MEMBER COMMUNICATION

To the attention of the Clerk and Council
June 1, 2009

Needle Safety Regulatory Review

Issue

The Ministry of Labour (MOL) and the Ministry of Health and Long-Term Care (MOHLTC) are seeking municipal input regarding the extended use of safety-engineered needles or needleless systems (SENS) in workplaces and health care services.

Background

The Needle Safety Regulation has already been applied to hospitals, long-term care homes, psychiatric facilities, laboratories and specimen collection centres. The move to extend the use of SENS is to prevent needlestick injuries which can transmit serious blood-borne infectious diseases to health care workers including Hepatitis B, Hepatitis C and HIV. The MOL identifies thousands of injuries per year to Ontario health care workers resulting in millions of dollars in costs.

The MOL and MOHLTC are considering extending the regulation of SENS into a number of municipal service areas and are looking for input in how to apply the regulations to health care workers who provide services in places such as schools, community centres and emergency services.

Some Ontario EMS providers are already voluntarily implementing SENS. The move is towards an industry standard which is being reached in the United States as well as Canada, specifically British Columbia, Alberta and Nova Scotia.

Employers must pay for higher upfront costs of SENS and associated training; however, additional costs may be offset by the resulting reductions in needle-related employee injuries currently requiring WSIB claims. The cost of SENS is also expected to drop due to supply and demand as their use becomes the norm.

Action

The Ministry of Labour is taking stakeholder feedback until July 10, 2009. Interested parties are invited to make written submissions concerning the proposal to extend the scope of the Needle Safety Regulation and the practicality of implementing the proposal.

Please see the attached document for contact details and more information.

This information is available in the Policy Issues section of the AMO website at www.amo.on.ca.
ATTACHMENT

Dear Valued Stakeholder:

The Ministry of Labour (MOL) and the Ministry of Health and Long-Term Care (MOHLTC) are jointly consulting on a proposal to extend the scope of the Needle Safety Regulation to additional workplaces and health care services and would like to solicit your input.

Needle Safety Regulation

The Needle Safety Regulation (O. Reg. 474/07) under the Occupational Health and Safety Act is part of the government’s efforts to support healthy work environments for Ontario’s nurses and other health care workers.

The Regulation currently applies to hospitals, long-term care homes, psychiatric facilities, laboratories and specimen collection centres. It mandates the use of safety-engineered needles or needleless systems (SENs) to replace hollow-bore needles to protect health care workers from needlestick injuries. Needlestick injuries can transmit serious blood-borne infectious diseases to health care workers including Hepatitis B, Hepatitis C and HIV.

SENs have been designed with built-in safety features that eliminate or minimize the risk of a needle puncture to the health care worker (e.g. hinged needle cap, retractable needle), thereby protecting the user from a needlestick injury and exposure to blood-borne infectious diseases.

To address patient care, availability and other issues, the Needle Safety Regulation provides several exceptions to the requirement to use SENs. A SEN is not required if:

- A worker determines that the use of a SEN would pose a greater risk of harm to himself or herself, another worker or the patient than would a conventional hollow-bore needle.
- An employer is unable, despite making a reasonable effort, to obtain a SEN that is appropriate for the work.
- An emergency is declared or a situation exists that constitutes or may constitute a serious risk to public health, an employer’s supplies of SENs have been exhausted, and postponing work would create a greater risk of harm than the risk of using a hollow-bore needle that is not a SEN.

Proposal to Extend the Regulation to Other Health Care Workplaces

At this time, the MOL and the MOHLTC are jointly consulting on a proposal to extend the scope of the Needle Safety Regulation to other places where health care services involving the use of hollow-bore needles are provided to individuals, whether in medical facilities, private homes, public places or other locations. The MOL and the MOHLTC are seeking input from stakeholders regarding which additional places and health care services the regulation could cover and how to implement the regulation in these places and for these health care services. The planned effective date for implementation is April 1, 2010.

For example, the MOL and the MOHLTC are considering whether to extend the regulation to the following places where workers may use hollow-bore needles:
• Doctors' and dentists' offices and clinics;
• Community Health Centres;
• Public Health Units;
• Family Health Teams;
• Independent health facilities such as those providing cataract eye surgery or cosmetic procedures;
• Cancer treatment clinics and hospices;
• Blood donor clinics; and,
• Other establishments where health care is provided by professionals regulated under the Regulated Health Professions Act, 1991.

The MOL and the MOHLTC are also seeking input from stakeholders on how to apply the regulation to workers, businesses and organizations that provide health care services and programs to individuals that involve the use of hollow-bore needles in places that are not traditionally considered health care facilities or locations. Examples include:
• Home care services, including those provided through Community Care Access Centres;
• Emergency medical services including ambulance services;
• Public health programs such as immunizations in schools, businesses, community centres, retail malls;
• Health support services to students in schools such as insulin injections; and,
• Health care and first aid services to workers or individuals in industrial and other workplaces.

How You Can Participate

Stakeholder input is an essential part of the regulatory development process. Involving industry and labour stakeholders, health care professionals and other interested parties in developing potential changes to the regulation will help ensure effective implementation and prevent exposures of health care workers to needlestick injuries.

Interested parties are invited to make written submissions concerning the proposal to extend the scope of the Needle Safety Regulation and the practicality of implementing the proposal.

Please submit your comments by July 10, 2009:

Mail: Needle Safety Regulatory Review
Ontario Ministry of Labour
400 University Avenue, 12th Floor
Toronto, ON M7A 1T7

Facsimile: 416 326-7650

E-mail: needlesafety@ontario.ca


For further information, please visit our website: www.labour.gov.on.ca.
Submissions and comments provided to the MOL are part of a public consultation to solicit views on a proposal to extend the application of the Needle Safety Regulation to additional health care workplaces and services. This process may involve disclosing materials, comments or summaries of them, to other interested parties during and after the public comment period. However, the Ministry will not disclose personal information, such as an individual's name and contact details, unless required by law.

If you have any questions regarding freedom of information or privacy matters, you may contact the MOL's Freedom of Information and Privacy office at (416) 326-7786.

Thank you for your time.

Sincerely,

John Vander Doelen
Director, Health and Safety Policy and Program Development Branch
Ministry of Labour

John Amodeo
Director, Health Sector Labour Market Policy Branch
Ministry of Health And Long-Term Care