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November 9, 2009

Hon. Barack Obama
President of the United States of America
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President:

The American Nurses Association(ANA) is the only full-service professional organization representing the interests of the nation's 2.9 million registered nurses through its constituent member nurses associations, its organizational affiliates, and its workforce advocacy affiliate, the Center for American Nurses. ANA advances the nursing profession by fostering high standards of nursing practice and promoting the rights of nurses in the workplace, projecting a positive and realistic view of nursing, and by lobbying the Congress and regulatory agencies on health care issues affecting nurses and the public.

ANA is troubled by the recent request by the Society for Healthcare Epidemiology of America (SHEA), the Infectious Disease Society of America (IDSA) and the Association for Professionals in Infection Control and Epidemiology urging the administration to modify the guidance and issue an immediate moratorium on Occupational Safety and Health Administration's (OSHA) enforcement of the current requirements.

The critical importance of a safe work environment for registered nurses and other healthcare personnel has prompted us to express ANA's concern surrounding the confusion around respiratory protection for registered nurses and other health care personnel in healthcare settings caring for patients infected with H1N1 influenza. The Centers for Disease Control and Prevention (CDC) recommends the use of fit- tested N-95 disposable respirators as the minimum

level of respiratory protection for healthcare personnel in the “Interim Guidance on Infection Control Measures for 2009 H1N1 Influenza in Healthcare Settings, Including Protection of Healthcare Personnel” released on October 14, 2009.

This document also addresses the shortage of N-95 respirators and the utilization of “Hierarchy of controls” in healthcare settings. Although personal protective equipment ranks last in the hierarchy of controls, respirators are an important protection for healthcare personnel in the workplace and in helping healthcare personnel to feel safety when coming to the workplace. Without safe and adequate protections, patient care provided by registered nurses and other healthcare personnel can be adversely affected resulting in a negative impact on the quality of patient care provided during this pandemic.

A recent letter report was issued from the Institute of Medicine’s Committee on Respiratory Protection for Healthcare Workers in the Workplace Against Novel H1N1 Influenza A. The Committee was formed and convened at the request of the Centers for Disease Control and Prevention (CDC) and the Occupational Safety and Health Administration (OSHA) to provide recommendations regarding the necessary respiratory protection for healthcare workers in their workplace against novel H1N1 influenza A (nH1N1) among other considerations.

Recommendation 1 of the Committee report is as follows:

“Use Fit-Tested N95 Respirators

Healthcare workers (including those in non-hospital settings) who are in close contact with individuals with nH1N1 influenza or influenza-like illnesses should use fit-tested N95 respirators or respirators that are demonstrably more effective as one measure in the continuum of safety and infection control efforts to reduce the risk of infection.

- The Committee endorses the current CDC guidelines and recommends that these guidelines should be continued until or unless further evidence can be provided to the effect that other forms of protection or other guidelines are equally or more effective.
- Employers should ensure that the use and fit testing of

N95 respirators be conducted in accordance with OSHA regulations, and healthcare workers should use the equipment as required by regulations and employer policies.”

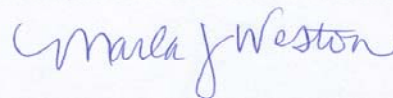
Furthermore, OSHA was instituted in 1970 “to assure safe and healthful working conditions for working men and women; by authorizing enforcement of the standards developed under the Act; by assisting and encouraging the States in their efforts to assure safe and healthful working conditions; by providing for research, information, education, and training in the field of occupational safety and health; and for other purposes” through an act of Congress. The administration has an important role in continuing to support OSHA to hold those responsible for safeguarding employees’ safety and health in healthcare settings by providing basic personal protective equipment. Failure to do so may result not only in illness and death of healthcare personnel, but also creates the risk that healthcare personnel will be unwilling to come to work fearing becoming infected with H1N1. ANA urges you to stand behind OSHA compliance efforts surrounding respiratory protection consistent with CDC recommendations.

The Administration’s indecision or incorrect decisions, at this time, in the midst of a pandemic may lead to a lack of confidence, create confusion, generate frustration, lead to lack of compliance and preventable illness and even death to health care personnel. ANA urges your administration to continue to support OSHA enforcement of compliance with recommended respiratory protection for registered nurses and other healthcare personnel during this time. In ANA’s perspective, failure to do so risks preventable adverse consequences.

Yours truly,



Rebecca M. Patton, MS, RN, CNOR
President



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