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SECTION: ADMINISTRATION

AREA: GENERAL ADMINISTRATION

SUBJECT: DRUG TESTING

PURPOSE

To promote the health, safety and productivity of our employees, it is the policy of UAMS to provide a drug-free workplace. To support our goal of a drug-free environment, the UAMS drug testing program will consist of (1) pre-employment drug testing, (2) for cause drug testing, and (3) random drug testing. All procedures outlined herein should be deemed consistent with policies [4.4.05 \(Drug Free Workplace\)](#), [4.4.06 \(Substance Abuse Policy\)](#), and [4.5.18 \(Post Employment Medical Screening\)](#) in the UAMS Administrative Guide.

SCOPE

This policy covers all UAMS employees who work in positions that have been designated for drug testing. Designated positions include those that are involved with direct patient care, safety sensitive duties and other special needs positions. Testable designations are made on the basis of specific duties assigned to a position. This policy covers regular fulltime, part-time, temporary, and extra-help employment.

DEFINITIONS

Pre-employment Drug Testing - Once an applicant in a testable position has been selected for employment, he/she will be required to submit to a drug test. Employment will be finalized only upon completion of a negative drug test. Refusal to submit to the drug test will be interpreted as a withdrawal of the application.

For Cause Drug Testing - An employee in a testable position whose behavior is consistent with substance abuse can be required by their immediate supervisor to submit to a drug screen. Behavior indicating substance abuse may include:

- A. Observed impairment of job performance.
- B. Abnormal conduct or erratic behavior.
- C. A serious workplace accident or number of minor workplace accidents.
- D. Evidence of drug tampering in the employee's workplace.
- E. Arrest or conviction on an alcohol- or drug-related offense.
- F. Self disclosure (employee comes forward without prompting), notifying their department that they have a problem with drugs.

Suspicious behavior should be documented on the form appended to this policy ([Attachment I](#)). This form is to be retained in the departmental personnel file. Employees meeting any of the above criteria, or other reasonable criteria utilized by the supervisor, may be required to submit to a drug test. Refusal or failure to submit to a timely drug test is sufficient cause for termination of employment.

Random Drug Screening - At a specified interval, employees in testable positions will be selected for drug screening using a random sampling methodology. Employees will receive 2-hour notification of their selection and will be required to submit a sample at the specified location and time.

Testable Positions - A position at UAMS that has been designated for drug testing. Testable positions include all direct patient care positions, all safety-sensitive positions and other special needs positions. An illustrative list of Testable positions is identified on the UAMS website <http://uams.edu/ohr/> under Manager's Information.

Medical Review Officers - The medical review officer (MRO) is a physician responsible for receiving and reviewing drug test results.

POLICY

It is the policy of UAMS to perform drug tests (both pre-employment and random) on employees who are employed in positions that have been designated as drug testable. For cause drug tests are also performed on employees, who are suspected of reporting for duty under the influence of drugs.

PROCEDURES

1. PRE-EMPLOYMENT DRUG TESTING PROTOCOL

- A. Drug testing shall be completed prior to starting work. Managers who allow employees to begin work prior to receiving at least verbal confirmation from Human Resources of a negative drug test will be subject to disciplinary action.
- B. At the time an offer of employment is extended, the potential employee will be given instructions on submitting a urine sample for drug testing. The sample will be tested qualitatively for at least the following substances: Marijuana, Cocaine, Opiates, Amphetamines, Phencyclidine (PCP), Barbiturates, or derivatives thereof. The sample may be tested for other drugs as necessary. All samples collected from faculty testable titles will undergo a more extensive qualitative test.
- C. Within 24 hours of the submission of a urine sample, negative results are generally communicated to Human Resources. Within 24 hours of receiving results (excluding weekends), Human Resources will notify the department of

negative results by phone and will follow with written notification by mail. If an initial screen produces a positive result, a confirmatory test on the same sample will be conducted. If the confirmatory test is also positive, the result will be turned over to the MRO.

