
POLICY TRANSMITTAL NO. 06-22	DATE: JULY 25, 2006
SUPPORT SERVICES DIVISION	DEPARTMENT OF HUMAN SERVICES OFFICE OF PLANNING, POLICY & RESEARCH

TO: ALL OFFICES

SUBJECT: MANUAL MATERIAL

OAC 340:2, Table of Contents; 340:2-15, Table of Contents; 2-15-1 through 2-15-7; 2-15-25 through 2-2-15-33; Appendix L; and Appendix M.

EXPLANATION: **Policy revisions were approved by the Commission and the Governor as required by the Administrative Procedures Act.**

340:2-15-1 revisions clarify current functions of the Oklahoma Department of Human Services (OKDHS) Risk Management Program.

340:2-15-2 is revised to remove obsolete definitions, add new definitions, and amend current definitions.

340:2-15-3, 340:2-15-6, 340:2-15-26, and 340:2-15-29 through 340:2-15-33 are revoked as the rules are no longer applicable.

340:2-15-4 is revised to clarify risk management functions.

340:2-15-5 is revised to clarify incident reporting responsibilities, and make stylistic and semantic improvements.

340:2-15-7 is issued to codify rules regarding motor vehicle safety and liability.

340:2-15-25, 340:2-15-27, and 340:2-15-28 are revised to clarify the hazard communication program requirements, and make stylistic and semantic improvements.

340:2-15-27.1 is issued to include definitions used in the hazard communication program.

340:2-15-29 through 340:2-15-33 are revoked as the rules are included in Section 340:2-15-28.

340:2 Appendices L and M are revoked as they are obsolete.

Original signed on 5-4-06

Paula Hearn, Director
Support Services Division

Sharon Neuwald, Co-Interim Administrator
Office of Planning, Policy & Research

WF # 06-02 (DT)

INSTRUCTIONS FOR FILING MANUAL MATERIAL

OAC is the acronym for Oklahoma Administrative Code. If OAC appears before a number on an Appendix or before a Section in text, it means the Appendix or text contains rules or administrative law. Lengthy internal policies and procedures have the same Chapter number as the OAC Chapter to which they pertain following a “DHS” number, such as personnel policy at DHS:2-1 and personnel rules at OAC 340:2-1. The “340” is the Title number that designates DHS as the rulemaking agency; the “2” specifies the Chapter number; and the “1” specifies the Subchapter number.

The chronological order for filing manual material is: (1) OAC 340 by designated Chapter and Subchapter number; (2) if applicable, DHS numbered text for the designated Chapter and Subchapter; and (3) all OAC Appendices with the designated Chapter number. For example, the order for filing personnel policy is OAC 340:2-1, DHS:2-1, and OAC 340:2 Appendices behind all Chapter 2 manual material. Any questions or assistance with filing manual material will be addressed by contacting Policy Management Unit staff at (405) 521-3611.

REMOVE

INSERT

340:2, Table of Contents

340:2, Table of Contents, pages 1-2, revised 8-1-06

340:2-15, Table of Contents

340:2-15, Table of Contents, 1 page only, revised 8-1-06

340:2-15-1

340:2-15-1, pages 1-2, revised 8-1-06

340:2-15-2

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340:2-15-27, 1 page only, revised 8-1-06

340:2-15-27.1, pages 1-2, issued 8-1-06

340:2-15-28

340:2-15-28, pages 1-5, revised 8-1-06

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REMOVE

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CHAPTER 2. ADMINISTRATIVE COMPONENTS

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5. Fair Hearings.....	340:2-5-1
7. Office of Inspector General.....	340:2-7-1
8. Health Insurance Portability and Accountability Act (HIPAA)	340:2-8-1
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Appendix B.	Employment Supplement [REVOKED]
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Appendix E.	Statement of Grievance and Resolution [REVOKED]
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Appendix K.	Professional Service Contract Affidavit Form
Appendix L.	Access Clause for Purchase Contract [REVOKED]
Appendix M.	Material Safety Data Sheet Surrogate Statement [REVOKED]
Appendix N	Application for Occupational Therapy/Physical Therapy Scholarship [REVOKED]

