



Reply to the attention of:

Mr. John A. Hancock  
Director  
Department of Veterans Affairs  
Office of Occupational Safety and Health  
810 Vermont Avenue, NW  
Washington, DC 20402

Dear Mr. Hancock:

Thank you for your May 11, 2005, letter to the Occupational Safety and Health Administration (OSHA) requesting clarification of the requirements for use of personal protective equipment (PPE) as specified in OSHA's bloodborne pathogens standard, 29 CFR 1910.1030. We apologize for the delay in addressing your concerns. Specifically, you have inquired whether acupuncturists must wear gloves during acupuncture procedures or whether they may simply use professional judgment when determining if gloves are necessary. This letter constitutes OSHA's interpretation only of the requirements discussed and may not be applicable to any question not delineated within your original correspondence.

The bloodborne pathogens standard is a performance-oriented standard. As such, it is the employer's responsibility to evaluate the tasks or procedures and the type of exposure expected. [29 CFR 1910.1030(c)(2)] Based on that determination, the employer must select the "appropriate" PPE in accordance with paragraph (d)(3)(i) of the standard.

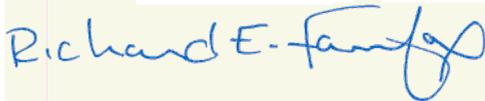
At a minimum, gloves must be used when it can be "*reasonably anticipated that the employee may have hand contact with blood, other potentially infectious materials, mucous membranes, and non-intact skin except as specified in paragraph (d)(3)(ix)(D); and when performing vascular access procedures; or when handling or touching contaminated items or surfaces*" [29 CFR 1910.1030(d)(3)(ix)].

In your inquiry, you cited information on acupuncture from a World Health Organization (WHO) publication entitled *Guidelines on Basic Training and Safety in Acupuncture*, which recommends the use of gloves during acupuncture procedures. We feel that these recommendations which do address occupational exposures to blood or other potentially infectious materials (OPIM) are generally consistent with OSHA's bloodborne pathogens standard. According to the WHO, the needle penetration used for acupuncture is described to be similar to a subcutaneous or intramuscular injection. In general, OSHA does not consider it necessary to use gloves when giving subcutaneous or intramuscular injections as long as bleeding that could result in hand contact with blood or OPIM is not anticipated. The same would be true with acupuncture procedures as long as contact with blood is not anticipated. However, it would seem likely that

some bleeding would occur with the extraction of multiple acupuncture needles. If an employee is required to clean and dress the acupuncture sites following the extraction of the needles and any bleeding is anticipated, then gloves must be worn when doing so.

Thank you for your interest in occupational safety and health. We hope this provides the clarification you were seeking. OSHA requirements are set by statute, standards and regulations. Our interpretation letters explain these requirements and how they apply to particular circumstances, but they cannot create additional employer obligations. This letter constitutes OSHA's interpretation of the requirements discussed. Note that our enforcement guidance may be affected by changes to OSHA rules. Also, from time to time we update our guidance in response to new information. To keep apprised of such developments, you can consult OSHA's website at <http://www.osha.gov>. If you have any further questions, please feel free to contact the Office of Health Enforcement at 202-693-2190.

Sincerely,

A handwritten signature in blue ink that reads "Richard E. Fairfax". The signature is written in a cursive style and is placed on a light yellow rectangular background.

Richard E. Fairfax, Director  
Directorate of Enforcement Programs