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As you know, in recent years, an APIC-supported prohibition on funding for fit-testing has been included in the annual Labor-HHS-Education Appropriations bill (the Wicker amendment). This year, due to a changed political environment, this amendment was not included in the version that has passed the full House of Representatives and the Senate Committee. So, even though the appropriations bill has not technically been signed into law, it is highly unlikely that there will be any change in the situation related to fit testing.

Since the fiscal year begins October 1st and this legislation may not be wrapped up by then, I believe annual fit testing for TB will likely be enforceable as of that date.

http://www.apic.org/Content/NavigationMenu/GovernmentAdvocacy/tuberculosis/OSHA/Supporting_Docs.htm