- Appendix O. **[RESERVED]**
- Appendix P. Affidavit or Lost or Destroyed Warrant **[REVOKED]**
- Appendix Q. **[RESERVED]**
- Appendix R. Release of Information Regarding Juveniles **[REVOKED]**

SUBCHAPTER 15. RISK AND SAFETY MANAGEMENT**PART 1. RISK MANAGEMENT PROGRAM**

Section

- 340:2-15-1. Purpose
- 340:2-15-2. Definitions
- 340:2-15-3. The DHS Risk Management program **[REVOKED]**
- 340:2-15-4. Risk and safety management functions
- 340:2-15-5. Incident reporting responsibilities
- 340:2-15-6. Forms **[REVOKED]**
- 340:2-15-7. Driver and motor vehicle safety and liability

PART 3. HAZARD COMMUNICATION PROGRAM

- 340:2-15-25. Purpose
- 340:2-15-26. Policy **[REVOKED]**
- 340:2-15-27. Scope
- 340:2-15-27.1 Definitions
- 340:2-15-28. Elements of compliance
- 340:2-15-29. Responsibility **[REVOKED]**
- 340:2-15-30. Unit supervisor/administrator responsibility **[REVOKED]**
- 340:2-15-31. Employee responsibility **[REVOKED]**
- 340:2-15-32. Material safety data sheets **[REVOKED]**
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- 340:2-15-40. Purpose
- 340:2-15-40.1. Adoption by reference
- 340:2-15-41. Definitions
- 340:2-15-42. Implementation of alcohol and drug testing of affected DHS employees, applicants, and volunteers
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PART 1. RISK MANAGEMENT PROGRAM

340:2-15-1. Purpose

Under the guidance of the Department of Central Services (DCS), all state agencies are required to establish a Risk Management Program, appoint a risk manager, and assign personnel sufficient to perform required functions per Section 85.58 A of Title 74 of the Oklahoma Statutes.

(1) The Oklahoma Department of Human Services (OKDHS) Support Services Division (SSD) Risk, Safety, and Emergency Management Unit, risk manager is: ■ 1

(A) the point of contact between OKDHS and DCS for all risk management functions, including incident scene management, investigations, reporting, and record keeping;

(B) responsible for coordinating all workers' compensation activities for OKDHS; and

(C) responsible for coordinating all aspects of employee and public safety for OKDHS as required by state and federal regulations including:

(i) employee safety training;

(ii) Oklahoma Department of Labor (ODOL) inspections; and

(iii) notice posting requirements.

(2) The local administrator or county director, in cooperation with the OKDHS risk manager, carries out the responsibilities of the Risk Management Program. ■ 2

INSTRUCTIONS TO STAFF

1. The Oklahoma Department of Human Services (OKDHS) Support Services Division (SSD) Risk, Safety, and Emergency Management Unit, risk manager formulates a procedures manual that:

(1) outlines the minimum requirements of the rules and regulations contained in the Department of Central Services (DCS) rules at OAC 580:25-3;

(2) includes samples of all forms in current use;

(3) lists the employee annual safety training required by the Oklahoma Department of Labor (ODOL);

(4) lists the chain of command and telephone numbers for reporting workers' compensation claims, casualty or liability incidents, and safety issues; and

(5) is updated as needed.

2. The local administrator or county director responsibilities include:

(1) posting required notices;

(2) providing training in conjunction with the OKDHS risk manager; and

(3) appointing a local safety coordinator, whose duties include:

(A) detecting safety hazards; and

(B) making recommendations for the elimination of identified safety hazards.

340:2-15-2. Definitions

The following words and terms when used in this Part shall have the following meaning, unless the context clearly indicates otherwise:

"Authorized legal counsel" means:

(A) the Attorney General of the State of Oklahoma; or

(B) an attorney authorized to represent the Oklahoma Department of Human Services (OKDHS).

"Casualty incident" or "liability incident" means any liability occurrence or event:

(A) that results in personal injury or property damage; and

(B) where there is probable cause to believe that such event may give rise to a claim for damages against OKDHS or an OKDHS employee and:

(i) takes place upon or within any real property owned or used by OKDHS;

(ii) involves participation by any employee or volunteer of OKDHS who is acting within the scope of his or her employment and authority; or

(iii) involves any vehicle or other personal property owned by OKDHS and operated by an employee or volunteer of OKDHS.

"Claim" means the formal notice served upon proper legal authority by any claimant or the representative of any claimant, as provided by the Tort Claims Act.

"Claimant" means the person or authorized representative who files notice of a claim in accordance with the Tort Claims Act.

"Property incident" means any occurrence or event that involves any real or personal property owned by OKDHS or in the possession of OKDHS for safekeeping, and as a result of the event, property is damaged, lost, or destroyed by accident, misfortune, or mishap.

"Reportable vehicle incident" means any occurrence or event involving a vehicle that results in a liability incident. This includes any incident that involves any vehicle or property used to conduct business within the scope of authority or employment of an OKDHS employee, volunteer, or official.

"Risk manager" means the manager of the OKDHS Support Services Division (SSD) Risk, Safety, and Emergency Management Unit and such staff as necessary to supervise and manage the OKDHS Risk Management Program.

"Risk Management Program" means the system by which OKDHS identifies all risk and works to eliminate, reduce, or minimize that risk through a continuous loss prevention and loss control program. The system includes coordination of activities between OKDHS, the Department of Central Services (DCS), and the Oklahoma Department of Labor (ODOL).

"Settlement of claim" means DCS may settle a claim brought against OKDHS after conferring with authorized legal counsel, subject to any procedural requirements imposed by statute, resolution, or written policy.

"Vehicle" means any self-propelled vehicle or mobile equipment, regardless whether the equipment is licensed for road use, that is used by an OKDHS employee or volunteer for official business and is:

- (A) owned or leased by OKDHS;
- (B) a personal vehicle; or
- (C) a privately leased vehicle.

340:2-15-4. Risk and safety management functions

(a) **Incident scene management.** The local administrator or county director:

(1) takes steps at the scene of any liability incident to ensure the safety and security of all persons and property;

(2) manages the incident scene in the best interest of the Oklahoma Department of Human Services (OKDHS); and

(3) conducts a preliminary investigation, with assistance from local law enforcement personnel, as needed.

(b) **Investigation.** The local administrator or county director ensures that each liability incident is promptly and thoroughly investigated to determine the circumstances surrounding the incident and to mitigate future hazards. The investigation includes, at a minimum:

(1) the identities of all possible claimants and all known witnesses, including each person's:

(A) full name;

(B) address;

(C) home and business telephone numbers;

(D) date of birth;

(E) Social Security number; and

(F) known or reported account of the incident, briefly summarized;

(2) a description of the occurrences that gave rise to the damages, including date, time, location, and an estimate of the possible amount of damages; and

(3) photographs of the accident scene or property damage as close to the date and time of the liability incident as possible.

(c) **Claims.** Claims against OKDHS are investigated by the local administrator or county director and the Risk, Safety, and Emergency Management Unit to determine whether an employee or volunteer involved in a liability incident was on official state business.

(1) For the purpose of the Risk Management Program, the determination of whether an employee's or volunteer's actions are covered is at the sole discretion of the Department of Central Services (DCS) Risk Management Division. [OAC 580:25-5-1(a)(2)]

(2) DCS Risk Management Division makes the final determination of the disposition of any claims for damages against OKDHS.

(d) **Record keeping.** The OKDHS Risk, Safety, and Emergency Management Unit maintains records of all liability incidents. ■ 1

INSTRUCTIONS TO STAFF

1. A unique identification number is assigned to each liability incident and is used to identify the incident in any communications between the Oklahoma Department of Human Services (OKDHS) and Department of Central Services (DCS).

340:2-15-5. Incident reporting responsibilities

Any person, including employees and volunteers, must promptly report any liability incident or potential liability incident in which they are involved or witness. Persons other than an employee or volunteer report the incident to a local Oklahoma Department of Human Services (OKDHS) employee. ■ 1

(1) An employee or volunteer whose conduct or performance of duty gives rise to a liability incident, or who witnesses a liability incident, is required to cooperate in good faith with the defense of any claim arising out of the liability incident.

(2) Cooperation in good faith means not making statements, whether verbally or in writing, regarding the liability incident, except as required by OKDHS, authorized legal counsel, the Department of Central Services (DCS) Risk Management Division, or any law enforcement authority that investigates the liability incident at the scene. ■ 2

INSTRUCTIONS TO STAFF

1. (a) When a liability incident or accident, potential liability incident, or near miss incident occurs, the procedures outlined in (b) through (e) of this Instruction are followed.

(b) The employee or volunteer who is involved in or notified of a liability incident or accident informs the immediate supervisor and completes the appropriate DCS form(s). DCS form, DCS/RISK MGMT - Form 001P, Reporting Procedure for 3rd Party Incident/Accident, provides instruction on completion of the required forms:

(1) Form 23OA301E, Standard Liability Incident Report;

(2) Form 23OA302E, Scope of Employment Form; and

(3) DCS/RISK MGMT - Form 009, Accident Information Reporting Pamphlet.

(c) When an employee sustains a work related injury, refer to DHS:2-15-1.1.

(d) The immediate supervisor informs the local administrator or county director of the incident or accident and ensures the appropriate forms are completed.

(e) The local administrator or county director:

(1) immediately reports any liability incident to the Oklahoma Department of Human Services (OKDHS) Support Services Division, Risk, Safety, and Emergency Management Unit risk manager by telephone at 405-522-2094;

(2) reports any potential liability incident or near miss incident to the OKDHS risk manager by the following working day; and

(3) sends within 24 hours of the incident or by the close of the next working day the required form(s) to the OKDHS risk manager, along with other pertinent documents, such as:

(A) police reports;

(B) witness statements; and

(C) a summary of the facts.

(f) The OKDHS risk manager:

(1) immediately notifies DCS Risk Management Division of the liability incident by telephone;

(2) reviews the information submitted by the local administrator or county director;

(3) may complete a more detailed investigation; and

(4) sends to the DCS Risk Management Division:

(A) the investigation results;

(B) pertinent documentation; and

(C) form(s) received from the local administrator or county director.

2. An employee is free to make any statement or comment concerning OKDHS operations and is protected by Section 840-2.5 of Title 74 of the Oklahoma Statutes.

340:2-15-7. Driver and motor vehicle safety and liability

(a) Motor vehicle liability coverage. For purposes of this Section, a motor vehicle is any vehicle licensed for road use.

(1) Department of Central Services (DCS) provides use of state vehicles and liability coverage for any state employee who operates a motor vehicle while in the scope of his or her employment and on official state business.

(2) DCS does not cover personal errands or other activities undertaken when the employee or volunteer is not within the scope of his or her employment nor on official state business. The employee assumes all liability while engaging in such activities.

(3) DCS Risk Management Division provides liability insurance for a state employee or volunteer deemed insurable. Any losses that involve an uninsurable employee or volunteer are borne by the Oklahoma Department of Human Services (OKDHS).

(4) DCS Risk Management Division checks information on an employee's or volunteer's Department of Public Safety records and notifies the OKDHS Support Services Division (SSD) Risk, Safety, and Emergency Management Unit risk manager whether DCS considers the person insurable.

(b) Requirements for vehicles used to conduct OKDHS business. Before an employee or volunteer may operate a motor vehicle while in the performance of official state business he or she must complete Form 23RS100E, Driver License and Liability Insurance Attestation. ■ 1

(1) In order to operate a vehicle of any type, an employee or volunteer must:

(A) have and carry a valid driver license;

(B) observe all traffic laws and abide by all driving and vehicle safety standards;

(C) not allow an unauthorized person to operate the vehicle;

(D) operate the vehicle in a courteous manner at all times; and

(E) not consume alcoholic beverages or narcotics prior to or during operation of a vehicle.

(2) An employee or volunteer who operates a vehicle is required to report

suspension or revocation of his or her driver license to the local administrator or county director.

(3) An employee or volunteer who is involved in two at-fault accidents within a 24 month period while acting as an agent of OKDHS is deemed uninsurable by DCS for a period of three months following the second accident.

(c) Requirements for drivers of state owned vehicles. Employees use state owned vehicles only for state business within the scope of the driver's employment and authority.

