

# SAN MIGUEL COUNTY

## DRUG AND ALCOHOL PROGRAM PROCEDURES

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### 1. DEFINITIONS

- 1.1 **Alcohol** means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.
- 1.2 **Alcohol use** means the consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.
- 1.3 **Applicant** means any individual tentatively selected for employment with the **San Miguel County**.
- 1.4 **Breath Alcohol Concentration (or content)** means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.
- 1.5 **Collection Site** means a place where individuals present themselves for the purpose of providing body fluid, or breath, to be analyzed for specified controlled substances or alcohol.
- 1.6 **Confirmation test** means (1) For alcohol a second test, following a screening test with a result of 0.02% or greater, that provides quantitative data of alcohol concentration; (2) For controlled substances testing a second analytical procedure to identify the presence of specific drug or metabolite which is independent of the screen test and which uses a different technique and chemical principal from that of the screen test in order to ensure reliability and accuracy. For the purposes of these procedures this is a gas chromatography/mass spectrometry (GC/MS).
- 1.7 **Drug** means illegal drugs, legally controlled substances, abuse of legal drugs, and prescription or over-the-counter medications which impair a person's ability to work or operate in a safe manner.
- 1.8 **Medical Review Officer (MRO)** means the individual responsible for receiving laboratory results generated from the **San Miguel County's** substance abuse program who is a licensed physician with knowledge of substance abuse disorders and the appropriate medical training to interpret and evaluate all positive test results together with an individual's biomedical information.
- 1.9 **Random Selection Process** means a system of drug and/or alcohol testing imposed without individualized suspicion that a particular individual is using illegal drugs or alcohol, and may either be: (1) Uniform-unannounced testing of testing designated employees occupying a specified area, element or position; or (2) A statistically random sampling of such employees based on a number neutral criterion, such as social security numbers.
- 1.10 **Reasonable Belief (cause, suspicion)** means the actions or appearance or conduct of an employee on duty that are indicative of the use of controlled substance or alcohol.
- 1.11 **Screening test (or initial test)**
  - 1.11.1 In alcohol testing means any analytical procedure to determine whether a driver may have a prohibited concentration of alcohol in his or her system.
  - 1.11.2 In controlled substance testing, it means an immunoassay screen to eliminate negative urine specimens from further consideration.
- 1.12 **Substance Abuse Professional (SAP)** means a licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission or by the International Certification Reciprocity Consortium/Alcohol & Other Drug Abuse) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.

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### **2. GENERAL**

- 2.1 The following procedures are to assist employees in complying with San Miguel County drug and alcohol testing.
- 2.2 It is necessary for **San Miguel County** to implement and enforce the following procedures to provide a safe working environment, and to ensure that public safety and trust in **San Miguel County** are protected. Therefore, these procedures are to ensure that only safe and alert employees are permitted on/in San Miguel County premises, on San Miguel County job site locations and at any time while operating any San Miguel County vehicles, or using San Miguel County equipment.
- 2.3 The following acts by employees on San Miguel County time to include scheduled or unscheduled break periods, meal times and prospective new hires are prohibited:
  - 2.3.1 Unlawful use of drugs or legally controlled substances;
  - 2.3.2 Sale, purchase, transfer or possession of illegal drugs or legally controlled substances;
  - 2.3.3 Arrival for work, or operation of San Miguel County vehicles or equipment, with a breath alcohol content of .02% or greater;
  - 2.3.4 Possession or use of beverage alcohol on San Miguel County property, on San Miguel County time, or in San Miguel County vehicles;
  - 2.3.5 Abuse of legal drugs;
  - 2.3.5 Working and/or operating San Miguel County vehicles, equipment, or machinery while under the influence of legal drugs which would impair the individual's ability to work or operate in a safe manner;
  - 2.3.7 Failure to take any mandated drug or alcohol test; or failure to cooperate during the any required testing process;
  - 2.3.8 Adulteration of any required drug or alcohol test.

### **3. REMOVED & RESERVED**

### **4. HIRING**

All prospective new hires will be required to take a pre-employment drug test as a condition of employment. Consideration for employment, or continued employment if the person has begun work before the test results are known, will immediately cease if the test results indicate drug use.

### **5. GENERAL DRUG TESTING INFORMATION**

Drug tests being administered are capable of detecting trace amounts of drugs for up to 60 days after use. All safety-sensitive **San Miguel County** employees and all new hires are subject to drug testing.

A person requested to supply a urine sample and is unable to do so within a three hour period is considered to have refused to take the test. Any person who avoids or makes themselves unavailable for any drug test will be treated as having refused to take the test. If a drug test indicates drug use and the employee or prospective new hire believes that the testing shows an incorrect result, the person shall have the right, at their own expense, to obtain a second test of the split second sample they provided. If the second test of the original sample does not detect drug use, then **San Miguel County** shall reimburse the employee for the cost of the second test.

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Individuals refusing to submit to testing, or test results indicating drug use, will be subject to disciplinary or corrective action including, but not limited to, termination of employment. Individuals purchasing, selling, transferring or possessing illegal drugs or legally controlled substances will be terminated.

### **6. GENERAL ALCOHOL TESTING INFORMATION**

Alcohol tests show levels of Breath Alcohol content exceeding permissible limits at the time of the test. In the event a positive alcohol test exceeding .02% occurs, a confirmation test shall be provided by the employee within 15 to 30 minutes of the initial alcohol test. If the test is confirmed between a level of .02% and .039% the employee shall be suspended without pay for 24 hours. A second offense is deemed to have the same consequences as a .04% or greater test result.

Alcohol test levels from .04% or greater require a confirmation test within 15 to 30 minutes of the initial alcohol test. If the test is confirmed at .04% or greater the employee shall be subject to disciplinary or corrective action including, but not limited to, termination of employment. A release from a Substance Abuse Professional must be obtained before the employee is eligible for re-instatement with **San Miguel County**.

### **7. OPPORTUNITY TO JUSTIFY A POSITIVE DRUG TEST RESULT**

The laboratory will forward the drug test result to the Medical Review Officer for review. The Medical Review Officer may choose to conduct employee medical interviews, review employee medical history, or review any other relevant biomedical factors. The Medical Review Officer must review all positive results before confirming a valid positive test result.

#### **7.1 Evidence to justify a positive result may include, but is not limited to:**

- 7.1.1 A valid prescription; or
- 7.1.2 A verification from the individual's physician verifying a valid prescription.
- 7.1.3. Individuals are not entitled, however, to present evidence in a trial-type administrative proceeding, although the Medical Review Officer has the discretion to accept evidence in any manner they deem most efficient or necessary. If the Medical Review Officer determines there is justification for the positive result, such result will be considered a verified positive test result. The Medical Review Officer shall immediately contact the appropriate management official upon obtaining a verified positive test result.

