On June 10, 2021, the Occupational Safety and Health Administration (OSHA) issued its highly anticipated COVID-19 Emergency Temporary Standard (ETS) but limited it to healthcare workers. Many may think that this ETS is only applicable to those workers in the standard “healthcare” industry, i.e., hospitals, long-term care facilities, etc. However, a reading of the ETS and OSHA’s interpretation shows that it also applies to any setting where employees provide healthcare or healthcare support services. What does this mean for institutions of higher education (IHEs)? If your institution has any type of student health service available to its students provided by employees of the IHE and/or any center that provides healthcare services to staff and faculty, then you are likely covered by the ETS. This may also include athletic trainers, EMTs and other licensed professionals, so these scenarios should be carefully reviewed by one who is well-versed in the language of the ETS and its applicability. Further, if the medical services are provided by a third party, it is essential that the institution ensures that its contractors’ Infectious Disease
Prevention and Control Plan complies with the ETS.

The ETS is one standard with multiple sections, including Healthcare (1910.502), Mini Respiratory Protection Program (1910.504), Severability (1910.505), and Incorporation by Reference (1910.509). The main section, Healthcare, has the following 16 key requirements: (a),(b)&(c) Definitions and the required written COVID-19 plan; (d) Patient Screening and Management; (e) Standard and Transmission-Based Precautions; (f) Personal Protective Equipment; (g) Aerosol-generating procedures on a person with suspected or confirmed COVID-19; (h) Physical distancing; (i) Physical barriers; (j) Cleaning and disinfection; (k) Ventilation; (l) Health screening and medical management; (m) Vaccination; (n) Training; (o) Anti-Retaliation; (p) Requirements must be implemented at no cost to employees; (q) Special Recordkeeping; and (r) Reporting to OSHA.

The ETS became effective on June 21 when it was published in the Federal Register. All provisions of the ETS, except for those involving physical barriers (i), ventilation (k), and training (n) must be implemented by July 6 (since July 5 is a Holiday). Provisions involving physical barriers, ventilation, and training must be implemented by July 21. It is important that all IHEs determine what areas of the institution may be covered by the ETS, then carefully review their existing written Infectious Disease Prevention and Control Plans to ensure compliance.

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