



Tri-State
Memorial Hospital &
Medical Campus

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Owner:	<i>Terri Tomberlin</i>
Policy Area:	<i>Administration - Human Resources</i>

Drug Free Workplace

POLICY

Tri-State Memorial Hospital and Clinics ("Tri-State") is committed to a work environment free of the influence of drugs and alcohol for the benefit of its employees, as well as its customers and the public at large. As a result, Tri-State has implemented a drug and alcohol free workplace policy to insure all employees are free from the effects of drugs and alcohol while at work or on Tri-State business. This is also consistent with federal regulations requiring a drug free workplace for all businesses contracting with the federal government.

Tri-State may test for drug or alcohol use under these four conditions:

1. Pre-employment drug testing
2. Post-accident drug testing
3. Random drug testing
4. For-cause drug-testing

POSSESSION, USE, OR DISTRIBUTION OF ILLEGAL DRUGS OR ALCOHOL

Tri-State has an absolute prohibition against employee use of illegal drugs both on and off the work site. An employee's off the job illegal use, manufacture, purchase, possession, sale, or distribution of illegal drugs, or drug paraphernalia, that results in criminal charges being brought against the employee, will result in the employee being requested to submit to drug testing and may result in the employee being suspended from work without pay. Any employee convicted of a criminal drug statute will be terminated from employment.

Use of alcohol by an employee on Tri-State property or during work hours without Tri-State approval is strictly prohibited. Any employee violating this prohibition will be terminated from employment. Because marijuana remains an illegal drug under federal law, there is no exception for marijuana use, including medicinal use, or incidental use, under this policy. This is a zero tolerance policy.

EMPLOYEE'S USE OF ALCOHOL

Tri-State is committed to ensuring all employees are not at work while under the influence of alcohol. Therefore, employees are not to consume alcohol within eight (8) hours of reporting to work. Employees are prohibited from using or possessing alcohol while they are on duty. On duty is interpreted to include "on-call" status.

PRESCRIPTION MEDICATION

Employees are cautioned regarding use of prescription medication that contains a warning label stating the

use of that drug may impair his/her ability to safely operate equipment or machinery. Employees may be allowed to work while using such medication if the drug is prescribed by a licensed medical practitioner who is familiar with the employee's medical history and assigned duties, and who has advised the employee the prescribed drug will not adversely affect his/her ability to safely perform the job. Tri-State may request this in writing.

An employee's director, any member of Executive Council or HR personnel may ask to see proof of the prescription. In addition, any employee may be asked to cease working until a physician has certified that the employee can safely perform his or her duties.

SELF-REFERRAL

All employees of Tri-State who consider themselves drug or alcohol dependent and who voluntarily identify themselves to their supervisors or the Human Resources Department will be encouraged to obtain an evaluation by a substance abuse counselor and seek treatment, if such is the counselor's recommendation. Tri-State will provide informational assistance in locating professional substance abuse counseling to any employee who requests it.

Employees who undergo drug or alcohol rehabilitation will be expected to do so at their own expense (with the exception of those expenses covered by their health insurance plan), on their own time or during a non-paid leave of absence that has been approved by Tri-State. Arrangements may be made to allow an employee to use accrued PTO during any such leave.

Employees who demonstrate successful progress or completion of a recommended course of treatment may return to work, after taking and passing a drug and/or alcohol test, and with approval from both Human Resources and the CEO. Any employee returning to work after such treatment will be expected to comply with all aspects of this drug free workplace policy, as well as random, or monitored testing. A request for rehabilitation may not be made in order to avoid the consequence of a positive drug result or to avoid taking a drug test when requested to do so under the terms of this policy.

DRUG OR ALCOHOL TESTING REQUIRED OF EMPLOYEES

PRE-EMPLOYMENT TESTING

All applicants to whom Tri-State intends to offer employment will be required to submit to testing for the presence of illegal drugs as a part of the application process.

REASONABLE CAUSE TESTING

Directors should use the attached form for reasonable cause testing. The employee and the form should come to HR before the testing. Specimen collection may be in the form of a urine, blood, or hair sample.

Tri-State will require an employee to be tested for the use of alcohol, illegal drugs, or the abuse of prescription medication if an employee's physical appearance or pattern of behavior gives Tri-State reason to believe the employee is impaired because of substance abuse which would endanger their well-being, as well as the safety of fellow employees, customers or the general public. The basis of suspicion, regarding drug or alcohol abuse may be a specific, contemporaneous event, or conduct evidencing impairment observed over a period of time.

After regular business hours, if an employee is suspected of being under the influence, the following steps should be taken:

1. Contact will be made with the house supervisor. The house supervisor will contact the employee's

immediate director, or administrator on-call. The employee will be asked to remain in a designated area of the facility until the testing center can be reached and a specimen obtained. The employee's behavior will be documented on the attached form and attested to by the house supervisor and another director or supervisor, preferably the employee's director manager. Pathologist's Regional Laboratory -- 751-5660 or ext. 2200/2202.

