

U.S. Department of Labor

Occupational Safety and Health Administration  
Tarrytown Area Office  
660 White Plains Road 4th Floor  
Tarrytown, NY 10591-5107  
(914) 524-7510  
Fax: (914) 524-7515  
OSHA Website Address: <http://www.osha.gov>



October 7, 2003

Dr. Steven Cha  
145 W. 96th St., Apt. 2D  
New York, NY 10025

Dear Dr. Cha:

In response to your complaint concerning health hazards at:

Montefiore Medical Center  
111 East 210th Street and 1825 Eastchester Road  
Bronx, NY 10461,

the Occupational Safety and Health Administration conducted an inspection. That inspection was completed on September 29, 2003. The results of our inspection of your complaint items are as follows:

**Complaint Item 1: Failed to provide for employee use hypodermic syringes with engineered sharps injury protection.**

See Citation 1, Item 1a.

**Complaint Item 2: Failed to consider at least annually safer medical devices and document such annual consideration in its Exposure Control Plan (ECP).**

The employer considered safer medical devices at least annually, but failed to document such consideration in its ECP. See Citation 2, Item 4.

**Complaint Item 3: Failed to solicit non-managerial employees' input in the evaluation and selection of safer sharps and document such solicitation in its ECP.**

The employer did solicit input from non-managerial employees in its evaluation and selection of safer sharps. This was accomplished as follows:

1. Non-managerial members of the nursing staff served on the employer's Needlestick Prevention Task Force.

2. Residents and Fellows served on the Infection Control Committee which participates in the evaluation and selection of safer sharps.

3. Nurses and Residents fill out surveys as the employer pilots such devices such as safer angiocatheters.

**Complaint Item 4: Failed to review and update its ECP at least annually.**

See Citation 2, Item 3.

**Complaint Item 5: Failed to list engineering and work-practice controls in its ECP. The list provided is outdated and does not include syringes, standard blood collection devices, IV catheters or scalpels.**

See Citation 2, Item 4.

**Complaint Item 6: Failed to document the procedure for evaluating exposure incidents.**

The procedure was documented in the ECP (Number: J101.1, Revised: 12/00).

**Complaint Item 7: Failed to maintain a current exposure determination in its ECP. The list of jobs associated with exposure to blood or other potentially infectious materials has not been updated since 1992.**

The employer failed to maintain the exposure determination list with the exposure control plan. Citation 2, Item 2.

**Complaint Item 8: Failed to enter in its sharps injury logs (e.g., for the year 2002) at a minimum the type and brand of the device involved in each incident and an explanation of how each incident occurred.**

See Citation 2, Items 5a, 5b, and 5c.

Attached for your information is a copy of the OSHA-2, Citation and Notification of Penalty, which was sent to your employer on September 30, 2003 and should have been posted at the workplace for at least three days after receipt.

If you do not agree with our inspection results, you may contact me for a clarification of the matter. You also have the right to an informal review by the OSHA Area Director who can be contacted at the following location:

Area Director  
U.S. Department of Labor/ OSHA  
660 White Plains Road 4th Floor  
Tarrytown, NY 10591-5107

(914) 524-7510

This review may be obtained by submitting a written statement of your position to the Area Director. The Area Director will provide the employer with a copy of such statement by certified mail. Your identity will be withheld unless you explicitly request that it be revealed.

Section 11(c) of the OSH Act provides protection for employees against discrimination because of their involvement in protected safety and health related activity. If you believe you are being treated differently or action is being taken against you because of your safety or health activity, you may file a complaint with OSHA. You should file this complaint as soon as possible, since OSHA normally can accept only those complaints filed within 30 days of the alleged discriminatory action.

Thank you for your concern for a safe and healthful workplace.

Respectfully,

  
Diana Cortez  
Area Director

Enclosure



**Citation and Notification of Penalty**

**Company Name:** Montefiore Medical Center  
**Inspection Site:** 111 East 210th Street and 1825 Eastchester Road, Bronx, NY 10461

---

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness.

