

MEDICAL MONITORING PROGRAM

DATE: August 18, 2008

I. Policy

San José State University (SJSU) intends to provide a safe and healthful workplace, eliminate risks, prevent injuries and reduce cost. Because of this commitment to safety, the university will provide, at not cost to employees, a medical monitoring program designed to provide for safe job placement of employees, satisfactory maintenance of employee health, and to ascertain the effectiveness of hazard control methods. Failure to comply with this policy may cause the university to incur unnecessary liability.

Failure or refusal of an employee to undergo required medical testing as determined by campus management shall constitute a failure or refusal to perform the normal and reasonable duties of the position. In such event, the campus has authority to commence appropriate disciplinary action up to and including termination of employment.

The purpose for performing medical monitoring of employees is to detect physiological changes in an employee, which may be due to exposures to hazardous levels of physical, chemical or radioactive stresses the employee may experience on the job. Medical monitoring of employees is also used to measure the effectiveness of engineering and administrative controls, and can involve biological monitoring.

II. Authority

California Code of Regulations, Title 8 (§ 5097, 5144, 5155, 5191, 5192, 5209-5216, 5217, 5218, 5220, 1532.1, & 6053) and Title 17

California Vehicle Code Section 12804

Chancellor's Office Memoranda HR-96-04 (Policy on Mandatory Medical Examinations - Personnel Actions for Failure of Employee to Comply)

III. Scope

This Program applies to all SJSU employees exposed to hazardous substances or situations for which Cal/OSHA would require them to enroll in a medical monitoring program

IV. Definitions

- **Biological Monitoring** – Biological monitoring can provide a reasonable indication of exposures to hazardous environmental stresses the employee might encounter on the job. Biological monitoring is also an attempt to quantify an employee's exposure for a period of time either prior to, or as a result of employment at SJSU. It involves the collection of biological samples such as urine, their examination for the presence of hazardous materials or their metabolites, and a comparison to biological exposure indices for healthy workers.
- **Exposure** – contact with a biological, chemical, or physical hazard.
- **Hazardous Material** – is any substance or compound that has the capability of producing adverse effects on the health and safety of humans.
- **Medical Monitoring** – is the systematic collection and analysis of health information on groups of workers potentially exposed to harmful agents, for the purpose of identifying health effects at an early and hopefully reversible stage. Government codes require that employees with potential exposures to certain harmful agents shall receive medical monitoring examinations. These exams serve the purpose of detecting adverse health effects, which could possibly be related to workplace exposures. Early detection of disease will result in earlier treatment and will also allow for cessation of additional exposures that could aggravate a potentially serious medical condition.
- **Occupational Disease** – is a disease caused by exposures to hazards in the workplace.

V. Accountability & Responsibilities

A. University Risk and Compliance:

- Develop and administer the Medical Monitoring program procedures.

B. SJSU Departments

- Identify all departmental employees that require medical monitoring and make every effort to minimize the occupational exposure of employees to hazardous environmental stresses, by utilizing engineering and administrative controls on processes.
- Approve and schedule all medical exams by with the 3rd party health clinic.
- Coordinate all exams with department employees and the exam facility.
- Schedule exit exams, as appropriate, for medically monitored employees leaving SJSU.

C. Physicians shall:

- Report all medical findings to the medical monitoring department contact as soon as possible after the examination. If the physician feels additional tests are needed, their recommendations should accompany the report of findings. SJSU will determine whether or not additional tests should be performed.
- The physician merely determines whether or not the applicant/employee measures up to the medical standard set forth by SJSU specific to their work.
- Relay any abnormalities of consequence to the applicant/employee.

VI. Program

A. The Medical Monitoring Program has the following objectives:

- Evaluate the health status of new or potential employees, and determine whether they can perform the job in a safe and effective manner. Disabled persons will be assessed on a case by case basis to determine whether workplace conditions or exposure could be modified to accommodate their disability. The examining physician will make recommendations on disability accommodations.
- Detect exposure-related adverse health effects at an early and hopefully reversible stage so that occupational diseases can be prevented, and proper medical care can be rendered, if necessary.
- Periodically assesses employee's suitability for ongoing or new assignments that involve potential contact with hazardous material.
- Correlate past occupational or environmental exposures with future workplace activities and exposures, to arrive at an opinion on the risk that the job might represent to the health status of the individual.
- Advise the individual of the need for extramural evaluation and care of existing non-occupational health problems.
- Provide a medical monitoring program that complies with all the pertinent Federal, State and local regulations that mandate medical monitoring.
- Identify unrecognized effects of exposure by continually evaluating group employee health data to detect possible adverse health trends.

