amendment to its Bloodborne Pathogens Standard by moving the paragraph on sharps injury log requirements from paragraph (i), entitled "Dates," to paragraph (h), entitled "Recordkeeping."

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

On September 12, 2012, the Safety and Health Codes Board adopted the Corrections and Technical Amendment to federal OSHA's final rule for the Bloodborne Pathogens Standard, §1910.1030, as published in 77 FR 19933 on April 3, 2012, with an effective date of January 1, 2013.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

This regulatory action will have no impact on the institution of the family and family stability.

To access the Corrections and Technical Amendment to the Bloodborne Pathogens Standard, please refer to:

www.osha.gov/FedReg_osha_pdf/FED20120403.pdf

**Bloodborne Pathogens Standard, §1910.1030;
Corrections and Technical Amendment**

As Adopted by the
Safety and Health Codes Board

Date: September 12, 2012



VIRGINIA OCCUPATIONAL SAFETY AND HEALTH PROGRAM

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Effective Date: January 1, 2013

16VAC25-90-1910.1030, Bloodborne Pathogens Standard, §1910.1030

When the regulations, as set forth in the Corrections and Technical Amendment to the Final Rule for Bloodborne Pathogens, §1910.1030, are applied to the Commissioner of the Department of Labor and Industry and/or to Virginia employers, the following federal terms shall be considered to read as below:

Federal Terms

VOSH Equivalent

29 CFR

VOSH Standard

Assistant Secretary

Commissioner of Labor and
Industry

Agency

Department

April 3, 2012

January 1, 2013

**PART 1910—OCCUPATIONAL SAFETY
AND HEALTH STANDARDS**

- (A) The type and brand of device involved in the incident,
- (B) The department or work area where the exposure incident occurred, and
- (C) An explanation of how the incident occurred.

(ii) The requirement to establish and maintain a sharps injury log shall apply to any employer who is required to maintain a log of occupational injuries and illnesses under 29 CFR part 1904.

(iii) The sharps injury log shall be maintained for the period required by 29 CFR 1904.33.

(i) *Dates*—(1) *Effective Date*. The standard shall become effective on March 6, 1992.

(2) The Exposure Control Plan required by paragraph (c) of this section shall be completed on or before May 5, 1992.

(3) Paragraphs (g)(2) Information and Training and (h) Recordkeeping of this section shall take effect on or before June 4, 1992.

(4) Paragraphs (d)(2) Engineering and Work Practice Controls, (d)(3) Personal Protective Equipment, (d)(4) Housekeeping, (e) HIV and HBV Research Laboratories and Production Facilities, (f) Hepatitis B Vaccination and Post-Exposure Evaluation and Follow-up, and (g)(1) Labels and Signs of this section, shall take effect July 6, 1992.

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■ 2. In § 1910.1030, add paragraph (h)(5) and revise paragraph (i) to read as follows:

§ 1910.1030 Bloodborne pathogens.

* * * * *

(h) * * *

(5) *Sharps injury log*. (i) The employer shall establish and maintain a sharps injury log for the recording of percutaneous injuries from contaminated sharps. The information in the sharps injury log shall be recorded and maintained in such manner as to protect the confidentiality of the injured employee. The sharps injury log shall contain, at a minimum: