

**State of California**

Department of Industrial Relations  
Division of Occupational Safety and Health  
San Francisco District Office  
455 Golden Gate Avenue, Suite 9516  
San Francisco, CA 94102  
Phone: (415) 557-0100 Fax: (415) 557-0123

**Inspection #:** 1473517  
**Inspection Dates:** 04/27/2020 - 10/26/2020  
**Issuance Date:** 10/26/2020  
**CSHO ID:** W6628  
**Optional Report #:** 018-20



**Citation and Notification of Penalty**

**Company Name:** Kaiser Foundation Hospital-San Francisco  
**Establishment DBA:** and its successors  
**Inspection Site:** 2425 Geary Blvd, 4131 Geary Blvd  
San Francisco, CA 94115

Citation 1 Item 1 Type of Violation: **General**

**T8 CCR section 5193.(d)(4) Bloodborne Pathogens. Methods of Compliance**

**(4) Personal Protective Equipment.**

**(A) Provision.** Where occupational exposure remains after institution of engineering and work practice controls, the employer shall provide, at no cost to the employee, appropriate personal protective equipment such as, but not limited to, gloves, gowns, laboratory coats, face shields or masks and eye protection, and mouthpieces, resuscitation bags, pocket masks, or other ventilation devices. Personal protective equipment will be considered appropriate only if it does not permit blood or OPIM to pass through to or reach the employee's work clothes, street clothes, undergarments, skin, eyes, mouth, or other mucous membranes under normal conditions of use and for the duration of time which the protective equipment will be used. in Sections 3401-3411, and are intended to be consistent with those requirements.

**(C) Accessibility.** The employer shall ensure that appropriate personal protective equipment in the appropriate sizes is readily accessible at the worksite or is issued to employees. Hypoallergenic gloves, glove liners, powderless gloves, or other similar alternatives shall be readily accessible to those employees who are allergic to the gloves normally provided.

Prior to and during the course of inspection including, but not limited to April 27, 2020 the employer failed to ensure that staff working in labor and delivery had an adequate supply and access to impermeable gowns at all times.

**Date By Which Violation Must be Abated:** Corrected During Inspection  
**Proposed Penalty:** \$600.00

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Citation 1 Item 2 Type of Violation: **Regulatory**

**T8 CCR section 5199(j)(4)(C). Recordkeeping. Medical records.  
(4) Availability.**

**(C) Employee medical records required by this subsection shall be provided upon request to the subject employee, anyone having the written consent of the subject employee, the local health officer, and to the Chief and NIOSH in accordance with Section 3204 of these orders, Access to Employee Exposure and Medical Records, for examination and copying.**

Prior to and during the course of inspection including, but not limited to April 27, 2020, the employer failed to provide the medical records of employees ill from COVID-19 during the months of March and April in response to the request of a representative of the Chief of the Division of Occupational Safety and Health in accordance with Section 3204.

**Date By Which Violation Must be Abated:** November 19, 2020  
**Proposed Penalty:** \$200.00

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**Citation and Notification of Penalty**

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Citation 2 Item 1 Type of Violation: **Serious**

**T8 CCR section 5199. (d) Aerosol Transmissible Diseases.**

**(d) Aerosol Transmissible Diseases Exposure Control Plan.**

**(1) The employer shall establish, implement, and maintain an effective, written ATD Exposure Control Plan (Plan) which is specific to the work place or operation(s), and which contains all of the elements in subsection (d)(2).**

**Reference T8 CCR section 5199(d)(2):**

**(2) The Plan shall contain all of the following elements:**

**(D) A list of all assignments or tasks requiring personal or respiratory protection.**

**(E) The methods of implementation of subsections (e), (g), (h), (i) and (j) as they apply to that facility, service or work operation. Specific control measures shall be listed for each operation or work area in which occupational exposure occurs. These measures shall include applicable engineering and work practice controls, cleaning and decontamination procedures, and personal protective equipment and respiratory protection. In establishments where the Plan pertains to laboratory operations, it also shall contain the methods of implementation for subsection (f), unless those operations are included in a Biosafety Plan.**

**(F) A description of the source control measures to be implemented in the facility, service or operation, and the method of informing people entering the work setting of the source control measures.**

**(G) The procedures the employer will use to identify, temporarily isolate, and refer or transfer AirID cases or suspected cases to All rooms, areas or facilities. These procedures shall include the methods the employer will use to limit employee exposure to these persons during periods when they are not in airborne infection isolation rooms or areas. These procedures shall also include the methods the employer will use to document medical decisions not to transfer patients in need of All in accordance with subsection (e)(5)(B).**

Prior to and during the course of the inspection, including but not limited to April 27, 2020, the employer failed to implement, establish and/or maintain an effective, written ATD Exposure Control Plan which is specific to the work place or operation(s), and which contains all of the elements in subsection (d)(2), in the following instances:

1. The employer failed to effectively implement specific control measures, including but not limited to, temperature screening as required by the employers own ATD Exposure Control Plan during the months of March, April, May and June in that:

- a. The employer failed to ensure that employees were screened at the points of entry into the building, during the month of March.
- b. The labor and delivery employees were inconsistently screened prior to entry into the unit in April, May, and June. [REF: 5199(d)(2)(D) & (d)(2)(G)]

2. The employer failed to establish methods of implementation for subsection (g) as they apply to the facility, service or work operation in that:

- a. The employers plan did not require employees to use powered air purifying respirators for aerosol generating procedures.
- b. The employers plan did not require that a respirator that is at least as effective as an N95 filtering piece respirator be provided and used when employees were exposed to suspected and confirmed COVID-19 cases. [REF:5199(d)(2)(E) & 5199(g)(3)&(4)]

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**Corrected During Inspection**  
**\$7200.00**

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Citation 3 Item 1 Type of Violation: **Serious**

**T8 CCR section 5199(e) (1). Aerosol Transmissible Diseases. Engineering and Work Practice Controls, and Personal Protective Equipment****(e) Engineering and Work Practice Controls, and Personal Protective Equipment.**

**(1) General. Employers shall use feasible engineering and work practice controls to minimize employee exposures to ATPs. Where engineering and work practice controls do not provide sufficient protection (e.g., when an employee enters an All room or area) the employer shall provide, and ensure that employees use, personal protective equipment, and shall provide respiratory protection in accordance with subsection (g) to control exposures to AirIPs.**

**(A) Work practices shall be implemented to prevent or minimize employee exposures to airborne, droplet, and contact transmission of aerosol transmissible pathogens (ATP), in accordance with Appendix A, and where not addressed by Appendix A, in accordance with the Guideline for Isolation Precautions. Droplet and contact precautions shall be in accordance with Guideline for Isolation Precautions. Airborne precautions shall be in accordance with Guidelines for Preventing the Transmission of Mycobacterium tuberculosis in Health-Care Settings.**

**(B) Each employer shall implement written source control procedures. For fixed health care and correctional facilities, and in field operations to the extent that it is reasonably practicable, these procedures shall incorporate the recommendations contained in the Respiratory Hygiene/Cough Etiquette in Health Care Settings. The procedures shall include methods to inform individuals entering the facility, being transported by employees, or otherwise in close contact with employees, of the source control practices implemented by the employer.**

Prior to and during the course of inspection including, but not limited to April 27, 2020, the employer failed to use feasible engineering and work practice controls to minimize employee exposure to aerosol transmissible diseases such as SARs-COV-2, the virus that causes COVID-19, including but not

limited to failing to implement a universal masking policy during the months of March and April, 2020.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**Corrected During Inspection**  
**\$9000.00**

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Denis McComb  
Compliance Officer / District Manager