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

29 CFR 1910.1030(d)(2)(i): Engineering and work practice controls were not used to eliminate or minimize employees' occupational exposure to bloodborne pathogens:

- a) Montefiore Medical Center, Moses Division: Needles without engineering controls were used for the administration of intramuscular injections on or about 4/14/03.
- b) Montefiore Medical Center, Jack D. Weiler Hospital at the Albert Einstein College of Medicine: Needles without engineering controls were used for the administration of intramuscular injections on or about 7/23/03.
- c) Montefiore Medical Center, Moses Division: On or about 4/14/03, needles without engineering controls were used for the administration of subcutaneous injections.
- d) Montefiore Medical Center, Jack D. Weiler Hospital at the Albert Einstein College of Medicine: On or about 7/23/03, needles without engineering controls were used for the administration of subcutaneous injections.
- e) Montefiore Medical Center, Moses Division: Engineering controls were not used for the placement of central venous catheter lines, peripherally inserted central catheter lines, hemodialysis catheter lines and swans gans catheter lines. Sharps without engineering controls (e.g, scalpels, introducer needles and needles for lidocaine administration) were used for this procedure on or about 4/14/03.
- f) Montefiore Medical Center, Jack D. Weiler Hospital at the Albert Einstein College of Medicine: Engineering controls were not used for the placement of central venous catheter lines, peripherally inserted central catheter lines, hemodialysis catheter lines and swans gans catheter lines. Sharps without engineering controls (e.g., scalpels, introducer needles and needles for lidocaine administration) were used for this procedure on or about 7/23/03.



**Citation and Notification of Penalty**

**Company Name:** Montefiore Medical Center  
**Inspection Site:** 111 East 210th Street and 1825 Eastchester Road, Bronx, NY 10461

---

- g) Montefiore Medical Center, Moses Division: Engineering and work practice controls were not used during central line blood drawing and flushing as needles without engineering controls were used on or about 4/14/03.
- h) Montefiore Medical Center, Moses Division: Engineering and work practice controls were not used to secure central venous catheter lines, peripherally inserted central catheter lines, arterial lines, hemodialysis catheter lines and chest tubes. Suture needles were used to secure the above-listed types of catheter lines into place on or about 4/14/03.
- i) Montefiore Medical Center, Jack D. Weiler Hospital at the Albert Einstein College of Medicine: Engineering controls and work practices were not used to secure central venous catheter lines, peripherally inserted central catheter lines, arterial lines, hemodialysis catheter lines, swans gans catheter lines, and chest tubes. Suture needles were used to secure the above-listed types of catheter lines into place on or about 7/23/03.
- j) Montefiore Medical Center, Moses Division: Engineering and work practice controls were not used during the placement of blood drawn from central lines and peripheral lines into blood tubes and blood culture bottles. Needles without engineering controls were held in one hand and then used to pierce through the top of the blood tubes and/or culture bottles being held in the other hand on or about 4/14/03.
- k) Montefiore Medical Center, Jack D. Weiler Hospital at the Albert Einstein College of Medicine: Engineering controls and work practices were not used during the placement of blood drawn from central lines, peripheral lines, and from umbilical cords into blood tubes and blood culture bottles. Needles without engineering controls were held in one hand and then used to pierce through the top of the blood tubes and/or culture bottles being held in the other hand on or about 7/23/03.
- l) Montefiore Medical Center, Moses Division: Needles without engineering controls were used for the administration of intravenous (i.v.) push medication on or about 4/14/03.
- m) Montefiore Medical Center, Jack D. Weiler Hospital at the Albert Einstein College of Medicine: Needles without engineering controls were used for the administration of intravenous (i.v.) push medication on or about 7/23/03.
- n) Montefiore Medical Center, Moses Division: Engineering controls were not used during paracentesis procedures. Sharps without engineering controls (e.g., scalpels, needles for administration of lidocaine and needles for withdrawing fluid) were used on or about 4/14/03.

