

Consultation Paper on the Second Extension of the Needle Safety Regulation to Additional Workplaces and Health Care Services

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 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 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;

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- 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:

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A copy of O. Reg. 474/07 can be found on the Government of Ontario's E-laws website at http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_070474_e.htm.

For further information, please visit our website: www.labour.gov.on.ca.

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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.