

U.S. Department of Labor

Occupational Safety and Health

Hasbrouck Heights Area Office
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Hasbrouck Heights, NJ 07604
Tel: (201) 288-1700
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July 1, 2014

RECEIVED

JUL 11 2014

HPAE

Susan Mendelowitz, RN, MPA, FACHE

Interim President, Administrator and Chief Operating Officer

Bergen Regional Medical Center, L.P.

230 East Ridgewood Avenue

Paramus, NJ 07652

Dear Ms. Mendelowitz:

An inspection of your workplace at 230 East Ridgewood Avenue, Paramus, NJ on March 14, 2014 revealed that employees were exposed to hazardous conditions associated with workplace violence. The Occupational Safety and Health Administration (OSHA) regards workplace violence as a serious safety and health hazard. The purpose of this letter is to bring your attention to this hazard and to encourage you to address it in your hospital.

Our inspection found that you have not developed or implemented adequate measures to protect workers from assaults at your workplace. Employees including but not limited to Mental Health Associates, Security Guards, Registered Nurses, Licensed Practical Nurses, Patient Care Partners, and Certified Nursing Assistants are at risk of receiving injuries resulting from assaults and other acts of violence when caring for and treating psychiatric patients. During 2013 there were at least 45 workplace violence incidents where numerous employees were scratched, bitten, punched and kicked. From January 1, 2014 to May 6, 2014 there were at least 10 such incidents.

We do not consider it appropriate at this time to invoke the General Duty Clause, Section 5(a) (1) of the Occupational Safety and Health Act of 1970. No citation will be issued at this time for the presence of this workplace violence hazard. In the interest of workplace safety and health, however, I recommend that you voluntarily take the necessary steps to eliminate or materially reduce your employees' exposure to the risk factors stated above.

Attack

Feasible methods to protect employees from workplace violence may be obtained in the OSHA publication, Guidelines for Preventing Workplace Violence for Healthcare & Social Service Workers (pub # 3148-11R, 2004) Listed below are some of those methods:

- 1) Ensure that employees who have been assaulted on the job are provided with "immediate physical evaluations, (and are) removed from the work site and treated for acute injuries," as stated in Bergen Regional Medical Center's written Human Resources Policy and Procedure Manual.
- 2) Establish a comprehensive program of medical and psychological counseling and debriefing for employees experiencing or witnessing assaults and other violent incidents. Inform and educate employees on how to access the facility's post-incident response system.
- 3) Ensure that workplace violence prevention procedures are written and training on the procedures are provided to all employees. Conduct incident investigations of any and all violent acts. The objective of the investigations are to identify potential risks and to develop preventative measures and corrective action. The resulting analysis is utilized by the Workplace Violence Prevention committee to develop necessary changes in procedures and/or controls as well as for future training.
- 4) Ensure that adequate and qualified staff is available at all times. The times of greatest risk occur during patient transfers, emergency responses, mealtimes and at night. Areas with the greatest risk include admission units and crisis or acute care units.
- 5) Ensure that the Workplace Violence Prevention committee is comprised of at least 50 percent healthcare staff who engage in direct patient care, as required by the Bergen Regional Medical Center's written Human Resources Policy and Procedure Manual.
- 6) Provide and ensure that Management and Human Resources staff have information and training necessary to accurately document all violent incidents including threats. Effective Violent Incident Reporting is the basis of all workplace violence investigations, evaluations and appropriate program controls.
- 7) Establish policies and procedures for secured areas and emergency evacuations.

Attached is a list of available resources that may be of assistance to you in preventing work-related injuries and illnesses in your workplace.

If you have any question, please feel free to call Michael Silva, Assistant Area Director, at (201)288-1700

Sincerely,



✍ Lisa Levy

Area Director



Citation and Notification of Penalty

Company Name: BERGEN REGIONAL MEDICAL CENTER, L.P.
Inspection Site: 230 EAST RIDGEWOOD AVENUE, Paramus, NJ 07652

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1904.29(b)(1): A Log of all recordable work-related injuries and illnesses (OSHA Form 300 or equivalent), was not completed in detail as required by the regulation.