(1) An employee who operates a state owned vehicle complies with the requirements listed in (b)(1)(A) through (E) of this Section.

(2) An employee involved in a vehicle accident while functioning as an agent of OKDHS and in which the driver acted negligently and caused personal injury, property damage, or both, is required to attend and successfully complete a motor vehicle improvement (MVI) course.

(A) The MVI course is approved by the DCS Risk Management Division and must be attended within six months of the accident.

(B) DCS Risk Management Division deems the employee uninsurable until the successful completion of the MVI course.

(d) Reporting vehicle liability incidents. Any vehicle liability incident that involves a fatality, personal injury, or property damage is reported to the nearest law enforcement officer unless the operator is incapacitated. The operator remains at the scene until all acts required by law are completed unless the operator is prevented by injuries or other extenuating circumstances. ■ 2

INSTRUCTIONS TO STAFF

1. (a) The original of Form 23RS100E, Driver License and Liability Insurance Attestation, is forwarded to the Oklahoma Department of Human Services (OKDHS) Risk, Safety, and Emergency Management Unit and a copy is retained in the local OKDHS office.

(b) Department of Central Services (DCS) DCS/RISK MGMT - Form 009, Accident Information Reporting Pamphlet, is kept in the glove compartment of the vehicle and is referred to in the event of an accident.

(c) Before operating a vehicle, the driver is responsible for checking to determine that all necessary safety equipment and control devices are in proper operating condition.

- 2. Employees and volunteers follow the procedures included in OAC 340:2-15-5 Instructions to Staff to report the vehicle liability incident.**

PART 3. HAZARD COMMUNICATION PROGRAM

340:2-15-25. Purpose

(a) The purpose of the rules regarding the Hazard Communication Program is to ensure Oklahoma Department of Human Services (OKDHS) is in compliance with Occupational Safety and Health Administration (OSHA) rules at Section 1910.1200 of Title 29 of the Code of Federal Regulations by making employees and emergency first responders aware of chemicals they may encounter during the course and scope of their work.

(b) The OKDHS Support Services Division (SSD) Risk, Safety, and Emergency Management Unit is responsible for administering and managing the Hazard Communication Program. ■ 1

INSTRUCTIONS TO STAFF

1. (a) Risk, Safety, and Emergency Management Unit. The Oklahoma Department of Human Services (OKDHS) Support Services Division (SSD) Risk, Safety, and Emergency Management Unit is responsible for:

(1) assisting divisions in implementation of the Hazard Communication Program;

(2) maintaining the master list of material safety data sheets (MSDSs);

(3) training supervisors on the program; and

(4) consulting with divisions on program compliance.

(b) Divisions. Divisions are responsible for carrying out the Hazard Communication Program in accordance with the rules in this Part and any financial expenses associated with the implementation of this program.

(c) Local administrator or county director. The local administrator or county director is responsible for:

(1) ensuring that employees are trained;

(2) ensuring that MSDSs are handled in accordance with the rules for this program;

(3) labeling hazardous chemical containers; and

(4) working with contractors to ensure program compliance.

(d) Employees. Employees are responsible for:

(1) complying with rules in this Part and procedures established by their local administrator or county director to minimize potential chemical exposure; and

(2) informing their local administrator or county director if they encounter any problems with the procedures or have a chemical exposure.

340:2-15-27. Scope

The rules in this Part apply to all Oklahoma Department of Human Services (OKDHS) employees and responding public officials, such as a police officer, fireman, or any person acting in the role of an emergency first responder within OKDHS facilities. A copy of these rules is made available upon request. These rules do not cover consumer products used in the manner that a consumer would use the product.

340:2-15-27.1. Definitions

The following words and terms when used in this Part shall have the following meanings, unless the context clearly indicates otherwise:

"**Chemical**" means any element, chemical compound, or mixture of elements and/or compounds.

"**Chemical name**" means the scientific designation of a chemical or a name that clearly identifies the chemical for the purpose of conducting a hazard evaluation.

"**Common name**" means any designation or identification, such as trade name, brand name, or generic name used to identify a chemical other than by its chemical name.

