



DEPARTMENT OF FINANCIAL SERVICES

*Division of State Fire Marshal
Bureau of Fire Standards & Training*

Title: SAFETY ARTICLE: Medical Evaluations

Release Date: January 24, 2012

Florida Administrative Code – 69A-62 – Medical Evaluations

Medical evaluations are required in order to use Self Contained Breathing Apparatus (SCBA). This article covers the key points but there is nothing like going through the actual documents mentioned in detail.

Authority

Florida Statute (FS) 633.803 states that “It is the intent of the Legislature to enhance firefighter occupational safety and health in the state”. This applies to both career and volunteer firefighters and departments as noted in FS 633.803 and 633.820. Under FS 633.821(2), the Division of State Fire Marshal has the authority to “adopt all or any part of subparts C through T and subpart Z of 29 C.F.R.’ s. 1910”. At the end of 2001, in accordance with FS 633.821(2), 29 C.F.R. Subpart I, “Personal Protective Equipment” Standard 1910.134, “Respiratory Protection” was adopted as part of Florida Administrative Code (FAC) 69A-62.001. Within CFR 1910.134, section (e) requires medical evaluation prior to mask fit testing, wearing or using respiratory protection.

Note: - In this article, the term firefighter employer and firefighter applies to both career and volunteer.

Why is it required?

1910.134(e) establishes the minimum medical evaluation required to determine if a firefighter is medically fit to wear and use respiratory protection, in our case SCBA. 1910.134(e) also requires that this medical evaluation must be performed prior to undergoing SCBA mask fit testing.

Who can conduct the medical evaluation?

1910.134(e) requires that the firefighter employer must select a licensed health care professional to conduct the required medical evaluation. In Florida, this evaluation can be conducted by a Florida licensed physician, osteopathic physician, surgeon, physician assistant or advanced registered nurse practitioner licensed to practice in the State of Florida (FAC 69A-37.037).

What information must the firefighter employer provide to the health care professional in order to properly conduct the medical evaluation?

1910.134(e) requires that the following be provided:

- The type and weight of the respirator to be used.
- The duration and frequency of respirator use.
- The expected physical work effort.
- Additional protective clothing and equipment to be worn.
- Temperature and humidity extremes that may be encountered.

- A copy of the firefighter employer's respiratory program as required in (CFR 1910.134(c)) and a copy of CFR 1910.134(e).

Note: In 69A-.037, the job and task functions of a firefighter as outlined in section 5.1 of the National Fire Protection Association, Standard 1582, 2007 Edition PA 1582 were adopted. It addresses all but perhaps the actual weight of the SCBA being used. If you would like a copy of the list, email me at the email address below.

What does the minimum medical evaluation consist of?

1910.134(e) requires either a medical questionnaire or a medical examination that covers the same information as required in the questionnaire. The required OSHA Respirator Medical Evaluation Questionnaire (Mandatory) can be found in CFR 1920.134 Annex C. The standard and the annex can be found by going to www.osha.gov, selecting "Regulations" and follow the table down to subpart I.

The questionnaire consists of a Part A with two sections and a Part B.

- Part A section 1 contains questions about the firefighter such as name, age, height, weight, contact information and if a respirator has been previously used.
- Part A Section 2 contains past and current medical condition questions.
- Part B contains optional questions and allows other questions (not listed in Part B) to be added to Part A at the discretion of the health care professional reviewing the questionnaires.
- Part A and any additional questions from Part B must be completed by the firefighter.

A follow up medical examination is provided as needed. The need is based upon the results of the questionnaire or examination. The requirements of the follow up examination are determined by the health care professional.

The opportunity for the firefighter and the health care professional to discuss the results of the medical evaluation must be provided by the firefighter employer.

How is the medical evaluation administered?

1910.134(e) requires that the evaluation / examination be given confidentially, at no cost to the firefighter, during normal work hours, at a location convenient to the firefighter and in such manner that it is understandable to the firefighter.

Who makes the medical determination?

1910.134(e) requires that the health care provider, upon completing the evaluation, provide the firefighter employer a written recommendation containing:

- Any limitations on SCBA use related to the medical condition of the employee.
- Any limitations on SCBA use relating to the environmental conditions.
- Any limitations on SCBA use relating to the medical condition of the firefighter.
- Whether or not the firefighter is medically fit to use an SCBA.

- A statement that the health care provider as given the firefighter a copy of the recommendation.

Are additional medical evaluations required?

1910.134 (e) requires that additional compliant medical evaluations are conducted as a minimum if:

- A firefighter reports medical signs or symptoms that are related to ability to use a respirator;
- The health care professional, a supervisor or the A PLHCP, supervisor, or the respirator program administrator informs the firefighter employer that a firefighter employee needs to be reevaluated.
- Information from the respiratory protection program, including observations made during fit testing and program evaluation, indicates a need for employee reevaluation.
- A change occurs in SCBA utilization conditions that may result in a substantial increase to the physiological burden of the firefighter.

What record keeping is required?

1910.134(m) requires records be maintained regarding medical evaluations. They must be kept in accordance with 29 CFR 1910.1020. Standard 1910.1020 requires that the medical records of firefighters be kept for the term of employment plus 30 years. The exception is a firefighter employed for less than one year. The medical records of the less than one year employed firefighter do not have to be kept if they are given to the firefighter upon leaving employment.

As always your feedback is appreciated. If you would like to see further statute / code articles like this or have questions / require further information do not hesitate me at: Charlie.Brush@myfloridacfo.com or 352-369-2836.