#### **7.2 Positive test result:**

- 7.2.1 Prior to making a final decision to verify a positive test result for an individual, the MRO shall give the individual an opportunity to discuss the test result with him or her.
- 7.2.2 The MRO shall contact the individual directly, on a confidential basis, to determine whether the employee wishes to discuss the test result. A staff person under the MRO's supervision may make the initial contact, and a medically licensed or certified staff person may gather information from the employee. Except as provided in paragraph B)(5) of this section, the MRO shall talk directly with the employee before verifying a test as positive.
- 7.2.3 If, after making all reasonable efforts and documenting them, the MRO is unable to reach the individual directly, the MRO shall contact a designated management official who shall direct the individual to contact the MRO as soon as possible. If it becomes necessary to reach the individual through the designated management official, the designated management official shall employ procedures that ensure, to the maximum extent practicable, the requirement that the employee contact the MRO is held in confidence.

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- 7.2.4 If, after making all reasonable efforts, the designated management official is unable to contact the employee, **San Miguel County** may place the employee on temporary medically unqualified status or medical leave.
- 7.2.5 The MRO may verify a test as positive without having communicated directly with the employee about the test in three circumstances:
- a) The employee expressly declines the opportunity to discuss the test;
  - b) Neither the MRO nor the designated **San Miguel County** representative, after making all reasonable efforts, has been able to contact the employee within 10 days of the date on which the MRO receives the confirmed positive test result from the laboratory;
  - c) The designated **San Miguel County** representative has successfully made and documented a contact with the employee and instructed the employee to contact the MRO and more than five days have passed since the date the employee was successfully contacted by the designated **San Miguel County** representative.
- 7.2.6 If a test is verified positive under the circumstances specified in of this section, the employee may present to the MRO information documenting that serious illness, injury, or other circumstances unavoidably prevented the employee from being contacted by the MRO or designated **San Miguel County** representative or from contacting the MRO within the times provided. The MRO, on the basis of such information, may reopen the verification, allowing the employee to present information concerning a legitimate explanation for the confirmed positive test. If the MRO concludes that there is a legitimate explanation, the MRO declares the test to be negative.
- 7.2.7 Following verification of a positive test result the MRO shall refer the case to **San Miguel County** management official empowered to recommend or take administrative action (or the official's designated agent), or both.
- 7.3 Verification for opiates; review for prescription medication:
- Before the MRO verifies a confirmed positive result for opiates, he or she shall determine that there is clinical evidence — in addition to the urine test — of unauthorized use of any opium, opiate, or opium derivative (e.g., morphine/codeine). (This requirement does not apply if the GC/MS confirmation testing for opiates confirms the presence of 6 monoacetylmorphine.)
- 7.4 Split specimen:
- 7.4.1 The employee who has a confirmed positive test **has 72 hours in which to request a test of the split specimen, if the test is verified as positive.** If the employee requests an analysis of the split specimen within 72 hours of having been informed of a verified positive test, the MRO shall direct, in writing, the laboratory to provide the split specimen to another DHHS certified laboratory for analysis. **The employee is obligated to pay for the split sample "B" test.** If the analysis of the split specimen fails to reconfirm the presence of the drug(s) or drug metabolite(s) found in the primary specimen, or if the split specimen is unavailable, inadequate for testing or untestable, the MRO shall cancel the test and report cancellation and the reasons for it to **San Miguel County** and the employee.
  - 7.4.2 If the analysis of the split specimen is reconfirmed by the second laboratory for the presence of the drug(s) or drug metabolites(s), the MRO shall notify **San Miguel County** and the employee of the results of the test.
  - 7.4.3 If an employee has not contacted the MRO within 72 hours, the employee may present to the MRO information documenting that serious illness, injury, inability to contact the MRO, lack of

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actual notice of the verified positive test, or other circumstances unavoidably prevented the employee from timely contacting the MRO. If the MRO concludes that there is a legitimate explanation for the employee's failure to contact the MRO within 72 hours, the MRO shall direct that the reanalysis of the primary specimen or analysis of the split specimen, as applicable, be performed.

- 7.4.4 When **San Miguel County** uses the split sample method of collection, the employee is **not authorized** to request a reanalysis of the primary specimen or request a new (re-test) test.

### **8. PRESCRIPTION AND OVER-THE-COUNTER MEDICATIONS**

It is the employee's responsibility to ensure that medications taken will not impair their ability to work or operate in a safe manner. Employees shall inform their supervisor of medications that impair the employee's ability to work safely. Employees may not report to work until such time as the employee completes the use of the medication and is capable of working safely or operating in a safe manner. Generally the effects would be considered substantial enough to warrant removal if the medication container states that driving, or operating machinery should not be done after taking the medication, or drowsiness occurs after taking the medication. For prescription medications, a statement from the individual's treating physician may be required stating the type of medication, the dosage, and that the medication will not impair the individual's ability to work or operate in a safe manner.

### **9. PERIODIC RANDOM TESTING**

- 9.1 **San Miguel County** routinely conducts periodic drug and alcohol testing of employees. The annual rate of testing is at least 50% of employees for drug testing and 10% for alcohol testing. Testing rates are based on the covered employees within San Miguel County. Employees are selected by a scientifically valid computer method administered through a Third Party Administrator.
- 9.2 All safety sensitive positions are designated for random alcohol and drug testing.
- 9.3 Under the selection process all employees will have an equal chance of being selected each time a selection is made.
- 9.4 The rate of selection is 50% per annum for drugs and 10% per annum for alcohol. These rates may be adjusted by San Miguel County from time-to-time.
- 9.5 The selections are done by a scientifically valid process and the tests are unannounced.
- 9.6 The Third Party Administrator will notify **San Miguel County** or their designee, who shall set up an appointment for testing of the selected employee(s).
- 9.7 The employee(s) will not be notified until just before the test(s) are to be conducted.
- 9.8 The employee(s) shall immediately present himself for testing at the designated collection location.

### **10. POST ACCIDENT TESTING**

- 10.1 Mandatory drug and alcohol testing requirements will affect employees under the following circumstances:
- 10.1.1 Anyone who receives a citation under state or local law for a moving traffic violation arising from the accident.
- 10.1.2 One or more vehicles incur disabling damage because of the accident and are transported away from the scene of the accident.

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10.1.3 Following every on-duty accident resulting in physical injury to oneself or to another person which requires professional medical care away from the accident scene.

10.1.4 Following every on-duty accident resulting in a fatality to one or more persons.

### 11. REASONABLE SUSPICION TESTING

11.1. When a supervisor has a reasonable belief, based on objective factors, that the employee is intoxicated or under the influence of an illegal drug or legally controlled substance. Including, but not limited to:

Observable phenomena, such as direct observation of drug/alcohol use or possession and/or the physical symptoms of being under the influence of a drug/alcohol, or a pattern of abnormal conduct or erratic behavior. Abnormal conduct or erratic behavior may include the following, which may not be all inclusive:

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| * Abnormally dilated or constricted pupils | * Forgetfulness                            |
| * Constant fatigue or hyperactivity        | * Change in personality                    |
| * Smell of alcohol                         | * Redness under nose                       |
| * Needle marks                             | * Constant sniffing                        |
| * Slurred speech                           | * Change of speech (i.e. faster or slower) |
| * Difficulty walking                       | * Flushed face                             |
| * Slowed reaction rate                     | * Glazed stare - redness of eyes           |
| * Dulled mental processes                  | * Unsafe work practices                    |

11.2 Information provided either by reliable sources or independently corroborated, or newly discovered evidence that the employee has tampered with a previous drug/alcohol test. Although reasonable suspicion testing does not require certainty, mere "hunches" are not sufficient to meet this standard.

11.3. Procedure:

11.3.1 If an employee is suspected of using illegal drugs, the appropriate supervisor will gather all information, facts, and circumstances leading to and supporting this suspicion. The appropriate supervisor will promptly prepare a written report detailing the circumstances which substantiated the basis warranting the test(s). This report should include the pertinent dates and times of reported drug/alcohol related incidents, reliable sources of information, and the rationale leading to the test, and the resulting action.

11.3.2 The employee ***shall be taken*** to an approved collection site and a reasonable suspicion drug and/or alcohol test shall be administered. Refusal by the employee to take the required test(s) shall be grounds for disciplinary action including termination.

### 12. RETURN-TO-DUTY TESTING

San Miguel County may elect to retain an employee who does not pass a drug test or alcohol test. If San Miguel County opts to retain the employee he/she must meet the referral requirements of the Substance Abuse Professional. When SAP releases the employee to return to his/her safety-sensitive position the shall not return to duty until he or she passes a drug and/or alcohol test administered under this part. An employee who returns to duty shall be subject to a reasonable program of follow-up drug testing, as directed by a certified SAP, without prior notice for not more than 60 months after his or her return-to-duty.

### 13. FOLLOW-UP TESTING

13.1 Following a determination by a SAP that an employee is in need of assistance in resolving problems

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associated with controlled substance and/or alcohol abuse, **San Miguel County** shall ensure that the employee is subject to unannounced follow-up drug testing as directed by the SAP for a period of up to 60 months.

- 13.2 Follow-up testing for drugs or alcohol shall be conducted just before, during, or immediately after the employee is on duty.
- 13.3 Follow-up testing drug and alcohol tests are at the direction of the SAP and at the employee's expense. Follow-up testing does not remove an employee from Periodic testing.
- 13.4 Any employee testing positive during the prescribed period of rehabilitation for any required drug or alcohol test shall be terminated.

### **14. FUTURE EMPLOYMENT STATUS OF EMPLOYEES TERMINATED UNDER THIS POLICY**

Employees who are concerned about alcoholism or addiction to drugs should seek diagnosis on their own and, where indicated, are encouraged to accept and complete rehabilitation. San Miguel County will support these volunteer efforts and grant the appropriate leave, which may include leave without pay.

A terminated employee will not be eligible for rehire with San Miguel County for a minimum of 30 days. San Miguel County policy emphasizes corrective action, and the opportunity for rehabilitation, rather than permanent exclusion from employment. To be eligible to re-apply for employment with **San Miguel County** the employee will first be required to meet personally with a Substance Abuse Professional (SAP). Costs incurred for the Substance Abuse Professional are the responsibility of the employee. The employee may not return to any safety sensitive function until a negative return-to-duty drug and alcohol test has been completed. The return-to-duty drug and alcohol tests are at the employee's expense. A release from the Substance Abuse Professional shall be obtained and provided to the Company prior to the employee re-applying for employment with San Miguel County.

Should an individual be rehired by **San Miguel County** and later again have positive test results which detects drug use or an alcohol level which exceeds the permissible limit, the individual shall be permanently barred from employment with **San Miguel County**.

### **15. SPECIMEN COLLECTION PROCEDURES**

#### **15.1 DRUGS TESTED FOR**

**The following is specific information concerning employee conduct that is prohibited:**

Consuming alcohol prior to 4 hours of reporting to work in a safety sensitive function;

Reporting, or being on duty, with an alcohol concentration of, or greater than 0.02%.

Being on duty while possessing beverage alcohol;

Being on duty while using alcohol;

Reporting for duty while using any controlled substance;

Being on duty while possessing any controlled substance;

Being on duty while using any controlled substance;

Refusal to submit to any required testing under San Miguel County Drug & Alcohol Testing Policy.

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The following constitutes a verified positive controlled substance test result:

Initial test analyte	Initial test cutoff concentration	Confirmatory test analyte	Confirmatory test cutoff concentration
Marijuana metabolites	50 ng/mL	THCA <sup>1</sup>	15 ng/mL.
Cocaine metabolites	150 ng/mL	Benzoyllecgonine	100 ng/mL.
Opiate metabolites			
Codeine/Morphine <sup>2</sup>	2000 ng/mL	Codeine	2000 ng/mL.
		Morphine	2000 ng/mL.
6-Acetylmorphine	10 ng/mL	6-Acetylmorphine	10 ng/mL.
Phencyclidine	25 ng/mL	Phencyclidine	25 ng/mL.
Amphetamines <sup>3</sup>			
AMP/MAMP <sup>4</sup>	500 ng/mL	Amphetamine	250 ng/mL.
		Methamphetamine <sup>5</sup>	250 ng/mL.
MDMA <sup>6</sup>	500 ng/mL	MDMA	250 ng/mL.
		MDA <sup>7</sup>	250 ng/mL.
		MDEA <sup>8</sup>	250 ng/mL.

15.1.1 **San Miguel County** shall only test for Marijuana, Cocaine, Opiates, Amphetamines, and Phencyclidine (PCP).

15.1.2 Urine specimens collected may only be used for controlled substances designated or approved for testing and shall not be used to conduct any other analysis or test.

