

**RULES
OF
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH**

**CHAPTER 0800-01-10
SHARPS INJURY PREVENTION**

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0800-01-10-.01 PURPOSE.

- (1) The purpose of these rules is to address the problem of needlesticks and other sharp injuries resulting in bloodborne pathogen exposure incidents. Changes in bloodborne disease trends have been reported, and engineering controls have been developed and made available, all of which impact health and safety of employees. The requirements in these rules for procedures and engineering and work practice controls provide a clear assignment to employers to address the use of sharps injury prevention technology.

Authority: T.C.A. §§ 4-3-1411, 50-3-201, and 50-3-203(e). **Administrative History:** Original rule filed February 9, 2001; effective April 25, 2001.

0800-01-10-.02 SCOPE AND APPLICATION.

- (1) This chapter applies to all occupational exposure to blood or other potentially infectious materials. This rule does not apply to the construction industry.

Authority: T.C.A. §§ 4-3-1411, 50-3-201, and 50-3-203(e)(1). **Administrative History:** Original rule filed February 9, 2001; effective April 25, 2001.

0800-01-10-.03 DEFINITIONS.

- (1) "Engineered Sharps Injury Protection" means:
 - (a) A physical attribute built into or added on a needle device used for withdrawing body fluids, accessing a vein or artery, or administering medications or other fluids, which effectively reduces the risk of an exposure incident;
 - (b) A physical attribute built into or added on any other type of needle device, or into a non-needle sharp, which effectively reduces the risk of an exposure incident; or
 - (c) Needleless systems.
- (2) "Exposure Incident" or "Incident of Exposure" means a specific eye, mouth, or other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties.
- (3) "Needle" or "Needle Device" includes, but is not limited to, solid and hollow-bore needles.
- (4) "Needleless System" means an intramuscular, intravenous or intra-arterial device that does not utilize needles.

(Rule 0800-01-10-.03, continued)

- (5) "Occupational Exposure" means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.
- (6) "Sharp" means any object used or encountered in a workplace that can be reasonably anticipated to penetrate the skin or any other part of the body, and to result in an exposure incident, including, but not limited to, needle devices, scalpels, lancets, broken glass, broken capillary tubes, exposed ends of dental wires and dental knives, drills and burs.
- (7) "Sharps Injury" means any injury caused by a sharp, including, but not limited to, cuts, abrasions or needlesticks.
- (8) "Sharps Injury Prevention Technology" means advances in equipment that remove the bloodborne pathogen transmission hazard from the workplace.

Authority: T.C.A. §§ 4-3-1411, 50-3-201, and 50-3-203(e)(1). **Administrative History:** Original rule filed February 9, 2001; effective April 25, 2001.

0800-01-10-.04 EXPOSURE CONTROL PLAN.

- (1) In addition to the requirements in the Bloodborne Pathogens Standard, 29 Code of Federal Regulations §1910.1030, as adopted by Rule 0800-01-01-.06, the Exposure Control Plan shall also contain documentation of the type and brand of device in use when an exposure incident occurs. The documentation shall occur within six (6) days of the exposure incident.
- (2) Engineered sharps injury protection devices evaluated and currently used shall be documented in the Exposure Control Plan.

Authority: T.C.A. §§ 4-3-1411, 50-3-201, and 50-3-203(e)(3). **Administrative History:** Original rule filed February 9, 2001; effective April 25, 2001.

0800-01-10-.05 ENGINEERING AND WORK PRACTICE CONTROLS.

- (1) Available engineered sharps injury protection devices shall be evaluated and used when they are more effective in preventing exposure incidents.
- (2) The engineered sharps injury protection device is not required if:
 - (a) A licensed healthcare professional directly involved in a patient's care determines, in the exercise of clinical judgement, that use of the engineering control will jeopardize the patient's safety or the success of a medical, dental or nursing procedure involving the patient. The determination shall be documented.
 - (b) The employer can demonstrate by objective means that it is not more effective in preventing exposure incidents than the alternative used by the employer. The determination shall be documented.
 - (c) The product is a pre-filled syringe requiring federal Food and Drug Administration approval for changes to packaging, labeling, and/or product. The exemption expires three (3) years after the effective date of these rules.

Authority: T.C.A. §§ 4-3-1411, 50-3-201, and 50-3-203(e)(2). **Administrative History:** Original rule filed February 9, 2001; effective April 25, 2001.

0800-01-10-.06 AVAILABILITY OF LISTS.

- (1) The Department of Labor and Workforce Development and the Department of Health shall maintain a list of the types of existing needleless systems and sharps with engineered sharps injury protection. A copy of the list and available resources can be obtained upon request to assist employers in complying with the requirements of this rule. To obtain a copy of the list, employers may contact the Department Labor and Workforce Development, Division of Occupational Safety and Health, 220 French Landing Drive, Nashville, TN 27243-1002, (615) 741-2793, (800) 249-8510.

Authority: T.C.A. §§ 4-3-1411, 50-3-201 and 50-3-203(e)(4). **Administrative History:** Original rule filed February 9, 2001; effective April 25, 2001. Amendment filed February 12, 2010; effective July 29, 2010.