



OSHA Subpart U — COVID-19 Emergency Temporary Standard What Doctors of Optometry Need to Know

The Big Picture: In June 2021, OSHA set standards for “Healthcare” facilities including offices where Doctors of Optometry see patients. The OSHA standards were developed under the President’s Executive Order to reduce risk that workers may contract COVID-19 in the workplace.

The Bottom Line:

- Continue to screen all non-employees prior to entry into your facility.
- Deny entry to those confirmed with COVID-19 or suspected (have symptoms) of COVID-19.
- If you are not screening all non-employees, then you are required to have a detailed COVID-19 Plan in place to account for employee training, hazard assessment, triage protocols and additional policies (see FAQ below) in order to limit exposure and risk in your work place.
- If your facility is in a well-defined hospital ambulatory care setting, additional requirements apply. The requirements are more stringent and should be reviewed [here](#).

Frequently Asked Questions (FAQ)

Why were these new rules created?

These new guidelines were created in June 2021 so employers could reduce the risk of workers contracting COVID-19 in the workplace. Although most optometry settings have been using CDC guidance and cleaning protocols since 2020, the OSHA has determined that more detailed guidelines were needed for all healthcare settings.

Do I need a detailed written COVID Plan?

It is recommended that you and your staff know how to keep the workplace safe from COVID-19 exposure. Even though optometrists have been handling COVID protections since 2020, a written plan that your employees can review is helpful. A COVID Plan is not required if you are screening all non-employees before entry and also denying anyone entry if COVID-19 positive or suspected of COVID-19 (have symptoms). For facilities no longer screening non-employees, you are REQUIRED to have a COVID Plan (see below for details to a COVID Plan). For facilities with 10 or more employees (including the doctors), the COVID Plan must be written.

TAKE HOME MESSAGE: If you continue to screen non-employees and deny entry to anyone with COVID-19 or suspected COVID-19, you are not required to have a formal COVID Plan.

When do the new rules take place?

OSHA released the new guidelines in June 2021. The official start date will be when the Rule is published in the Federal Register which is expected to be by July 2021. Your good faith effort to implement policies is taken into consideration. AOA will update members on the true implementation deadline.

What are the penalties for non-compliance.

OSHA will use its enforcement discretion for employers who are making a good faith effort to comply with the new rules. Those found to be in violation may be cited and fined.

I understand that I am still expected to screen “non-employees” from entering my office. Who are “non-employees”?

All patients, delivery persons, vendors, guests and anyone else that wants to enter your facility. Essentially, it is anyone that does not work for you that wants to come inside your facility.

What does it mean to “screen” non-employees?

Screen means asking questions to determine whether a person is COVID-19 positive or has symptoms of COVID-19. OSHA gives you the flexibility to “screen” in a manner that suits you. Options to screen could include verbal questions, an electronic questionnaire, or any other manner of asking questions before a person enters your facility. There is no defined time frame to screen, meaning you can ask non-employees when they arrive at your facility or you can ask questions before they arrive (e.g., at the time a patient calls your office to make an appointment). OSHA does not require a written record of the questions/answers.

What if 100% of my staff are vaccinated, do I still have to screen non-employees?

Yes, you must still screen non-employees. These new OSHA guidelines for outpatient facilities do not reduce your screening requirements based on vaccine status of you, your staff or your patients.

Do I still need to “screen” my employees?

Under the new guidance, screening your employees is not required. HOWEVER, we strongly encourage you to have a policy in place where employees screen themselves daily and report to you immediately if they are COVID-19 positive or have symptoms consistent with COVID-19. Screening your employees daily is an enhanced method to help reduce possible transmission of COVID-19.

When will the new rules expire?

There is no deadline yet. OSHA will continue to monitor COVID-19 cases and update guidance as needed. Even if your state eliminates a COVID-19 Emergency Order, these federal guidelines still apply until OSHA eliminates them.

What are some of the criteria of a COVID Plan?

If you are not screening all non-employees and also denying entry to COVID-19 or suspected COVID-19 non-employees, then you are required to have a COVID Plan. Employers with 10 or more employees must have the plan in written format.

Components of a COVID Plan include (not full list):

- ✓ Designate a safety coordinator

- ✓ Develop a workplace hazard assessment and policies and procedures to minimize the risk of transmission of COVID-19
- ✓ Provide COVID-19 training to employees
- ✓ Cleaning protocols
- ✓ Provide facemask/PPE and include training and replacement protocols
- ✓ Physical distancing requirements
- ✓ Staff screening protocols daily
- ✓ Vaccination leave policies

I work in a clinic in a hospital ambulatory care setting, are the requirements different for those settings?

Yes, the requirements are more stringent and should be reviewed [here](#).

A full list and resources can be found on [OSHA's website](#). If you have additional questions, please email AskAOA@aoa.org