

AKOSH NARRATIVE REPORT

Monday, September 11, 2021
Bartlett Regional Hospital
CSHO: Williamson, Dale

Inspection #: **1505910**

CSHO ID: E1584

HEALTH NARRATIVE

Bartlett Regional Hospital
3260 Hospital Dr., Juneau, AK 99801
907-796-8900

Inspection #: **1505910**
Inspection Dates: 1/11/21- 1/15/21
Closing Dates: 3/18/21

Site Address: 3260 Hospital Dr., Juneau, AK 99801

AKOSH Representatives:

<u>Name</u>	<u>Title/Position</u>
Dale Williamson	CSHO
Paul Jennings	CSHO

Management Officials:

<u>Name</u>	<u>Title/Position</u>
Dallas Hargrave	CBJ HR Manager
Nathan Overson	Compliance Director
Beth Mow	Contracts Manager
Gail Moorehead	Quality Director
Jennifer Mannix	CBJ Risk Manager
Daniel Blount	CBJ Safety Officer
William Gardner	Chief Operating Officer
Charlee Gribbon	Infection Preventionist
Megan Anderson	IP Analyst
Denise Davis	Employee Health Nurse

Union Officials:

<u>Name</u>	<u>Title/Position</u>
Nelea Fenumiai	VP/International Longshore and Warehousing Union

History:

On 1/8/21 I, Dale Williamson, was assigned by the Chief of Enforcement, Ronald Larsen, to conduct an un-programmed related inspection in response to a complaint. The complaint was assigned to CSHO Jennings as an inquiry on 12/15/20. The employer's response was received on 12/24/20 by CSHO Jennings and deemed to be unsatisfactory. On 12/26/20 the complainant provided additional information, to include information regarding another complainant. On 1/6/21 contact with the second complainant was made. On 1/8/21 the original complainant refuted the Employer's initial response. On 1/8/21, I, CSHO Williamson, made arrangements to travel to Juneau and accompany CSHO Jennings on the inspection.

The site is a hospital located in Juneau, Alaska, which serves the Southeast area as the primary medical facility.

The complaint item(s) provided were as follows:

AKOSH NARRATIVE REPORT

Monday, September 11, 2021

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- Employee Exposure to Workplace Violence
- COVID-19 exposure to employees in the Emergency Room

Opening Conference:

On 1/11/21 CSHO Jennings and I arrived onsite at approximately 1455 hours and requested to speak with a member of management. Nathan Overson greeted us and escorted us to a conference room within the Administrative Building. Bartlett Regional Hospital employer representatives Beth Mow, Gail Moorehead, Dallas Hargrave, Jennifer Mannix, Daniel Blount, and William Gardner were allowed to join the Opening Conference in person as well as telephonically. Nelea Fenumiai was present to represent the International Longshore and Warehousing Union. CSHO Jennings and I began the opening conference at 1550 hrs. We introduced ourselves and presented our credentials. We explained the nature and purpose of the inspection as well as all of the items on the inspection checklist. Nathan Overson granted permission for us to proceed with the inspection.

Walk-around:

At approximately 1630 hours the walk-around inspection began. We focused our initial efforts on the Emergency Room. Nathan Overson, CSHO Jennings, and I walked from the Administrative Building to the main entrance of the hospital. We were screened for COVID symptoms and given a bracelet at the main entrance. From there, we proceeded to the emergency room where we were joined by Kim McDowell. We observed an improperly labeled secondary container of what was determined to be 70% isopropyl alcohol. This was photographed and immediately discussed with Kim McDowell, the Emergency Room Director. Ms. McDowell obtained labels for the secondary container and applied them immediately. From the emergency room, other patient care areas of the hospital were visited to include the med/surg wing.

Interviews were conducted with employees onsite. During each interview employee confidentiality and whistleblower rights were explained.

Closing Conference:

On 3/18/21 at approximately 1300 hours, a Closing Conference was held over Zoom with Jennifer Mannix, Daniel Blount, Nelea Fenumiai, Gail Moorehead, Megan Anderson, Charlee Gribbon, Denise Davis, CSHO Jennings, and myself in attendance. During the conference the 9 items on the closing conference worksheet were read aloud with an emphasis on employee Whistleblower protections and the 15 working day contest period. CSHO Jennings and I explained and encouraged the use of consultation and training available through AKOSH. Copies of the closing conference, employer responsibilities, OSHA consultation fact sheet, request for consultation, workers compensation memo, and safety websites were provided.

AKOSH NARRATIVE REPORT

Monday, September 11, 2021
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Evaluation of Health and Safety Program

Code:	0 = Nonexistent	1 = Inadequate	2 = Average	3 = Above Average
A. Written Program		X		
B. Communication to Employee		X		
C. Enforce Program		X		
D. Safety Program				
E. Health Program		X		
F. Injuries Investigated		X		
G. Preventative or Corrective Action		X		

Conclusions:

Based on the inspection findings and employee interviews the follow alleged violations were noted.

- COVID-19: Bartlett Regional Hospital put a “Program Directive” into place regarding COVID-19 mitigation measures early on in the pandemic, but could not provide exact dates. Universal masking procedures for patients and staff were implemented, as well as the elimination of visitors aside from very specific circumstances. Multiple employee interviews revealed that these policies were inconsistently applied for both patients as well as employees, including one employee who repeatedly reported symptoms to members of management and employee health but continued to work. When rates were requested regarding the “mandatory” self-screening, the data that Bartlett provided depicted self-screening rates as low as 56.6% of employees who were physically working at the hospital for the month of December. When Compliance Director Nathan Overson was asked about this, he stated that if low screening rates would earn them a violation, then he would pick up the pencil and write it himself.
- HAZWOPER Training: Bartlett stated that it did not have a designated spill response team, but individuals from each Department were identified and assigned first responder training. A list of people or positions were not formally identified, but 35 employees were identified as having been assigned HAZWOPER training but had not completed the training.
- Respiratory Protection: Bartlett Regional Hospital has utilized a Respiratory Protection Program for several years. However, records provided by Bartlett show that multiple employees have not received fit testing, medical clearance to wear a respirator, or training regarding Respiratory Protection. Infection Preventionist Charlee Gribbon also stated that employees were provided with N95 respirators and not provided with a copy of Appendix D.

