

Cholinesterase (ChE) Monitoring: Employee Participation

Adapted from a presentation developed by
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What Does the Rule Require?

- **Employer must provide ChE monitoring and testing to employees who meet a predetermined exposure threshold**
 - **Initial clinic visit**
 - **Consent to participate**
 - **Baseline and periodic testing**

What Does the Rule Require?

- No cost to the employee
 - No job, benefit, seniority loss for participation
 - Testing done on employer time

Employee Training

- The employer must provide training prior to the initial medical evaluation
 - Human health hazards of cholinesterase-inhibiting pesticides
 - Purpose and requirements for medical monitoring
- The medical provider will discuss the risks and benefits of cholinesterase testing

Participation

- **Employer must provide the opportunity for testing**
- **The employee may decline participation in the testing program after discussion with the medical provider**

Participation

- **The rule requires covered employees to undergo an initial clinic visit**
- **The option to participate applies to the testing program only**
 - **WISHA generally does not require employees to consent to invasive medical procedures**

Medical Provider Discussion

- ▣ **Shifts burden of providing clinical information from the employer**
- ▣ **Protects the employer from allegations of coercion**

Informed Consent

- Vulnerability to coercion= limited autonomy
 - *By employee status*
 - *By minority status, language, literacy*

Thus, special considerations apply

Informed Consent

- **A process**
- **Process is informed by pt's legal rights and clinicians ethical duties**
 - **Information exchange**
 - **Comprehension**
 - **Voluntary choice**

Informed Consent: Elements

- Culturally competent
- Nature and character of the treatment
- Anticipated results
- Alternative treatments
- Risks and benefits

Cultural Competence

- Beliefs- law is on their side, employer should care for employees
- Attitude- worry about getting sick from pesticides, fear blood and needles, mistrust unexplained changes, afraid to take time off work to get tested

Cultural Competence

- Knowledge- very little known about blood tests, ChE test, but know that pesticides are toxic, safety gear is important, employers sometimes scrimp on safety

Cultural Competence

- Language- English is a barrier to care, many handlers can't read, recorded information and consent is better
- Tradition- important role of wives and social institutions for decision making and dissemination of information

Informed Consent

Information Novella- “Jorge”

- Culturally-appropriate format
- Incorporates culturally appropriate beliefs, attitudes, knowledge, language
- Will be available on audiotape

Declination

What Does The Rule Say?

- Requires “Declination Statement” only after receiving training about pesticides and discussing risks and benefits with MD or LHCP (WAC 296-307-14820)

Declination

- **The employer is required to obtain the written declination form from the medical provider**
- **Employee may change mind at any time**
 - **The rule allows for a “working baseline”**

Informed Consent Process

- Employee receives initial training
- Employee sent to clinic
- Pt. signs consent or declination
- Medical provider/Witness co-signs the form
- Cc: chart and patient. Declination sent to employer

Resources

- The following resources are available through L&I
 - **Sample “Consent” form**
 - **Sample “Declination” form**
 - **Sample Training outline**
 - **“Jorge’s New Job” photo-novella and VHS video**

Questions?

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