(a) Human Resources Department, 2014 OSHA Form 300: The establishment incorrectly recorded a days away case as other recordable case -- 1904.7(b)(3), for an injury that occurred on February 5, 2014. The injury was sustained when a Mental Health Assistant was punched in the face by a patient and lost thirteen work days, but the injury was recorded as an "Other Recordable" on or about March 14, 2014.

(b) Human Resources Department, 2014 OSHA Form 300: The establishment incorrectly recorded a days away case as other recordable case -- 1904.7(b)(3), for an injury that occurred on February 5, 2014. The injury was sustained when a Mental Health Assistant was punched in the head by a patient and lost two work days, but the injury was recorded as an "Other Recordable" on or about March 14, 2014.

(c) Human Resources Department 2014 OSHA Form 300: The establishment incorrectly recorded a restricted work/job transfer case as other recordable case -- 1904.7(b)(4), for an injury which occurred on January 14, 2014. The injury was sustained when a Registered Nurse was kicked in the face by an agitated patient and incurred 15 days restricted duty, on or about March 14th, 2014.

(d) Human Resources Department 2014 OSHA Form 300: The establishment incorrectly recorded a restricted work/job transfer case as other recordable case -- 1904.7(b)(4), for an injury which occurred on January 15, 2014. The injury was sustained when a Registered Nurse was punched in the abdomen by an agitated patient and incurred at least 12 days restricted duty, on or about March 14th, 2014.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/08/2014
\$3000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 978372
Inspection Date(s): 03/14/2014 -
Issuance Date: 07/03/2014



Citation and Notification of Penalty

Company Name: BERGEN REGIONAL MEDICAL CENTER, L.P.
Inspection Site: 230 EAST RIDGEWOOD AVENUE, Paramus, NJ 07652

Citation 1 Item 1 Type of Violation: **Serious**

29 CFR 1910.305(b)(1): Unused openings in boxes, cabinets, or fittings were not effectively closed:

(a) Kitchen Area: A knockout was missing from an electrical outlet box at approximately 4 feet above the floor in the area where employees are pushing tray carts and cleaning, thus exposing employees to an electric shock hazard, on or about March 14, 2014.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$3000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: BERGEN REGIONAL MEDICAL CENTER, L.P.
Inspection Site: 230 EAST RIDGEWOOD AVENUE, Paramus, NJ 07652

Citation 2 Item 3 Type of Violation: **Other-than-Serious**

29 CFR 1904.29(b)(3): Each recordable injury or illness was not entered on the OSHA 300 Log and/or an incident report (OSHA Form 301 or equivalent) within seven (7) calendar days of receiving information that a recordable injury or illness has occurred:

(a) Human Resources Department 2014 OSHA Form 300: The establishment failed to record a restricted work/job transfer on the OSHA log, for an injury which occurred on February 6, 2014. The injury was sustained by a Licensed Practical Nurse who was kicked in the thigh by a Long Term Care Resident and incurred 6 days restricted duty. The injury was not recorded on the log, on or about March 14th, 2014.

(b) Human Resources Department 2014 OSHA Form 300: The establishment failed to record a restricted work/job transfer on the OSHA log, for an injury which occurred on March 18, 2014. The injury was sustained by a Mental Health Assistant who was pushed by fighting patients and incurred 20 days restricted duty. The injury was not recorded on the log, on or about March 28th, 2014.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/08/2014
\$2000.00

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 978372
Inspection Date(s): 03/14/2014 -
Issuance Date: 07/03/2014



Citation and Notification of Penalty

Company Name: BERGEN REGIONAL MEDICAL CENTER, L.P.
Inspection Site: 230 EAST RIDGEWOOD AVENUE, Paramus, NJ 07652

Citation 2 Item 4 Type of Violation: **Other-than-Serious**

29 CFR 1904.32(a)(4): The employer did not post an OSHA 300A Form or equivalent by February 1 thru April 30.

(a) Human Resources Department: The employer failed to post the annual summary of work-related injuries and illnesses on or about March 14, 2014.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$1000.00

A handwritten signature in black ink, appearing to read "Lisa Levy".

 Lisa Levy
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.