AKOSH NARRATIVE REPORT

Monday, September 11, 2021
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- **Bloodborne Pathogens:** The Exposure Control Plan authored by Bartlett Regional Hospital does not consider Patient Access Services employees as experiencing occupational exposure to Bloodborne Pathogens. Employee interviews with Patient Access Services employees give evidence that they do experience occupational exposure. The ECP also does not discuss the schedule and methods of implementation for administering the Hepatitis B Vaccine. Two Environmental Services employees were shown through documentation provided by Bartlett as not having received the Hepatitis B vaccination, immunity testing, or having signed a declination form. Soiled Laundry Containers which were being used to hold laundry contaminated with blood and/or OPIM were found to be white with no biohazard label. A laundry cart intended to transport laundry soiled with blood was not labeled, color coded, or covered. The ECP was not reviewed annually, and no employees who were interviewed [REDACTED] had any input regarding the Exposure Control Plan. Bartlett continues to depict needle sticks on their OSHA 300 logs, and no front line employees are consulted regarding the efficacy of the current sharps that are being used on site. Bartlett also provided training records which depicted 136 people who had not received Bloodborne Pathogen training despite having been identified by position as being Occupationally Exposed.
- **HazCom:** Records provided by Bartlett showed several employees who were assigned HazCom training due their position working with chemicals. 28 people have not completed this training. One secondary container of 70% isopropyl alcohol was discovered to be improperly labeled in the Emergency Room during the walk around inspection. A proper label was affixed to the bottle almost immediately.
- **OSHA 300 Logs:** All of the OSHA 300 Logs provided by Bartlett had issues: The injuries were recorded in a manner that substantially interfered with the reader's ability to understand the mechanism of injury as well as the location. Needle stick injuries were recorded with the employee's name instead of listing a privacy case. Worker's Compensation records were also examined and gave rise to concerns that Bartlett was under recording their injuries, but this could not be substantiated.
- **Workplace Violence:** Bartlett experienced a threat in December of 2020 when a patient who frequents the hospital made threats against Emergency Room doctors, saying that he was going to go to the hospital and start shooting them. Despite being advised of this, [REDACTED] stated that the executive leadership was [REDACTED] about whether or not to place the facility into lockdown. Multiple people arrived at the hospital for their normal work shift without having been advised of the lockdown. The hospital has security staff which roam the hospital itself as well as the surrounding grounds. Multiple employees (including security guards) are aware that the current communication systems in place to contact security (radio and cell phone) have multiple "dead zones" throughout the hospital as well as the surrounding grounds. "Duress buttons" are a system that Bartlett utilizes as a means for employees to summon assistance in the event of a workplace violence incident. However, these buttons are not tested on a monthly basis (as per Bartlett policy), and some are unaccounted for. Employees are also not provided with training regarding the use of these buttons. Areas of the hospital remain unsecured to the general public, and employees have witnessed patients having unauthorized people in their rooms and using drugs. Multiple employees have reported incidents of Workplace

AKOSH NARRATIVE REPORT

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Violence to members of management, to no avail. The actions and inactions of Bartlett's management regarding workplace violence reflect a cultural attitude of [REDACTED] within the medical community and has taken little to no action to correct the problem. After reviewing CPL-02-01-058 Enforcement Procedures and Scheduling for Occupational Exposure to Workplace Violence, it was determined that a Hazard Alert Letter would be appropriate in this case.

Notes:

Alaska Department of Labor and Workforce Development

Occupational Safety and Health
1251 Muldoon Road, Suite 109
Anchorage, AK 99504
Phone: (907) 269-4940 Fax: (907) 269-4950
Email: Anchorage.LSS-OSH@Alaska.Gov



**INVOICE/
DEBT COLLECTION NOTICE**

Company Name: Bartlett Regional Hospital
Inspection Site: 3260 Hospital Drive Juneau, AK 99801
Issuance Date: 06/18/2021

Summary of Penalties for Inspection Number: 1509510

Citation 1 Item 1, Serious	\$13494.00
Citation 1 Item 2a, Serious	\$13494.00
Citation 1 Item 2b, Serious	\$0.00
Citation 1 Item 3a, Serious	\$13494.00
Citation 1 Item 3b, Serious	\$0.00
Citation 1 Item 3c, Serious	\$0.00
Citation 1 Item 4a, Serious	\$13494.00
Citation 1 Item 4b, Serious	\$0.00
Citation 1 Item 5, Serious	\$13494.00
Citation 1 Item 6, Serious	\$13494.00
Citation 1 Item 7a, Serious	\$13494.00
Citation 1 Item 7b, Serious	\$0.00
Citation 1 Item 8, Serious	\$13494.00
Citation 1 Item 9, Serious	\$13494.00
Citation 1 Item 10, Serious	\$13494.00
Citation 2 Item 1, Other-than-Serious	\$1000.00
Citation 2 Item 2, Other-than-Serious	\$1000.00
Citation 2 Item 3, Other-than-Serious	\$1000.00
Citation 2 Item 4, Other-than-Serious	\$1000.00
Citation 2 Item 5, Other-than-Serious	\$1000.00
Citation 2 Item 6, Other-than-Serious	\$1000.00
Citation 2 Item 7, Other-than-Serious	\$931.00
Citation UNKNOWN Item UNKNOWN, HAL	\$0.00

TOTAL PROPOSED PENALTIES: \$141871.00

To avoid additional charges, please remit payment promptly for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: **“State of Alaska”**. Please send the remittance to the address listed above and indicate AKOSH’s Inspection Number (indicated above) on the remittance. Return this form along with your remittance.

See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

AKOSH does not agree to any restrictions or conditions or endorsements put on any check or money order for less than full amount due and will cash the check or money order as if these restrictions, conditions, or endorsements do not exist.

Delinquent Charges A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, the amount due will be turned over to the current state contracted collection agency for collection nationwide.

Administrative Costs Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Ronald Larsen
Chief of Enforcement, AKOSH

18 Jun 2021

Date

Alaska Department of Labor and Workforce Development
Occupational Safety and Health
1251 Muldoon Road, Suite 109
Anchorage, AK 99504
Phone: (907) 269-4940 Fax: (907) 269-4950
Email: Anchorage.LSS-OSH@Alaska.Gov



Citations and Notification of Penalty

To:
Bartlett Regional Hospital
and its successors
155 South Seward Street
Juneau, AK 99801

Inspection Number: 1509510
Inspection Date(s): 01/11/2021-03/18/2021
Issuance Date: 06/18/2021

Inspection Site:
3260 Hospital Drive
Juneau, AK 99801

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes alleged violations of the Alaska's occupational safety and health laws (AS 18.60.010 - AS 18.60.105) and adopted standards under the Occupational Safety and Health Act of 1970. Each alleged violation has a designated penalty outlined in the citation. Please refer to the enclosed form – *Employer Responsibilities Following an AKOSH Inspection* for additional details.

Hazards Correction/Abatement – Each alleged violation must be abated immediately to reduce the risk of an accident. You must provide proof (photos, statements, receipts, work orders, sampling results, etc.) to demonstrate that the alleged violations have been abated by the dates listed in the citation. If you file a formal notice of contest, you are not required to provide proof of abatement, but you are nevertheless required to correct hazardous conditions and provide a workplace that is free from recognized hazards.

Posting - The law (AS 18.60.091 (b)) requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the alleged violation(s). Posting is required until the alleged violations have been abated or for five working days (excluding weekends and state holidays), whichever is longer. If it is not practical to post at the worksite, due to the nature of the employer's operations, it should be posted where it can be seen by all affected employees.

Informal Conference - You may request an informal conference to discuss the alleged violations, abatement issues and associated penalties. During the informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies). **Should you decide that you want to request an informal conference, you must submit a written request. This request must be received by AKOSH (either by mail, fax at (907) 269-4950) or e-mail to, Anchorage.LSS-OSH@Alaska.Gov) during the contest period.** This period extends 15 working days from the date of your receipt of this Citation.

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, **you make the request immediately. If you wait too long, there may not be enough time to conduct the informal conference prior to the expiration of the 15 working day contest period. (See “Right to Contest” below.)**

If you decide to request an informal conference, you must complete and post the attached *Notice to Employees of Informal Conference* next to the Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, it may be possible to enter into an informal settlement agreement to resolve this matter without litigation or contest.