---

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



### Citation and Notification of Penalty

Company Name: Montefiore Medical Center

Inspection Site: 111 East 210th Street and 1825 Eastchester Road, Bronx, NY 10461

- 
- o) Montefiore Medical Center, Moses Division: Engineering controls were not used during thoracentesis procedures. Sharps without engineering controls (e.g., scalpels, needles for administration of lidocaine and needles for withdrawing fluid) were used on or about 4/14/03.
  - p) Montefiore Medical Center, Moses Division: Engineering controls were not used during the radial placement and securing of arterial lines. Sharps without engineering controls (e.g., introducer needles, needles for lidocaine administration, scalpels and suture needles) were used on or about 4/14/03.
  - q) Montefiore Medical Center, Jack D. Weiler Hospital at the Albert Einstein College of Medicine, Neonatal Intensive Care Unit (NICU): Engineering controls were not used for the placement of umbilical arterial lines and umbilical venous lines. Scalpels without engineering controls were used during this procedure on or about 7/23/03.
  - r) Montefiore Medical Center, Jack D. Weiler Hospital at the Albert Einstein College of Medicine, Neonatal Intensive Care Unit (NICU): Engineering controls that would eliminate or minimize exposure to bloodborne pathogens were not used during the collection of arterial blood gas. Needles without engineering controls were used for this procedure on or about 7/23/03.
  - s) Montefiore Medical Center, Jack D. Weiler Hospital at the Albert Einstein College of Medicine, Labor and Delivery Operating Room: Engineering controls were not used for taking umbilical cord blood. Needles without engineering controls were used for this procedure on or about 7/23/03.
  - t) Montefiore Medical Center, Jack D. Weiler Hospital at the Albert Einstein College of Medicine, OB-GYN - OR: The engineering controls used for the placement of used suture needles during C-sections, hysterectomies, and tubal ligations did not eliminate or minimize employee exposure to bloodborne pathogens. Used suture needles and scalpel blades were placed into a foam needle counter pad which could allow the needle and/or scalpel blade to penetrate through the side of the pad on or about 7/23/03.

Abatement Note: The facility had an engineering control device (i.e., a foam needle counter pad contained within a hard plastic lockable case) that would minimize or eliminate employee exposure to this hazard and was in use in other areas of the facility.

- u) Montefiore Medical Center, Moses Division: Scalpels with engineering controls were not used for the following procedures: incision and drainage procedures, chest tube insertions, perionychium



**Citation and Notification of Penalty**

Company Name: Montefiore Medical Center  
Inspection Site: 111 East 210th Street and 1825 Eastchester Road, Bronx, NY 10461

infection procedures, appendectomy procedures, tracheostomy procedures, inguinal hernia procedures, and other procedures performed in the operating rooms on or about 4/14/03.

- v) Montefiore Medical Center, Jack D. Weiler Hospital at the Albert Einstein College of Medicine: Scalpels with engineering controls were not used for the following procedures: incision and drainage procedures, chest tube insertions, perionychium infection procedures, appendectomy procedures, tracheostomy procedures, inguinal hernia procedures, and other procedures performed in the operating rooms on or about 7/23/03.
- w) Montefiore Medical Center, Moses Division: Engineering controls were not used when drawing arterial blood gas through femoral arteries. Needles without engineering controls were used to draw the arterial blood gas which was then transferred to an arterial blood gas syringe by inserting the needle tip into the opening of the arterial blood gas syringe on or about 4/14/03.
- x) Montefiore Medical Center, Moses Division: Huber-type needles with engineering controls were not used for accessing subcutaneous vascular access ports on or about 4/14/03.
- y) Montefiore Medical Center, Einstein Division: Huber-type needles with engineering controls were not used for accessing subcutaneous vascular access ports on or about 7/23/03.
- z) Montefiore Medical Center, Moses Division, Centennial Building, Dental Clinic: 16 gauge Angiocatheters without engineering controls were used for gaining intravenous access to obtain platelet rich plasma (prp) on or about 9/3/03

**Note 1:** Instances a, b, c, and d include but are not limited to medications which are drawn up at the time of administration and medications received prefilled/premixed at the time of administration.

