

representatives of the construction industry, a model training program for use by the construction industry that takes into account the characteristics of the construction industry.]

[32N.

(a) Except as provided in this section, a manufacturer, distributor, or employer shall not be required by this part to disclose any information which, under State or federal law qualifies as a trade secret or confidential business information.

(b) Except for a hazardous chemical which is a carcinogen, a teratogen, or a substance inducing abortion or sterility, a chemical manufacturer or employer may withhold the specific chemical identity, including the chemical name and other specific identification of a hazardous chemical, from the material safety data sheet and chemical information list, provided that:

(1) The claim that the information withheld is a trade secret can be supported;

(2) Information contained in the material safety data sheet concerning the properties and effects of the hazardous chemical is disclosed;

(3) The material safety data sheet and the chemical information list indicate that the specific chemical identity is being withheld as a trade secret; and

(4) The specific chemical identity is made available to health professionals in accordance with this section.

(c) If a treating physician, physician's assistant, or nurse determines that a medical emergency exists and the specific chemical identity of a hazardous chemical is necessary for emergency or first aid treatment, the manufacturer or employer shall immediately disclose the specific chemical identity of a trade secret chemical to that treating physician or nurse, regardless of the existence of a written statement of need or a confidentiality agreement. The manufacturer or employer may require a written statement of need and confidentiality agreement, in accordance with the provisions of subsections (d) and (e) of this section, as soon as circumstances permit.

(d) In nonemergency situations, a manufacturer or employer shall, upon request, disclose a specific chemical identity, otherwise permitted to be withheld under this section, to a physician, registered nurse, physician's assistant, industrial hygienist, toxicologist, or epidemiologist providing medical or other occupational health services to an exposed employee if:

(1) The request is in writing;

(2) The request describes with reasonable detail 1 or more of the following occupational health needs for the information:

(i) To assess the hazard of the chemical to which an employee will be exposed;