Right to Contest - You have the right to formally contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **By law, an employer has only 15 working days (excluding weekends and state holidays) from the date citations were received to file a written notice of contest. Failure to meet this deadline will result in the alleged violations and penalties becoming a final order that is not subject to review by any court (see AS 18.60.093(a)).**

Penalty Payment – Penalties are due within 30 calendar days of receipt of this notification, unless informally settled under alternate terms or formally contested. Make your check or money order payable to “State of Alaska”. Please indicate the AKOSH Inspection Number on the check.

AKOSH does not agree to any restrictions or conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do not exist.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under AS 18.60.010 – AS 18.60.105 or the OSH Act of 1970. An employee who believes that he/she has been discriminated against may file a complaint within 30 days after the discrimination occurred.

Notice to Employees - The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the Alaska Department of Labor Office and Workforce Development at the address shown above and postmarked within 15 working days (excluding weekends and State holidays) of the receipt by the employer of this Citation and Notification of Penalty.

**Alaska Department of Labor and
Workforce Development**
Occupational Safety and Health
1251 Muldoon Road, Suite 109
Anchorage, AK 99504
Phone: (907) 269-4940 Fax: (907) 269-4950
Email: Anchorage.LSS-OSH@Alaska.Gov



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with AKOSH to discuss the Citation(s) issued on 06/18/2021. The conference will be held at the AKOSH office located at 1251 Muldoon Road, Suite 109 Anchorage, AK 99504 on _____ at _____.

Employees and/or representatives of employees have a right to attend an informal conference.



Citation and Notification of Penalty

Company Name: Bartlett Regional Hospital
Inspection Site: 3260 Hospital Drive Juneau, AK 99801

Citation 1 Item 1 Type of Violation: **Serious**

Alaska Statute

18 Health, Safety, and Housing

60 Safety

75 Safe Employment

(a) An employer shall do everything necessary to protect the life, health, and safety of employees, including

(4): furnishing to each employee employment and a place of employment that are free from recognized hazards that, in the opinion of the commissioner, are causing or are likely to cause death or serious physical harm to the employees. (b) An employee shall comply with occupational safety and health standards and all regulations issued under AS 18.60.010 - 18.60.105 that are applicable to the employee's own actions and conduct.

EXAMPLE: Employees are exposed to health hazards including, but not limited to: death and chronic illness due to Infection from Novel Coronavirus (COVID-19) as the result of the employer's failure to ensure that employees are screened for COVID-19 when reporting to work. Employees participated in self-screening which was established and required by BRH, at a rate as low as 56.6% for all clocked employees who worked in the hospital for the month of December 2020. Employees who reported COVID-19 symptoms were still required to work despite having reported symptoms to management as well as the Employee Health Department. Screening Results are checked daily by the Employee Health Department.

<u>Date by Which Violation Must Be Abated:</u>	<u>July 15, 2021</u>
<u>Proposed Penalty:</u>	<u>\$13494.00</u>

Citation 1 Item 2 a Type of Violation: **Serious**

29 CFR 1910.134 Respiratory Protection

(e) Medical evaluation

(1): General. The employer shall provide a medical evaluation to determine the employee's ability to use a respirator, before the employee is fit tested or required to use the respirator in the workplace. The employer may discontinue an employee's medical evaluations when the employee is no longer required to use a respirator.



Citation and Notification of Penalty

Company Name: Bartlett Regional Hospital
Inspection Site: 3260 Hospital Drive Juneau, AK 99801

EXAMPLE: Employees are exposed to health hazards including, but not limited to: decreased respiratory function, cardiopulmonary distress, claustrophobia, and severe anxiety as the result of the employer's failure to ensure that employees undergo a medical evaluation before wearing a respirator. Fit test records supplied by Bartlett show approximately 155 employees have not been medically evaluated to wear Powered Air Purifying Respirators or N95s. Employees wear respirators on a frequent basis to protect them from airborne diseases such as TB and COVID-19.

Date by Which Violation Must Be Abated: **August 05, 2021**
Proposed Penalty: **\$13494.00**

Citation 1 Item 2 b Type of Violation: **Serious**

29 CFR 1910.134 Respiratory Protection

(e) Medical Evaluation

(2) Medical Evaluation Procedures

(ii): The medical evaluation shall obtain the information requested by the questionnaire in Sections 1 and 2, Part A of Appendix C of this section.

EXAMPLE: Employees are exposed to health hazards including, but not limited to: decreased respiratory function, cardiopulmonary distress, claustrophobia, and severe anxiety as the result of the employer's failure to ensure that medical professionals are screening employees who are required to wear respirators adequately. Bartlett Regional Hospital's Respiratory Protection Plan discusses the Medical Questionnaire which employees must fill out in Section I.1. The medical evaluation form lacks the following mandatory questions from Appendix C of the Respiratory Protection Standard: 1, 3, 4, 5, 6, 8, 9, 10, 11, and 12.

Date by Which Violation Must Be Abated: **July 15, 2021**
Proposed Penalty: **\$0.00**

Citation 1 Item 3 a Type of Violation: **Serious**

29 CFR 1910.134 Respiratory Protection

(f) Fit testing

(1): The employer shall ensure that employees using a tight-fitting facepiece respirator pass an appropriate



Citation and Notification of Penalty

Company Name: Bartlett Regional Hospital
Inspection Site: 3260 Hospital Drive Juneau, AK 99801

qualitative fit test (QLFT) or quantitative fit test (QNFT) as stated in this paragraph.

EXAMPLE: Employees are exposed to health hazards including, but not limited to: TB and/or COVID-19 infection due to the employer's failure to ensure that employees using a tight-fitting facepiece respirator pass an appropriate qualitative fit test (QLFT) or quantitative fit test (QNFT) as stated in this paragraph. Bartlett Regional Hospital's Respiratory Protection Program identifies departments which require respiratory protection to include Medical, Critical Care, Emergency, Surgical Services, Lab, Respiratory Therapy, EVS, PAS, Facilities, Case Management, Rehab, Pharmacy, Nursing Administration, and Diagnostic Imaging. Records provided by Bartlett show 24 employees who have not received a fit test. Employees wear respirators on a frequent basis when performing patient care duties.

Date by Which Violation Must Be Abated:

August 05, 2021

Proposed Penalty:

\$13494.00

Citation 1 Item 3 b Type of Violation: **Serious**

29 CFR 1910.134 Respiratory Protection

(f) Fit testing

(2): The employer shall ensure that an employee using a tight-fitting facepiece respirator is fit tested prior to initial use of the respirator, whenever a different respirator facepiece (size, style, model or make) is used, and at least annually thereafter.

EXAMPLE: Employees are exposed to health hazards including, but not limited to: TB and/or COVID-19 exposure as a result of the employer's failure to ensure that employees are fit-tested on an annual basis to ensure continuing respirator effectiveness. The Bartlett Regional Hospital Respiratory Protection Program states in Section J.4: "Fit tests will be provided at the time of initial assignment and annually thereafter". Fit test records provided by BRH show 26 employees as either never having received a fit test, or lacking annual fit tests. Employees wear respirators on a frequent basis to protect themselves from TB and COVID.