**Note 2:** Instance d includes various departments at the Moses Division as well as the Centennial Building - Dental Clinic.

**NOTE:** In addition to abatement certification, the employer is required to submit abatement documentation for this item in accordance with 29 CFR 1903.19.



**Citation and Notification of Penalty**

Company Name: Montefiore Medical Center  
Inspection Site: 111 East 210th Street and 1825 Eastchester Road, Bronx, NY 10461

Date By Which Violation Must be Abated: 07/01/2004  
Proposed Penalty: \$ 4500.00

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

29 CFR 1910.1030(d)(2)(xi): Procedure(s) involving blood or other potentially infectious materials were not performed in such a manner as to minimize splashing, spraying, spattering, or generation of droplets of these substances:

- a) Montefiore Medical Center, Moses Division, Emergency Department: Doctors performed wound irrigation procedures without using a splashshield to control splashing, spraying or generation of droplets of blood and other potentially infectious materials on or about 6/19/03.

ABATEMENT NOTE: Use of a device such as the Zerowet splashshield must be enforced during wound irrigation procedures.

NOTE: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.

Date By Which Violation Must be Abated: 10/20/2003





**Citation and Notification of Penalty**

Company Name: Montefiore Medical Center  
Inspection Site: 111 East 210th Street and 1825 Eastchester Road, Bronx, NY 10461

**Citation 1 Item 2 Type of Violation: **Serious****

29 CFR 1910.1030(d)(2)(viii): Immediately or as soon as possible after use, contaminated sharps were not placed in appropriate containers until properly reprocessed:

- a) Montefiore Medical Center, Moses Division, Emergency Department, Soiled Utility Room: Contaminated reusable sharps were placed on open-topped flat trays that were not labelled or color-coded and were not placed in appropriate containers until properly reprocessed on or about 6/17/03.

ABATEMENT NOTE: Appropriate containers are required by 29 CFR 1910.1030 to be: a. puncture resistant; b. labelled or color-coded in accordance with the standard; c. leak-proof on the sides and bottom and d. in accordance with the requirements set forth in paragraph (d)(4)(ii)(E).

NOTE: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.

|   |            |
|---|------------|
| Date by which Violation Must be Abated: | 10/16/2003 |
| Proposed Penalty:                       | \$ 2250.00 |



**Citation and Notification of Penalty**

**Company Name:** Montefiore Medical Center  
**Inspection Site:** 111 East 210th Street and 1825 Eastchester Road, Bronx, NY 10461

---

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness.

**Citation 1 Item 3a Type of Violation: **SERIOUS****

29 CFR 1910.1030(d)(3)(ii): The employer did not ensure that the employee used appropriate personal protective equipment when there was occupational exposure:

- a) Montefiore Medical Center, Moses Division, Emergency Department: The employer did not ensure that nurses and doctors used personal protective equipment such as protective gowns and shoe coverings to prevent blood from reaching the employees' work clothes (e.g., nurses' uniforms, personal clothing and street footwear) during the following procedures: wound irrigation procedures, treatment of persons with lacerations, miscarriages and other procedures on or about 6/19/03.

**NOTE: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.**

|  |            |
|--|------------|
| <b>Date by Which Violation Must be Abated:</b> | 11/04/2003 |
| <b>Proposed Penalty:</b>                       | \$ 250.00  |



**Citation and Notification of Penalty**

Company Name: Montefiore Medical Center  
Inspection Site: 111 East 210th Street and 1825 Eastchester Road, Bronx, NY 10461

---

**Citation 1 Item 3b Type of Violation: **Serious****

29 CFR 1910.1030(d)(3)(iii): The employer did not ensure that appropriate personal protective equipment was readily accessible at the worksite or issued to employees when there was occupational exposure:

- a) Montefiore Medical Center, Moses Division, Emergency Department: The employer did not ensure that appropriate personal protective equipment such as shoe coverings was readily accessible in the Emergency Department (or other work areas where gross contamination by blood or other potentially infectious materials may be found) on or about 6/17/03.