### 15.2 PREPARATION FOR TESTING

15.2.1 The procedure for collection and shipment of urine specimens shall include, at a minimum, the following:

- (a) Use of separate and different standard drug testing custody and control forms for DOT and non-DOT employees;
- (b) Use of two clean, single use specimen bottles that are securely wrapped or sealed until filled with the specimen, and use of a tamper proof sealing system, designed to protect against tampering;
- (c) Use of a shipping container in which the specimen and associated paperwork may be transferred and which can be sealed and initialed to prevent undetected tampering.

### 15.3 COLLECTION PROCEDURES

15.3.1 Employees are to immediately report to the authorized specimen collection location but no later than one half-hour later including travel time.

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- 15.3.2 The employee will be required to remove outer clothing (e.g. coveralls, jacket, coat, and hat).
- 15.3.3 The employee will be required to empty his pockets for collector to ensure that no items are present which could be used to adulterate the specimen. If no items are present that can be used to adulterate the specimen the employee can place items back into his \ her pockets.
- 15.3.4 **San Miguel County** shall provide one or more collection sites which have all necessary equipment and materials and which are secure and private. A mobile collection facility so equipped may be utilized as well.
- 15.3.5 Handling and transportation of urine specimens from one authorized individual or place from one to another shall always be accomplished through chain of custody procedures.
- 15.3.6 No unauthorized personnel shall be permitted in any part of a collection site where specimens are collected or stored. To assure security of specimens, avoid distraction of the collection site person and assure against confusion in the identification of specimens, the collection site person shall have only one donor under his or her supervision at any one time.
  - (a) An exception is the employee's union representative. If a union representative is present he or she may not, in any way, interfere with the specimen collection.
- 15.3.7 Procedures for collecting specimens shall allow individual privacy unless there is reason to believe that a particular individual may alter or substitute the specimen to be provided.

### 15.4 SUPERVISED COLLECTIONS

- 15.4.1 A collection site person may decide to obtain a specimen under direct supervision under the following conditions:
  - (a) The laboratory reported to the MRO that a specimen is invalid, and the MRO reported that there was not an adequate medical explanation for the result.
  - (b) The employer may request a collection under direct supervision if the test is a return to duty or follow up test
  - (c) The oral body temperature varies by more than 1°C/1.8°F from the specimen temperature;
  - (d) The last urine specimen provided by the employee (on a previous occasion) was determined by the testing lab to have a specific gravity of less than 1.003 and a creatinine concentration below .2 g/L.
  - (e) The collection site personnel observes conduct clearly and unequivocally indicating an attempt to substitute or adulterate the sample (e.g. substitute urine in plain view, blue dye in specimen presented, etc.); or
  - (f) The employee has previously been determined to have used a controlled substance without medical authorization.
  - (g) If the collector finds any material in the employees pockets that is determined by the collector as brought to the collection site with the intent of adulterating, substituting or tampering with the sample.

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15.4.2 A collection site staff member of the same gender as the individual tested, shall observe the individual providing the supervised urine specimen.

### 15.5 COLLECTION SAFEGUARDS; SPLIT SAMPLING; DOCUMENTATION, AND PACKAGING

15.5.1 The following minimum precautions shall be taken to ensure that unadulterated specimens are obtained and correctly identified:

- (a) To deter the dilution of specimens at the collection site, toilet bluing agents shall be placed in toilet tanks wherever possible, so the reservoir of water in the toilet bowl always remains blue. Where practicable, there shall be no other source of water (e.g., shower or sink) in the enclosure where urination occurs. If there is another source of water in the enclosure it shall be effectively secure or monitored to ensure it is not used as a source for diluting the specimen.
- (b) When an individual arrives at the collection site, the collection site person shall ensure that the individual is positively identified as the employee selected for testing (e.g., through presentation of photo identification or identification by **San Miguel County's** representative). If the individual's identity cannot be established, the collection site person shall not proceed with the collection. If the employee requests, the collection site person shall show his/her identification to the employee.
- (c) If the individual fails to arrive at the assigned time, the collection site person shall contact the appropriate authority to obtain guidance on the action to be taken.
- (d) The collection site person shall ask the individual to remove any unnecessary outer garments such as a coat or jacket that might conceal items or substances that could be used to tamper with or adulterate the individual's urine specimen. The collection site person shall ensure that all personal belongings such as a purse or briefcase remain with the outer garments. The individual may retain his or her wallet. If the employee requests it, the collection site personnel shall provide the employee a receipt for any personal belongings.
- (e) The collector will direct the employee to empty his or her pockets and display the items in them to ensure that no items are present which could be used to adulterate or substitute the sample, if no such items are present the employee may return the items to his or her pockets.
- (f) The individual shall be instructed to wash and dry his or her hands prior to urination.
- (g) After washing hands, the individual shall remain in the presence of the collection site person and shall not have access to any water fountain, faucet, soap dispenser, cleaning agent or any other materials which could be used to adulterate the specimen.
- (h) The individual may provide his/her specimen in the privacy of a stall or otherwise partitioned area that allows for individual privacy. The collection site person shall provide the individual with a specimen bottle or collection container, if applicable, for this purpose.
- (i) The collection site person shall note any unusual behavior or appearance on the urine custody and control form.
- (j) In the exceptional event that a **San Miguel County** designated collection site is

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not accessible and there is an immediate requirement for specimen collection (e.g., circumstances require a post accident test), a public rest room may be used according to the following procedures: A collection site person of the same gender as the individual shall accompany the individual into the public restroom which shall be made secure during the collection procedure. If possible, a toilet bluing agent shall be placed in the bowl and any accessible toilet tank. The collection site person shall remain in the rest room, but outside the stall, until the specimen is collected. If no bluing agent is available to deter specimen dilution, the collection site person shall instruct the individual not to flush the toilet until the specimen is delivered to the collection site person. After the collection site person has possession of the specimen, the individual will be instructed to flush the toilet and to participate with the collection site person in completing the chain of custody procedures.

- (k) The collection site person shall instruct the employee to provide at least 60 ml of urine under the split sample method of collection.

