

Recordkeeping 201:

When to record injury recurrences and episodic illnesses, revisited

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It is sometimes difficult for employers to determine whether the signs and symptoms of an injury or illness are due to a new event or exposure in the work environment, or whether it is a continuance of an earlier injury or illness. Most occupational injury and illness cases occur and resolve, with a full recovery, within a few weeks. A subsequent injury or illness reported by the same worker would be identified as a new case.

However, some soft tissue injuries may take many months to fully heal, and chronic diseases, such as occupational cancers and tuberculosis disease, may never be cured or completely resolved. When a worker with a long-term condition presents with new signs or symptoms, or reports a worsening of their condition, questions may arise about whether a new OSHA log entry is required. The OSHA recordkeeping requirements address these issues in paragraph 1904.5(b)(4) and in section 1904.6.

The OSHA recordkeeping requirements identify five types of cases employers may encounter:

1. totally new cases where the employee has never suffered similar signs or symptoms while in the employ of that employer;
2. cases where an employee aggravates a pre-existing condition by events or exposures in the work environment;
3. cases where an employee has a work-related condition that may or may not have fully healed when the same symptoms or signs recur;
4. cases where the employee has a work-related condition that will progress even in the absence of further exposure; and
5. cases where the employee has a work-related condition that is triggered by further exposure in the work environment.

Each of these case types will be discussed below, with advice about whether these types of cases should be evaluated for inclusion on the log as separate cases or whether the information on the original log entry should be updated.

Recording of a new or recurring case in the OSHA log is completely unrelated to whether the event or exposure is covered by workers' compensation insurance, whether it generates a new workers' compensation claim or whether it is considered part of a previously reported claim. The OSHA recordkeeping requirements do not rely on workers' compensation determinations to identify injuries or illness cases that are considered new cases for recordkeeping purposes.

Totally new cases

Most of the cases resulting from workplace events or exposures are totally new injuries or illnesses that have not been previously suffered by the employee. These new injuries or illnesses must be evaluated for their work-relatedness and then for whether they meet one or more of the recordkeeping criteria. (See *Recordkeeping 101: Part 1.*) When the recordkeeping criteria are met, the case must be recorded as a new log entry.

Pre-existing conditions

Pre-existing conditions result solely from a non-work-related event or exposure that occurs outside the employer's work environment or any injury or illness the worker experienced with another employer. Non-work-related injuries and illnesses should not be recorded on the OSHA log. However, pre-existing conditions that have been significantly aggravated by events or exposures in the work environment represent cases that must be recorded on the log, because work has clearly worsened the injury or illness.

Paragraph 1904.5(b)(4) of the recordkeeping requirements defines a significant aggravation at work as one that results in tangible consequences that go beyond those the worker would have experienced as a result of the pre-existing condition

alone. For recordkeeping purposes, a significant aggravation occurs when an event or exposure in the work environment results in: death; loss of consciousness; a day or days away from work; a day or days of restricted work or job transfer; medical treatment where no medical treatment was needed for the condition before the workplace event or exposure; or a change in the course of medical treatment that was being provided before the workplace event or exposure and the consequence would not have occurred without the occupational event or exposure.

Work-related aggravation that does not appreciably worsen the pre-existing condition, alter its nature, change the extent of the medical treatment, trigger lost time or require job transfer or work restrictions is considered a minor aggravation that is not required to be recorded on the log.

Work-related conditions that may or may not have fully healed

A new injury may manifest the same signs and symptoms as the previous injury but still be a new injury and not a continuation of the old case. For example, if a worker fractures his or her finger and six months later, after the fracture has fully healed, falls and fractures the same finger, he or she would have a new case that must be evaluated for recordability.

However, if the previous injury or illness has not fully healed, the case cannot be considered resolved. If work activities aggravate a previously recorded case, there is no need to record it as a new case. It may be necessary to update the previous case information in the log, such as adding more days away from work.

Back pain and strains are also subject to this analysis. To be considered a new case, the worker needs to have fully recovered between the episodes and the second episode is the result of a second workplace event. When a worker has not fully recovered from a recordable episode of back pain and reports new or continuing back pain, it would not be recorded as a new case. However, if the recurrence of back pain is due to a second workplace event, it would be recorded as a new case.

Chronic, progressive illnesses

Some chronic illnesses progress even in the absence of further exposure, such as some occupational cancers, advanced asbestosis, tuberculosis disease and advanced silicosis. After the disease is contracted, it may never be cured or completely resolved. These cases, when recorded in an OSHA log, are never “closed,” even though the signs and symptoms of the condition may alternate between remission and active disease. These diseases progress without further workplace exposure to the toxic substance(s) that caused the disease. Therefore, the recurrences of signs or symptoms are not recorded as a new case; the original log entry should be updated to indicate a more severe outcome, such as days away from work. However, if a worker with one of these conditions should suffer a work-related injury or a different work-related illness, then the incident must be treated as a new case.

Chronic, episodic illnesses

There are other chronic work-related illness conditions, such as occupational asthma and contact dermatitis, that are triggered by workplace exposures. Typically, individuals with these conditions are symptom-free if exposure to the sensitizing or precipitating agent does not occur. If the worker is symptom-free and events or exposures at work cause the same symptoms or signs to recur, the incident must be treated as a new case.