- D. The Medical Review Officer will schedule an appointment with the applicant to discuss the results. The test results will be interpreted by the Medical Review Officer and reported to Human Resources. Upon notification by Human Resources of the Medical Review Officer's findings, the department will notify the applicant that the offer of employment is being withdrawn and will encourage the applicant to seek treatment.

2. FOR CAUSE DRUG TESTING PROTOCOL

- A. If an employee's behavior causes reasonable suspicion of alcohol or drug abuse, a supervisor will request to a department head that a drug screen be performed. The department head or acting department head has authority to direct a for cause drug test. Should the Supervisor or department head have questions whether to direct a for cause drug test, a call may be made to the Employee Assistance Program (EAP) at 686-2588. A staff member will be made available for consultation and assistance in making a decision to test for cause.
- B. The employee to be screened shall be relieved of his/her duties and will be given a specific time and date (less than two hours) that he/she is to report to the testing facility. Failure to report at the specified time, without pre-approval of the supervisor, is sufficient cause for immediate termination. In the event that the employee is obviously impaired, the consulting staff member will make arrangements with UAMS Police to provide transportation to the testing facility.
- C. The submitted sample (blood, urine, hair, or other as appropriate) will be screened for the following substances: Marijuana, Cocaine, Opiates, Amphetamines, Phencyclidine (PCP), Barbiturates, or derivatives thereof and other drugs deemed necessary. If an initial screen returns a positive result, a confirmatory test on the same sample will be conducted. If the confirmatory test is also positive, the result will be turned over to the MRO. All sample collections for drug tests conducted for cause will be performed under observation.
- D. The Medical Review Officer will schedule an appointment with the employee to discuss with him/her the results and inform the employee's department head.
- E. The department head will determine the action necessary when an employee tests positive for a drug of abuse. Options available to the department head will be up to and including immediate termination. The department head will consider corrective actions that may be initiated by the employee, including consultation and corrective treatment protocols in cooperation with outside professional

- F. Any employee terminated for cause will be ineligible for rehire for at least six months.

3. RANDOM DRUG TESTING

- A. Random screening will include all testable positions.
- B. The Office of Human Resources will forward a list monthly via email of employees who have been randomly selected for drug tests to the Division Head or Designee. The Division Head or Designee will forward the list to the employee's supervisor. The employee's supervisor will inform the employee verbally that he or she has been selected for a random drug screen. Employees will receive 2-hour prior notification from their supervisor of the drug test. They will be required to report to a specified location within that 2-hour timeframe for testing.

Employees located at the Area Health Education Centers (AHEC) will follow procedures implemented by the Director of the AHEC Central Office. All UAMS employees, working in designated Testable titles located on the Arkansas Children's Hospital (ACH) campus will be subject to ACH testing procedures.

- C. Failure to submit the sample as directed is sufficient cause for termination.
- D. The Medical Review Officer will schedule an appointment with the employee to discuss with him/her the results and inform the employee's department head.
- E. The department head will determine the action necessary when an employee tests positive for a drug of abuse. Options available to the department head will be up to and including immediate termination. The department head will consider corrective actions that may be initiated by the employee, including consultation and corrective treatment protocols in cooperation with outside professional expertise and/or with the Employee Assistance Program (EAP). The decision of the department head is final.
- F. Any employee terminated for cause will be ineligible for rehire for at least six months.

4. TESTING PROCEDURES

- A. Employees identified for testing will receive no more than 2-hours prior notification.

