



FARMWORKER JUSTICE NEWS

HEALTH POLICY BULLETIN

www.farmworkerjustice.org

www.harvestingjustice.org

Spring 2012

Steps to Protect: The Importance of Pesticide Incident Reporting



Photo credit: Earl Dotter, used with permission.

According to data from the U.S. Environmental Protection Agency (EPA), there are an estimated 10,000-20,000 physician-diagnosed pesticide poisonings each year among farmworkers. This estimate does not include the many unreported incidents of pesticide poisonings. Farmworkers may be unaware that their illnesses or symptoms are related to pesticide exposure. They also may not initiate a discussion about their occupational exposures with their healthcare provider due to fear of retaliation by their employer.

As migrant healthcare providers, you can protect farmworkers

from exposure to dangerous pesticides through pesticide incident reporting.

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) requires that pesticides sold or distributed in the United States be "approved" or registered by the EPA. Under this statute, the EPA can only register a pesticide if it determines that the pesticide, when used in accordance with its label, will not cause unreasonable adverse effects to human health or the environment. To secure an EPA registration, pesticide manufacturers conduct a series of tests on the product's active ingredient to determine its immediate (acute), intermediate (sub chronic) and long-term (chronic) effects on the nervous and reproductive systems, as well as the likelihood that it will cause cancer. A pesticide's initial approval, however, does not mean that it is not toxic to those who come into contact with it. Registered pesticides are continually reviewed and scrutinized to ensure minimal harm to human health and the environment.

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How You Can Help

Farmworker Justice relies on the support of people like you. Now more than ever, we can help farmworkers create better lives for themselves and their families. There are a variety of ways you can get involved:

- **Make a donation** at www.farmworkerjustice.org
- **Become a Harvester of Justice.**
As a Harvester of Justice, your annual commitment of \$1,000 or more supports Farmworker Justice's work in the courts, Congress, administrative agencies and farmworker communities.
- **Become a Monthly Sustainer.**
Sustainers who donate \$70 or more a month receive a complimentary ticket to our annual award reception.
- **Support the Shelley Davis Memorial Fund**
- **Leave a legacy** of justice for farmworkers.
Consider Farmworker Justice when you prepare your will.
- **Contribute** through the Combined Federal Campaign. Farmworker Justice's registered number is #10778.

Please visit our website for more ways to get involved and we **thank you for your support!**

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Pesticide incident reporting is an important tool migrant healthcare providers can use to bring to light health hazards that may have been overlooked during the initial registration process. There are several examples where reporting influenced policy decisions regarding the use of a pesticide. In the late 1980's, a sudden increase in skin burns caused by Omite (also known as propargite) led to the discovery that manufacturers had changed the inert ingredients, requiring an increase in the restricted entry period for field workers from 7 to 42 days. Additionally, the EPA banned the use of phosdrin in 1993 after physicians in Washington State filed 26 reports of poisoning among farmworkers who had been applying the insecticide in apple orchards.

Farmworker Justice and Migrant Clinicians Network have developed an interactive map:

<http://www.migrantclinician.org/issues/occupational-health/pesticides/reporting-illnesses.html> that details the pesticide reporting requirements in each state.^[1] The requirements, reporting timeframe, and enforcement agency vary by state. Currently, thirty states require health-care professionals to report suspected or confirmed pesticide-related illnesses and injuries. Thirteen states do not require such reporting.

For details on reporting requirements visit:

http://farmworkerjustice.org/files/Health_OSH/State_Pesticide_Reporting_Information.pdf

Physician reporting can help regulators identify dangerous products and hazardous practices, and is an effective tool in preventing future occupational pesticide poisonings.

¹ NIOSH, <http://www.cdc.gov/niosh/topics/pesticides/>

² Epidemiologic Notes and Reports: Outbreak of severe dermatitis among orange pickers - California. (1986, July 18) MMWR: Morbidity and Mortality Weekly Report, 35(28), 465-467. Retrieved from <http://www.cdc.gov/mmwr/preview/mmwrhtml/00000768.htm>

³ Occupational pesticide poisoning in apple orchards - Washington, 1993. (1994, January 7) MMWR 42(51-52): 993-995). Retrieved from <http://www.cdc.gov/mmwr/preview/mmwrhtml/00023208.htm>

⁴ MCN & FJ, <http://www.migrantclinician.org/issues/occupational-health/pesticides/reporting-illnesses.html>

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Ensuring Healthcare Access for H-2A Workers



Photo credit: Earl Dotter, used with permission.

