

DRUG TESTING POLICY

At-Will Employer

The terms of this policy do not, either directly or indirectly, constitute any form of employment contract or other binding agreement between any employee and ["COMPANY NAME"].

Definitions

- 1.00 Prospective Employee: An individual who has received a conditional offer of [C N] employment.
- 2.00 Drug Test: Testing a urine sample for the presence of substances that include but are not limited to: marijuana, cocaine, phencyclidine, amphetamines, natural opiates, synthetic opiates, barbiturates, methadone, benzodiazepines and propoxyphene and their metabolites. Breath or blood testing for alcohol also may be performed.
- 3.00 Current Prescription: A valid prescription issued one year or less prior to the sample collection date.
- 4.00 Failed Test:
- a. The presence of illegal drugs and/or metabolites listed in # 2.00 above at levels exceeding current guidelines established by the U.S. Department of Transportation;
 - b. And/or the presence of prescription drugs and/or metabolites for which the tested individual does not have a current prescription;
 - c. When alcohol testing is done, individuals with a blood alcohol result of .02 grams per 100 milliliters of blood or breath testing result of .02 grams per 210 liters of breath or greater will be deemed unfit for duty;
 - d. Not following [C N]'s drug testing procedures;
 - e. Refusal to take the drug test; and/or
 - f. Any attempt to alter or tamper with the urine specimen which can include, but is not limited to:
 - (1) Substitution of urine specimen;
 - (2) Adulteration of urine specimen; and/or
 - (3) Submission of a second dilute, second invalid sample or second cold sample.

- 5.00 Dilute Sample: urine concentration of specific gravity less than 1.003 and/or creatine of less than 20 mg/dl.
- 6.00 Cold Sample: a urine sample less than 90 degrees F.
- 7.00 Substituted Sample:
- a. Urine placed in sample cup that did not come from the donor.
 - b. Urine with a creatine of 5 5 mg/dl and specific gravity less than L1 1.001 oz or 2 1.020.
- 8.00 Invalid Sample:
- a. Sample with creatine S 5 and specific gravity between 1.003 and 1 .019.
 - b. Sample with creatine < 20 mg/dl and specific gravity > 1.020.
 - c. Sample that does not pass the validity requirements of the lab, but cannot be classified as substituted or dilute.

Provisions

1.00 HIRING PROCESS

- 1.10 All employment offers will be made contingent upon completion of the drug test and a passing result.
- 1.20 Drug tests will be administered only to those who have received a conditional offer of employment.
- 1.30 Each prospective employee to be tested will be given the opportunity to declare information which they consider relevant to the test, including identification of current or recently used prescription or nonprescription drugs.

2.00 RANDOM TESTING

- 2.10 [C N] may determine that employees in safety sensitive jobs are required to submit to random drug testing. Existing employees who are in jobs that may be classified as safety sensitive will be given 60 days notice prior to beginning random drug testing. New employees whose positions are subject to random testing will be notified upon hire.
- 2.20 Randomization of employees to be tested will be done by a third-party vendor or a computer randomizer.
- 2.30 Procedures for conducting random drug tests will be the same as for new hire screens, except that the employee being tested must report to the collection site prior to 5:00

p.m. on the same day he/she is notified. Management will arrange for coverage where needed, and the time spent traveling to and from and at the collection site will be paid work time. (see "Procedures" below.)

2.40 Pass/fail standards will be the same for employees tested as part of a random program as for new hire testing. (see "Definitions" above.)

3.00 FOR-CAUSE TESTING

3.10 [C N] may determine that a drug screen is necessary for an employee or a group of employees when there is an incident(s) involving:

- Safety Violations.
- Missing Prescription Drugs.
- Suspected of theft.
- Patient Complaints.
- Incident/Injury reports.
- Not following narcotics handling policy and procedures.
- Fraudulent prescription activity.

3.20 [C N] may determine that a drug screen is necessary when there is an accident involving:

- [C N] employees that fall under FAA and DOT regulations.
- "Routine Drivers" (as defined in the Motor Vehicle Driver Safety Policy and Procedure)

3.30 First contact in decisions about when for-cause testing is appropriate and whom to test will be Central Office EAP (1 -800-832-7733).

3.31 EAP will look at factors such as: Who is believed to have had physical access to missing drugs or property, Who had authority and/or responsibility for missing drugs or property, Statements from witnesses deemed reliable by [C N] managers. Behavior which suggests possible impairment.

4.00 OTHER TESTING

4.10 [C N] may determine that testing be done in any or all of the following circumstances:

4.11 As part of a Fitness-for-Duty evaluation (see HR policy 8.10. "Fitness for Duty.")

- 4.12 As part of a Return-to-Work agreement (see HR policy 8.10. "Fitness for Duty.")
- 4.13 As requested by the United States Department of Transportation or other state or federal governmental agency.

