



**State of Alaska**  
**Department of Labor and Workforce Development**  
**Division of Labor Standards and Safety**

**AKOSH Program Directive 06-01**

Date: August 24, 2005

To: Distribution List

From: Grey R. Mitchell Director

Subject: **Needlestick: Safety devices and sharp instruments for the prevention of bloodborne pathogens in healthcare employees**

This Program Directive, PD 06-01, is notice that Alaska Department of Labor & Workforce Development, Division of Labor Standards & Safety implements changes to Alaska Statutes 18.60.880(h) and 18.60.890(3) that apply to occupational safety and health codes in Alaska.

A conflict existed between Alaska statutory language in AS 18.60.880 and 18.60.890 and the Code of Federal Regulations as written in 29 CFR 1910.1030 and adopted by reference as an Occupational Safety & Health regulation in Alaska under 8 AAC 61.1010.

1. AS 18.60.880(h) excluded "...an employer or supervised employee who primarily uses needles and other sharps for intraoral procedures."

This had the effect of excluding all dental offices or places where dental procedure were performed from the requirement of evaluating and using protective safety devices. This left dental workers unprotected and made the Alaska requirements less stringent than the federal requirements.

**AS 18.60.880(h) is repealed - having the effect that standards adopted under this section apply to all employers.**

2. AS 18.60.890(3). Definitions

(3) "employer"

(A) means an employer having an employee with occupational exposure to human blood or other material potentially containing bloodborne pathogens; but

(B) does not include an employer who has fewer than 25 full-time-equivalent employees.

Paragraph (B) had the effect of excluding the majority of employers from implementing the standards adopted under this section and made the Alaska requirements less stringent than the federal requirements.

**AS 18.60.890(3) is amended to delete (B). This means that all employers whose employees are exposed to bloodborne pathogens are subject to the regulations implementing this statute.**

These statutory amendments allow Alaska to enforce regulations equal to the federal regulations.

3. Effective Date:

House Bill 120 was transmitted to the Governor, signed into law on July 14, 2005 and became effective July 15, 2005.

Please ensure that all members of your staff receive a copy of HB 120, and this program directive showing the Alaska state procedures, and understand how to implement them.

Attachments: HB 120

Distribution List w/o attachment

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