**NOTE: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.**

**Date By Which Violation Must be Abated: 09/04/2003**



**Citation and Notification of Penalty**

Company Name: Montefiore Medical Center  
Inspection Site: 111 East 210th Street and 1825 Eastchester Road, Bronx, NY 10461

---

**Citation 2 Item 1** Type of Violation: **Other**

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 the detail as required by the regulation.

- a) Moses Division: On or about 9/3/03, the actual number of lost workdays for the following recordable cases was not recorded on the calendar year 2003 OSHA-300 log, when the actual number of days was known:

Case Numbers:

106-03  
122-03  
236-03  
274-03  
285-03  
295-03  
372-03  
375-03

- b) Moses Division: On or about 9/3/03, An estimated number of lost workdays was not recorded on the calendar year 2003 OSHA-300 log for the following recordable cases when the employee was out for an extended period of time:

Case Numbers:

022-02  
107-03  
330-03

- c) Moses Division and Einstein Divisions: On or about 9/3/03, each recordable case on the OSHA-300 log for 2002 and 2003 was not identified in columns M1 through M5 as to whether the case involved an injury or illness.

---

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: Montefiore Medical Center  
Inspection Site: 111 East 210th Street and 1825 Eastchester Road, Bronx, NY 10461

- d) Einstein Division and Moses Divisions: On or about 9/3/03, a complete injury description was not recorded on the OSHA-300 log for 2002 for cases including but not limited to the following:

Einstein Division Case Numbers:

Moses Division Case Numbers:

72-02

225-02

74-02

236-02

77-02

244-02

111-02

249-02

Abatement Note: Reference requirements of 1904.7(b)(3).

**NOTE: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.**

|  |            |
|--|------------|
| Date By Which Violation Must Be Abated | 11/05/2003 |
| Proposed Penalty                       | \$ 0.00    |



**Citation and Notification of Penalty**

Company Name: Montefiore Medical Center  
Inspection Site: 111 East 210th Street and 1825 Eastchester Road, Bronx, NY 10461

**Citation 2 Item 2 Type of Violation: Other**

29 CFR 1910.1030(c)(1)(ii)(A): The employer's Exposure Control Plan did not include the exposure determination required by 29 CFR 1910.1030(c)(2):

- a) Montefiore Medical Center, Moses and Einstein Divisions: The Montefiore Medical Center - Bloodborne Pathogen Exposure Control Plan (Number J101.1, revised date 12/00) did not include the exposure determination required on or about 4/14/03.

**NOTE: Because abatement of this violation is already documented in the inspection case file, the employer need not submit certification or documentation of abatement of this violation as normally required by 29 CFR 1903.19.**

| Date By Which Violation Must be Abated | Corrected During Inspection |
|--|-----------------------------|
| Proposed Penalty:                      | \$ 0:00                     |



### Citation and Notification of Penalty

Company Name: Montefiore Medical Center  
Inspection Site: 111 East 210th Street and 1825 Eastchester Road, Bronx, NY 10461

### Citation 2 Item 3 Type of Violation: Other

29 CFR 1910.1030(c)(1)(iv)(A): The Exposure Control Plan was not reviewed and updated at least annually and whenever necessary to reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens:

- a) Montefiore Medical Center, Moses and Einstein Divisions - On or about 4/14/03, the employer had not updated its Exposure Control Plan to reflect changes in technology that eliminate or reduce occupational exposure to bloodborne pathogens on or about 4/14/03. Those changes in technology produced devices such as:
1. Attachable guarded needle injection delivery systems for use with prefilled glass medication cartridges.
  2. Attachable needle guards for prefilled syringes with vaccines and medications.
  3. Prefilled medications with attached guarded safety needle delivery systems or needleless systems (lidocaine 1% , epinephrine, atropine, local anesthesia used in dental applications, etc.)
  4. Peripherally Inserted Cardiac Catheter (PICC) Introducer needles with engineered sharps injury protection.
  5. Needleless catheter and tube anchoring systems that do not require the use of suture needles for the placement of the following: central venous lines, picc lines, arterial lines, midlines, chest tubes, and other applications.
  6. Scalpels with retractable blades or sidling sheath cover guards.
  7. Hypodermic needles with engineered sharps injury protection for use in administering intramuscular injections, intradermal injections and subcutaneous injections.