H-2A guestworkers currently make up 2-5% of the farm labor workforce and are a steadily growing segment of the U.S. farmworker population. The majority of H-2A workers are concentrated in the southeast and are overwhelmingly young men from Mexico. There is little research on the healthcare needs of H-2A workers.

H-2A guestworkers come to the United States on temporary non-immigrant visas at the request of an employer.* Because the worker's visa is tied to his employer, he may be reluctant to take any action which could jeopardize his job and his ability to return for another season of work. So, for example, even though H-2A employers are required to provide workers' compensation coverage, a worker may not report work-related injuries or seek healthcare at all out of fear of employer retaliation. For healthcare providers, this creates an enormous challenge for serving the guestworker population. Although H-2A workers are low-wage earners with legal immigration status, they are ineligible for Medicaid. Under the Affordable Care Act, they will be eligible for participation in state health insurance exchanges, marketplaces established by the state where individuals can buy insurance, but questions remain about affordability. Furthermore, their temporary stay in the United States makes continuity of care extremely difficult. Oftentimes, an injured guestworker returns to his home country before the end of his contract, either by choice or involuntarily. It is nearly impossible for the worker to return to the U.S. for follow-up care. Back in his home country, he may not be able to access needed medical care.

Finally, it is likely that guestworkers are not aware of health center services. Because they are in the U.S. for a short period of time and have few connections to their host communities, they are often unfamiliar with the resources and services available to them. Also, H-2A workers often live in employer-provided housing and rely heavily on their employer for travel into town further contributing to their isolation.

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Migrant healthcare providers are in a unique position to facilitate better access to healthcare for agricultural guestworkers. Through aggressive outreach and partnerships with local farmworker organizations and foreign consulates, health centers can encourage guestworkers to utilize their services. For example, health centers can partner with the local Mexican consulate to promote healthcare services through the consulate's *Ventanilla de Salud* (health window) program. Farmworker Justice can provide technical assistance to migrant health centers, including fact sheets and trainings, so they may increase outreach to H-2A guestworkers. For more information or to address your health center's questions about guestworkers, contact Alexis Guild at aguild@farmworkerjustice.org.

**The U.S. Department of Labor administers the H-2A program and has information about it on its web site at <http://www.foreignlaborcert.doleta.gov/h-2a.cfm>. The web site includes a "public job registry" tab which includes an interactive map with information on employers who currently employ guestworkers. This information may help locate worker housing for health outreach purposes.*

Farmworker Justice Supporting Migrant Health Centers

Resources you can use from FJ's Health Team

FJ on the ground: Working with Promotores to Engage Local Farmworker Communities

Farmworker Justice, in partnership with farmworker organizations, can work with health centers to facilitate greater utilization of health center services by local farmworker communities. FJ has a long history of working with *promotores de salud*, or community health workers, affiliated with community-based organizations to educate farmworkers on a range of health issues, including occupational health and safety, HIV/AIDS prevention, and environmental health. We have training curricula for *promotores* on these subjects as well as outreach guides and educational materials.

Because *promotores* are engaged at the community level, their work is particularly relevant for migrant health centers. *Promotores de salud* provide a unique resource to their communities. Familiar with the issues faced by farmworkers, and often from the farmworker communities themselves, they speak the same language and share similar cultural traditions with their peers, often bridging the gap between the farmworker community and local available resources. If you would like more information on our *promotores* projects with farmworker organizations or to receive copies of our training materials, please contact Rebecca Young, Capacity Building Coordinator, at ryoung@farmworkerjustice.org.



Mobilizing around HIV/AIDS in Your Community

Farmworker Justice's *Aliados* and *Poder Sano* projects provide education and support on HIV prevention in farmworker communities across the United States. *Aliados*, part of the CDC's Act Against AIDS Leadership Initiative (AAALI), partners with non-health/HIV oriented Latino and farmworker organizations to raise HIV/AIDS awareness through education on HIV prevention. *Aliados'* goal is to increase these organizations' involvement in HIV/AIDS and promote action among their members.

