MANDATORY USE OF SAFETY-ENGINEERED NEEDLES IN ONTARIO HOSPITALS BECOMES LAW

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A new regulation passed by the Ontario Government will require hospitals in the province to use “safety-engineered needles” or needle-less systems by September 1, 2008.

Regulation 474/07 became law on August 24, 2007 and is made pursuant to the Occupational Health and Safety Act. The regulation makes the use of safety-engineered needles or needle-less systems mandatory in hospitals. A “safety-engineered needle” is defined under the regulation as either a hollow-bore needle that is designed to eliminate or minimize the risk of a skin puncture injury to the worker and is a licensed medical device by Health Canada or a needleless device that replaces a hollow-bore needle and is licensed as a medical device by Health Canada.

Safety engineered needles will be mandatory for the following institutions:

- every hospital defined in the Public Hospitals Act;
- every private hospital as defined in the Private Hospitals Act;
- every institution as defined in the Mental Hospitals Act; and
- Homewood Health Centre Inc.

The Ontario Government says that it plans to extend the application of the regulation to long-term care homes, psychiatric facilities, laboratories and specimen collection centres by 2009 and to other health care workplaces, such as home care, doctor’s offices and ambulances, by 2010.

An employer may be exempt from the use of safety needles where, “despite making efforts that are reasonable in the circumstances”, it is unable to obtain a device that is appropriate for the work in question. An employee may also refuse to use a safety-engineered needle where there are reasonable grounds to believe that the use of the device would pose a greater risk of harm. The regulation also makes exemptions for declared emergencies or where there is a serious risk to public health.

The new regulation addresses the rising concerns of patient and staff safety when using needles during blood collection or injections. Health Canada estimates that approximately 69,000 needlestick injuries are reported by hospital employees every year across Canada and over half of these injuries take place in Ontario. It is estimated that 41% of needlestick injuries occur during use while 45% occur post-use. The use of safety-engineered needles or needleless systems will ideally create safer workplaces in the health care industry, decrease the number of injuries each year and prevent the spread of blood-borne diseases.

Regulation 474/07 adds Ontario to the list of provinces which already have safety-engineered needles legislation in place including British Columbia, Alberta, Saskatchewan, Manitoba and Nova Scotia.

In addition to the new regulatory framework in Ontario, the Ontario Safety Association for Community and Health Care recommends that organizations adopt the following initiatives:
• Establishing work practice controls such as immunizing employees or creating a policy to not recap needles once used;
• Creating a needlestick injury prevention program that includes training and guidelines for the workplace; and
• Using additional personal protective equipment such as gloves.

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