**NOTE: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.**



**Citation and Notification of Penalty**

Company Name: Montefiore Medical Center  
Inspection Site: 111 East 210th Street and 1825 Eastchester Road, Bronx, NY 10461

Date By Which Violation Must be Abated: 12/03/2003  
Proposed Penalty: \$ 0.00

**Citation 2 Item 4 Type of Violation: Other**

29 CFR 1910.1030(c)(1)(iv)(B): The employer did not document, in the exposure control plan, annual consideration and implementation of appropriate commercially available and effective safer medical devices designed to eliminate or minimize occupational exposure.

a) Montefiore Medical Center, Moses and Einstein Divisions: On or about 4/14/03, the Montefiore Medical Center - Bloodborne Pathogens Exposure Control Plan (Number J101.1, revised date 12/00) did not contain documentation of safer medical devices available in the workplace such as:

1. Zerowet splash guard,
2. Kendall-Devon Mini Kit, Needle and Blade Guard,
3. Endopath ETS45 Endoscopic Linear Cutter,
4. Endopath ETS-Flex - Endoscopic Articulating Linear Cutter,
5. Ethicon Endo-Surgery Inc. Ultracision Harmonic Scalpel,
6. Endoscopic linear cutter,
7. Ethicon Endo-Surgery Inc. Bladeless Trocar,
8. Autosuture Purstring 65,
9. Abbot Suture Closure Mediated Closure Device and Perclose Tripper Device
10. Braun Safety IV Catheter Device.

NOTE: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.

Date By Which Violation Must be Abated: 10/16/2003  
Proposed Penalty: \$ 0.00





**Citation and Notification of Penalty**

Company Name: Montefiore Medical Center  
Inspection Site: 111 East 210th Street and 1825 Eastchester Road, Bronx, NY 10461

**Citation 2 Item 3** Type of Violation: **Other**

29 CFR 1910.1030(c)(1)(iv)(A): The Exposure Control Plan was not reviewed and updated at least annually and whenever necessary to reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens:

- a) Montefiore Medical Center, Moses and Einstein Divisions - On or about 4/14/03, the employer had not updated its Exposure Control Plan to reflect changes in technology that eliminate or reduce occupational exposure to bloodborne pathogens on or about 4/14/03. Those changes in technology produced devices such as:
1. Attachable guarded needle injection delivery systems for use with prefilled glass medication cartridges.
  2. Attachable needle guards for prefilled syringes with vaccines and medications.
  3. Prefilled medications with attached guarded safety needle delivery systems or needleless systems (lidocaine 1% , epinephrine, atropine, local anesthesia used in dental applications, etc.)
  4. Peripherally Inserted Cardiac Catheter (PICC) Introducer needles with engineered sharps injury protection.
  5. Needleless catheter and tube anchoring systems that do not require the use of suture needles for the placement of the following: central venous lines, picc lines, arterial lines, midlines, chest tubes, and other applications.
  6. Scalpels with retractable blades or sliding sheath cover guards.
  7. Hypodermic needles with engineered sharps injury protection for use in administering intramuscular injections, intradermal injections and subcutaneous injections.