B. Types of exams

- Initial Baseline Exams - The purpose of the baseline examination is pre-placement screening. All applicable employees shall be given a baseline examination before being assigned to work with respirators, in noisy environments or in areas containing potentially hazardous or OSHA regulated substances. The baseline exam may be waived if the employee has recently undergone an exam and testing for another purpose. In these situations, the employee is required to complete the Occupational/Medical History Questionnaire and provide results of previous examinations.
- Periodic Physical Exams - All personnel who have taken the initial baseline examination and have received clearance by the Physician to participate in activities that may potentially result in exposure shall be re-examined as often as the examining physician or relative regulation requires. The date should fall on or close to the anniversary of the previous exam. Any employee who has not participated in potentially hazardous work or who is no longer required to use respirator during the past 12 months and who does not expect to continue to participate, may discontinue participation in the medical monitoring program. However, the employee must have been cleared by the physician, and has not had exposure to asbestos or certain other OSHA regulated carcinogens during this period. The employee will also receive a final physical examination at the time this

determination to be removed from the medical surveillance has been made. This physical examination record will be kept in the employee's medical record for 30 years after the final employment date.

- Exit Examination - An exit examination shall be given to any employee whose employment has included contact with Cal/OSHA regulated agents and who has been a participant in medical monitoring. The results of this examination will be given to the employee and a copy will be placed in the employee's medical record and retained for 30 years.
- Special/Emergency Examinations - Special testing may be required due to the potential for exposure to specific substances. The need for special testing will be assessed on an as needed basis. Emergency testing may be necessary in the event of employee exposure.

C. Physician's Reports

- Examining physicians will use information provided by the employee in the questionnaire, the examination results, and the results of laboratory tests to determine if any work restrictions or occupational health problems appear to be present. The examining physician will provide the results of the examination to the medical monitoring department contact who will implement the physician's recommendations.
- The physician will provide only the Health Status Medical Report form. Non-work related health issues might arise during the course of the medical evaluation. The examining physician may recommend that employees see their family doctor or a specialist. Any additional tests required to investigate non-work related health issues will be the employee's responsibility. At the employee's request, the contract physician will provide physical examination material to the employee's physician.

D. Access to Employee Medical Records

- Employees, their designated representatives, and authorized representatives of Cal/OSHA have full right of access to relevant exposure and medical records. Designated representatives must be given the employees written authorization to exercise the right of access. The legal representative of a deceased or legally incapacitated employee may exercise full right of access to all of an employee's medical record.
- All requests for employee medical or exposure records shall be in writing to the University Medical Record Custodian. A copy or the requested records shall be provided to the employee or designated representative at no cost and no later than fifteen (15) days after the request is made. Copies of xray film, if a part of the medical record, will also be provided subject to availability. Whenever a record has previously been provided without cost to the employee or designated representative, the university may charge for the record search and the cost of additional copies.
- In the rare case that a request for records is denied, the employee may appeal the denial to the Department of Occupational Safety and Health (DOSH), State of California. The chief of DOSH will make a decision on the appeal and may issue an order to release the information to the employee or their designated representative.
- Designated representatives must be given the employee's written authorization to exercise rights of access. A written authorization shall contain the following:
 - o The name and signature of the employee authorizing the release of the medical information.
 - o The date of the written authorization.
 - o The name of the individual or organization authorized to release the medical information.
 - o The name of the individual or organization authorized to receive the medical information.
 - o A general description of the medical information that is authorized to be released.
 - o A general description of the purpose for release of the medical information, and a date or condition upon which the written
 - o authorization will expire. The employee or representative will be provided a copy of the requested medical records at no
 - o charge to the employee.