"**Exposure**" or "**exposed**" means that an employee is subjected in the course of employment to a chemical that is a physical or health hazard at a level above that allowed by Section 1910 of Title 29 of the Code of Federal Regulations. It includes accidental or possible exposure by any route of entry such as inhalation, ingestion, skin contact, or absorption.

"**Hazardous chemical**" means any chemical that is a physical hazard or a health hazard.

"**Health hazard**" means chemicals for which there is statistically significant evidence based on at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occur to exposed employees.

"**Immediate use**" means the hazardous chemical will be under the control of and used only by the person who transfers it from a labeled container and only within the work shift in which it is transferred.

"**Material safety data sheet (MSDS)**" means a document prepared by the supplier or manufacturer of a product clearly stating the:

(A) hazardous nature;

(B) ingredients;

(C) precautions to follow;

(D) health effects; and

(E) safe handling and storage information.

"Physical hazard" means a chemical for which there is scientifically valid evidence that is:

(A) a combustible liquid;

(B) a compressed gas, explosive or flammable;

(C) an organic peroxide; or

(D) an oxidizer, pyrophoric, unstable or water-reactive.

340:2-15-28. Elements of compliance

The Oklahoma Department of Human Services (OKDHS) Hazard Communication Program elements of compliance with Section 1910.1200 of Title 29 of the Code of Federal Regulations (CFR) are explained this Section.

(1) **Material safety data sheet (MSDS).** OKDHS requires the manufacturer or the supplier of a chemical product to furnish an MSDS for each chemical product before a purchase contract is awarded. The OKDHS Support Services Division (SSD) Risk, Safety, and Emergency Management Unit maintains the MSDS master list. ■ 1

(2) **Chemical inventory.** The Risk, Safety, and Emergency Management Unit maintains a current chemical inventory list (CIL) containing the common and trade names of all hazardous chemicals present in the workplace. ■ 2

(3) **Workplace labeling.** Appropriate signs to warn of hazardous chemicals are required on buildings or structures, pipelines, containers, tanks, and vessels. ■ 3

(A) Except as provided in (iii)(II)(III) and (IV) of this subparagraph, each container of hazardous materials in the workplace must be labeled, tagged, or marked with the chemical identity, appropriate hazard warning, and name and address of the manufacturer or other responsible party. ■ 3

(i) All shipping containers containing hazardous chemicals must be labeled or placarded in accordance with Oklahoma Department of Transportation (ODOT) regulations. OKDHS shippers provide the MSDS to transport vehicle drivers upon request.

(ii) The labels on containers of hazardous substances that come into the work site must be inspected by the work site supervisor or qualified designee to ensure legibility.

(iii) In order to meet the Oklahoma Hazard Communication Standard found at OAC 580:45, the label affixed to a container by the manufacturer, importer, or distributor must:

(I) identify the hazardous chemical(s);

(II) display appropriate hazard warnings: may use words, pictures, or symbols as appropriate; and must be legible and in English;

(III) specify carcinogens and other regulated chemicals that require specific labeling per Occupational Safety and Health Administration (OSHA) standards if present in concentrations greater than 0.1% of the total volume of a substance;

(IV) contain the name and address of the chemical manufacturer, importer, or other responsible party; and

(V) be prominently displayed.

(iv) If a label is missing or illegible, the hazardous chemical is not used in the work location until the supplier furnishes a replacement label.

(B) In lieu of labels, storage tanks such as bulk oxygen storage must display a Hazard Identification Table (HIT) number on a permanently affixed display device that provides employees and responding public officials a reference by which the vessel's contents and emergency response guide can be referenced from the U.S. Department of Transportation Emergency Response Guidebook.

■ 4

(C) In compliance with the Oklahoma Hazard Communication Standard, OAC 380:45-5-5 for fire safety, OKDHS posts the appropriate sign, as approved by the Oklahoma Department of Labor (ODOL) Commissioner, identifying the locations and severity categories of hazardous chemicals deemed to be present in a significant amount. This is:

(i) any amount of the ODOT classified chemicals as:

(I) a class A explosive;

(II) a class B explosive;

(III) a class A poison;

(IV) a class B poison;

(V) a flammable solid designated as "hazardous when wet"; or

(VI) any radioactive material requiring a special license from the Nuclear Regulatory Agency; and

(ii) 55 gallons of liquid or 500 pounds of non-liquid hazardous chemical

aggregately stored, placed or used within the workplace and where the numerical rating of the hazardous material results in a National Fire Protection Agency (NFPA) 704 Hazard Identification System rating of:

(I) two or greater health hazard;

(II) two or greater flammability hazard; or

(III) one or greater reactivity hazard.

