



1001 E. Fayette Street • Baltimore, Maryland 21202
Brandon M. Scott, Mayor
Letitia Dzirasa, M.D., Commissioner of Health

Division of Labor and Industry
Maryland Occupational Safety and Health (MOSH)
10946 Golden West Drive-Suite 160
Hunt Valley, MD 21031

Assistant Commissioner Penn,

We have received the Citation and Notification of Penalty for Baltimore City Health Department at 1515 West North Avenue. We received a copy of the citation on Monday, 8/22. **We would like to request a petition for modification of abatement.** We are requesting this modification to allow for additional time to submit final abatement documentation to MOSH. We had the understanding we would have 15 business days to respond after receiving the citation. However, we were given less than 3 days to submit materials requested in the notification.

We are making a good faith effort to meet the abatement requirements and have made significant progress with all of the citations. We plan to complete documentation of abatement to send to MOSH in the coming weeks.

We have had weekly leadership coordination meetings to address the citations and ensure we are responding swiftly and appropriately with abatement. These took place on the following dates: July 6, July 22, and August 8. This does not include additional internal staff meetings focused on meeting specific abatement goals.

In addition, we have had several factors beyond our control impact our ability to finalize abatement. This includes responding to Monkeypox, which during this time period was declared a public health emergency. The staff responsible for abatement measures are also leading Baltimore City's Monkeypox response. Over the past several weeks we have had an unprecedented increase in patient volume and establishing the city's nexus for Monkeypox testing, treatment, and vaccination. This required development of new clinic protocols, training, and treatment plans. The staff hosted some of the city's first Monkeypox vaccination clinics, which generated very large demand and a high workload on staff.

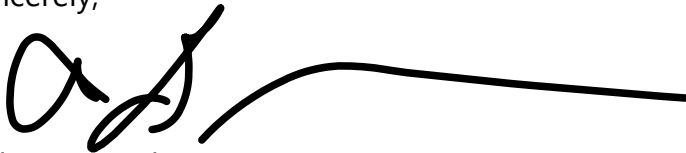
During this time period we also faced several facility issues requiring the staff to manage cancellation of clinics and rescheduling of patients to ensure clinics are held in buildings with functioning air conditioning and water.

Through these challenges we have continued to place the highest priority on responding to these citations. The original concern, lack of needles with safety covers, was addressed immediately and has not recurred. We have ensured adequate supplies of appropriate needles in our operations. Please see the attached table with the required details for the petition and updates on each citation.

We would also like to schedule an informal conference. I will reach out to schedule accordingly.

I have also included below a statement certifying a copy of the petition was posted at 1515 W. North Avenue and a photograph of the posting.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adena', followed by a long, horizontal, slightly wavy line that extends to the right.

Adena Greenbaum, MD MPH
Assistant Commissioner Clinical Services and HIV/STI Prevention
Baltimore City Health Department

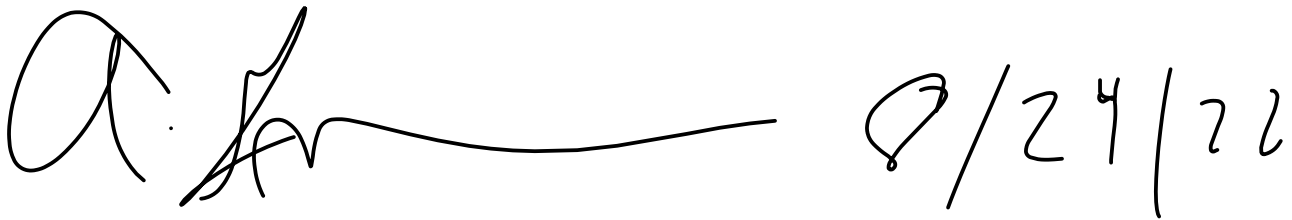
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	Action taken to achieve compliance, including dates of each action	Additional time requested to achieve compliance	Reason additional time is necessary	Interim steps to safeguard employees
<u>Citation 1 item 1a</u> The employer did not ensure that safety data sheets were readily accessible during each work shift to employees when they were in their work area.	Safety data sheets on hazardous chemicals were compiled by 7/21. Clinic leadership has discussed how to ensure they are available to employees via both paper copies in the workplace and electronic copies available to all employees at any time.	Submit to MOSH by 9/8, allowing us time to collate and collect the appropriate materials in an organized way.	Safety data sheets will be placed in work locations by Friday, 8/26. We will post them in a shared electronic folder, and take photographs for the abatement documentation by 9/8/22. Staff responsible for share folders are out of the office this week. Other staff are responding to rapidly changing monkeypox vaccination requirements.	Copies of the Safety Data Sheets will be placed in the Clinic Managers Office, and Stat Lab at the Druid Clinics by Friday 8/26. We will post them in a share drive by 9/8/22. We will provide photo documentation and copies of all safety data sheets to MOSH by 9/8/22.
<u>Citation 1 Item 1b</u> Employee training did not include the details of the hazardous communication program...including labels received on shipped containers...and the safety data sheet.	We assigned creation of a hazardous communications program on 7/6, received updates on 7/22 and 8/6, and a draft was completed on 8/17. We will finalize the copy by 9/20 and submit to MOSH, as stated in the citation. Hazard communications training was scheduled for 8/25 and 9/1. The training was completed on 8/25. However, the trainer cancelled the 9/1 session. It will be rescheduled. A limited number of staff are allowed to attend each training, per training protocols.	Can meet Sept 20 goal – no modification being petitioned	--	--

