

## BLOGS

COVID-19;Health Care

# Are You Ready? OSHA's Emergency Temporary Standard for the Healthcare Industry is Effective July 6, 2021

On June 10, 2021, OSHA [released a long-awaited new Emergency Temporary Standard](#) ("ETS"), which establishes new mandatory workplace safety requirements for employers providing healthcare services or healthcare support services. The ETS aims to protect employees from exposure to COVID-19 in the workplace by requiring the following:

- a COVID-19 plan based on an assessment of COVID-19 hazards;
- patient screening;
- transmission-based precautions;
- continued personal protective equipment (PPE) usage;
- social distancing while indoors;
- proper cleaning and disinfecting protocols;
- proper ventilation systems;
- reasonable paid leave for vaccination and vaccination-caused side effects;
- training related to COVID-19 transmission, procedures, and anti-retaliation rights; and
- reporting on employee instances of COVID-19 and any hospitalizations or deaths due to COVID-19.

There are, however, a number of healthcare related settings exempt from the ETS, including:

- the dispensing of prescriptions by pharmacists in retail settings;
- non-hospital ambulatory care settings where all non-employees are screened prior to entry and people with suspected or confirmed COVID-19 are not permitted to enter the setting;

## Related People

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- well-defined ambulatory care settings where all employees are fully vaccinated and all non-employees are screened prior to entry and people with suspected or confirmed COVID-19 are not permitted to enter the setting;
- home healthcare settings where all employees are fully vaccinated and all non-employees are screened prior to entry;
- healthcare support settings that don't involve the delivery of healthcare (i.e., billing, administrative support); and
- telehealth services where direct patient contact does not occur.

OSHA has provided [a helpful flowchart](#) to help healthcare employers determine whether or not they are covered by the ETS.

The ETS was officially published in the Federal Registrar on June 21, 2021. Employers have 14 days to come into compliance with the majority of the ETS requirements and 30 days to comply with training, ventilation, and physical barrier requirements. Should your organization fall under the ETS's purview, OSHA has the ability to inquire into your COVID-19 policies and procedures starting July 6, 2021.