

AMENDED IN ASSEMBLY APRIL 10, 2014

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2674**

---

---

**Introduced by Assembly Member Skinner**

February 21, 2014

---

---

An act to add Section 144.9 to the Labor Code, relating to occupational safety and health standards.

LEGISLATIVE COUNSEL'S DIGEST

AB 2674, as amended, Skinner. Occupational safety and health standards: hazardous disinfectants.

Under existing law, the Occupational Safety and Health Standards Board within the Department of Industrial Relations promulgates occupational safety and health standards for the state, including standards dealing with toxic materials and harmful physical agents. A violation of these standards and regulations is a crime.

This bill would require the board to adopt standards to protect health care personnel and patients from the effects of toxic disinfectants, as defined. The bill would require the board, in adopting these standards, to consider current scientific evidence and recommendations adopted by the National Institute for Occupational Safety and Health.

By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares the following:
- 2 (a) Health care personnel who work with or near hazardous
- 3 disinfectants in health care settings may be exposed to hazardous
- 4 agents in the air, on work surfaces, clothing, medical equipment,
- 5 and in contact with patients.
- 6 (b) According to the National Institute for Occupational Safety
- 7 and Health (NIOSH), pregnant nurses who were exposed to toxic
- 8 disinfectants in the workplace experienced a miscarriage rate that
- 9 was double the rate of miscarriages among nurses not similarly
- 10 exposed.
- 11 (c) It is in the best interests of the state that the Occupational
- 12 Safety and Health Standards Board ~~study~~ *review* the health effects
- 13 of toxic disinfectants and adopt standards to protect health care
- 14 personnel from hazardous exposure to these disinfectants.
- 15 SEC. 2. Section 144.9 is added to the Labor Code, to read:
- 16 144.9. (a) As used in this section, the following definitions
- 17 shall apply:
- 18 (1) “Disinfectant” means a chemical agent, regulated by the
- 19 federal Environmental Protection Agency, that eliminates
- 20 pathogens on inanimate objects.
- 21 (2) “NIOSH” means the National Institute for Occupational
- 22 Safety and Health of the federal Centers for Disease Control and
- 23 Prevention.
- 24 (b) The board shall adopt an occupational safety and health
- 25 standard to protect patients and health care personnel from the
- 26 toxic effects of disinfectants regardless of the setting. In developing
- 27 the standard, the board shall consider input from hospitals,
- 28 practicing physicians from impacted specialties, including
- 29 epidemiology, organizations representing health care personnel,
- 30 including registered nurses, custodians, patients, and other
- 31 stakeholders, and shall determine a reasonable time for facilities
- 32 to implement new requirements imposed by the adopted standard.
- 33 The standard, to the extent feasible, shall consider the most recent

1 scientific evidence available and shall incorporate applicable  
2 updates and changes to the NIOSH guidelines.

3 SEC. 3. No reimbursement is required by this act pursuant to  
4 Section 6 of Article XIII B of the California Constitution because  
5 the only costs that may be incurred by a local agency or school  
6 district will be incurred because this act creates a new crime or  
7 infraction, eliminates a crime or infraction, or changes the penalty  
8 for a crime or infraction, within the meaning of Section 17556 of  
9 the Government Code, or changes the definition of a crime within  
10 the meaning of Section 6 of Article XIII B of the California  
11 Constitution.

O