### 15.5.2 Split sample method of collection shall follow the procedures in this paragraph:

- (a) The donor shall urinate into a collection container or a specimen bottle capable of holding at least 60 ml.
- (b) A collection container is used, the collection site person, in the presence of the donor, pours the urine into two specimen bottles. Thirty (30) ml shall be poured into one specimen bottle, to be used as the primary specimen. At least 15 ml shall be poured into the other bottle, to be used as the split specimen.
- (c) Nothing in this section precludes the use of a collection method or system that does not involve the physical pouring of urine from one container or bottle to another by the collection site person, provided that the method or system results in the subdivision of the specimen into a primary (30 ml) and a split (at least 15 ml) specimen that can be transmitted to the laboratory and tested in accordance with the requirements of this Subpart.
- (d) Both bottles shall be shipped in a single shipping container, together with copies 1 and the split specimen copy of the chain of custody form, to the laboratory.
- (e) If the test result of the primary specimen is positive, the employee may request that the MRO direct that the split specimen be tested in a different DHHS certified laboratory for presence of the drug(s) for which a positive result was obtained in the test of the primary specimen. **The MRO shall honor such a request if it is made within 72 hours of the employee having been notified of a verified positive test result.**
- (f) When the MRO informs the laboratory in writing that the employee has requested a test of the split specimen, the laboratory shall forward, to a different DHHS approved laboratory, the split specimen bottle, with seal intact, a copy of the MRO request, and the split specimen copy of the chain of custody form with appropriate chain of custody entries.
- (g) The result of the test of the split specimen is transmitted by the second laboratory to the MRO.
- (h) Action required as the result of a positive drug test (e.g., removal from performing a safety sensitive function) is not stayed pending the result of the test of the split specimen.

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- (i) If the result of the test of the split specimen fails to reconfirm the presence of the drug(s) or drug metabolite(s) found in the primary specimen, the MRO shall cancel the test, and report the cancellation and the reasons for it to **San Miguel County** and the employee.
- 15.5.3 If the employee has not provided a sufficient specimen within three hours of the first unsuccessful attempt to provide the specimen, the collector must discontinue the collection, note the fact on the remarks line of the CCF. The collector will immediately notify the employer representative and the MRO. The employer representative will direct the employee to obtain, within five working days, an evaluation from a licensed physician acceptable to the MRO who has expertise in the medical issues raised by the employee's failure to provide a sufficient specimen. If the physician finds a medical condition has or with a high degree or probability could have precluded the employee from providing a sufficient amount of urine, the MRO may choose to accept this and report "test cancelled". If the physician cannot find a medical condition has or with a high degree of probability could have precluded the employee from providing a sufficient amount of urine, the MRO will report "refusal to test" and list the reason on the CCF.
- 15.5.4 If the physician, in his or her reasonable medical judgment, is unable to make the determination the employee's failure to provide an adequate amount of urine shall be regarded as a refusal to take a test. The physician shall provide to the MRO a brief written statement setting forth his or her conclusion and the basis for it, which shall not include detailed information on the medical condition of the employee. Upon receipt of this statement, the MRO shall report his or her conclusions to **San Miguel County** in writing.
- 15.5.5 After the specimen has been provided and submitted to the collection site person, the individual shall be allowed to wash his or her hands.
- 15.5.6 Immediately after the specimen is collected, the collection site person shall measure the temperature of the specimen. The temperature measuring device used must accurately reflect the temperature of the specimen and not contaminate the specimen. The time from urination to temperature measure is critical and in no case shall exceed 4 minutes.
- 15.5.7 A specimen temperature outside the range of 32° - 38° C/90° - 100°F constitutes a reason to believe that the individual has altered or substituted the specimen(see paragraph (e)(2)(I) of this section). In such cases, the individual supplying the specimen may volunteer to have his or her oral temperature taken to provide evidence to counter the reason to believe the individual may have altered or substituted the specimen.
- 15.5.8 Immediately after the specimen is collected, the collection site person shall also inspect the specimen to determine its color and look for any signs of contaminants. Any unusual findings shall be noted on the urine custody and control form.
- 15.5.9 All specimens suspected of being adulterated shall be forwarded to the laboratory for testing.
- 15.5.10 Whenever there is reason to believe that a particular individual has altered or substituted the specimen a second specimen shall be obtained as soon as possible under the direct observation of a same gender collection site person.
- 15.5.11 Both the individual being tested and the collection site person shall keep the specimen in view at all times prior to its being sealed and labeled. As provided below, the specimen shall be sealed (by placement of a tamper proof seal over the bottle cap and down the sides of the bottle) and labeled in the presence of the employee. If the specimen is transferred to a second bottle, the collection site person shall request the individual to observe the transfer of the specimen and the placement of the tamper proof seal over the bottle cap and down the sides of the bottle.

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- 15.5.12 The collection site person and the individual being tested shall be present at the same time during procedures outlined in the paragraphs above.
- 15.5.13 The collection site person shall place securely on the bottle an identification label which contains the date, the individual's specimen number, and any other identifying information provided or required by **San Miguel County**. If separate from the label, the tamper proof seal shall also be applied.
- 15.5.17 The individual shall initial the identification label on the specimen bottle for the purpose of certifying that it is the specimen collected from him or her.
- 15.5.18 The collection site person shall enter on the drug testing custody and control form all information identifying the specimen. The collection site person shall sign the drug testing custody and control form certifying that the collection was accomplished according to the applicable Federal requirements.
- 15.5.19 The individual shall be asked to read and sign a statement on the drug testing custody and control form certifying that the specimen identified as having been collected from him or her is in fact the specimen he or she provided.
- 15.5.20 The collection site person shall complete the chain of custody portion of the drug testing custody and control form to indicate receipt of the specimen from the employee and shall certify proper completion of the collection.
- 15.5.21 The urine specimen and chain of custody form are now ready for shipment. If the specimen is not immediately prepared for shipment, the collection site person shall ensure that it is appropriately safeguarded during temporary storage.
- 15.5.22 While any part of the above chain of custody procedures is being performed, it is essential that the urine specimen and custody documents be under the control of the involved collection site person. If the involved collection site person leaves his or her work station momentarily, the collection site person shall take the specimen and drug testing custody and control form with him or her or shall secure them. After the collection site person returns to the work station, the custody process will continue. If the collection site person is leaving for an extended period of time, he or she shall package the specimen for mailing before leaving the site.
- 15.5.23 The collection site person shall not leave the collection site in the interval between presentation of the specimen by the employee and securement of the sample with an identifying label bearing the employee's specimen identification number (shown on the urine custody and control form) and seal initialed by the employee. If it becomes necessary for the collection site person to leave the site during this interval, the collection shall be nullified and (at the election of **San Miguel County**) a new collection begun.
- 15.5.24 Collection control. To the maximum extent possible, collection site personnel shall keep the individual's specimen bottle within sight both before and after the individual has urinated. After the specimen is collected, it shall be properly sealed and labeled.
- 15.5.25 Transportation to laboratory. Collection site personnel shall arrange to ship the collected specimen to the drug testing laboratory. The specimens shall be placed in shipping containers designed to minimize the possibility of damage during shipment (e.g., specimen boxes and/or padded mailers); and those containers shall be securely sealed to eliminate the possibility of undetected tampering with the specimen and/or the form. On the tape sealing the shipping container, the collection site person shall sign and enter the date specimens were sealed in the shipping container for shipment. The collection site person shall ensure that the chain of custody