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<u>Citation 2 Item 1</u> The employer did not verify through a written certification the identity of the workplace evaluated, the person certifying that the evaluation had been performed, and the date the hazard assessment was done.	The Hazard Assessment Form has been completed for staff at the 1515 North Avenue location and can be prepared to submit to MOSH.	Submit to MOSH by 9/8, allowing us time to collate and collect the appropriate materials in an organized way.	Staff responsible for share folders are out of the office this week. Other staff are responding to rapidly changing monkeypox vaccination requirements.	Item completed – needs to be compiled to send to MOSH.
<u>Citation 2 Item 2</u> The exposure control plan was not reviewed and updated at least annually and whenever required.	An exposure control plan was immediately drafted and available on 6/21/22. We received feedback from our occupational health provider to supplement the plan on 6/27. The Assistant Commissioner is reviewing the plan and will provide a final version by 9/8.	Submit to MOSH by 9/8, allowing us time to collate and collect the appropriate materials in an organized way.	Staff are responding to rapidly changing monkeypox vaccination requirements.	Staff have received bloodborne pathogen training. Staff are aware on how to contact occupational health in the case of a needle stick. Safety needles have been placed at each site and are in adequate supply.
<u>Citation 2 Item 3</u> The employer did not ensure that the training was provided to employees with occupational exposure at least annually.	Bloodborne pathogen training occurred for staff on 8/3 and 8/18. Contracted staff with access to online training were required to complete annual training by 8/3.	Can meet Sept 20 goal – no modification being petitioned	Require time to compile the documentation that staff attended the training.	Trainings have been completed. Will submit documentation.
<u>Citation 2 Item 4</u> The employer did not compile a list of hazardous chemicals known to be present.	A list was created and submitted on 7/13. I have included it below.	Submit to MOSH by 9/8, allowing us time to collate and collect the appropriate materials in an organized way.	We will compile the list in a more organized manner, documenting all data safety sheets are included and staff trained in hazardous materials.	Staff will be informed of hazardous substances during the training scheduled for 8/25.

I certify that a copy of the petition has been posted at 1515 W. North Avenue as of 8/24/2022.

A handwritten signature in black ink, followed by the date 8/24/22 written in a similar style.

Adena Greenbaum, MD MPH
Assistant Commissioner Clinical Services and HIV/STI Prevention
Baltimore City Health Department

Baltimore City Health Department Sexual Health and Wellness Clinics

List of Hazardous Substances
1515 W North Avenue Clinics

HIV-1 Positive Control- 0.2 ml of photochemically inactivated human plasma positive for antibodies to HIV-1 diluted in defibrinated pool of normal human plasma.
HIV-2 Positive Control- 0.2 ml of photochemically inactivated human plasma positive for antibodies to HIV-1 diluted in defibrinated pool of normal human plasma.
Negative Control - 0.2 ml of photochemically inactivated human plasma positive for antibodies to HIV-1 diluted in defibrinated pool of normal human plasma.
Macro-Vue RPR Card Antigen Suspension
Crystal Violet
Safranin
Iodine
Acetone
Ethyl Alcohol
HCG reagent consisting of mouse anti-beta hcg antibody conjugated to colloidal gold and goat anti-alpha hcg antibody coated on the membrane
HCV- Positive Control (1 vial 0.2mL)
HCV- Negative Control (1 vial 0.2mL)