



January 14, 2025

The Honorable Douglas Parker  
Assistant Secretary of Labor  
Occupational Safety and Health Administration (OSHA)  
U.S. Department of Labor  
200 Constitution Avenue NW  
Washington, DC 20210

**Re: Docket No. OSHA-2021-0009, Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings**

Dear Assistant Secretary Parker,

The Home Care Association of Florida (HCAF) appreciates the opportunity to provide feedback on OSHA's proposed rule, *Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings*. For over 35 years, HCAF has proudly served as Florida's voice for the home care provider community, representing and advocating for providers while equipping them with the education and resources necessary to deliver high-quality, cost-effective care to patients/clients in their homes.

We commend OSHA's efforts to address the risks posed by heat-related illnesses across various industries, including the health care sector. Protecting workers, including clinicians and caregivers, is a critical priority, particularly in Florida, where extreme heat and humidity are persistent challenges. However, the unique operational realities of home-based care — conducted in private residences where employers have limited control over working conditions—necessitate a flexible and practical approach.

Below, we outline specific concerns and recommendations to ensure the proposed rule effectively safeguards workers without compromising the viability of home care providers or the quality of care delivered to patients/clients.

**Client-Controlled Environments**

Home care clinicians and caregivers provide essential services in private residences where employers cannot mandate environmental changes, such as implementing cooling measures. Patients/clients often maintain warmer indoor temperatures for health or comfort reasons, and many Florida homes lack adequate cooling systems, especially in rural and underserved areas.

**Recommendations:**

1. OSHA should explicitly exempt home-based health care providers from liability when environmental controls fall outside their authority.
2. Allow employers to document efforts to mitigate heat risks through portable cooling solutions (e.g., fans, cooling towels) and administrative measures.

**Rest Breaks and Staffing Challenges**

Mandatory rest breaks during high heat conditions are particularly challenging in Florida, where average summer heat indexes exceed 100°F. One-on-one caregiving makes it unsafe or impractical for clinicians and caregivers to leave patients/clients unattended, while small and rural providers face additional burdens related to staffing shortages and financial constraints.

**Recommendations:**

1. Permit rest breaks to occur in shaded or cooler areas within the patient's/client's home to minimize disruptions to care.
2. Provide exemptions for home care agencies that implement administrative controls, such as hydration protocols and adjusted work schedules, to mitigate heat risks.
3. Allow small and rural providers extended timelines to comply with rest break requirements.

**Heat Exposure During Travel**

Clinicians and caregivers regularly travel between patient/client homes, often exposing themselves to significant heat risks during transit. Many workers rely on personal or agency vehicles that may lack adequate cooling systems, while others utilize public transportation, which can involve extended periods of heat exposure at stops or stations. These challenges are particularly pronounced in rural areas with long travel distances and limited transportation options.

**Recommendations:**

1. Encourage home care agencies to adopt scheduling adjustments and hydration protocols to minimize travel-related heat exposure.
2. Provide OSHA guidance on best practices, such as equipping vehicles with portable cooling devices, to protect workers during transit.

**Workforce and Economic Pressures**

The home care industry already faces significant workforce shortages. Additional requirements for training, compliance, and staffing to accommodate rest breaks will exacerbate these challenges and strain agency resources, particularly for small and rural providers.

**Recommendations:**

1. Establish grants or subsidies to offset compliance costs for small and rural providers.
2. Allow exemptions or reduced requirements for home care agencies implementing alternative strategies to mitigate heat risks.
3. Develop OSHA-funded or subsidized training resources specific to home care to reduce costs and ensure relevance.

**Emergency Preparedness for Florida's Extreme Weather Conditions**

Florida's frequent hurricanes and extended power outages amplify heat-related risks for clinicians, caregivers, and patients/clients. Prolonged loss of air conditioning during emergencies increases the vulnerability of workers and those they care for.

**Recommendations:**

1. Develop OSHA guidelines for managing heat risks during natural disasters, including recommendations for portable cooling resources.
2. Collaborate with Florida's emergency management agencies to prioritize cooling resources for home care workers and vulnerable populations.

**Recordkeeping and Enforcement Challenges**

Detailed recordkeeping requirements for heat-related incidents present significant administrative challenges, particularly for mobile workers operating in decentralized settings.

**Recommendations:**

1. Simplify documentation requirements for home-based care providers by offering OSHA-developed templates tailored to the industry.
2. Clarify employer responsibilities in client-controlled environments to ensure realistic and fair enforcement standards.

**Conclusion**

HCAF strongly supports OSHA's goal of protecting clinicians and caregivers from heat-related hazards. However, the unique challenges of home-based care in Florida necessitate a tailored approach to ensure worker safety without jeopardizing care quality or the viability of home care providers.

We urge OSHA to adopt flexible provisions that prioritize safety while addressing the operational realities of our industry. HCAF is committed to collaborating with OSHA to refine this rule and ensure its effectiveness in safeguarding workers and patients/clients alike.

Thank you for your consideration of these comments. Should you require further information or wish to discuss these matters in greater detail, please contact me at (850) 222-8967 or via email at [dbellville@homecarefla.org](mailto:dbellville@homecarefla.org).

Sincerely,

A handwritten signature in cursive script that reads "Denise Bellville".

Denise Bellville, RN, BS, COS-C  
Executive Director