Poder Sano supports HIV/AIDS programs to rural Latino and farmworker communities by providing capacity-building assistance to public health departments and other health organizations. *Poder Sano* utilizes the *promotor de salud* model to support local HIV prevention efforts.

Migrant health centers can play a very important role in HIV prevention in their communities. Both *Aliados* and *Poder Sano* can provide materials to migrant health centers that are interested in getting more involved in the fight against HIV/AIDS in their communities. Available resources include webinars, in-person trainings, and educational materials including posters and information about various HIV/AIDS awareness days. *Poder Sano* can also provide migrant health centers with a training curriculum on HIV/AIDS prevention for *promotores*, *fotonovelas*, and radio public service announcements that can be adapted locally to promote your HIV testing services.

For more information on these projects or to access materials visit FJ's web site at <http://farmworkerjustice.org/main-hiv-page>. You can also contact Kattrina Merlo, *Aliados* Project Director, at kmerlo@farmworkerjustice.org or Dagan Bayliss, *Poder Sano* Capacity Building Coordinator, at dbayliss@farmworkerjustice.org.

NIOSH Requests Your Feedback on the Collection and Use of Patient Work Information

Share your experiences with NIOSH! The National Institute of Occupational Safety and Health (NIOSH) published a request for information in the Federal Register to assess the feasibility of including occupational information in electronic health records (EHRs). NIOSH asks a series of questions to determine how primary care providers collect and use occupational information in clinical settings. If you are a healthcare provider, we encourage you to take a few moments to respond. Click on the link below to access the questions. You can answer the questions in paragraph form in a separate document to submit to NIOSH. All comments can be submitted online or by mail.

Your input and perspective will be extremely valuable as NIOSH moves forward to provide advice to organizations establishing EHR criteria on the collection, use and storage of patients' work information. Please forward this announcement to other clinicians who could provide feedback to NIOSH.

The questions and an explanation of how to submit comments can be found at <https://www.federalregister.gov/articles/2012/06/28/2012-15896/request-for-information-collection-and-use-of-patient-work-information-in-the-clinical-setting>. All answers and comments must be submitted by August 27, 2012.

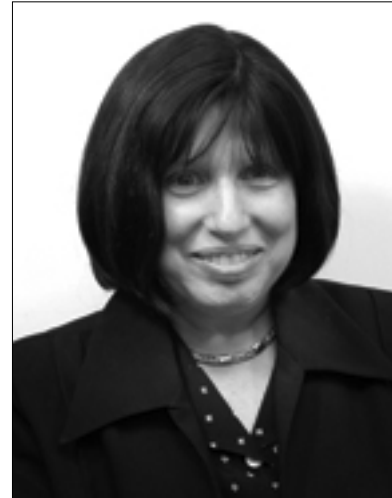
If you have any questions, please feel free to contact Virginia Ruiz (vruiz@farmworkerjustice.org) or Alexis Guild (aguild@farmworkerjustice.org).

Are you interested in farmworker health research and policy? Subscribe to Eye on Farmworker Health!

Eye on Farmworker Health: Current Developments in Research and Policy is a quarterly electronic newsletter covering important recent developments in research and regulation on issues affecting the health and safety of migrant farmworkers. Each issue includes summaries of recent articles and reports, as well as recommendations for using the information to help health professionals, outreach workers, promotores de salud, and advocates strengthen their efforts on behalf of farmworkers and their families.

If you would like to receive the newsletter via email, please contact Renato Rocha at rrocha@farmworkerjustice.org. Past issues are available online at <http://www.farmworkerjustice.org/resources-publications/eye-on-farmworker-health-e-newsletter>.

The Shelley Davis Memorial Fund



The Shelley Davis Memorial Fund was created by the family of our late Deputy Director and Farmworker Justice to carry out the work that Shelley Davis developed and loved, especially litigation and advocacy on occupational safety and health of farmworkers.

The Memorial Fund has raised over \$225,000 toward a five-year goal of \$1 million. Supporters of Farmworker Justice may designate their donation to the Memorial Fund; donations are tax-deductible.

Your contribution will enable Farmworker Justice to advocate and litigate to win changes in government policies and employment practices to prevent illnesses and injuries from heat stress, pesticide poisoning, unsanitary conditions, dangerous machinery and other hazards.

The Memorial Fund Campaign Committee thanks all our donors for their support.