

Occupational Health Group is a service offered to the business community of North Alabama by Huntsville Hospital and Decatur General Hospital Systems

What Drug Screening Choices Does My Company Have?

by James F. Gauthier, M.D., M.P.H. and R. Michael Lowery M.D., M.P.H.

Before this question can be answered the following four questions must be answered:

1. Does your company employ truck drivers or others considered by the federal government to be in safety sensitive positions?
2. Is testing being performed to comply with Alabama’s Workers’ Compensation laws?
3. Is your company currently receiving, or does your company plan on applying for the 5% Workers’ Compensation insurance premium discount by submitting an application as described in the Alabama Drug-Free Workplace Act?
4. Is your company obtaining the drug testing for another reason?

Urine drug testing performed in compliance of the Department of Transportation or other federal regulations is called ‘regulated testing’. Regulated testing is a stricter model developed by the federal government to test individuals in safety sensitive jobs or positions. Examples of safety sensitive positions include commercial drivers, airline employees, railroad employees, Coast Guard members, research and special projects employees and mass transit employees. Testing individuals who work in jobs overseen by federal agencies require the use of a special “federal” chain of custody form. Reasons for testing can include pre-placement (post-offer), post-accident, suspected impairment (for cause), and random testing. Currently, urine drug testing is the only method allowed under “regulated” testing.

Regulated testing is the gold standard for drug screening. It has several safeguards to ensure quality and accuracy. These include specified collection procedures with a tight chain of custody, use of certified testing laboratories, procuring split samples, and test interpretation by a Medical Review Officer (MRO). Test results, both negative and positive, must be reviewed by the MRO.

Guidelines governing non-regulated testing originate from state law (e.g., Alabama’s Workers’ Compensation laws or the Alabama Drug-Free Workplace Act) or employer specific policies. For example, in non-regulated testing an expanded set of drugs can be used, a MRO may or may not be used, or rapid urine drug screening or hair testing can be utilized.

Non-regulated testing should always be implemented on the basis of a written company policy, and in accordance with applicable state laws. Non-regulated testing must use a non-federal COC (chain of custody) form. It should be remembered that the farther one deviates from the methods employed under federally regulated testing, the more difficult that practice may be to legally defend in court.

What is a Rapid Screening Test?

This screen, typically performed on site or in a clinic, uses a color indicator to provide a test result in a matter of minutes. The standard panel for drugs tested can be the “NIDA-5” (cocaine, marijuana, amphetamine, opiates and PCP). Some employers use an expanded drug panel that may include seven, ten or more drugs.

There are some disadvantages to rapid screening. The accuracy of rapid screening suffers in comparison with more sophisticated tests, yet some employers accept the reduced accuracy for the quick result. Rapid screens, whether done in the Occupational Health Group clinic or in a lab, will produce a certain number of false negatives (negative results on a truly positive specimen), and false positives (positive results on a truly negative specimen). Because of the sheer number of negatives, false negatives do not undergo further confirmation testing. Due to the importance of not falsely accusing an individual as an illicit drug user, all positives should undergo further testing by a confirmation process, as in the case of “regulated” testing.

OHG sends all rapid non-negative urine drug specimens to a certified testing laboratory for confirmation testing. Usually, the lab confirms what the rapid test results have identified as positive, but a significant percent fail to confirm and, therefore, are reported as negative by the lab. In summary, some positives are missed by the screen and a drug user slips through, but all results reported as positive have been confirmed by a second process and are really true positives. The question only remains for the MRO to decide if the positive is a “legal positive” (the donor has a medically legitimate explanation, for example a legal prescription for the drug in their system).

Why pay extra for MRO services when it may not be mandated?

The MRO personally contacts positive donors to determine if a medically legitimate explanation exists for the positive test result. If it does, the MRO reports the result as negative. If it doesn’t, the MRO reports positive results. In Alabama, cocaine, opiates, and amphetamines may be used legally under doctor’s orders. Imagine the fallout if a donor is disciplined or terminated for a positive screen due to the use of a prescribed drug! The MRO’s purpose is to make sure this doesn’t happen.

There are several alternative drug testing methodologies that are available to employers. Perhaps the most useful is hair testing. It is probably best used for pre-employment and random drug screening when issues of regulated testing are not a consideration. In the end, unless regulated by the Federal Government or The Alabama Drug-Free Workplace Act, the final determination is left to the employer.



