



## Ohio Administrative Code

### Rule 3349-10-50 Exposure to infectious disease rule.

Effective: April 30, 2019

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#### (A) Purpose

The purpose of this rule is to protect employees, volunteers, and students within the university environment against the exposure and transmission of infectious disease, to prevent the inadvertent transmission of infectious disease to patients by ensuring expert and safe patient care, and to provide a safe work environment.

#### (B) Scope

This rule applies to all students, employees, and volunteers within the university environment or educational experiences at clinical sites.

#### (C) Definitions

- (1) "Admission" is the process of allowing entry into any one of the university's academic programs.
- (2) "Carrier" is a person who harbors the micro-organisms causing a particular disease without experiencing signs or symptoms of infection, but who can transmit the disease to others.
- (3) "Employee" is any faculty, staff, or student assistant of the university.
- (4) "HBV" is the hepatitis B virus. For reporting purposes, HBV is defined as hepatitis B virus with hepatitis B-antigen positive status.
- (5) "HCV" is the hepatitis C virus.
- (6) "HIV" is the human immunodeficiency virus which attacks the immune system and may cause acquired immune deficiency syndrome (AIDS). The virus is transmitted through sexual contact and



exposure to infected bodily fluids and perinatally from mother to baby.

(7) "Infectious Disease" is any disease that can be transmitted, whether via bodily fluids, direct physical contact, or common handling of an object that has been contaminated by infective microorganisms through a disease carrier or by infected droplets coughed or exhaled into the air.

(8) "Matriculate" is the process of enrolling as a member in an academic program.

(9) "Risk Sufficient to Exclude" is a significant risk of infection that poses serious consequences for persons within the university environment and which may only be eliminated or contained by the exclusion of the source of risk from the environment.

(10) "Senior Executive Director, Academic Affairs and Student Services" oversees academic support and student support services at university.

(11) "Student" is any person accepted into the university's colleges of graduate studies, medicine, or pharmacy.

(12) "Student Health and Immunization Committee" is a select group of university faculty, administrative representatives from each college, and invited external clinicians, one of whom is an infectious disease physician, responsible for advising, recommending, and approving decisions regarding student insurance, student immunizations, and student health issues such as infectious diseases and exposures.

(13) "University Environment" includes the university Rootstown campus and university educational sites.

(14) "Volunteer" is any person who is working in an "unpaid" status on the university Rootstown campus. This may include graduate students involved in teaching and/or research in one of the university's research laboratories.

(15) "Volunteer Setting" is the normally assigned setting where volunteer work is to be performed.



(D) Rule statement

(1) Students

(a) Admissions

(i) Applicants to university academic programs will not be denied admission to the university solely because they are carriers of or have an infectious disease.

(ii) Applicants to university programs who have injuries or illnesses which make it unlikely they will be able to complete the curriculum or engage in the active practice of their chosen profession, are encouraged to examine their motives for entering such professional education.

(iii) Admitted students who contract an infectious disease during their course of study, and who pose a risk sufficient to exclude them from the educational setting, could experience a delay in matriculation or graduation.

(b) Matriculation

All students are required to be knowledgeable of, and practice, universal infection control precautions. Students are required to meet full compliance with university's immunization requirements by the stated deadline. Students who do not comply with immunization requirements may not be permitted to matriculate until those requirements have been met and documented and may not be able to continue in the program if these requirements lapse during enrollment.

(c) Exclusion from the educational setting

(i) The university may remove students from active participation in a program if they become carriers of, or contract, an illness until such time that the risk has been eliminated or sufficiently mitigated.

(ii) Students who are continually or severely ill or incapacitated as a result of infectious disease exposure while enrolled at the university will be counseled as to the difficulty of successfully



completing the curriculum and may be placed on a medical leave of absence until their illness is no longer an impediment to their studies and documented proof of ability to return to the curriculum is provided.

(d) Implementation procedures

Procedures for implementing sections of this rule that are applicable to students shall be established consistent with state and federal law. The student health and immunization committee will make specific case-by-case recommendations for determining the status and educational privileges of students who contract an infectious disease prior to, or during, their course of study.

(e) Infectious disease procedure related to continued student participation in educational activities

All colleges within the university voluntarily comply with the spirit and intent of all infectious disease regulations passed by the Ohio state medical board ("OSMB"). Such voluntary compliance is consistent with the education and needs of our students in their future careers. The colleges have adopted the following procedures to minimize the risk of infectious disease transmission, including HBV, HCV, and HIV transmission, from students to the public. These procedures are as follows:

(i) A student who believes, or has reason to believe, that he/she is infected with HBV, HCV, HIV, or any other infectious disease (e.g., tuberculosis, meningitis, pertussis) that could pose a risk to patients, students, or teachers, should report that belief to the senior executive director, academic affairs and student services.

(ii) The senior executive director, academic affairs and a student services, will require written confirmation from a qualified physician as to the student's diagnosis. If no infection has occurred, the chief student affairs officer will inform the course director and the student's educational activities may continue.

(iii) If the student is identified as having an infectious disease that poses a risk to patients, students, or teacher, the executive director, academic affairs and student services, will convene the student health and immunization committee including, if possible, the student's physician. The committee will evaluate the student's coursework and patient contact to determine appropriate clinical



curricular changes based on the guidelines from the Ohio department of health (ODH) and the centers for disease control and prevention (CDC). The committee shall report any recommendations to the senior executive director, academic affairs and student services, who will then notify the student, course directors, and clerkship directors or experiential site directors of any requirements and/or limitations placed on the student's educational or clinical activity.

(iv) All information regarding the HBV, HCV and/or HIV status of a student shall be held in strict confidence.

(v) Failure by a student to comply with this procedure shall be considered a serious breach of professionalism. As a result, the student may be referred to the office of student services for advising, and disciplinary action, up to and including referral to the committee on academic and professional progress for review.

## (2) Employees

### (a) Employment

Applicants will not be denied employment or faculty status at the university, nor discriminated against solely because they are a carrier of, or have, an infectious disease.

### (b) Exclusion from the workplace

Employees will be subject to exclusion from the workplace if the individual becomes a carrier or, develops, an infectious disease that poses a risk sufficient to exclude. If the university environment poses a threat to the health of the infected person, the university reserves the right to exclude the individual from any area which would increase the likelihood of health problems. If the university determines that the individual must be excluded from the workplace, that person shall have full use of accumulated sick days and/or personal illness leave.

### (c) Implementation procedures

Procedures for implementation of this section shall be established by the occupational health and



safety program in consultation with the program medical director and shall be consistent with state and federal law.

(3) Volunteers

(a) Volunteer setting

Volunteers will not be denied access to the university environment, nor discriminated against, solely because they are a carrier of, or have, an infectious disease.

(b) Exclusion from the volunteer setting

Volunteers will be subject to exclusion if the individual becomes a carrier or, develops, an infectious disease that poses a risk sufficient to exclude. If the university environment poses a threat to the health of the infected person, the university reserves the right to exclude the individual from any area which would increase the likelihood of health problems.

(c) Implementation procedures

Procedures for implementation of this section shall be established by the occupational health and safety program in consultation with the program medical director and shall be consistent with state and federal law.