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Scottish Home and Health Department
St Andrew's House Edinburgh EH1 3DE

Telephone 031-556 8501

Previous Circular(s) Cancelled

None

Health Board Secretaries
Secretary, Common Services Agency

Your reference

Our reference NHS/23/2

Date 13 August 1976

Dear Sir

PRESCRIBED AND INDUSTRIAL DISEASES - VIRAL HEPATITIS

SUMMARY

This circular informs authorities of the prescription of viral hepatitis as an industrial disease. The prescription includes the two commoner forms of viral hepatitis usually known as hepatitis A (infectious hepatitis) and hepatitis B (serum hepatitis, Australia antigen positive hepatitis).

PRESCRIPTION OF VIRAL HEPATITIS

1. In its report on viral hepatitis (HMSO Cmd 6257) which was circulated to Health Boards on 5 December 1975, the Industrial Injuries Advisory Council recommended that the disease should be prescribed under the industrial injuries provisions of the Social Security Act 1975. The Secretary of State for Social Services accepted the Council's recommendation and made Regulations (SI 1975 No 2241) adding viral hepatitis to the schedule of prescribed diseases as from 2 February 1976.

OCCUPATIONAL COVER

2. Viral hepatitis is prescribed for those persons who contract the disease in the course of work classified as "employed earners employment" in any occupation involving:-

- a. close and frequent contact with human blood or human blood products; or
- b. close and frequent contact with a source of viral hepatitis infection by reason of employment in the medical treatment or nursing of a person or persons suffering from viral hepatitis, or in a service ancillary to such treatment or nursing.

3. Employees who do not fall within either of these two categories may nonetheless be able to claim under the industrial accident provisions of the Social Security Act if it can be shown that they contracted the disease by accident arising out of and in the course of their insurable employment.

4. The prescription of viral hepatitis will mainly affect people employed in the health field, particularly doctors, nurses, laboratory technicians and similar associated groups of employees.

BENEFITS

5. There are three main cash benefits:-

- a. injury benefit which is payable during incapacity for work for up to 6 months from the date of development of the disease (known as the "injury benefit period");
- b. disablement benefit payable if there is a loss of physical or mental faculty when the injury benefit period ends;
- c. death benefit payable to certain dependants if death results from the disease.

Leaflets setting out in greater detail the cash benefits mentioned above are obtainable from any local office of the Department of Health and Social Security.

CLAIMS FROM NHS EMPLOYEES

6. If an employee should contract viral hepatitis, the employing authority should follow the normal procedures when the employee claims industrial injury benefits. The local National Insurance Office will send a form (B177) to the employing authority requesting details of the working conditions of the employee and arrangements should exist for the relevant supervisor to be consulted, or to complete the form, in order to establish whether the claimant falls into the occupational categories for which viral hepatitis is now a prescribed industrial disease.

EXISTING GUIDANCE

7. The guidance available concerning practices and procedures to be followed in areas where there may be a special risk of contracting viral hepatitis is contained in the following documents:

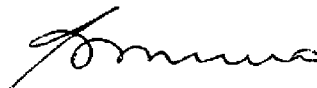
- a. "Safety in Pathology Laboratories" - DHSS handbook 1972
- b. The Report of the Working Party on the Laboratory Use of Dangerous Pathogens - HMSO Command 6054.
- c. The Report of the Advisory Group on Hepatitis and the treatment of Chronic Renal Failure (the Rosenheim Report)
- d. SHHD letter CAMO(76)26 of 8 June 1976

The prescription of viral hepatitis as an industrial disease re-emphasises the need for authorities to ensure that the recommendations contained in these documents are carried out.

ACTION

8. This circular should be brought to the attention of Personnel Officers, Directors of the Scottish National Blood Transfusion Service, the heads of all laboratories, and clinicians in charge of renal dialysis and transplant units.

Yours faithfully

A handwritten signature in cursive script, appearing to read 'G. Munro', written in dark ink.

(Miss G Munro)