5.00 RESULTS

- 5.10 New hires/prospective employees.
 - 5.11 A failed test will disqualify the individual for employment for a period of twelve months from the date of the test.
- 5.20 Employees tested at random.
 - 5.21 Employees who fail a random screen will be suspended pending investigation. Further action will be based on the results of the investigation and existing [C N] policies. A failed screen will result in disciplinary action which could include termination.
- 5.30 An employee or prospective employee who tests positive for a drug for which he/she has a current prescription, but which could cause impairment in the workplace, will be required to obtain certification from the prescribing physician that he/she can perform his/her job safely and effectively (See Human Resources policy 8.10. "Fitness for Duty.") In the event the information cannot be obtained from the prescribing physician, [C N] Employee Health will select another physician to perform a medical evaluation of fitness for duty.

6.00 COST

- 6.10 Drug testing will be performed at no cost to the employee or prospective employee.

7.00 LEGAL COMPLIANCE

- 7.10 [C N]'s Drug Testing Program will be conducted in such a way as to comply with applicable state and federal laws.

8.00 EMPLOYEES OF ACQUIRED COMPANIES

- 8.10 Persons who become employed by [C N] as a result of acquisitions of clinics, companies, etc. will be required to submit to drug testing as new hires. At [C N]'s discretion, individuals who fail the drug screen may be referred to Employee Assistance rather than be terminated.

9.00 EXCEPTIONS

- 9.10 Exceptions to this policy are subject to review and administrative approval by the

Assistant Vice President of Employee Relations.

10.00 RIGHT TO CHANGE AND/OR TERMINATE POLICY

- 10.10 Reasonable efforts will be made to keep employees informed of any changes in the policy; however, [C N] reserves the right in its sole discretion to amend, replace, and/or terminate this policy at any time.

Procedure

- 1.00 At the time a conditional offer of employment is accepted by the prospective employee, he/she will be told to report to the nearest designated collection site by close of business the day after the acceptance. Employees submitting to random testing must report prior to 5:00 p.m. the same day they are notified.
- Drug Screen Check List
 - Dilute Test Script
 - Failed Drug Screen Script
- 2.00 For prospective employees who reside out of the area, special arrangements may be made with Central Office Employee Health for a sample to be collected in the applicant's local area and forwarded for testing.
- 3.00 Persons who do not report to the designated collection site by close of business the day after receiving the conditional offer or who fail to provide a specimen suitable for testing will be deemed to have failed the test.
- 4.00 Employees who are notified that they have been selected for random screens who fail to report to the designated collection site prior to 5:00 p.m. the same day or who fail to provide a specimen suitable for testing will be deemed to have failed the test.
- 5.00 [C N] Central Office Employee Health will contract with collection sites that will perform collection under reasonable and sanitary conditions.
- 6.00 Sample will be collected and tested with due regard to the privacy of the individuals being tested and in a manner reasonably calculated to prevent substitution with the collection of reliable samples.
- 7.00 Collection site personnel will normally be responsible to obtain appropriate releases.
- 8.00 Labeling samples done to reasonably preclude the probability of erroneous identification of test results.
- 9.00 Sample collection, storage and transportation will be performed so as to reasonably preclude the probability of sample contamination or adulteration.

- 10.00 [C N] will designate a SAMHSA-certified laboratory to perform the testing. Testing will conform to scientifically accepted analytical methods, including confirmation of any positive test by gas chromatography or a comparable analytical method.
- 11.00 Drug test results will be relayed by the testing lab to the Employee Health Coordinator at the Central Office every weekday. The Employee Health Coordinator will let the facility's Human Resources contact know the results as soon as possible. Results will be reported to the facility's Human Resources contact as Pass/Fail only.
- 12.00 A prospective employee whose test results are positive for a legal prescription medication will be requested to provide the prescription for review by a designated professional (MD or RN) who is familiar with the medication, its use and appropriate dosages. For all medication other than controlled substances, "current prescription" is defined as one year or less prior to the sample collection date. Individuals needing to provide prescription information will have 48 hours from the time of the request to provide the information to the designated professional. If the individual is working at a [C N] facility they should be suspended from work until the prescription information has been provided to the reviewing professional and they have been determined as having "passed" the screen.
- 13.00 Records of all failed tests will be retained by the testing lab and by Central Office Employee Health Services for twelve months from the date of the test. Records of tests performed under section 3.30 above will be retained by the Employee Health Coordinator for twelve months from the date of the test.
- 14.00 Retest of diluted or cold sample:
- a. If urine concentration is dilute or considered an "invalid" sample by the lab, the test may be retaken at the discretion of the Central Office Employee Health Nurse or Medical Review Officer.
 - b. A cold sample will not be tested. Individuals who present a cold sample will be invited to remain at the collection site and provide a suitable sample. Failure to do so will constitute a failed test.
 - c. If a retest is designated, the employee shall report to an [C N] testing facility and submit to a repeat urine screen by the end of business that day. If an employee fails to do so, the initial test will be deemed a failed test. A second dilute or invalid specimen will be considered a failed test.