

# Occupational Exposure to COVID-19 in Health Care Settings/OSHA Proposed Rule: National Waste & Recycling Association Comments



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The Healthcare Waste Institute (“HWI”) of the National Waste & Recycling Association (“NWRA”) submitted April 22nd comments to the Occupational Safety & Health Administration (“OSHA”) on its proposed COVID-19 Healthcare Settings rule (“Rule”).

The NWRA asked that OSHA exempt medical waste management workers from the rule’s requirements.

OSHA in 2021 published an Emergency Temporary Standard (“ETS”) for healthcare and healthcare support service workers. The standard was denominated Occupational Exposure to COVID-19. OSHA subsequently sought comment on specific topics and questions for the development of a final standard.

The NWRA notes that the original ETS identified medical waste handling services as part of healthcare support services.

The NWRA’s HWI asks that OSHA:

. . . explicitly exempt medical waste management workers from the rule’s requirements. In almost no instance will medical waste workers have prolonged, unprotected close contact with healthcare workers or patients. In many cases, the medical waste workers will service the facility through a non-public entrance and limit their interactions to collecting the waste from an aggregation location at the facility. Exceptions should be made for those workers.

In support of this request, the HWI argues there is an:

- On going shortage of drivers due to:
- High average age of drivers
- Inability for drivers to pass drug tests because of what is described as the permissive climate in regards to marijuana
- Driving records and criminal histories
- Limitations on hours of service
- Medical monitoring
- Declining workforce
- Pandemic-related issues
- Barriers to entry for drivers

The NWRA describes itself as the “voice in the Nation’s capital for the private sector waste and recycling industry.” The HWI is stated to be an advocacy organization within the NWRA that supports private companies that manage healthcare waste. These companies are stated to include regulated medical waste and infectious substances, through transportation facility operations.

A copy of the April 22nd comments can be downloaded [here](#).