2. **The employee will be suspended pending results of the drug test. The employee will be escorted from the facility and transportation will be arranged.**
3. If the specimen is negative, every effort will be made to find the reasons for the employee's behavior. The suspension will be paid time.
4. If the specimen is positive, the employee will be asked to return the next day to the Human Resources department to claim personal items and sign termination paperwork.

RANDOM TESTING

All employees will be subject to random testing for the presence of illegal or unauthorized drugs. A random test is an unscheduled test with every employee being subject to testing at any given time. This method will be determined in consultation with **Pathologist's Regional Laboratory** (or current DOT certified laboratory) and will be conducted by utilizing a computerized random selection method. Selected employees will be contacted by Human Resources with directions and must bring picture identification (a Tri-State badge does not qualify, since it doesn't show last name). Employee's will be required to report to Human Resources immediately (the exception to this rule is that employees that handle patient care will be allowed to report as soon as they can without impeding patient care).

POST-ACCIDENT TESTING

All employees operating machinery are subject to testing for drugs and alcohol if involved in an accident on Tri-State property or in a Tri-State vehicle, or when conducting Tri-State business in a personal vehicle.

DRUG/ALCOHOL TESTING PROCEDURE

Specimen Collection Procedure

When a prospective or current employee is notified that he/she is to submit to drug or alcohol testing, he/she will be given instructions as to where to report for testing. Contract personnel, who have been properly instructed, will collect the specimen according to approved collection procedures. Employees who refuse to cooperate in required tests shall be terminated.

ADULTERATION OR SUBMISSION OF A CONCEALED SPECIMEN

If, during the collection procedure, the collection monitor detects an effort by an employee to adulterate or substitute a specimen, a second specimen will be requested. If a second specimen is provided, that specimen will be tested. If the request for a second specimen is refused, the collector will convey to Tri-State the refusal to submit a true specimen. Such conduct will result in either a prospective employee not being offered employment or a current employee being terminated.

In the event a prospective or current employee submits a specimen that the laboratory later identifies as a diluted specimen, Tri-State will advise the employee of that finding and request the employee submit a second specimen. Such employees will be advised by Tri-State not to drink any fluids immediately prior to the test.

DRUG/ALCOHOL TESTING AND CONFIRMATION

All specimens will be tested for the presence of illegal and unauthorized drugs. Tri-State reserves the right to

test an employee for the presence of prescription medication when it has reason to believe the employee may be abusing such medication. Any specimen that screens positive for the presence of illegal drugs will be confirmed by the Gas Chromatography/Mass Spectrometry (GC/MS) confirmation method. Any employee who tests positive for illegal drugs or prescription medication may request the same specimen be tested at his/her expense.

This request must be conveyed to Tri-State within 48 hours of the employee being notified of the positive test result. Any employee who refuses to be tested consistent with the terms of this policy will be terminated.

NOTIFICATION OF TEST RESULTS

Applicants must report to the laboratory located within Tri-State Memorial Hospital and will be directed to provide urine specimens. Applicants and employees may provide specimens in private unless they appear to be submitting altered, adulterated or substitute specimens. Collected specimens shall be sent to a federally certified laboratory and tested for evidence of prohibited substances including: amphetamines, barbiturates, cannabinoids, cocaine, opiates, benzodiazepines, oxycodone, phenacyclidine, and methadone. (Where indicated, specimens may be tested for alcohol and other illegal drugs.) There will be a chain of custody from the time specimens are collected through testing and storage. The laboratory shall forward all collected specimens including a chain of custody to a third party lab for evaluation including a medical review officer (MRO), who shall offer persons with positive results a reasonable opportunity to rebut or explain the results. All test results shall be communicated directly to Human Resources.

Information and records relating to all test results, drug and alcohol dependencies, and legitimate medical explanations provided to the MRO, will be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files. Such records and information may be disclosed among directors and supervisors on a need-to-know basis and may also be disclosed when relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant. This policy does not prohibit employees from the lawful use and possession of prescribed medications (excluding medicinal use of marijuana). Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely, and they must promptly disclose any work restrictions to their director. Employees will not, however, be required to disclose to TSMH the underlying medical conditions unless directed to do so by HR.

EFFECT OF TESTING POSITIVE

Any prospective employee who tests positive for the presence of drugs that are unauthorized or illegal under federal law will not be offered employment with Tri-State. Any current employee that tests positive for illegal drugs or alcohol will be terminated; and will not be eligible for rehire.

CONCLUSION

The terms of this drug free workplace policy are intended to continue to provide a work environment where employees are free from the effects of drugs and/or alcohol. Employees should be aware that the provisions of this policy may be revised when necessary and that employees will be notified of any such changes. Tri-State anticipates that by implementing the provisions of this drug free workplace policy its employees will enjoy the benefits of working in a safer and more productive work environment.

Attachments:

[Drug and Alcohol Testing Consent form](#)
[Reasonable Cause Report.docx](#)

Approval Signatures

Approver	Date
Don Wee	12/2019
Terri Tomberlin	12/2019

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