Date by Which Violation Must Be Abated:

July 15, 2021

Proposed Penalty:

\$0.00

Citation 1 Item 3 c Type of Violation: **Serious**

29 CFR 1910.134 Respiratory Protection



Citation and Notification of Penalty

Company Name: Bartlett Regional Hospital
Inspection Site: 3260 Hospital Drive Juneau, AK 99801

(k): Training and information. This paragraph requires the employer to provide effective training to employees who are required to use respirators. The training must be comprehensive, understandable, and recur annually, and more often if necessary. This paragraph also requires the employer to provide the basic information on respirators in Appendix D of this section to employees who wear respirators when not required by this section or by the employer to do so.

EXAMPLE: Employees are exposed to health hazards including, but not limited to: TB and/or COVID infection due to the employer's failure to ensure that employees receive effective training regarding the use of respirators. The Bartlett Regional Hospital Respiratory Protection Plan identifies the following positions as requiring respiratory protection: RN, CNA, RT, Phlebotomist, Case Manager, MD, Patient Access Services Rep, Pharmacist, Pharmacy Tech III, Nurse Informatists, EVS, Security Officer, Radiology Tech, Ultrasound, Patient Observers, Nutritionist, Surgical Tech, Pt, OT, and ST. Despite these positions having been identified as requiring respiratory protection, training records provided by Bartlett Regional Hospital showed 22 people lacked training for respiratory protection. Employees wear N95 respirators and PAPRs on a frequent basis when performing patient care tasks.

Date by Which Violation Must Be Abated:

July 15, 2021

Proposed Penalty:

\$0.00

Citation 1 Item 4 a Type of Violation: **Serious**

29 CFR 1910.1030

(c) Exposure Control

(2) Exposure Determination

(i) Each employer who has an employee(s) with occupational exposure as defined by paragraph (b) of this section shall prepare an exposure determination. This exposure determination shall contain the following:

(A): A list of all job classifications in which all employees in those job classifications have occupational exposure;

EXAMPLE: Employees are exposed to health hazards including, but not limited to: Hepatitis B and/or HIV as the result of the employer's failure to perform an accurate Exposure Determination for all job classifications. Bartlett Regional Hospital's Bloodborne Pathogen Exposure Control plan states under their Exposure Determination: "Category III: The normal work routine involves no exposure to blood, body fluids, or tissues (although situations can be imagined or hypothesized under which anyone, anywhere, might encounter potential exposure to body fluids). Persons who perform these duties are not called upon as part of their employment to



Citation and Notification of Penalty

Company Name: Bartlett Regional Hospital
Inspection Site: 3260 Hospital Drive Juneau, AK 99801

perform or assist in emergency medical care or first aid or to be potentially exposed in any way: Business Office, Accounting, Patient Access Services, Medical Records, Administration, Human Resources, and Information Systems". During the course of the inspection, a determination was made that employees experience Occupational Exposure within one or more of these job classifications including, but not limited to: Patient Access Services.

Date by Which Violation Must Be Abated: **July 15, 2021**
Proposed Penalty: **\$13494.00**

Citation 1 Item 4 b Type of Violation: **Serious**

29 CFR 1910.1030

(c) Exposure Control

(1) Exposure Control Plan

(ii) The Exposure Control Plan shall contain at least the following elements:

(B): The schedule and method of implementation for paragraphs (d) Methods of Compliance, (e) HIV and HBV Research Laboratories and Production Facilities, (f) Hepatitis B Vaccination and Post-Exposure Evaluation and Follow-up, (g) Communication of Hazards to Employees, and (h) Recordkeeping, of this standard, and

EXAMPLE: Employees are exposed to health hazards including, but not limited to: HIV and Hepatitis as the result of the employer's failure to include within their Exposure Control Plan the schedule and implementation regarding paragraph f Hepatitis B vaccination and Post-Exposure Evaluation and Follow-up. Bartlett Regional Hospital's Exposure Control Plan states in Section E.8: "Information on the Hepatitis B vaccine, including information on its efficacy, safety, method of administration, the benefits of being vaccinated, and that the vaccine will be offered at no cost". The Exposure Control plan does not require that the vaccination be offered within ten days of the employee's initial assignment to a position that experiences Occupational Exposure. Employees are exposed to Bloodborne Pathogens on a frequent basis while performing patient care duties.

Date by Which Violation Must Be Abated: **July 15, 2021**
Proposed Penalty: **\$0.00**

Citation 1 Item 5 Type of Violation: **Serious**

29 CFR 1910.1030 Bloodborne Pathogens



Citation and Notification of Penalty

Company Name: Bartlett Regional Hospital
Inspection Site: 3260 Hospital Drive Juneau, AK 99801

(c) Exposure Control

(1) Exposure Control Plan

(iv): The Exposure Control Plan shall be reviewed and updated at least annually and whenever necessary to reflect new or modified tasks and procedures which affect occupational exposure and to reflect new or revised employee positions with occupational exposure. The review and update of such plans shall also:

EXAMPLE: Employees are exposed to health hazards including, but not limited to: Hepatitis B and/or HIV as a result of the employer's failure to review and update the Exposure Control Plan on an annual basis. Bartlett Regional Hospital's Exposure Control Plan was submitted to AKOSH for review. Annual review documentation was requested but not submitted. Employees are exposed to Bloodborne Pathogen on a frequent basis when performing patient care activities.

<u>Date by Which Violation Must Be Abated:</u>	<u>July 15, 2021</u>
<u>Proposed Penalty:</u>	<u>\$13494.00</u>

Citation 1 Item 6 Type of Violation: **Serious**

AS 18 Health, Safety, and Housing

60 Safety

880 Needle Stick and Sharps Injury Protections for Health Care Workers

(g): An employer who employs 10 or more front-line health care workers shall establish an evaluation committee, at least half the members of which are front-line health care workers. An employer who employs fewer than 10 front-line health care workers shall establish an evaluation committee with at least one member who is a front-line health care worker. An employer who has established a committee before January 1, 2001, that satisfies the requirements of this subsection is not required to establish an additional committee under this subsection.

EXAMPLE: Employees are exposed to health hazards including, but not limited to: HIV and Hepatitis B infection due to the employer's failure to solicit input from non-managerial employees responsible for direct patient care who are potentially exposed to injuries from contaminated sharps in the identification, evaluation, and selection of effective engineering and work practice controls and shall document the solicitation in the Exposure Control Plan. Employees are exposed to Bloodborne Pathogens on a frequent basis while performing patient care and continue to experience 3.5 needlesticks on an annual basis per the OSHA 300 Logs.

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Bartlett Regional Hospital
Inspection Site: 3260 Hospital Drive Juneau, AK 99801

Date by Which Violation Must Be Abated: **August 05, 2021**
Proposed Penalty: **\$13494.00**

Citation 1 Item 7 a Type of Violation: **Serious**

29 CFR 1910.1030 Bloodborne Pathogens

(d) Methods of Compliance

(3) Personal Protective Equipment-

(ii): Use. The employer shall ensure that the employee uses appropriate personal protective equipment unless the employer shows that the employee temporarily and briefly declined to use personal protective equipment when, under rare and extraordinary circumstances, it was the employee's professional judgment that in the specific instance its use would have prevented the delivery of health care or public safety services or would have posed an increased hazard to the safety of the worker or co-worker. When the employee makes this judgement, the circumstances shall be investigated and documented in order to determine whether changes can be instituted to prevent such occurrences in the future.

