



U.S. Department of Labor Occupational Safety & Health Administration

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Standard Interpretations

04/03/2007 - Whether damage to employee dentures is a recordable injury.

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• **Standard Number:** 1904.7; 1904.7(b); 1904.7(b)(5); 1904.7(b)(5)(i); 1904.7(b)(7)

This letter constitutes OSHA's interpretation only of the requirements discussed and may not be applicable to any situation not delineated within the original correspondence.

April 3, 2007

Mr. Brian P. Leech, CIH
Senior Occupational Health Specialist
Chevron Phillips Chemical Company LP
1001 Six Pines Drive
The Woodlands, TX 77387

Dear Mr. Leech:

Thank you for your September 8, 2005 letter to the Occupational Safety and Health Administration (OSHA) concerning the Injury and Illness Reporting and Recording requirements in 29 CFR Part 1904. Your letter raises the issue of whether damage to an employee's denture is a recordable injury for purposes of Part 1904. In your letter, you describe the incident as follows:

An employee was performing routine work activities in a manufacturing setting and was struck by an object that caused damage to his dental bridge. The employee to date has chosen not to seek any medical or dental treatment or consultation.

Based on the information described above, you asked OSHA to clarify the following three questions:

Question 1: Would damage to a denture in the presence of no other discernable injury be considered a recordable injury requiring entry on the OSHA 300 log even when medical treatment is not administered?

Response 1: Damage only to an employee's denture would not be a recordable injury. Section 1904.7(b) provides that a work-related injury or illness must be recorded on the OSHA 300 Log if it results in death, days away from work, restricted work or transfer to another job, medical treatment beyond first aid, loss of consciousness, or a serious injury or illness diagnosed by a physician or other licensed health care professional.

Section 1907.7(b)(7) provides that only a physician or other licensed health care professional can diagnose a serious or significant injury or illness. Work-related cases involving cancer, chronic irreversible disease, a fractured or cracked bone, or a punctured eardrum must always be recorded under the general criteria at the time of diagnosis by a physician or other licensed health care professional. OSHA believes that cancer, chronic irreversible diseases, fractured or cracked bones, and punctured eardrums are generally considered significant injuries and illnesses, and must be recorded at the initial diagnosis even if medical treatment or work restrictions are not recommended.

As discussed in the preamble of the Recordkeeping final rule, work-related fractures of bones or teeth are recognized as constituting significant diagnoses and, if the condition is work-related, are appropriately-recorded at the time of initial diagnosis even if the case does not involve any of the other general recording criteria ([Federal Register/Vol. 66, No. 13/Friday, January 19, 2001/Rules and Regulations/page 5995](#)). Thus, for purposes of Part 1904, injuries and illnesses are limited to disorders and abnormal conditions related to a person. Damage to artificial or mechanical devices, such as dentures, eye glasses, canes, or prosthetic arms or legs, would not be considered an injury or illness under Part 1904.

Question 2: In the context of repair to a denture, what type of activity would be considered medical treatment?

Response 2: Again, repair or replacement of an artificial device, such as a denture would not be considered a recordable injury or illness under Part 1904.

Under section 1904.7(b)(5)(i), "medical treatment means the management and care of a patient to combat disease or disorder. For the purposes of Part 1904, medical treatment does not include: Visits to a physician or other licensed health care professional solely for observation or counseling; the conduct of diagnostic procedures, such as x-rays and blood tests, including the administration of prescription medications used solely for diagnostic purposes (e.g., eye drops to dilate pupils); or "First aid" as defined in paragraph (b)(5)(ii) of this section."

Any condition (of the employee) that is treated, or that should have been treated, with a treatment not on the first aid list is a recordable injury or illness for recordkeeping purposes. Repair or replacement of a denture would only be considered medical treatment if the treatment met the criteria in Section 1904.7(b)(5) and it was administered to the employee.


Question 3: Would simple repair to a denture meet the threshold for the definition of medical treatment?

Response 3: No. As noted above, the OSHA injury and illness recordkeeping requirements at Part 1904 require the reporting and recording of injuries and illnesses to **employees**.

Thank you for your interest in occupational safety and health. We hope you find this information helpful. OSHA requirements are set by statute, standards, and regulations. Our interpretation letters explain these requirements and how they apply to particular circumstances, but they cannot create additional employer obligations. This letter constitutes OSHA's interpretation of the requirements discussed. Note that our enforcement guidance may be affected by changes to OSHA rules. In addition, from time to time we update our guidance in response to new information. To keep apprised of such developments, you can consult OSHA's website at <http://www.osha.gov>. If you have any further questions, please contact OSHA's Recordkeeping Section at (202) 693-1875.

Sincerely,

Keith L. Goddard, Director
Directorate of Evaluation and Analysis

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