



American Hospital
Association

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July 12, 2004

John L. Henshaw
Assistant Secretary of Labor
Occupational Safety and Health Administration
200 Constitution Avenue, NW
Washington, DC 20210

Dear Assistant Secretary Henshaw:

On behalf of the American Hospital Association (AHA) and its 4,700 member hospitals and health care systems and its 31,000 individual members, I am writing with regard to the Occupational Safety and Health Administration's (OSHA) *Guidance for Hospital-based First Receivers of Victims from Mass Casualty Incidents Involving the Release of Hazardous Substances*. In this document, OSHA provides practical guidelines to help hospitals address protection and training for mass casualty incidents involving unidentified hazardous substances, whether chemical, biological or radiological. Specifically, the guidance recommends minimum personal protective equipment that hospitals could use to protect first receivers and interprets relevant training standards for hospital caregivers and other staff.

The AHA believes that the guidance will be of great value to hospitals as they enhance their emergency management plans to address both the threat of terrorist attacks as well as the unintentional release of toxic substances from industry that periodically occur.

The guidance and its detailed appendices provide a clearly defined and practical pathway for protecting hospital staff responding to emergencies involving hazardous substances that are not yet identified.

We especially applaud OSHA for the inclusive and deliberate process that the agency undertook in creating and seeking input and review of the guidance. The document incorporates evidence from the most recent literature and includes extensive stakeholder input, including input from the AHA and its affiliated American Society for Healthcare Engineering (ASHE). In addition, the project team involved in drafting the guidance interviewed and toured several hospitals from across the country, ranging in size from small community hospitals to large urban hospitals.



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This inclusive process marks a different approach than the one used by OSHA when it issued the regulation applying the General Industry Respiratory Protection Standard to occupational exposure to tuberculosis. OSHA made this unnecessary and onerous decision as a final rule without providing opportunity for review or public comment. We again request that you place a moratorium on the enforcement of the new requirements pending the evaluation of recent scientific evidence of the most effective approach to protect health care workers. We are hopeful, however, that the inclusive process used in creating the *Guidance for Hospital-based First Receivers* will pave the way for future, more collaborative interactions between OSHA and the AHA.

If you have questions concerning our comments, please contact me or Roslyne Schulman, senior director of policy, at (202) 626-2273.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Pollack". The signature is written in a cursive style with a large, looping initial "R".

Rick Pollack
Executive Vice President