E. Retention, Recordkeeping and Confidentiality

- An important part of the Employee Medical Monitoring Program is the confidentiality of the medical and exposure records generated by the program. This program has been carefully designed to ensure that the medical information for individual employees be made available only to medical professionals (including medical records services personnel) and the employee. Specifically, individual medical information is not available or retained at

SJSU and will not be made available to any person other than the employee, their physician, or other designated representative of State or Federal regulatory agencies, e.g. Cal / OSHA.

- If the occupational health clinic needs to obtain medical records from prior occupational exams or personal physician, then the employee will work within the procedures of the occupational health clinic for Authorization to Release Medical Information. Employees may be asked to sign the form before beginning an exam. The signed authorization form allows the occupational medicine provider to send examination clearance forms to the campus.

VII. Medical Monitoring Program Operation

A. Pre-employment Screening

Physical examinations are arranged through Human Resources for potential University Police officers and Custodians prior to their employment. Employment with SJSU is contingent upon passing these physicals. Custodians are specifically examined for back problems that might jeopardize their safety during their normal job duties.

B. Initial Examinations

The Department Coordinator will identify job classifications requiring medical monitoring, and Human Resources will notify the Department Coordinator whenever an employee in this category is being hired by SJSU. Initial examinations will be scheduled for the first week of work whenever possible.

C. Routine Examinations

The Department Coordinator will identify employees requiring medical monitoring, and arrange with the medical facility, employees, and their supervisors a schedule of appointments. The medical facility will send results of the physicals to the Department Coordinator who then notify supervisors whenever medical restrictions are put on an employee.

D. Exit Examinations

The Human Resources Office notifies the Department Coordinator prior to termination of employment for any staff member. The Department Coordinator will then send a Medical Monitoring Order form to the employee and schedule an exit exam. Employees that have left the University before an exam can be scheduled will be sent a certified letter with return receipt.

E. Special Examinations

If an employee alleges abnormal symptoms possibly due to overexposure to a hazardous substance, they should notify their supervisor and the Department Coordinator so that potential workplace problems are quickly identified and appropriate medical treatment is rendered as quickly as possible.

If the Department Coordinator determines that a medical exam is required based on the special circumstance, a Medical Monitoring Order will be issued to the employee, and exam scheduled, and the Department Coordinator relay any exposure related information.

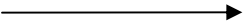
The employee or their supervisor must complete the appropriate Worker's Compensation forms and forward them to Risk Management.

Other medical related exams may include:

- Bloodborne pathogen exposures
- Diving - Medical Exam Overview Form
- Lab Animal Occupational Health Program

Medical Monitoring Program: Examination Process Chart

* Some processes may change depending on the occupational clinic procedures.

Department Coordinator identifies employees covered by these regulations and coordinates the completion of baseline, periodic / annual and exit examinations. 	Department Coordinator prepares appropriate documentation for the employee that includes some/all of: - o Medical Monitoring Program Exam Appointment and Pre-Examination Instructions. - o Authorization to Release Medical Information Form. - o Authorization to release Previous Medical Information (if applicable). - o Physical Examination Form. - o The Health Status Report Form. - o The Employee Medical Examination Findings Form.
The employee completes all applicable forms prior to the examination and observes the pre-exam instructions. The employee attends the appointment.	
The Physician completes Health Status Report Form and forwards it to the department coordinator.	The Physician prepares the Employee Medical Findings Form and forwards it directly to the employee.
Department coordinator reviews the Health Status Review Form and initiates appropriate action.	

Contact the SJSU Safety Specialist at 408-924-2155 to obtain more information about the medical monitoring program and related forms and/or documents.

Forms

(These forms may be used as part of a departments medical monitoring program and specific to that department and/or occupational medicine center i.e. US HealthWorks)

- Medical Monitoring Program Exam Appointment and Pre-Examination Instructions.
- Authorization to Release Medical Information Form.
- Authorization to release Previous Medical Information
- Physical Examination Form.
- The Health Status Report Form.
- The Employee Medical Examination Findings Form.

Resources and Related Documents:

- Examination Protocols
- Specific Medical Monitoring Standards and Protocols
- SJSU Bloodborne Pathogen Program
- SJSU - Laboratory Animal Occupational Health Program (LAOHP)
- SJSU Moss Landing Marine Lab – Diving Medical Exam