

Managing the Regulatory Environment

ADA's Guidelines for Practice Success™ (GPS™)

ADA General Do's and Don'ts Regarding OSHA Investigations

OSHA investigations almost always result from complaints, which can be filed online, by fax or mail, or by telephone. Once an OSHA investigator is onsite, he/she will assess the validity of the complaint and evaluate the practice's overall safety protocols, not just those areas mentioned in the complaint.

While patient safety is not specifically covered by OSHA regulations, any dentist being investigated should anticipate that the investigator will contact the state dental board for information about any complaints that may have been filed with that agency. Specific information relating to dentistry is available through the agency's content on [Safety and Health Topics: Dentistry](#) and the [OSHA Fact Sheet on OSHA's Bloodborne Pathogens Standard](#).

DO:

Be aware that:

- ✓ A good offense is the best defense; reduce your potential risk and liability by having the appropriate safety systems in place and documented.
- ✓ Staff training should occur regularly and be fully documented.
 - The most recent deadline for hazard communication training was Dec. 31, 2013.
- ✓ Different federal agencies communicate with each other.
 - Being investigated by one agency could result in another one contacting you.
- ✓ It's always a good rule of thumb to convey a willingness to work with the investigator.
 - Some dentists opt to request support from a consultant or advisor who is knowledgeable about the investigation process.
 - When deciding whether or not to bring in an outside consultant, keep in mind that there is no right or wrong decision: the right decision is the one that feels right for you.
- ✓ You have the right to ask the investigator to conduct his/her investigation at another time.
 - You can also advise the investigator that he/she will not be allowed in patient areas.
- ✓ OSHA has the authority to conduct interviews with staff and may separate employees from employers in order to discuss employee training protocols to ensure compliance with the federal standards.
- ✓ You will likely need to provide the investigator with the practice's:
 - Safety Data Sheets (SDS)
- ✓ Make sure staff reviews the various sections of the SDS, for handling and storage and personal protection exposure controls.
 - Hazard Communication Standard (HCS) training materials and records
 - HCS manual

DON'T:

- ✓ Be disrespectful to the OSHA investigator.

- ✓ Express any frustration you and/or your staff or colleagues might have regarding the agency's regulations.

- ✓ Be on the defensive.

Resources:

OSHA [Safety and Health Topics: Dentistry](#)
[OSHA Fact Sheet on OSHA's Bloodborne Pathogens Standard](#)

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