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documentation is enclosed in each container sealed for shipment to the drug testing laboratory. Since specimens and documentation are sealed in shipping containers that would indicate any tampering during transit to the laboratory and couriers, express carriers, and postal service personnel do not have access to the chain of custody forms, there is no requirement that such personnel document chain of custody for the shipping container during transit. Nor is there a requirement that there be a chain of custody entry when a specimen which is sealed in such a shipping container is put into or taken out of secure storage at the collection site prior to pickup by such personnel. This means that the chain of custody is not broken, and a test shall not be canceled, because couriers, express carriers, postal service personnel, or similar persons involved solely with the transportation of a specimen to a laboratory, have not documented their participation in the chain of custody documentation or because the chain of custody does not contain entries related to putting the specimen into or removing it from secure temporary storage at the collection site.

- 15.5.26 Failure to cooperate. If the employee refuses to cooperate with the collection process, the collection site person shall inform **San Miguel County** representative and shall document the non cooperation on the drug testing custody and control form.
- 15.5.27 Employee requiring medical attention. If the sample is being collected from an employee in need of medical attention (e.g., as part of a post accident test given in an emergency medical facility), necessary medical attention shall not be delayed in order to collect the specimen.
- 15.5.28 Use of chain of custody form. A chain of custody form (and a laboratory internal chain of custody document, where applicable), shall be used for maintaining control and accountability of each specimen from the point of collection to final disposition of the specimen. The date and purpose shall be documented on the form each time a specimen is handled or transferred and every individual in the chain of custody shall be identified. Since specimens and documentation are sealed in shipping containers that would indicate any tampering during transit to the laboratory and couriers, express carriers, and postal service personnel do not have access to the chain of custody forms, there is no requirement that such personnel document chain of custody for the shipping container during transit. Nor is there a requirement that there be a chain of custody entry when a specimen which is sealed in such a shipping container is put into or taken out of secure storage at the collection site prior to pickup by such personnel. This means that the chain of custody is not broken, and a test shall not be canceled, because couriers, express carriers, postal service personnel, or similar persons involved solely with the transportation of a specimen to a laboratory, have not documented their participation in the chain of custody documentation or because the chain of custody does not contain entries related to putting the specimen into or removing it from secure temporary storage at the collection site. Every effort shall be made to minimize the number of persons handling specimens.

## 16. ALCOHOL TESTING PROCEDURES

### 16.1 BREATH ALCOHOL TECHNICIAN

- 16.1.1 A "breath alcohol technician" is defined as "an individual who instructs and assists individuals in the alcohol testing process and operates an evidential breath testing device (EBT)." The BAT is required to be properly trained, as follows:

- (a) Proficiency shall be demonstrated by successful completion of a course of instruction which, at a minimum, provides training in the principles of EBT methodology,

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operation, and calibration checks; the fundamentals of breath analysis for alcohol content; and the procedures required in this part for obtaining a breath sample, and interpreting and recording EBT results.

- (b) Only courses of instruction for operation of EBT's that are equivalent to the Department of Transportation model course, as determined by the National Highway Traffic Safety Administration (NHTSA), may be used to train BATs to proficiency. On request, NHTSA will review a BAT instruction course for equivalency.
- (c) The course of instruction shall provide documentation that the BAT has demonstrated competence in the operation of the specific EBT(s) he/she will use.
- (d) Any BAT who will perform an external calibration check of an EBT shall be trained to proficiency in conducting the check on the particular model of EBT, to include practical experience and demonstrated competence in preparing the breath alcohol simulator or alcohol standard, and in maintenance and calibration of the EBT.
- (e) The BAT shall receive additional training, as needed, to ensure proficiency, concerning new or additional devices or changes in technology that he or she will use.
- (f) Law enforcement officers who have been certified by state or local governments to conduct breath alcohol testing are considered qualified under the regulations. The officer must have been certified to use the EBT that was used for the test.

### **16.2 DEVICES TO BE USED FOR BREATH TESTING**

Only EBTs shall be used for screening tests.

### **16.3 LOCATIONS FOR BREATH ALCOHOL TESTING**

- 16.3.1 Alcohol testing shall be in a location that affords visual and aural privacy to the individual being tested, sufficient to prevent unauthorized persons from seeing or hearing test results. All necessary equipment, personnel, and materials for breath testing shall be provided at the location where testing is conducted.
- 16.3.2 A mobile collection facility on Company property (e.g., a van equipped for alcohol testing) that meets the requirements of paragraph (17.3.1) of this section may be used.
- 16.3.3 No unauthorized persons shall be permitted access to the testing location when the EBT remains unsecured or, in order to prevent such persons from seeing or hearing a testing result, at any time when testing is being conducted.
- 16.3.4 In unusual circumstances (e.g., when it is essential to conduct a test outdoors at the scene of an accident), a test may be conducted at a location that does not fully meet the requirements of paragraph (17.3.1) of this section. In such a case, the BAT shall provide visual and aural privacy to the employee to the greatest extent practicable.
- 16.3.5 The BAT shall supervise only one employee's use of the EBT at a time. The BAT shall not leave the alcohol testing location while the testing procedure for a given employee is in progress.

### **16.4 THE BREATH ALCOHOL TESTING FORM**

- 16.4.1 Two separate forms, one covering DOT and one covering non-DOT shall be utilized. San Miguel County may not modify or revise this form, except that a form directly generated by an EBT may omit the space for affixing a separate printed result to the form.

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16.4.2 The form shall provide triplicate (or three consecutive identical) copies:

Copy 1 (white) shall be transmitted to **San Miguel County**.

Copy 2 (green) shall be provided to the employee.

Copy 3 (blue) shall be retained by the BAT.

Except for a form generated by an EBT, the form shall be 8 ½ by 11 inches in size.

### 16.5 PREPARATION FOR BREATH ALCOHOL TESTING

16.5.1 When the employee enters the alcohol testing location, the BAT will require him or her to provide positive identification (e.g., through use of a photo I.D. card or identification by a **San Miguel County** representative). On request by the employee, the BAT shall provide positive identification to the employee.

