

NUMBER: 3.1.14**DATE: 12/10/1998****REVISION: 11/16/2005; 10/05/2011; 07/16/2014; 10/03/2016****PAGE: 1 of 6****SECTION: ADMINISTRATION**
AREA: GENERAL ADMINISTRATION
SUBJECT: DRUG AND ALCOHOL TESTING

PURPOSE

To promote the health, safety and productivity of our employees by providing a drug-free workplace.

SCOPE

This policy applies to all UAMS employees.

DEFINITIONS

Pre-employment Drug Testing – A mandatory drug test required for all applicants selected for employment in designated drug testing positions.

For Cause Drug Testing – A drug test required when an employee's behavior is characteristic of alcohol or substance misuse. Such behavior may include but is not limited to:

1. Observed impairment of job performance.
2. Abnormal conduct or erratic behavior.
3. A serious workplace accident or number of minor workplace accidents.
4. Evidence of drug tampering in the employee's workplace.

Self-disclosure – when an employee voluntarily self-discloses a substance use disorder to his/her supervisor.

Random Drug Screening – Drug testing of employees in testable positions using a random sampling methodology.

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

POLICY

As part of our commitment to providing a drug-free workplace, UAMS has established a drug testing program that consists of (1) pre-employment drug testing, (2) for-cause drug testing, and (3) random drug testing. Pre-employment and random drug tests will be performed on employees who are employed in positions that have been designated as drug testable. For cause drug tests will be performed on employees who are suspected of being in an impaired state while on duty.

Refusal to submit to drug screening or screening results that indicate misuse of drugs or alcohol is sufficient cause for termination or withdrawal of an application for employment. Additional information about UAMS's commitment to providing a drug-free workplace can be found in the Drug Free Workplace Policy, *UAMS Administrative Guide 4.4.05*.

PROCEDURES

I. Pre-Employment Drug Testing

Drug testing shall be completed prior to beginning work. When an offer of employment is extended, the potential employee must agree to submit to drug testing at a designated time and location. The drug test must be completed no more than 60 days prior to the planned start date.

Employment will be finalized only upon receipt of a negative drug test. Refusal to submit to the drug test or a test result that indicates misuse of drugs or alcohol will be interpreted as a withdrawal of the application for employment.

Managers who allow an employee to begin work prior to receiving confirmation of a negative drug test from Human Resources will be subject to disciplinary action.

II. For Cause Drug Testing

Whenever an employee's behavior is characteristic of alcohol or drug misuse, a supervisor will be immediately notified. The supervisor is responsible for assessing the situation and ordering a for-cause drug test when appropriate. If the employee is a member of the UAMS Medical Staff, a member of the Medical Staff Health Committee should be consulted. The behavior observed must be documented on the form appended to this policy ([Attachment I](#)), and the form retained in the employee's departmental personnel file.

The employee shall be relieved of his/her duties and given a specific time (less than two hours) to report to the testing facility. Refusal or 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, UAMS Police will be contacted to transport the employee to the testing facility.

The employee will be placed on administrative leave until the test results are received and evaluated. If the test results do not indicate misuse of drugs or alcohol, the employee will be paid his or her regular salary for the administrative leave time. If the test results do indicate misuse of drugs or alcohol, the employee may utilize accrued paid leave time, if any, to compensate for these hours.

III. Random Drug Testing

Random drug testing will apply to all testable positions. The Office of Human Resources

will provide a list of employees who have been randomly selected for drug testing to the appropriate department head or designee on a monthly basis. Appropriate supervisors will be notified and will inform the selected employees. The employees must report to a specified location for testing within two hours or be subject to termination. Employees who are not located on the main UAMS campus will report to drug testing collection sites as designated by their location.

IV. Types of Tests

Pre-employment and random drug testing will consist of a urine drug screen that tests for marijuana, cocaine, amphetamines, opiates and phencyclidine (PCP). For-cause drug testing may include the above and/or a blood alcohol or breath testing if misuse of alcohol is suspected.

V. Screening Results

Any attempt to alter or substitute a specimen will be considered withdrawal of the application for employment or cause for immediate termination; even if the attempt is discovered at a later date. Individuals may be asked to provide personal medical information necessary to interpret drug test results. Such information will be maintained as confidential.

All tests will be reviewed and interpreted by a Medical Review Officer (MRO). If the laboratory reports a positive test to the MRO, the MRO will contact the individual to determine if there is an alternative explanation for the positive result, such as a legitimate medical use. If the MRO determines the result is due to a legitimate medical use, the test will be reported as negative.

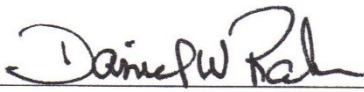
The department head will determine the action to be taken when an employee's test results indicate misuse of drugs or alcohol. Options available include termination or consultation and treatment with the Employee Assistance Program (EAP) or other appropriate program/professional. The decision of the department head is final. Termination due to misuse of drugs or alcohol will be considered termination for cause. Any employee terminated for cause will be ineligible for rehire for at least six months.

VI. Confidentiality and Mandatory Reporting

Test results will remain confidential in accordance with all Federal and State laws and regulations 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 employment contract that provides otherwise). A list of approved testing sites can be found at <http://hr.uams.edu/managers/>. Licensing boards shall be notified of positive drug screens by the appropriate department as required by law. Any questions about mandatory reporting should be directed to the Office of General Counsel.

REFERENCES

Administrative Guide Policy 4.4.05, Drug Free Workplace
Administrative Guide Policy 4.5.18, Employment Medical Screening

Signature: 

Date: October 3, 2016

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