

A **60 year old female** employee contracted **COVID-19** while working as a registered nurse at a 112 bed, long and short term nursing care facility.

During December of 2020, the facility had active COVID-19 cases in both patients and employees. Employees who tested positive for COVID-19 were required to isolate for at least 10 days depending on their symptoms. Patients who tested positive for COVID-19 were isolated in a dedicated COVID-19 unit. The victim did not work on the COVID-19 unit.

The TOSHA inspection found that 12 additional employees tested positive for COVID-19 during late December. These employees came from several departments including Rehabilitation, Nursing, and Administration.

During interviews, the employees indicated that they all clocked in at the same time clock until January of 2021 when the facility provided each department with iPads so the employees could clock in on the iPad in their own department or at the main time clock.

The TOSHA inspection found that staff were always required to wear a KN95 respirator in the facility except when actively eating or drinking. When employees worked on the COVID-19 hall, they were required to wear an N95 respirator. During interviews, employees indicated that they had been fit tested for both the N95 and the KN95 respirators prior to being required to wear the respirators in the facility; however, the employees had not been medically evaluated prior to their fit test or being required to wear the respirators in the workplace. The facility was regularly disinfected by individual staff as well as the housekeeping department using chemicals registered on the EPA's List N.

TOSHA has determined this fatality is likely work-related. The victim's job duties included having frequent, close exposure to the patients and staff in a facility with ongoing community transmission of COVID-19. The victim was not exposed to COVID-19 through her family and she did not participate in high-risk activities outside of work such as eating at restaurants or attending gatherings.

Citation(s) as Originally Issued

A complete inspection was conducted at the accident scene. Some of the items cited may not directly relate to the fatality.

Citation 1 Item 1

Type of Violation: Serious

\$1050

29 CFR 1910. 134(e)(1): The employer did not provide a medical evaluation to determine the employee’s ability to use a respirator, before the employee was fit tested or required to use the respirator in the workplace.

On 01/27/2021, each employee who wore a N95 particulate respirator was not medically evaluated before the employee was fit tested or required to use the respirator in the workplace.

Citation 1 Item 2

Type of Violation: Other-than-Serious \$300

TDLWD Rule 0800-01-03-.03(27)(b)3: Each recordable injury or illness was not entered on the OSHA 300 Log and/or an incident report (OSHA Form 301 or equivalent) with seven (7) calendar days of receiving information that a recordable injury or illness has occurred:

In that, each recordable case of COVID-19 was not entered on the OSHA 300 Log within 7 calendar days of the employer receiving information that the recordable illnesses had occurred.



Covid-19—Insp # 1511886 LP Portland, LLC dba Signature Healthcare of Portland

