



**American Health Care Association** 1201 L Street, NW, Washington, DC 20005-4014

FAX: 202-842-3860 202/898-2845

Writer's Telephone:

July 22, 1994

NIOSH Docket Office  
Robert A. Taft Laboratories  
Mail Stop C-34  
4676 Columbia Parkway  
Cincinnati, OH 45226

**Re: Proposed rule, 42CFR Part 84, Respiratory Protective Devices**

Dear Sir/Madam:

The American Health Care Association (AHCA) appreciates this opportunity to provide the National Institute for Occupational Safety and Health (NIOSH) with comments on the agency's notice of proposed rulemaking (NPRM) which would revise certification standards for manufacturers of respiratory protective devices published in the Federal Register. 59 Fed.Reg. 26850 (May 24, 1994). AHCA is a federation of fifty-one affiliated associations representing eleven thousand non-profit and for-profit nursing facilities, residential care and subacute providers who employ over one million health care workers.

AHCA supports the Institute's proposed certification requirements for manufacturers of respiratory protective devices. We also support the proposed new particulate respirator scheme which will identify respirators by type rather than by contaminant as a more rational and reasonable design and testing approach.

AHCA commends NIOSH for acknowledging that reconfiguring the certification and testing requirements for particulate filters will not only maintain a high-level of respiratory protection but will also increase the choices providers have in device selection beyond HEPA-filtration. The proposed certification requirements will both improve the evaluation of the filters and result in the availability of a broader range of NIOSH-certified respirators while meeting the performance criteria recommended by the Centers for Disease Control and Prevention as acceptable for preventing the transmission of tuberculosis.

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If, as predicted by NIOSH in the regulatory flexibility analysis, there will be significant savings for providers as a result of the proposed modifications, AHCA would urge NIOSH to expedite adoption of these certification requirements as they will assist facilities in better complying with employee respiratory protection requirements in a more cost effective manner.

We appreciate having this opportunity to offer comments on this proposed rule related to manufacturer certification of respiratory devices.

Sincerely,

A handwritten signature in cursive script that reads "David R. Seckman".

David R. Seckman  
Vice President Regulatory Affairs