

§ 76539. Employees' Health Examination and Health Records.

(a) The licensee and all employees working in the facility shall have a health examination within 6 months prior to employment or within 15 days after employment and at least annually thereafter by a person lawfully authorized to perform such examinations. Each such examination shall include a medical history, physical evaluation and laboratory work as indicated. The report signed by the examiner shall indicate that the individual is sufficiently free of disease to perform assigned duties and does not have any health condition that would create a hazard for the employee, fellow employees, visitors or clients.

(b) The initial health examination and subsequent annual examination shall include a test for tuberculosis infection that is recommended by the federal Centers for Disease Control and Prevention (CDC) and licensed by the federal Food and Drug Administration (FDA) or a chest X-ray. A positive result from the tuberculosis test shall be followed by a chest X-ray.

(c) The facility shall maintain a health record of the administrator and each employee which includes reports of all employment-related health examinations. These records shall be kept for a minimum of three years following termination of employment.

(d) Employees known to have or evidencing signs or symptoms of infectious disease shall not be permitted to work until they submit a physician's certification that they are sufficiently free of infectious disease to return to their assigned duties.

Note: Authority cited: Sections 1275, 121357 and 131200, Health and Safety Code.
Reference: Sections 1250, 1276, 121362, 131050, 131051 and 131052, Health and Safety Code.

HISTORY

1. Amendment of subsections (a) and (b) and amendment of Note filed 5-30-2013; operative 5-30-2013 pursuant to Government Code section 11343.4(b)(3) (Register 2013, No. 22).

22 CCR § 76539, 22 CA ADC § 76539