

National Emphasis Program

On March 12, 2021, OSHA launched a [national emphasis program](#) (NEP) for COVID-19. OSHA establishes NEPs when it identifies a need to focus its resources to address particular hazards and high-hazard industries. This NEP will remain in effect for one year until March 12, 2022, but OSHA has the ability to amend or cancel the program as needed.

Prior OSHA guidance primarily addressed mitigating and limiting the spread of COVID-19. This NEP prioritizes the use of OSHA resources to eliminate and control workplace exposure to COVID-19.

OSHA intends to favor the use of on-site workplace inspections to enforce compliance with this NEP. However, at its discretion, OSHA will conduct remote inspections if on-site inspections cannot be performed safely. OSHA has updated its [interim enforcement response plan](#) to reflect these new areas of focus.

With the release of this NEP, OSHA has also stated it will focus enforcement efforts on employers that are not making good faith efforts to protect workers. OSHA will use reports of work-related deaths and hospitalizations to allocate enforcement resources. To this end, this NEP encourages workers to raise concerns when they perceive employers are failing to protect them from COVID-19.

Enforcement Effort for High-hazard Health Care Facilities

On March 7, 2022, OSHA [announced](#) an enforcement [memorandum](#) for a short-term increase in highly focused inspections directed at hospitals and skilled nursing care facilities that treat COVID-19 patients.

The goal of this enforcement initiative is to expand OSHA's presence to ensure continued mitigation to control the spread of COVID-19 and future variants of the coronavirus.

Enforcement Initiative Focus

OSHA's announcement states the agency intends to expand its presence in targeted high-hazard health care facilities during a three-month period from March 9 to June 9, 2022. Through this focused enforcement initiative, the agency will verify and assess hospital and skilled nursing care compliance with COVID-19 safety guidelines, including their readiness to address ongoing or future COVID-19 surges.

This initiative supplements OSHA's targeted enforcement under the Revised COVID-19 National Emphasis Program (NEP) ([DIR 2021-03 \[CPL 03\]](#)). Specifically, the agency plans to conduct focused follow-up and monitoring inspections of previously inspected entities that received previous COVID-19 citations or hazard alert letters. Focused follow-ups will also include entities that received COVID-19-related citations after a remote-only inspection. Potential targets for these focused inspections include general medical and surgical hospitals, psychiatric and substance abuse hospitals, nursing care facilities and assisted living facilities for the elderly.

Employer Next Steps

OSHA expects this initiative and the revised COVID-19 NEP will comprise 15% of the agency's enforcement activity. Health care employers should become familiar with this enforcement initiative and continue to provide a safe and healthy workplace for their employees.