16.5.2 The BAT shall explain the testing procedure to the employee.

### 16.6 PROCEDURES FOR SCREENING TESTS

16.6.1 The BAT shall complete Step 1 on the Breath Alcohol Testing Form. The employee shall then complete Step 2 on the form, signing the certification. Refusal by the employee to sign this certification shall be regarded as a refusal to take the test.

16.6.2 An individually sealed mouthpiece shall be opened in view of the employee and BAT and attached to the EBT in accordance with the manufacturer's instructions.

16.6.3 The BAT shall instruct the employee to blow forcefully into the mouthpiece for at least 6 seconds or until the EBT indicates that an adequate amount of breath has been obtained.

16.6.4 If the EBT provides a printed result, but does not print the results directly onto the form, the BAT shall show the employee the result displayed on the EBT. The BAT shall then affix the test result printout to the breath alcohol test form in the designated space, using a method that will provide clear evidence of removal (e.g., tamper evident tape).

16.6.5 If the EBT prints the test results directly onto the form, the BAT shall show the employee the result displayed on the EBT.

16.6.6 In any case in which the result of the screening test is a breath alcohol concentration of less than 0.02, the BAT shall date the form and sign the certification in Step 3 of the form.

16.6.7 No further testing is authorized. The BAT shall transmit the result of less than 0.02 to **San Miguel County** in a confidential manner, and **San Miguel County** shall receive and store the information so as to ensure that confidentiality is maintained.

16.6.8 If a test result printed by the EBT does not match the displayed result, or if a sequential test number printed by the EBT does not match the sequential test number displayed by the EBT prior to the screening test the BAT shall note the disparity in the "Remarks" section. Both the employee and the BAT shall initial and sign the notation.

16.6.9 If the result of the screening test is an alcohol concentration of 0.02 or greater, a confirmation test shall be performed as provided.

16.6.10 If the confirmation test will be conducted by a different BAT, the BAT who conducts the screening test shall complete and sign the form and log book entry. The BAT will provide the employee with Copy 2 of the form.



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### **16.7 PROCEDURES FOR CONFIRMATION TESTS**

- 16.7.1 The BAT shall instruct the employee not to eat, drink, put any object or substance in his or her mouth, and, to the extent possible, not belch during a waiting period before the confirmation test. This time period begins with the completion of the screening test, and shall not be less than 15 minutes. The confirmation test shall be conducted within 30 minutes of the completion of the screening test. The BAT shall explain to the employee the reason for this requirement (i.e., to prevent any accumulation of mouth alcohol leading to an artificially high reading) and the fact that it is for the employee's benefit. The BAT shall also explain that the test will be conducted at the end of the waiting period, even if the employee has disregarded the instruction. If the BAT becomes aware that the employee has not complied with this instruction, the BAT shall so note in the "Remarks" section of the form. If the BAT conducts the confirmation test more than 30 minutes after the result of the screening test has been obtained, the BAT shall note in the "Remarks" section of the form the time that elapsed between the screening and confirmation tests and the reason why the confirmation test could not be conducted within 30 minutes of the screening test.
- 16.7.2 If a BAT other than the one who conducted the screening test is conducting the confirmation test, the new BAT shall initiate a new Breath Alcohol Testing form. The BAT shall complete Step 1 on the form. The employee shall then complete Step 2 on the form, signing the certification. Refusal by the employee to sign this certification shall be regarded as a refusal to take the test. The BAT shall note in the "Remarks" section of the form that a different BAT conducted the screening test.
- 16.7.3 A new mouthpiece shall be used for the confirmation test.
- 16.7.4 Before the confirmation test is administered for each employee, the BAT shall ensure that the EBT registers 0.00 on an air blank. If the reading is greater than 0.00, the BAT shall conduct one more air blank. If the reading is greater than 0.00, testing shall not proceed using that instrument, which shall be taken out of service. However, testing may proceed on another instrument. Any EBT taken out of service because of failure to perform an air blank accurately shall not be used for testing until a check of external calibration is completed and the EBT is found to be within tolerance limits.
- 16.7.5 Before the confirmation test is administered for each employee, the BAT shall ensure that he or she and the employee read the sequential test number displayed by the EBT.
- 16.7.6 In the event that the screening and confirmation test results are not identical, the confirmation test result is deemed to be the final result upon which any action under operating administration rules shall be based.
- 16.7.7 If the EBT provides a printed result, but does not print the results directly onto the form, the BAT shall show the employee the result displayed on the EBT. The BAT shall then affix the test result printout to the breath alcohol test form in the designated space, using a method that will provide clear evidence of removal (e.g., tamper evident tape).
- 16.7.8 If the EBT prints the test results directly onto the form, the BAT shall show the employee the result displayed on the EBT.
- 16.7.9 Following the completion of the test, the BAT shall date the form and sign the certification in Step 3 of the form. The employee shall sign the certification and fill in the date in Step 4 of the form.
- 16.7.10 If the employee does not sign the certification in Step 4 of the form, it shall not be considered a refusal to be tested. In this event, the BAT shall note the employee's failure to sign in the "Remarks" section.

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16.7.11 If a test result printed by the EBT does not match the displayed result, or if a sequential test number printed by the EBT does not match the sequential test number displayed by the EBT prior to the confirmation test the BAT shall note the disparity in the "Remarks" section. Both the employee and the BAT shall initial and sign the notation.

16.7.12 The BAT shall transmit all results to **San Miguel County** in a confidential manner.

16.7.13 All communications by BATs to **San Miguel County** concerning the alcohol testing results of employees shall be to a designated **San Miguel County** representative.

### 16.8 REFUSALS TO TEST AND UNCOMPLETED TESTS

16.8.1 Refusal by an employee to complete and sign the breath alcohol testing form (Step 2), to provide breath, to provide an adequate amount of breath, or otherwise to cooperate with the testing process in a way that prevents the completion of the test, shall be noted by the BAT in the remarks section of the form. The testing process shall be terminated and the BAT shall immediately notify **San Miguel County**.

16.8.2 If a screening or confirmation test cannot be completed, or if an event occurs that would invalidate the test, the BAT shall, if practicable, begin a new screening or confirmation test, as applicable, using a new breath alcohol testing form with a new sequential test number.

### 16.9 INABILITY TO PROVIDE AN ADEQUATE AMOUNT OF BREATH

16.9.1 This section sets forth procedures to be followed in any case in which an employee is unable, or alleges that he or she is unable, to provide an amount of breath sufficient to permit a valid breath test because of a medical condition.

