

January 2004

**APIC-DFW: GAC REPORT**

- There will not be any Texas legislative reports for 2004 as our legislature does not meet again until 2005
- MMWR 12/19/03 publication of “Guidelines for Infection Control in Dental Health-Care Settings, 2003” and can be accessed at [www.cdc.gov](http://www.cdc.gov) and follow the ‘MMWR’ icons and prompts to print this document
- The 11/21/03 Texas Register with PROPOSED rule on Hospital Licensing, for Safety Committee and Plan requirements. Proposed rule can be accessed at [www.sos.state.tx.us/](http://www.sos.state.tx.us/) (as of 01/02/04 this rule has not been adopted as final).
- Looking for two interested APIC-DFW members to become GAC committee members: Learn to access Texas Register, Texas Legislation on Line, MMWR (training for future APIC-DFW GAC Chair!)
- On 12/31/03 OSHA announced that it will apply the general respiratory protection standards to health care facilities – Which includes the requirement for annual fit-testing. NOTE: There was no public comment period ... OSHA simply altered their respiratory standard; therefore, our profession did not have an opportunity to response. This does not mean there is an “OSHA TB Standard” as OSHA has bypassed their own system to enforce the annual fit-testing (and everything that goes with it). National APIC’s response below:

Submitted 01/08/04  
Patti Grant: DFW-APIC

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**Sent:** 1/5/2004 5:12:08 PM

**Subject:** APIC Legislation Alert!

Dear Chapter Legislative Reps and Chapter Presidents:

Some of you may have heard that on December 31, 2003, OSHA announced that it will apply the general respiratory protection standards to health care facilities. This, unfortunately, would include a requirement for annual fit-testing. We did not expect to see anything of this sort issued by OSHA, in light of the reasoned justification cited earlier when the Proposed TB Rule was withdrawn. It is particularly disturbing that OSHA would impose this without first offering a formal public comment period.

(January 2004 APIC-DFW GAC Report, continued):

As you realize, APIC has long opposed the notion of mandatory annual fit-testing, since there is no solid scientific justification for this practice. We will be contacting OSHA and working with Congress to address this issue. We will also let you know if it becomes necessary to enlist your Chapter's assistance in contacting Members of Congress.

Please know that APIC is prepared to do all we can to reverse this decision. We will keep you informed of our progress in the days to come. The notice was published in the December 31, 2003 *Federal Register*. This is available for download from the APIC Web site at <http://www.apic.org/pdf/FederalRegister.pdf>

Upon reading this notice, it appears that this requirement would be effective immediately, although it does not say this verbatim. In order to gain clarification, we have placed calls to several OSHA representatives to ascertain whether there is a grace period for implementation. We will send this information out to you as soon as we receive it. If you have questions, please contact Jennifer Thomas Barrows at [jthomas@apic.org](mailto:jthomas@apic.org)

Sincerely,

Sue Sebazco, Chair, Public Policy Team

Pat Kulich, Co-Chair, Public Policy Team

Jennifer Thomas Barrows, Director of Government and Public Affairs