

**Topic:** Sick Food Establishment Employee – Return to Work

## **105 CMR 590.000 State Sanitary Code Chapter X - Minimum Sanitation Standards for Food Establishments**

(1) The person in charge may remove an exclusion specified under 105 CMR 590.003(D)(1) if:

(a) The person excluded as specified in 105 CMR 590.003(D)(1) provides to the board of health written medical documentation from a physician licensed to practice medicine or, if allowed by law, a nurse practitioner or physician assistant, that specifies that the restricted person is free of the infectious agent of concern as specified in 105 CMR 590.017; and

(b) The person in charge obtains approval from the FC-regulatory authority. (FC)

(2) The person in charge may remove a restriction specified in 105 CMR 590.003(D)(2)(a) if the restricted person:

(a) Is free of the symptoms specified under FC 2-201.11(B) and no foodborne illness occurs that may have been caused by the restricted person,

(b) Is suspected of causing foodborne illness but:

(1) Is free of these symptoms under FC 2-201.11(B), and (FC)

(2) Provides to the board of health written medical documentation from a physician licensed to practice medicine, nurse practitioner or physician assistant, that specifies that the restricted person is free of the infectious agent that is suspected of causing the person's symptoms or causing foodborne illness, as specified in 105 CMR 590.017; and

(3) The person in charge obtains approval from the FC-regulatory authority.

(c) Provides written medical documentation from a physician licensed to practice medicine, nurse practitioner or physician assistant, stating that the symptoms experienced result from a chronic noninfectious condition such as Crohn's disease, irritable bowel syndrome, or ulcerative colitis. (FC)

(3) The person in charge may remove a restriction specified in 105 CMR 590.003(D)(2)(b) if:

(a) The restricted person provides to the board of health written medical documentation from a physician licensed to practice medicine, nurse practitioner or physician assistant, that specifies that the restricted person is free of the infectious agent that is suspected of causing the person's symptoms or causing foodborne illness, as specified in 105 CMR 590.017; and

(b) The person in charge obtains approval from the FC-regulatory authority.

(4) The person in charge may remove an exclusion specified in 105 CMR 590.003(D)(3) if:

(a) The excluded person provides to the board of health written medical documentation from a physician licensed to practice medicine, nurse practitioner or physician assistant that specifies that the person is free of:

(1) The infectious agent of concern as specified in 105 CMR 590.017, or

(2) Jaundice as specified under 105 CMR 590.003(E)(5) if hepatitis A virus is the infectious agent of concern; or

(b) If the person is excluded under 105 CMR 590.003(D)(3)(a), stating that the symptoms experienced result from a chronic noninfectious condition such as Crohn's disease, irritable bowel syndrome, or ulcerative colitis; and

(c) The person in charge obtains approval from the FC-regulatory authority.

(5) The person in charge may remove a restriction or exclusion specified in 105 CMR 590.003(D)(4)(a) or (b) if:

(a) The excluded or restricted person provides written medical documentation from a physician licensed to practice medicine, nurse practitioner, or physician assistant, that specifies that the persons is free of hepatitis A virus as specified in 105 CMR 590.017(B)(4); and

(b) The person in charge obtains approval from the FC-regulatory authority.