EXAMPLE: Employees are exposed to health hazards including, but not limited to: HIV and Hepatitis B infection due to the employer's failure to ensure that employees use appropriate personal protective equipment. Employees perform housekeeping duties to include changing bedding which may be contaminated with blood and/or OPIM on a frequent basis.

Date by Which Violation Must Be Abated: **July 15, 2021**
Proposed Penalty: **\$13494.00**

Citation 1 Item 7 b Type of Violation: **Serious**

29 CFR 1910.1030 Bloodborne Pathogens

(d) Methods of Compliance

(4) Housekeeping

(iv) Laundry



Citation and Notification of Penalty

Company Name: Bartlett Regional Hospital
Inspection Site: 3260 Hospital Drive Juneau, AK 99801

(A) Contaminated laundry shall be handled as little as possible with a minimum of agitation.

(2): Contaminated laundry shall be placed and transported in bags or containers labeled or color-coded in accordance with paragraph (g)(1)(i) of this standard. When a facility utilizes Universal Precautions in the handling of all soiled laundry, alternative labeling or color-coding is sufficient if it permits all employees to recognize the containers as requiring compliance with Universal Precautions.

EXAMPLE: Employees are exposed to health hazards including, but not limited to: HIV and Hepatitis B infection due to the employer's failure to ensure that contaminated laundry is placed and transported in bags or containers that are properly labeled. Employees perform housekeeping duties to include changing bedding that may be contaminated with blood or OPIM, then placing and transporting the contaminated bedding in improperly labeled containers on a frequent basis.

Date by Which Violation Must Be Abated:

July 15, 2021

Proposed Penalty:

\$0.00

Citation 1 Item 8 Type of Violation: **Serious**

29 CFR 1910.1030(f)(2)

29 CFR 1910.1030 Bloodborne Pathogens

(f) Hepatitis B Vaccine and Post-Exposure Evaluation and Follow-up

(2) Hepatitis B Vaccination

(i): Hepatitis B vaccination shall be made available after the employee has received the training required in paragraph (g)(2)(vii)(I) and within 10 working days of initial assignment to all employees who have occupational exposure unless the employee has previously received the complete hepatitis B vaccination series, antibody testing has revealed that the employee is immune, or the vaccine is contraindicated for medical reasons.

EXAMPLE: Employees are exposed to health hazards including, but not limited to: Hepatitis B as the result of the employer's failure to ensure that the Hepatitis B vaccination series was made available to employees who have occupational exposure to Bloodborne Pathogens within 10 days of their initial assignment. Bartlett Regional Hospital's Exposure Control Plan identifies Housekeeping/Laundry personnel as a Category I (High-risk employee). Records submitted by BRH depict two EVS employees who are lacking the Hep B vaccine, immunity testing records, or a declination form despite them having been employed for more than 10 days. EVS employees are exposed to Bloodborne Pathogens on a frequent basis.



Citation and Notification of Penalty

Company Name: Bartlett Regional Hospital
Inspection Site: 3260 Hospital Drive Juneau, AK 99801

Date by Which Violation Must Be Abated:

July 15, 2021

Proposed Penalty:

\$13494.00

Citation 1 Item 9 Type of Violation: **Serious**

29 CFR 1910.1030 Bloodborne Pathogens

(g) Communication of Hazards to Employees-

(2) Information and Training

(i): The employer shall train each employee with occupational exposure in accordance with the requirements of this section. Such training must be provided at no cost to the employee and during working hours. The employer shall institute a training program and ensure employee participation in the program.

EXAMPLE: Employees are exposed to health hazards including, but not limited to: HIV and/or Hepatitis exposure as the result of the employer's failure to ensure that each employee with occupational exposure receives training in accordance with the requirements of this section during working hours at no cost to the employee. Bartlett Regional Hospital's Exposure Determination classifies Occupational Exposure for their employees in three different categories:

Category I (High-risk employees. Jobs with tasks that routinely involve exposure or potential exposure to blood, body fluids or tissues): Nursing, Radiology, Laboratory, Respiratory Therapy, Histology, Physical Rehabilitation, Housekeeping/Laundry, Maintenance;

Category II: (Jobs with tasks that do not routinely involve exposure to blood, body fluids, or tissues, but exposure or potential exposure may be required as a condition of employment. Appropriate personal protective equipment is available to any employee anticipating potential exposure to blood or OPIM): Dietary, Materials Management, Pharmacy, Social Services, Chaplains, Volunteers, BRH Counseling service, Rainforest Recovery Center, Security, Staff Development.

Category III: The normal work routine involves no exposure to blood, body fluids, or tissues (although situations can be imagined or hypothesized under which anyone, anywhere, might encounter potential exposure to body fluids). Persons who perform these duties are not called upon as part of their employment to perform or assist in emergency medical care or first aid or to be potentially exposed in some other way: Business Office, Accounting, Patient Access Services, Medical Records, Administration, Human Resources, and Information Systems.



Citation and Notification of Penalty

Company Name: Bartlett Regional Hospital
Inspection Site: 3260 Hospital Drive Juneau, AK 99801

Bartlett Regional Hospital's Exposure Control Plan states in Section E.2: "Assuring that all personnel, students, contract workers, and volunteers affiliated with BRH receive education and training in standard precautions and infection control policies and procedures that are specific to their responsibilities prior to assuming these responsibilities and on an annual basis".

Training records provided by BRH showed 136 employees who were identified within the Exposure Control Plan as experiencing Occupational Exposure but did not receive Bloodborne Pathogen Training. Employees are exposed to Bloodborne Pathogens on a frequent basis while performing patient care duties.

Date by Which Violation Must Be Abated: **July 15, 2021**
Proposed Penalty: **\$13494.00**

Citation 1 Item 10 Type of Violation: **Serious**

29 CFR 1910.1200 Hazard Communication

(h) Employee Information and Training

(1): Employers shall provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new chemical hazard the employees have not previously been trained about is introduced into their work area. Information and training may be designed to cover categories of hazards (e.g., flammability, carcinogenicity) or specific chemicals. Chemical-specific information must always be available through labels and safety data sheets.

EXAMPLE: Employees are exposed to health hazards including, but not limited to: chemical exposure as the result of the employer's failure to ensure that employees received effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new chemical hazard the employees have not previously been trained about is introduced into their work area. Training records submitted by Bartlett Regional Hospital depict 27 employees who have been identified as needing HazCom training but have not received it. Employees work with hazardous chemicals on a frequent basis performing various duties including patient care as well as housekeeping activities.

Date by Which Violation Must Be Abated: **July 15, 2021**
Proposed Penalty: **\$13494.00**

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1904 Recordkeeping



Citation and Notification of Penalty

Company Name: Bartlett Regional Hospital
Inspection Site: 3260 Hospital Drive Juneau, AK 99801

29 Forms

(b) Implementation

(6): Are there situations where I do not put the employee's name on the forms for privacy reasons? Yes, if you have a "privacy concern case," you may not enter the employee's name on the OSHA 300 Log. Instead, enter "privacy case" in the space normally used for the employee's name. This will protect the privacy of the injured or ill employee when another employee, a former employee, or an authorized employee representative is provided access to the OSHA 300 Log under Â§ 1904.35(b)(2). You must keep a separate, confidential list of the case numbers and employee names for your privacy concern cases so you can update the cases and provide the information to the government if asked to do so.