DECATUR

1615 Kathy Lane SW
Decatur, AL 35603
Phone: (256) 353-4325
Fax: (256) 922-2531

HUNTSVILLE

1963 Memorial Parkway
Suite 24
Huntsville, AL 35801
Phone: (256) 265-7000
Fax: (256) 265-7007

MADISON

9238 Madison Boulevard
Building 1, Ste. 200
Madison, AL 35758
Phone: (256) 774-7300
Fax: (256) 922-2532

WELLNESS

6767 Old Madison Pike
Building 4, Ste. 400
Huntsville, AL 35806
Phone: (256) 922-6699
Fax: (256) 922-6660

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Differences Between Federally Regulated, State Mandated and Non-Regulated Testing

	DOT (Regulated Testing)	Worker's Compensation Laws	Alabama Drug-Free Workplace Act	Employer Specific Policies
Use of Rapid Drug Screens Permitted?	No	No	No	Yes
Use of Expanded Panels Permitted?	No	Yes	Yes	Yes
Mandates use of MRO	Yes	No ¹	No ¹	No ¹
Saliva, Sweat or Hair Testing Permitted?	No	Yes ²	Yes ²	Yes
Drugs Tested	"NIDA 5" - Amphetamines, Marijuana, Opiates, Cocaine, PCP	"NIDA 5" and others as desired	5, 7 or 10-Panel SAMSHA Certified Lab screens	"NIDA 5" and others as desired
Types of Testing: Pre-placement/post-offer, Post accident, For cause, Random	Mandatory	Non-Mandatory	Non-Mandatory	Non-Mandatory
Origins of Guidelines	Federal Regulations	State Regulations	State Regulations	Employer Policy

- 1 Making personnel decisions (e.g., withdrawing offer of employment, disciplining or terminating employees) based on positive results without MRO involvement is legally risky and not recommended.
- 2 Code of Alabama 25-5-331 (4) and Alabama Administrative Code Rule 480-5-6-.03 both define what constitutes a specimen, which may be other than urine. The rule states the preferred method is urine.

OHG Speaking Engagements

OHG's providers have been busy this season with numerous speaking engagements. Medical Director, James Gauthier, MD, MPH, has spoken at the Alabama Worker's Compensation Organization in Birmingham at which he discussed the use of Special Evaluations by employers as well as OHG's own Lunch and Learn series regarding the various methods of drug screens used by employers. R. Michael Lowery, MD, MPH spoke in front of the State Association of Insurance Adjuster's regarding the use of ergonomics in the workplace. All presentations were very well received. Upcoming presentations sponsored by OHG will be June with ??, August with ??, and November with ??

iStolas

OHG's newest software application, iStolas has been a great hit with our clients. iStolas is a **FREE** service offered to all of OHG's clients. The potential advantages for our clients are numerous:

- Quick and easy sign-up process
- User friendly
- Instant access to employee records, test results, doctor's notes, immunization reports, etc.

In order to sign up for this new service, please contact our Marketing Representatives, Andrea Calloway (256-922-6677) for the Huntsville/Madison area and Audra Campbell (256-655-5704) for the Decatur/Madison area.

OHG Directory

Administration.....	(256) 922-6675
Marketing and Business Development.....	(256) 922-6677
Billing Department.....	(256) 922-6673
OHG - Huntsville.....	(256) 265-7000
OHG - Madison.....	(256) 774-7300
OHG - Decatur.....	(256) 353-4325
Wellness Services.....	(256) 922-6699

www.OHGonline.org

Holiday Closings

All OHG clinics will be closed in observance of the following holidays:

Memorial Day May 26th



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1615 Kathy Lane SW
Decatur, AL 35603
Phone: (256) 353-4325
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Suite 24
Huntsville, AL 35801
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Fax: (256) 265-7007

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9238 Madison Boulevard
Building 1, Ste. 200
Madison, AL 35758
Phone: (256) 774-7300
Fax: (256) 922-2532

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6767 Old Madison Pike
Building 4, Ste. 400
Huntsville, AL 35806
Phone: (256) 922-6699
Fax: (256) 922-6660