- B. Office of Human Resources will notify the Division Head or Designee of employees selected. Employees selected will be notified by their supervisor and will be required to report to a specified location within 2 hours for testing. Employees must bring their photo identification (ID), e.g., driver's license, ID badge, etc. Employees must report immediately. EXCEPTIONS: All Arkansas Children's Hospital (ACH) based UAMS faculty and staff will have tests performed under procedures administered by ACH. See [Attachment 2, ACH based employees "Consent to Release of Drug Test Results" form](#). Employees located at the Area Health Education Centers (AHEC) will follow procedures implemented by the Director of the AHEC Central Office.
- C. Refusal to undergo required drug testing will result in disciplinary or adverse action up to and including removal. Attempts to alter or substitute a specimen will be treated as a refusal to take a drug test.
- D. Individuals being tested may provide to the Medical Review Officer information on any prescription medication they are taking which could affect the test results. Such information will be kept confidential.
- E. Urine Collection Procedures:
 - 1. Specimen will be provided in a secure collecting facility.
 - 2. Donor leaves unnecessary outer garments in secure holding area. Personal items (such as briefcases, handbags and packages) must be left in holding area.
 - 3. Collector provides donor a wrapped/sealed collection container and specimen bottle.
 - 4. Donor provides specimen in secured area.
 - 5. Collector receives specimen and places cap securely on container.
 - 6. Collector places seal over bottle and dates the seal.
 - 7. Donor initials security seal after attached to bottle.
 - 8. Collector initials and dates the seal area of the security bag and the shipping container (if used).
- F. All positive results will be reported to the Medical Review Officer.

5. OTHER CONSIDERATIONS

- A. Test results will be granted confidentiality in accordance with all federal and state laws and UAMS policy. Tests will be performed off-site and will be paid for by UAMS (unless the tests are performed in accordance with an employee contract that states otherwise). Notification of any other agency or licensing board will be accomplished by the department in accordance with state and federal law.
- B. Applicants may be asked to provide information as necessary to interpret drug screen results. Such information will be considered confidential.

- C. Attempts to alter or substitute a specimen will be cause for withdrawal of the application for employment or immediate termination; even if the attempt is discovered after the period of employment begins.
- D. This policy shall not be construed to address aspects of substance abuse policy and procedure other than pre-employment, for cause, and random drug testing. See UAMS [policy 4.4.05](#) for policies that govern the use, possession, manufacture, purchase, or distribution of controlled substances on campus.

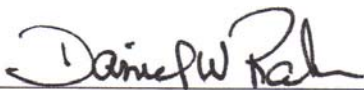
TESTABLE POSITIONS – SUBJECT TO CHANGE
List updated August 2011

Testable positions include all direct patient care positions, all safety-sensitive positions and other special needs positions. An illustrative list of Testable positions is identified on the UAMS website at <http://uams.edu/ohr/> under Manager’s Information.

Departments wishing to add positions to this list should present a written request, containing justification to the Associate Vice Chancellor for Human Resources, Chief Human Resources Officer.

REFERENCES

- [4.4.05 Drug Free Workplace](#)
- [4.4.06 Substance Abuse Policy](#)
- [4.5.18 Post Employment Medical Screening](#)

Signature:  _____

Date: October 5, 2011

ATTACHMENT 2

CONSENT TO RELEASE OF DRUG TEST RESULTS

I, the undersigned physician and member of the Medical Staff of Arkansas Children's Hospital ("Hospital") do hereby acknowledge and agree as follows:

- As a member of the Medical Staff of the Hospital, I am bound by the Bylaws of the Medical Staff ("Bylaws").
- The Bylaws require me to submit to periodic drug testing.
- I am an employee of the University of Arkansas for Medical Sciences ("UAMS").
- As an employee of UAMS, I am subject to periodic drug testing by UAMS.
- I hereby consent to and expressly authorize the release by Hospital of any of my drug test results to UAMS.
- I hereby forever release Hospital from any and all liability, claims or causes of action which might otherwise accrue against Hospital and which arise from or are related in any way to Hospital's release of my drug test results to UAMS.

IN WITNESS WHEREOF, I have executed this Consent to Release of Drug Test Results effective as of the date set forth below.

Signature

Print Physician Name

Date