EXAMPLE: OSHA 300 Logs provided by Bartlett Hospital depicted employee names on case numbers 5241 and case 5242 for needlestick injuries in 2020. Additionally, multiple defects on the OSHA 300 Log materially impair the understandability of the nature of the hazards, injuries, and/or illnesses at the workplace: 5 entries on the Log denote the injury which the employee received, but not the mechanism of injury. Additionally, all seven entries on the 300 Log do not accurately depict where the injury occurred: The address of the hospital is listed rather than the specific location within the hospital grounds where the injury occurred.

Date by Which Violation Must Be Abated: **July 15, 2021**
Proposed Penalty: **\$1000.00**

Citation 2 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1904 Recordkeeping

29 Forms

(b) Implementation

(6): Are there situations where I do not put the employee's name on the forms for privacy reasons? Yes, if you have a "privacy concern case," you may not enter the employee's name on the OSHA 300 Log. Instead, enter "privacy case" in the space normally used for the employee's name. This will protect the privacy of the injured or ill employee when another employee, a former employee, or an authorized employee representative is provided access to the OSHA 300 Log under Â§ 1904.35(b)(2). You must keep a separate, confidential list of the case numbers and employee names for your privacy concern cases so you can update the cases and provide the information to the government if asked to do so.



Citation and Notification of Penalty

Company Name: Bartlett Regional Hospital
Inspection Site: 3260 Hospital Drive Juneau, AK 99801

EXAMPLE: OSHA 300 Logs provided by Bartlett Hospital depicted employee names on case numbers 4674, 4725, and 4792 for needlestick injuries in 2019. Additionally, multiple defects on the OSHA 300 Log materially impair the understandability of the nature of the hazards, injuries, and/or illnesses at the workplace: 23 entries on the Log denote the injury which the employee received, but not the mechanism of injury. Additionally, all entries on the 300 Log do not accurately depict where the injury occurred: The address of the hospital is listed rather than the specific location within the hospital grounds where the injury occurred.

Date by Which Violation Must Be Abated: **July 15, 2021**
Proposed Penalty: **\$1000.00**

Citation 2 Item 3 Type of Violation: **Other-than-Serious**

29 CFR 1904 Recordkeeping

29 Forms

(b) Implementation

(6): Are there situations where I do not put the employee's name on the forms for privacy reasons? Yes, if you have a "privacy concern case," you may not enter the employee's name on the OSHA 300 Log. Instead, enter "privacy case" in the space normally used for the employee's name. This will protect the privacy of the injured or ill employee when another employee, a former employee, or an authorized employee representative is provided access to the OSHA 300 Log under Â§ 1904.35(b)(2). You must keep a separate, confidential list of the case numbers and employee names for your privacy concern cases so you can update the cases and provide the information to the government if asked to do so.

EXAMPLE: OSHA 300 Logs provided by Bartlett Hospital depicted an employee name on case number 3935 for needlestick injuries in 2018. Additionally, multiple defects on the OSHA 300 Log materially impair the understandability of the nature of the hazards, injuries, and/or illnesses at the workplace: 14 entries on the Log denote the injury which the employee received, but not the mechanism of injury. Additionally, all entries on the 300 Log do not accurately depict where the injury occurred: The address of the hospital is listed rather than the specific location within the hospital grounds where the injury occurred.

Date by Which Violation Must Be Abated: **July 15, 2021**
Proposed Penalty: **\$1000.00**

Citation 2 Item 4 Type of Violation: **Other-than-Serious**



Citation and Notification of Penalty

Company Name: Bartlett Regional Hospital
Inspection Site: 3260 Hospital Drive Juneau, AK 99801

29 CFR 1904 Recordkeeping

29 Forms

(b) Implementation

(6): Are there situations where I do not put the employee's name on the forms for privacy reasons? Yes, if you have a "privacy concern case," you may not enter the employee's name on the OSHA 300 Log. Instead, enter "privacy case" in the space normally used for the employee's name. This will protect the privacy of the injured or ill employee when another employee, a former employee, or an authorized employee representative is provided access to the OSHA 300 Log under 1904.35(b)(2). You must keep a separate, confidential list of the case numbers and employee names for your privacy concern cases so you can update the cases and provide the information to the government if asked to do so.

EXAMPLE: OSHA 300 Logs provided by Bartlett Hospital depicted employee names on case numbers 2904 and 3150 for needlestick injuries in 2017. Additionally, multiple defects on the OSHA 300 Log materially impair the understandability of the nature of the hazards, injuries, and/or illnesses at the workplace: 27 entries on the Log denote the injury which the employee received, but not the mechanism of injury. Additionally, all entries on the 300 Log do not accurately depict where the injury occurred: The address of the hospital is listed rather than the specific location within the hospital grounds where the injury occurred.

Date by Which Violation Must Be Abated:
Proposed Penalty:

July 15, 2021
\$1000.00

Citation 2 Item 5 Type of Violation: **Other-than-Serious**

29 CFR 1910.134 Respiratory Protection

(c) Respiratory Protection Program

(2) Where respirator use is not required:

(i): An employer may provide respirators at the request of employees or permit employees to use their own respirators, if the employer determines that such respirator use will not in itself create a hazard. If the employer determines that any voluntary respirator use is permissible, the employer shall provide the respirator users with the information contained in Appendix D to this section ("Information for Employees Using Respirators When Not Required Under the Standard"); and

EXAMPLE: Employees are exposed to health hazards including, but not limited to: dermatitis as a result of the



Citation and Notification of Penalty

Company Name: Bartlett Regional Hospital
Inspection Site: 3260 Hospital Drive Juneau, AK 99801

employer's failure to ensure that employees are provided with a copy of Appendix D of the respiratory standard. Employees wear N95s on a voluntary basis for their comfort.

Date by Which Violation Must Be Abated: **July 15, 2021**
Proposed Penalty: **\$1000.00**

Citation 2 Item 6 Type of Violation: **Other-than-Serious**

29 CFR 1910.134 Respiratory Protection

(e) Medical Evaluation

(2) Medical Evaluation Procedures

(i): The employer shall identify a physician or other licensed health care professional (PLHCP) to perform medical evaluations using a medical questionnaire or an initial medical examination that obtains the same information as the medical questionnaire.

EXAMPLE: The Bartlett Regional Hospital Respiratory Protection Plan states in Section I.1: "Employees whose work activities require the use of respiratory protective equipment shall receive medical clearance prior to the use of a respirator and prior to being fir tested for a respirator. If deemed by IP/EH a medical Evaluation is necessary, employee will be referred to a physician or LIP". The Program does not identify a specific physician or PLHCP for employees to obtain a medical evaluation from. Additionally, the Program does not state that said medical evaluations will be performed at the expense of the employer.

Job classifications which have been identified by Bartlett Regional Hospital as requiring Respiratory Protection are as follows: RN, CNA, RT (Respiratory Therapist), Phlebotomist, Case Manager, MD (Medical Doctor), Patient Access Services Rep, Pharmacist, Pharmacy Tech III, Nurse Informatists, EVS, Security Officer, Radiology Tech, Ultrasound, Patient Observers, Nutritionist, Surgical Tech, PT, OT, and ST. Employees wear respirators on a frequent basis when performing medical duties.

