

Regulations that Govern the Disposal of Medical Waste

In Louisiana, there are three (3) sources of regulations for medical wastes: OSHA, the Louisiana Department of Health and Hospitals, and the Louisiana Department of Environmental Quality.

Summary of OSHA Regulations

The following is a partial summary of OSHA regulations regarding occupational exposure to bloodborne pathogens, 29 C.F.R. Part 1910.1030. If your employer is covered by OSHA, it must make a copy of the complete regulations and an explanation of their contents accessible to you. In Louisiana, these regulations apply to all private employers and to federal civilian employers. If the employer has any employees who can be reasonably anticipated to be exposed to infectious material, it must follow these

Employers are required to employ "engineering and workplace controls" wherever possible to minimize or eliminate employee exposure. Engineering controls either remove the hazard or isolate the worker from exposure. An example of an engineering control is the use of a ventilated cab on earth-moving equipment to protect workers from dust and aerosols. Workplace controls alter the manner in which tasks are performed to reduce exposure-for example, always cleaning equipment with implements or with high-

Disposal Methods for Medical Waste at Health Care Facilities The rules provide requirements for handling contaminated sharps, including a requirement that they be placed in a closed, puncture-resistant, leakproof, color-coded (or biohazard-labeled) containers prior to disposal. If the container can leak, it must be placed in a second closed, leakproof container.

Blood and other potentially infectious material (other than sharps) must be placed in leakproof, color-coded (or biohazard-labeled) container before it leaves the facility. If outside contamination occurs, or if the container is punctured, it must be placed in another leakproof, labeled or color-coded container.

Disposal of medical wastes must be in accordance with all applicable federal, state, and local regulations.

Training All persons with a potential for exposure must be provided with adequate training and information including general explanation of the modes of transmission, symptoms, epidemiology, warning signals relating to possible exposure, and procedures to follow if exposure occurs.

Hepatitis B Vaccine Covered employers must make available, free of charge, and at a reasonable time and place, the hepatitis B vaccine and vaccination series to all employees who are at risk of occupational exposure. Employees may decline either antibody pre-screening or vaccination; if they decline vaccination, they must sign a declination form.

If an Exposure Incident Occurs Employees should immediately report exposure incidents. The employer is responsible for establishing the procedure for evaluating exposure incidents.

Recordkeeping The employer must keep medical records and records of training sessions. Medical records must be kept confidential (though an employee and his or her representative may see and copy his own record on request) and must be maintained for thirty (30) years after employment has ended.

Training records, including the dates, content, names and qualifications of trainers, and names and job titles of trainees, must be kept for three (3) years.

Summary of Louisiana Department of Health and Hospitals Regulations

This agency has regulations governing the packaging, labeling, storage, transportation, and treatment of medical waste, contained in the Louisiana Sanitary Code, Chapter XXVII.

Definitions and Exclusions - The regulations define several categories-medical waste, infectious biomedical waste, and potentially infectious biomedical waste. The latter is used most extensively throughout the regulations, and is defined, in pertinent part, as follows:

recognizable must carry a supplemental label to specify the treatment method used, the date of treatment, and the name or initials of the person responsible for treatment. All labels must be clearly visible and legible, and must be water resistant.

Note: There are no requirements in the DHH Regulations that state that the bags, boxes, containers, etc., be a certain color.

Storage and Transport - Potentially infectious medical wastes must be stored in a

Sharps must be incinerated, encased in plaster or other approved substances in a tightly closed container, or treated in some other manner that renders them unrecognizable as medical sharps and practically precludes the release of recognizable needles and syringes if compacted.

Once treated, potentially infectious biomedical waste may be disposed in a permitted sanitary landfill in accordance with the Solid Waste Regulations of the Department of Environmental Quality. As noted above, treated and still recognizable medical waste must carry a supplemental label specifying the treatment method and date, and the name or initials of the person responsible for treatment.

On-site Storage and Treatment - Generators may store and treat their own potentially infectious biomedical wastes, if they obtain a proper permit and comply with substantive provisions of the regulations as to packaging, labeling, storage, transportation, and treatment.

Enforcement - These regulations are enforced by the Office of Public Health.

Summary of Louisiana Department of Environmental Quality Regulations

Currently, only two paragraphs of the Solid Waste Regulations, Louisiana Administrative Code Title 33, Part VII, Chapter 13, paragraphs 1305.D.1(c) and 1305.I.1(a), deal with medical wastes. These provide that infectious waste from hospitals or clinics that has been either (1) incinerated in a properly functioning pathological unit; or (2) is properly packaged, identified, and certified by the Department of Health and Human Resources, may be deposited in a sanitary landfill or an industrial solid waste landfill. Infectious waste is defined as follows:

"those wastes which may cause disease or reasonably be suspected of harboring pathogenic organisms; included are wastes resulting from the operation of medical clinics, hospitals, and other facilities producing wastes which may consist of, but are not limited to, diseased human and animal parts, contaminated bandages, pathological specimens, hypodermic needles, contaminated clothing, and surgical gloves."

The La. R.S. 30:2180 D., authorizes the Department of Environmental Quality to promulgate rules and regulations for the transportation, incineration, and disposal of medical waste. These Rules and Regulations are currently being drafted.