(4) **Contractors.** Construction contractors are asked to inform OKDHS of any hazardous chemicals that will be used in a project and the contractor is informed by OKDHS of any hazardous chemicals they may come into contact with during the OKDHS construction process. Non-construction contractors are required by OKDHS to supply the MSDS for chemicals that could result in OKDHS employee exposure.

(5) **Hazard Communication Program plan.** The OKDHS Hazard Communication Program plan is maintained in the Risk, Safety, and Emergency Management Unit. The plan is available for review upon written request by an affected employee, employee representative, vendor, contractor, responding public official, or authority having jurisdiction. ■ 5

(6) **Hazard Communication Program plan revisions.** The Hazard Communication Program plan is reviewed and updated at least annually and as necessary to reflect new or modified tasks, procedures, exposures, or rule changes. The Risk, Safety, and Emergency Management Unit maintains documentation of the review. ■ 6

INSTRUCTIONS TO STAFF

1. When a product is not purchased through state wide contract, the local administrator or county director is responsible for obtaining the material safety data sheet (MSDS) from the supplier at the time of purchase of a hazardous chemical(s). A copy of the MSDS is forwarded to the Oklahoma Department of Human Services (OKDHS) Support Services Division (SSD) Risk, Safety, and Emergency Management Unit for entry into the master list database.

(1) Each work location maintains a copy of the MSDS for each hazardous chemical stored at that work location in the ORANGE Hazard Communication Manual and ensures they are readily accessible to employees in their work area during each work shift.

- (2) When any new hazardous chemical is introduced into the workplace, the MSDS must be on file before the chemical is used.
2. Each work location develops and maintains a current chemical inventory list (CIL) containing the common and trade names of all hazardous chemicals present in the work location. The CIL is maintained in the ORANGE Hazard Communication Manual and is available on request. In case of a medical emergency, the information is provided immediately and in no case later than the next working day after a request is made.
3. The workplace supervisor ensures:
- (1) incoming chemical container labels are not defaced or removed;
 - (2) labels are written in English; and
 - (3) employees immediately use chemicals transferred into secondary or portable containers. Otherwise the secondary or portable containers require labeling.
4. The local administrator or county director is responsible for ensuring that:
- (1) the appropriate Hazard Information Table (HIT) number is legibly displayed on each building or storage tank requiring this method of hazard identification; and
 - (2) a current copy of the U.S. Department of Transportation Emergency Response Guidebook is maintained in the workplace at all times.
5. (a) Employees are provided with information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new chemical hazard is introduced into their work area. Information and training is provided employees regarding:
- (1) the requirements of this Section;
 - (2) any operations in their work area where hazardous chemicals are present;
 - (3) the location and availability of these rules including the MSDS and CIL

location;

(4) the methods and observations that may be used to detect the presence or release of a hazardous chemical;

(5) the physical and health hazards of the chemicals in the work area; and

(6) the measures employees can take to protect themselves from these hazards such as specific procedures OKDHS has implemented to protect employees from exposure including:

(A) work practices;

(B) emergency procedures; and

(C) personal protective equipment.

(b) Some OKDHS employees are periodically required to perform hazardous non-routine tasks. The supervisor is responsible for identifying and informing employees of the hazardous substances that may be involved prior to the work being performed. Employees are given information regarding:

(1) the specific chemical hazard;

(2) any protective safety measures employees can take, such as wearing gloves or protective clothing;

(3) procedures for decreasing the hazard, such as proper ventilation, respiratory protection, or requiring the presence of other employees; and

(4) any established emergency procedures.

6. The OKDHS risk manager annually forwards an updated Hazardous Communication Program plan to each primary workplace where hazardous chemicals are present. The local administrator or county director updates the plan specific to that workplace and sends a completed copy to the Risk, Safety, and Emergency Management Unit, risk manager.