Date by Which Violation Must Be Abated: **July 15, 2021**
Proposed Penalty: **\$1000.00**

Citation 2 Item 7 Type of Violation: **Other-than-Serious**

29 CFR 1910.1200 Hazard Communication



Citation and Notification of Penalty

Company Name: Bartlett Regional Hospital
Inspection Site: 3260 Hospital Drive Juneau, AK 99801

(f) Labels and other forms of warning-

(6) Workplace labeling. Except as provided in paragraphs (f)(7) and (f)(8) of this section, the employer shall ensure that each container of hazardous chemicals in the workplace is labeled, tagged or marked with either:

(ii): Product identifier and words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals, and which, in conjunction with the other information immediately available to employees under the hazard communication program, will provide employees with the specific information regarding the physical and health hazards of the hazardous chemical.

EXAMPLE: Employees are exposed to health hazards including, but not limited to: chemical exposure as the result of the employer's failure to ensure that secondary containers are labeled with product identifier and words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals, and which, in conjunction with the other information immediately available to employees under the hazard communication program will provide employees with the specific information regarding the physical and health hazards of the hazardous chemical. During the walkaround inspection, a bottle containing a concentration of 70% alcohol was observed in the ER. Employees use bottles of alcohol to spray the bottoms of their shoes as well as the lower parts of their legs when they are leaving patient rooms if the patient has been placed on COVID precautions.

Date by Which Violation Must Be Abated:
Proposed Penalty:

Quick Fix
\$931.00

Citation UNKNOWN Item UNKNOWN

Type of Violation: **HAL**

Alaska Statute

18 Health, Safety, and Housing

60 Safety

75 Safe Employment

(a) An employer shall do everything necessary to protect the life, health, and safety of employees, including

(4): furnishing to each employee employment and a place of employment that are free from recognized hazards that, in the opinion of the commissioner, are causing or are likely to cause death or serious physical harm to the employees. (b) An employee shall comply with occupational safety and health standards and all regulations issued under AS 18.60.010 - 18.60.105 that are applicable to the employee's own actions and conduct.

**Alaska Department of Labor and
Workforce Development**
Occupational Safety and Health

Inspection Number: 1509510
Inspection Date: 01/11/2021-03/18/2021
Issuance Date: 06/18/2021



Citation and Notification of Penalty

Company Name: Bartlett Regional Hospital
Inspection Site: 3260 Hospital Drive Juneau, AK 99801

EXAMPLE: Employees are exposed to health hazards including, but not limited to: death, physical injury (broken bones and contusions), and mental distress due to the employer's failure to implement an effective Workplace Violence program. Bartlett Regional Hospital submitted 52 incidents of workplace violence Occurrence Reports in their initial Inquiry Response. On December 3, 2020, Bartlett Regional Hospital received a threat of workplace violence via telephone in which someone threatened to shoot the Emergency Room physicians. This incident was not recorded on their Occurrence Report sheets. Bartlett Regional Hospital's communication system with their security guards does not provide consistent communication with officers: multiple dead zones exist within the hospital grounds.

Date by Which Violation Must Be Abated:

August 05, 2021

Proposed Penalty:

\$0.00



Ronald Larsen
Chief of Enforcement, AKOSH

Alaska Department of Labor and Workforce Development

Occupational Safety and Health

1251 Muldoon Road

Suite 109

Anchorage, AK 99504

Phone: (907) 269-4940 Fax: (907) 269-4950

Email: Anchorage.LSS-OSH@Alaska.Gov



NOTICE OF CORRECTION

Inspection Number: 1509510

Date Issued:06/18/2021

EMPLOYER: Bartlett Regional Hospital

The “ALLEGED VIOLATIONS” and the abatement dates are listed on this form in the same manner as they were on the Citation. This form is designed to help you explain how the alleged violations were corrected. Failure to correct a violation by the required date carries a penalty of up to \$7,000 for each day the violation is not abated.

In order to complete this form, **you must provide an explanation of the method used to abate the violation**, fill in the date the condition was corrected and sign/initial the appropriate block. **For those citations marked with a “Y” under the heading of “Documentation Required”, you must attach documentation of the method used to correct the violation.** Such documentation can be in the form of photographs and/or diagrams; an appropriate narrative of how the violation was corrected; or a written order for a part, service, or action that resulted in the correction of the violation. Please identify by violation, the attached documentation submitted as proof of correction. If insufficient documentation is provided, a representative of the Department will contact you and it may result in a follow-up inspection to verify correction of the violation(s). This form (including documentation of abatement) needs to be completed and mailed or faxed to the above address within 10 days of the last abatement date listed.

Completion of this form does not preclude the department from conducting subsequent inspections to verify that abatement has taken place. However, by providing clear explanations of the steps taken to abate a violation and documentation that the violation has been abated, your chances of receiving a follow-up inspection are reduced. Your cooperation is appreciated.

Citation # / Item	Abatement Date	Documentation Required	Correction Date	Signature
I-1	July 15, 2021			
I-2a	August 05, 2021			
I-2b	July 15, 2021			
I-3a	August 05, 2021			

See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

1-3b	July 15, 2021		
1-3c	July 15, 2021		
1-4a	July 15, 2021		
1-4b	July 15, 2021		
1-5	July 15, 2021		
1-6	August 05, 2021		
1-7a	July 15, 2021		
1-7b	July 15, 2021		
1-8	July 15, 2021		
1-9	July 15, 2021		
1-10	July 15, 2021		
2-1	July 15, 2021		
2-2	July 15, 2021		
2-3	July 15, 2021		
2-4	July 15, 2021		
2-5	July 15, 2021		
2-6	July 15, 2021		
2-7	Quick Fix		
UNKNOWN- UNKNOWN	August 05, 2021		

You must sign off on each individual alleged violation and provide documentation of how each alleged violation was corrected.

I _____ hereby certify under penalty of perjury that the above cited violation(s) were

See pages 1 through 2 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

abated by the date(s) specified.

Name _____ Signature _____ Date _____



December 22, 2020

HAZARD ALERT LETTER

Bartlett Regional Hospital
ATTN: Nathan Overson
3260 Hospital Dr.
Juneau, AK 99801

Mr. Overson,

An inspection of your workplace at 3260 Hospital Dr., Juneau, AK 99801 revealed that employees are exposed to hazardous work conditions due to Workplace Violence.

Our inspection found that while you have developed programs regarding Workplace Violence within the hospital, the programs are not currently being implemented fully:

- In December 2020, the hospital received notice of an individual threatening to shoot Emergency Room doctors at the hospital. The hospital eventually went into a lockdown, but a communication breakdown existed which did not adequately notify affected employees who were working or arriving to work of the lockdown.
- The hospital utilizes "Duress Buttons" which employees can use to summon assistance in the event of a Workplace Violence incident. However, employees are not receiving adequate training for this system and monthly testing is not taking place (as per the hospital's policy).
- Employees have identified communication issues regarding their ability to communicate with security guards as they patrol the hospital and hospital grounds: Multiple "dead spots" exist where security guards are not able to be reached via cell phone and/or radio.
- Multiple employees have experienced instances of workplace violence to include attacks by patients as well as harassing, threatening, and/or intimidating behavior from other employees

We do not consider it appropriate at this time to address the problem through enforcement action. No citation(s) will be issued at this time regarding this hazard. In the interest of workplace safety and health, however, I recommend that you voluntarily take the necessary steps to eliminate or materially reduce your employees' exposure to the risk factors stated above. This letter will serve as formal notification of your obligation to implement corrective actions.