**NOTE: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.**



**Citation and Notification of Penalty**

Company Name: Montefiore Medical Center  
Inspection Site: 111 East 210th Street and 1825 Eastchester Road, Bronx, NY 10461

Date By Which Violation Must be Abated: 12/03/2003  
Proposed Penalty: \$ 0.00

**Citation 2 Item 4 Type of Violation: Other**

29 CFR 1910.1030(c)(1)(iv)(B): The employer did not document, in the exposure control plan, annual consideration and implementation of appropriate commercially available and effective safer medical devices designed to eliminate or minimize occupational exposure.

a) Montefiore Medical Center, Moses and Einstein Divisions: On or about 4/14/03, the Montefiore Medical Center - Bloodborne Pathogens Exposure Control Plan (Number J101.1, revised date 12/00) did not contain documentation of safer medical devices available in the workplace such as:

1. Zerowet splash guard,
2. Kendall-Devon Mini Kit, Needle and Blade Guard,
3. Endopath ETS45 Endoscopic Linear Cutter,
4. Endopath ETS-Flex - Endoscopic Articulating Linear Cutter,
5. Ethicon Endo-Surgery Inc. Ultracision Harmonic Scalpel,
6. Endoscopic linear cutter,
7. Ethicon Endo-Surgery Inc. Bladeless Trocar,
8. Autosuture Purstring 65,
9. Abbot Suture Closure Mediated Closure Device and Perclose Tripper Device
10. Braun Safety IV Catheter Device.

**NOTE: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.**

Date By Which Violation Must be Abated: 10/16/2003  
Proposed Penalty: \$ 0.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: Montefiore Medical Center  
Inspection Site: 111 East 210th Street and 1825 Eastchester Road, Bronx, NY 10461

---

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness.

**Citation 2 Item 5a Type of Violation: Other**

29 CFR 1910.1030(h)(5)(i)(A): The sharps injury log did not contain the brand of the device involved in the incident:

- a) Montefiore Medical Center, Moses Division: The 2002 and 2003 sharps injury logs did not contain the brand of device involved in the incidents recorded on or about 5/8/03.
- b) Montefiore Medical Center, Jack D. Weiler Hospital at the Albert Einstein College of Medicine: The 2002 and 2003 sharps injury logs did not contain the brand or device involved in the incidents recorded on or about 5/8/03.

**NOTE: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.**

|  |            |
|--|------------|
| Date By Which Violation Must be Abated | 11/04/2003 |
| Proposed Penalty                       | \$ 0.00    |

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

Inspection Number: 305769994  
Inspection Dates: 04/14/2003-09/29/2003  
Issuance Date: 09/30/2003



**Citation and Notification of Penalty**

Company Name: Montefiore Medical Center  
Inspection Site: 111 East 210th Street and 1825 Eastchester Road, Bronx, NY 10461

**Citation 2 Item 5b Type of Violation: Other**

29 CFR 1910.1030(h)(5)(i)(B): The sharps injury log did not contain the department or work area where the exposure incident occurred:

- a) Montefiore Medical Center, Moses Division: The 2002 and 2003 sharps injury logs did not contain the department or work area where the exposure incidents had occurred on or about 5/8/03.
- b) Montefiore Medical Center, Jack D. Weller Hospital at the Albert Einstein College of Medicine: The 2002 and 2003 sharps injury logs did not contain the department or work area where the exposure incidents had occurred on or about 5/8/03.

**NOTE: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.**

**Date By Which Violation Must Be Abated: 11/05/2003**

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

**Company Name:** Montefiore Medical Center  
**Inspection Site:** 111 East 210th Street and 1825 Eastchester Road, Bronx, NY 10461

---

**Citation 2 Item 5c Type of Violation: Other**

29 CFR 1910.1030(h)(5)(i)(C): The sharps injury log did not contain an explanation of how the incident occurred:

- a) Montefiore Medical Center, Moses Division: The 2002 and 2003 sharps injury logs did not contain an explanation of how each incident had occurred on or about 5/8/03.
- b) Montefiore Medical Center, Jack D. Weiler Hospital at the Albert Einstein College of Medicine: The 2002 and 2003 sharps injury logs did not contain an explanation of how each incident had occurred on or about 5/8/03.

**NOTE: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.**

**Date by which Violation Must be Abated: 11/04/2003**

  
\_\_\_\_\_  
Diana Cortez  
Area Director