



Oregon

Theodore R. Kulongoski, Governor

Department of Consumer and Business Services
Oregon Occupational Safety & Health Division (OR-OSHA)
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January 11, 2001

Reviewed: October 18, 2007

Joan Ross
Adventist Medical Center
10123 SE Market St
Portland, Oregon 97216

Dear Ms. Ross:

Thank you for contacting Oregon OSHA. You requested information on what criteria exists for hospital volunteers which would bring them under OSHA regulations, what constitutes a medical record, what records must be kept for thirty years, how long to retain other medical records (those that are not retained for 30 years), does a volunteer's status change if injured and the injury is treated as a workers' comp case, and if volunteers fall into category 1 or 2 of the bloodborne pathogen standard must their records be maintained as required by the Bloodborne Pathogen (BBP) Standard. The following information is just a summary of the medical requirements. You will find a more detailed description of these requirements in OAR 437-002-1910.1020 "access to employee exposure and medical records." This information can be obtained by using our website at www.orosha.org. You can also order a hard copy of this standard from our resource center at 503-378-3272.

In response to your first question, hospital volunteers would fall under OSHA regulations if they were considered to be employees by any other agency such as the Workers Compensation Division, or Internal Revenue Service.

In response to your second, third and fourth questions, a 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 professional, or technician. This includes medical and employment questionnaires or histories (including job description and occupational exposures), results of medical examinations and laboratory tests including chest and x-ray examinations taken for the purpose of determining a baseline or detecting occupational illnesses, medical opinions, diagnosis, progress notes, and recommendations, first aid records, descriptions of treatment and prescriptions, and employee medical complaints. All of these medical records and employee exposure records must be preserved and maintained for at least 30 years.

The following types of records do not need to be maintained for any specific period of time:

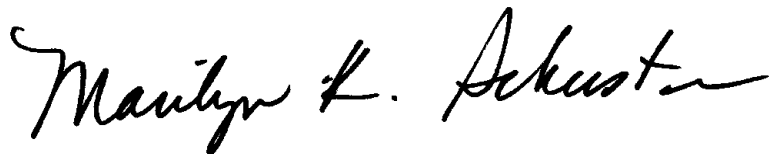
- Health insurance claims records maintained separately from the employers medical program and its records.
- First aid records (not including medical histories) of one-time treatment and subsequent observation of minor scratches, cuts, burns, splinters, and the like which do not involve medical treatment, loss of consciousness, restriction of work or motion.
- Medical records of employees who have worked for less than 1 year for the employer need not be retained beyond the term of employment if they are provided to the employee upon the termination of employment.

In response to your 5th question, if a volunteer of the hospital becomes injured, and the hospital treats that case as a workers' compensation case then the status of the volunteer changes to an employee of the hospital.

In response to your last question, with regards to the bloodborne pathogen standard, records need to be maintained only when the volunteer is considered an employee, such as those covered under workers' compensation.

If you need further assistance please contact the technical section at (503) 378-3272.

Sincerely,

A handwritten signature in black ink that reads "Marilyn K. Schuster". The signature is written in a cursive, flowing style.

Marilyn K. Schuster, Manager
Standards and Technical Resources Section
Oregon Occupational Safety and Health Division