Feasible means of abatement for this hazard can include, but are not limited to:

- Demonstrating management commitment to a Zero Tolerance Workplace Violence policy by implementing policies which are currently in place including, but not limited to: Ensuring that trauma informed care is available to employees who are victims of or witnesses to Workplace Violence incidents, ensure that all Workplace Violence Incidents are reported, recorded, monitored, and resolved with affected employees, and ensure that no reprisals are made against employees who report incidents of Workplace Violence in good faith.
- Solicit feedback from employees who provide direct care to patients regarding the implementation, evaluation, and modification of the Workplace Violence Prevention Program.
- Developing more effective methods of communication to advise employees who are present as well as who may be coming into the hospital of an active threat.
- Implementing policies which are currently developed to include monthly duress button testing, annual security and safety assessment of the hospital premises, ensuring adequate security systems including door locks, security windows, physical barriers, and alarms are in place and functioning within the facility.
- Conducting training for employees regarding what constitutes Workplace Violence, expectations for reporting incidents of Workplace Violence, following through regarding reports of workplace violence, and steps to be taken to address Workplace Violence scenarios (to include active shooter threats).

Under AKOSH's current inspection procedures, we may return to your work site in approximately one year to further examine the conditions noted above.

If you have any questions concerning this matter, please contact the office at the address in the letterhead. Your personal support and interest in the safety and health of your employees is appreciated.

Sincerely,

Ronald Larsen
Chief of Enforcement
Alaska Occupational Safety and Health
1251 Muldoon Road, Suite 109
Anchorage, AK 99504

Ph: (907) 269-4952
Email: Ronald.larsen@alaska.gov

Attachments:

OSHA Publication 3148: Guidelines for Preventing Workplace Violence for Healthcare and Social Service Workers

OSHA Workplace Safety and Health Topic Page: Workplace Violence in Healthcare
<https://www.osha.gov/healthcare/workplace-violence>



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Labor and
Workforce Development**

Labor Standards and Safety
Occupational Safety and Health
Enforcement

1251 Muldoon Road, Suite 109
Anchorage, AK 99504
Main: 907.269.4940
Fax: 907.269.4950

Date: **July 20, 2021**

In the Matter of: **Bartlett Regional Hospital**
AKOSH Inspection # **1509510 & 1510332**

INFORMAL SETTLEMENT AGREEMENT
& DISPOSITION OF CITATION(S)

The undersigned Employer and the undersigned Alaska Occupational Safety and Health (AKOSH), in settlement of the citation(s) and penalties, issued on **June 18, 2021**, hereby agree as follows:

1. The Employer agrees to pay the penalties per the amendment of this agreement, with the **public sector option**. Please submit receipts "State of Alaska - AKOSH" and reference the inspection number with submission.
2. The Employer will abate all violations per the notice of correction. The Employer agrees to provide AKOSH with proof of required abatement no later than **August 10, 2021**. Abatement maybe emailed to Anchorage.LSS-OSH@Alaska.Gov. Failure to provide proof of abatement may result in additional citations and/or inspections.
3. AKOSH agrees to adjustments of citations and monetary penalties as follows:

Citation	Item	Type	Original Fine	Adjustment	Citation Type	Final Fee
1	1	Serious	\$13,494.00	45.00%	General Duty	\$ 6,747.00
1	2a	Serious	\$13,494.00	45.00%	Serious	\$ 9,445.80
1	2b	Serious	\$0.00	0.00%	Serious	\$ -
1	3a	Serious	\$13,494.00	0.00%	Serious	\$ 9,445.80
1	3b	Serious	\$0.00	45.00%	OTS	\$ -
1	3c	Serious	\$0.00	0.00%	OTS	\$ -
1	4a	Serious	\$13,494.00	0.00%	OTS	\$ -

1	4b	Serious	\$0.00	0.00%	OTS	\$ -
1	5	Serious	\$13,494.00	0.00%	OTS	\$ -
1	6	Serious	\$13,494.00	44.00%	OTS	\$ -
1	7a	Serious	\$13,494.00	45.00%	OTS	\$ -
1	7b	Serious	\$0.00	0.00%	OTS	\$ -
1	8	Serious	\$13,494.00	44.00%	Serious	\$ -
1	9	Serious	\$13,494.00	44.00%	Serious	\$ 9,445.80
1	10	Serious	\$13,494.00	0.00%	Serious	\$ 9,445.80
2	1	OTS	\$1,000.00	0.00%	OTS	\$ 500.00
2	2	OTS	\$1,000.00	0.00%	OTS	\$ -
2	3	OTS	\$1,000.00	44.00%	OTS	\$ -
2	4	OTS	\$1,000.00	0.00%	OTS	\$ -
2	5	OTS	\$1,000.00	50.00%	OTS	\$ -
2	6	OTS	\$1,000.00	50.00%	OTS	\$ 1,000.00
2	7	OTS	\$931.00	0.00%	OTS	\$ -
				0.00%		
1	1	OTS	\$0.00	0.00%	OTS	
1	2	OTS	\$0.00	0.00%	OTS	
Original Penalty Assessment:						\$141,871.00
Percent Reduced:						67.55%
Total New Penalty Due:						\$46,030.20

4. The Employer, by signing this Informal Settlement Agreement, hereby waives its rights to contest the above citation(s) and penalties, as amended in the previous paragraphs.
5. The Employer agrees to immediately post a copy of this settlement agreement in a prominent place at or near the location of the violation(s) referenced in paragraph three (3) above. This Settlement Agreement and Disposition of Citation(s) must remain posted until the violations cited have been corrected, or three (3) working days (excluding weekends and State of Alaska holidays), whichever is longer.
6. The Employer agrees to continue to comply with the applicable provisions of Alaska's Occupational Safety and Health laws (AS 18.60.010 - AS 18.60.105), Occupational Safety and Health Act of 1970, and the applicable safety and health standards.
7. By entering into this agreement, the Employer does not admit that it violated the cited

standards for any litigation or purpose other than a subsequent proceeding under the Occupational Safety and Health Act of 1970.

8. This Informal Settlement Agreement must be signed and returned within the 15 working day contest period. The Employer agrees that any penalties reduced during the informal conference must be paid within 30 days of receipt of this notice or any and all reductions will be forfeited, and the original penalty amount will be due. Failure to make timely payment is likely to result in additional fees if the inspection file is turned over for collections.

Bartlett Regional Hospital

Signature: 

Print Name: 

Date: 7/22/21



22 Jul 2021

Ronald Larsen
Chief of Enforcement,
Occupational Safety & Health

Date

NOTICE TO EMPLOYEES

The law gives you or your representative the opportunity to object to any abatement date set for a violation if you believe the date to be unreasonable. Any contest to the abatement dates of the citations amended in paragraph 4 of this Settlement Agreement must be mailed to the State of Alaska, Department of Labor and Workforce Development, Labor Standards and Safety Division at 1251 Muldoon Road, Suite 109, Anchorage, AK 99504, within 15 working days (excluding weekends and State of Alaska holidays) of the receipt by the Employer of this Settlement Agreement.

You or your representative also have the right to object to any of the abatement dates set for violations, which were not amended, provided that the objection is mailed to the office shown above within the 15-working-day period established by the original citation.