

HSE Management System

Access to Medical Records Policy

REGULATORY STANDARD:

OSHA – 29 CFR 1910.102

Prepared	Reviewed	Approved	Effective Date	Version No.
Carol Stallworth, Safety Specialist	Sam Cross, SVP - Americas	Sam Cross, SVP - Americas	10/10/18	03

Important Notice:

1. This procedure is a Controlled Document and shall not be amended without the authority of the Safety Specialist – North America.
2. Any queries or feedback concerning the contents of this Procedure should be addressed to the Safety Specialist – North America.
3. This document is rendered null and void upon print.

INDEX

1.0 PURPOSE

2.0 SCOPE

3.0 RESPONSIBILITIES

4.0 REQUIREMENTS

1.0 PURPOSE

This policy is in place to provide an overview of how Airswift handles employee access to medical and exposure records. Where applicable, all Federal, State, and local rules which are more stringent than this policy shall be enforced.

2.0 SCOPE

This policy is applicable to all Airswift consultants and employees.

3.0 RESPONSIBILITIES

Airswift will comply with all site policies and procedures.

4.0 DEFINITIONS

Employee exposure means a record containing any of the following kinds of information:

- Workplace (environmental) monitoring information;
- Biological monitoring information;
- An SDS;
- A chemical inventory, etc.

Employee medical record means a record concerning the health status of an employee which is made or maintained by a physician, nurse, or other health care personnel, or technician, including:

- Medical questionnaires;
- Results of medical examinations;
- Medical opinions;
- First aid records;
- Description of treatments;
- Employee medical complaints, etc.

5.0 REQUIREMENTS

Whenever an employee or designated representative requests access to a record, Airswift shall assure that access is provided in a reasonable time, place, and manner. If reasonable access cannot be provided within 15 working days, the employee or designated representative requesting the record must be apprised of the reason for the delay and the earliest date when the record can be made available.

These requests for copies of a record shall be provided at no cost to the employee or designated representative.

Whenever access is requested to an analysis which reports the contents of employee medical records by either direct identifies (name, address, social security number, payroll number, etc.), or by information which could reasonably be used under the circumstances indirectly to identify specific employees (exact age, height, weight, race, sex, date of initial employment, job title, etc.), Airswift shall assure that personal identifiers are removed before access is provided.

Any trade secret information shall follow requirements as stated in 29 CFR 1910.1020(f).

5.1 Initial and Annual Training Requirements

Upon an employee's first entering into employment, and at least annually thereafter, Airswift shall inform current employees of the existence, location, and availability of any records covered by this section; the person responsible for maintaining and providing access to records; and each employee's rights of access to these records

5.2 Transfer of Records

If Airswift ceases to do business all records subject to this section shall transfer to the successor employer. IF there is no successor employer to receive and maintain the records, or Airswift intends to dispose of any records required to be preserved for at least the (30) years, then those records shall transfer to the Director of the National Institute for Occupational Safety and Health (NIOSH) if so required by a specific occupational safety and health standard.

5.3 Retention of Records

All medical records must be retained for the duration of employment plus 30 years. Employee exposure records must be retained for 30 years.