

# COMPLIANCE BULLETIN

## OSHA Eases Enforcement of Powered Air-purifying Respirator Fit-testing

On Oct. 2, 2020, the U.S. Occupational Safety and Health Administration (OSHA) issued temporary [guidance](#) for compliance safety and health officers (CHSOs), easing enforcement of fit-testing requirements under [the respiratory protection standard](#) for the use of tight-fitting powered air purifying respirators (PAPRs). This enforcement guidance is significant because it applies to the shortage of N95 filtering face piece respirators (FFRs) and fit-testing supplies caused by the current COVID-19 pandemic.

OSHA is currently allowing employers to use PAPRs approved for protection by the National Institute for Occupational Safety and Health (NIOSH) when N95 respirators are not available.

This enforcement guidance applies only to fit-testing of tight-fitting PAPRs approved by NIOSH if:

- PAPRs are used in a **contingency capacity** strategy when workers are performing job tasks with high (or very high) occupational exposures to COVID-19; and
- Fit-testing is not possible due to supply shortages.

### Action Steps

- ✓ Employers should consider whether their workers should use PAPRs or to temporarily suspend certain non-essential operations to limit potential exposure to hazards.
- ✓ Employers should continue to manage their respiratory protection programs as required by OSHA's respiratory protection standard.
- ✓ Employers are encouraged to reassess their engineering controls, work practices and administrative controls to determine whether the use of N95 FFRs is necessary.

### Exclusions

This OSHA enforcement guidance **does not** apply to:

- ✓ PAPRs that are not NIOSH approved;
- ✓ PAPRs used by any workers in low or medium exposure risks to COVID-19;
- ✓ PAPRs used by any workers for protection against airborne hazards other than COVID-19; or
- ✓ Loose-fitting hooded PAPRs that do not require fit-testing.

### Contingent Capacity

- Contingency capacity refers to a facility's supply status during periods of expected N95 FFR shortages
- A contingent capacity strategy should only be implemented after considering and implementing other conventional capacity strategies.



## Respiratory Protection During COVID-19

The COVID-19 pandemic has created an increased demand for N95 FFRs since N95 FFRs were designed to control exposures to infections through airborne transmission. This increased demand has created a shortage of N95 FFRs for workers who critically need them (such as health care providers and emergency responders), given their exposure to a wide variety of airborne hazards that now include the coronavirus.

As a response, OSHA has taken some steps to extend the use of N95 FFRs beyond their intended use, and allow for the increased use of alternative, safe respirator options. For example, due to their limited availability, OSHA's interpretation of the [Center for Disease Control and Prevention \(CDC\) guidance](#), is that N95 FFRs can be used under contingency and crisis capacity strategies that involve extended use, reuse and the adoption of decontamination procedures. N95 FFRs are normally meant to be worn once and then properly disposed of, but due to COVID-19 the CDC has extended the maximum use period to eight to 12 hours.

For alternative respirators, OSHA has indicated that they must provide equal or greater protection when compared to N95 FFRs. Alternative respirators may include other FFRs, such as N99, N100, R95, R99, R100, P95, P99, and P100. Alternative respirators may also include NIOSH-approved, non-disposable elastomeric respirators or PAPRs.

In addition, OSHA has also recognized that, under certain circumstances, using a tight-fitting PAPR, even without the initial or annual fit-testing, would be more protective than using no respirator at all. Tight-fitting PAPRs are designed to be cleaned and reused. For this reason, OSHA will allow employers to provide PAPRs without strict compliance with fit-testing requirements when:

- Use of an N95 FFR or better respirator is required (for example, during aerosol-generating procedures performed by health care workers on patients with known or suspected COVID-19); and
- It is not possible to fit-test all affected employees due to the shortage of supplies or respirators caused by COVID-19.

Having employees switch from using N95 FFRs to PAPRs (under the right circumstances and without compromising employee safety) could reduce the demand and shortage of N95s and make them more available to workers who critically need them, such as health care workers and emergency responders. As a result, employers are encouraged to take necessary steps to prioritize the use of available fit-testing supplies to protect employees who must use respirators for high-risk procedures.

## OSHA's New Respirator Enforcement Guidance

As mentioned above, if respiratory protection must be used, OSHA will allow employers to consider the use of alternative classes of respirators. However, before adopting the use of PAPRs, employers must determine each employee's fitness to wear PAPRs through a medical questionnaire, a physical medical exam or both.

OSHA's new temporary enforcement guidance allows CHSOs to use their discretion when assessing employer compliance to the medical exam fitting requirement if completing a physical medical exam is not possible due to COVID-19. Similarly, CHSOs will also have the flexibility to enforce compliance with PAPR fit-testing requirements if:

- The employer has complied with all other requirements of the OSHA respiratory protection standard;
- Strict compliance with fit-testing requirements is not possible due to fit-testing kit or solution supply shortages; and
- The use of PAPR was adopted as an alternative to N95 FFRs for protection against COVID-19.

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## Impact on Employers

In general, this enforcement guidance provides some relief to employers that are making a good faith effort to comply with the OSHA respiratory protection standard and emergent temporary guidelines for the use of adequate face coverings for employees in high and very high-risk exposure levels.

Specifically, employers should review their respiratory protection programs and ensure compliance with all OSHA standards. Under the guidance, employers that decide to provide PAPRs and cannot satisfy all fit-testing requirements because of shortages or circumstances caused by COVID-19 should document their efforts and explain to any visiting OSHA officer why strict compliance has not been possible.

Finally, this guidance also reaffirms OSHA's guidance on the use and adoption of PAPRs when N95 FFRs are not available. As a result, employers can review their engineering controls, work practices and administrative procedures to determine whether implementing new (or modifying current) controls can reduce the need for respiratory protection (for example, employers can consider using partitions, restricting access and cohorting patients).

Source: [Occupational Safety and Health Administration](#)