



OSHA Extends COVID-19 Emphasis Program for Healthcare Industry While Plotting Permanent Rule

Insights

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Federal workplace safety officials just announced an extension of its COVID-19 National Emphasis Program (NEP) that focuses its inspection targeting efforts on hospital and skilled nursing care facilities that treat or handle COVID-19 patients – while also signaling that a broader and permanent rule for the healthcare industry is on the horizon. The June 30 announcement from the Occupational Safety and Health Administration (OSHA) reemphasized the agency's promise to devote 15% of its inspections per region to four healthcare-related NAICS classifications for the foreseeable future, extending the focus past the original July 7 expiration date. This will continue to enable OSHA to police those facilities' COVID-19 protocols and documentation while the agency endeavors to fast-track a permanent COVID-19-related healthcare rule.

What Should Healthcare Employers Do?

We have previously highlighted the steps healthcare employers should take to prepare themselves for the increased scrutiny of an OSHA inspection under the NEP, specifically those falling under the following NAICS classifications:

- 622110 General Medical and Surgical Hospitals
- 622210 Psychiatric and Substance Abuse Hospitals
- 623110 Nursing Care Facilities (Skilled Nursing Facilities)
- 623312 Assisted Living Facilities for the Elderly

We suggest you follow the guidance provided in these two Insights:

Hospitals, Skilled Nursing Facilities Targeted for COVID-19 Scrutiny – 5 Steps to Help Ensure You are Ready for Federal Initiatives (March 9, 2022)

4-Step Plan for Healthcare Employers as OSHA Increases Scrutiny (June 23, 2022)

What's On the Horizon?

In speaking about the announcement of the extension, Doug Parker, the agency's head, noted OSHA is attempting to finalize the permanent standard by the fall – a nine-month turnaround for a process

that typically takes seven years. Parker also indicated that, once the COVID-19 rule was in place, OSHA would turn its focus to a permanent infectious disease standard directed at the healthcare industry along with other “high-risk industries” beyond healthcare – something Fisher Phillips will be monitoring closely.

Conclusion

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