16.9.2 The BAT shall again instruct the employee to attempt to provide an adequate amount of breath. If the employee refuses to make the attempt, the BAT shall immediately inform **San Miguel County**.

16.9.3 If the employee attempts and fails to provide an adequate amount of breath, the BAT shall so note in the "Remarks" section of the breath alcohol testing form and immediately inform **San Miguel County**.

16.9.4 If the employee attempts and fails to provide an adequate amount of breath, **San Miguel County** shall proceed as follows:

- (a) **San Miguel County** shall direct the employee to obtain, as soon as practical after the attempted provision of breath, an evaluation from a licensed physician who is acceptable to **San Miguel County** concerning the employee's medical ability to provide an adequate amount of breath.
  - 1) If the physician determines, in his or her reasonable medical judgment, that a medical condition has, or with a high degree of probability, could have, precluded the employee from providing an adequate amount of breath, the employee's failure to provide an adequate amount of breath shall not be deemed a refusal to take a test. The physician shall provide **San Miguel County** a written statement of the basis for his or her conclusion.
  - 2) If the licensed physician, in his or her reasonable medical judgment, is unable to make the determination the employee's failure to provide an adequate amount of breath shall be regarded as a refusal to take a test. The licensed physician shall

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provide a written statement of the basis for his or her conclusion to **San Miguel County**.

### **16.10 INVALID TESTS**

16.10.1 A breath alcohol test shall be invalid under the following circumstances:

- (a) The EBT display of sequential test number or alcohol concentration is not the same as what is printed.
- (b) The BAT does not observe the minimum 15 minute waiting period prior to the confirmation test.
- (c) The BAT does not perform an air blank of the EBT before a confirmation test, or an air blank does not result in a reading of 0.00 prior to the administration of the test.
- (d) The BAT does not print the result.
- (e) The external calibration check of the EBT produces a result that differs by more than the tolerance stated in the QAP form the known value of the test standard. In this case, every result of 0.02 or above obtained on the EBT since the last valid external calibration check is cancelled.

### **16.11 AVAILABILITY AND DISCLOSURE OF ALCOHOL TESTING INFORMATION ABOUT INDIVIDUAL EMPLOYEES**

16.11.1 **San Miguel County** shall maintain records in a secure manner, so that disclosure of information to unauthorized persons does not occur.

16.11.2 Except as required by law, or expressly authorized, **San Miguel County** shall not release covered employee information that is contained in the records required to be maintained.

16.11.3 An employee subject to testing is entitled, upon written request, to obtain copies of any records pertaining to the employee's use of alcohol, including any records pertaining to his or her alcohol tests. **San Miguel County** shall promptly provide the records requested by the employee. Access to an employee's records shall not be contingent upon payment for records other than those specifically requested.

16.11.4 **San Miguel County** shall permit access to all facilities utilized in complying with the requirements of this part.

## **17. THE FOLLOWING IS INFORMATION CONCERNING THE EFFECTS OF ALCOHOL AND CONTROLLED SUBSTANCES.**

### **71.1. ALCOHOL**

Although used routinely as beverage for enjoyment, alcohol can also have negative physical and mood-altering effects when abused. These physical or mental alterations in a driver may have serious personal and public safety risks.

### **HEALTH EFFECTS**

An average of three or more servings per day of beer (12 oz.) Whiskey (1 oz.), or wine (6 oz.) Over time, may result in the following health hazards:

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- Dependency
- Fatal Liver disease
- Kidney disease
- Pancreatitis
- Ulcers
- Decreased sexual functions
- Increased cancers of the mouth, tongue, pharynx, esophagus, rectum, breast, and malignant melanoma
- Spontaneous abortion and neonatal mortality
- Birth defects such as Fetal Alcohol Syndrome

### **SOCIAL ISSUES**

- 2/3 off all homicides are committed by people who drink prior to the crime.
- 2-3% of the driving population are legally drunk at any one time. This rate doubles at night and on weekends.
- 2/3 of all Americans will be involved in an alcohol-related accident during their lifetime.
- The separation and divorce rate in families with alcohol dependency problems is 7 times the average.
- 40% of family court cases are alcohol-related.
- Alcoholics are 15 times likely to commit suicide.
- More than 60% of burns, 40% of falls, 69% of boating accidents, and 76% of private aircraft accidents are alcohol related.
- Over 17,000 fatalities occurred in 1993 in highway accidents, which were alcohol-related. This was 43% of all highway fatalities.
- 30,000 people will die each year due to alcohol caused liver disease.
- 10,000 people will die each year due to alcohol-related brain disease or suicide.
- Up to 125,000 people die each year due to alcohol-related conditions or accidents.

### **WORKPLACE ISSUES**

- It takes one hour for the average person (150 pounds) to process one serving of alcohol from the body.
- Impairment can be measured with as little as two drinks in the body.
- A person who is legally intoxicated is 6 times more likely to have an accident than a sober person.

### **ALCOHOL'S TRIP THROUGH THE BODY**

**Mouth and Esophagus:** Alcohol is an irritant to the delicate linings of the throat and food pipe. It burns as it goes down.

**Stomach and Intestines:** Alcohol has an irritating effect on the stomach's protective lining, resulting in gastric or duodenal ulcers. This condition, if it becomes acute, can cause peritonitis, or perforation of the stomach wall. In the small intestine, alcohol blocks absorption of such substances as thiamine, folic acid, fat, vitamin B<sub>1</sub>, vitamin B<sub>12</sub>, and amino acids.

**Bloodstream:** 95% of the alcohol taken into the body is absorbed into the bloodstream through the lining of the stomach and duodenum. Once in the bloodstream, alcohol quickly goes to every cell and tissue in the body. Alcohol causes red blood cells to clump together in sticky wads, slowing circulation and depriving tissues of oxygen. It also causes anemia by reduction of red blood cell production.. Alcohol slows the ability of white cells to engulf and destroy bacteria and degenerates the clotting ability of blood platelets.

**Pancreas:** Alcohol irritates the cells of the pancreas, causing them to swell, thus blocking the flow of digestive enzymes. The chemicals, unable to enter the small intestine, begin to digest the pancreas, leading to acute hemorrhagic pancreatitis. One out of five patients who develop this disease dies during the first attack. Pancreatitis can destroy the pancreas and cause a lack of insulin thus resulting in diabetes.

**Liver:** Alcohol inflames the cells of the liver, causing them to swell and block the tiny canal to the small intestines. This prevents bile from being filtered properly through the liver. Jaundice develops, turning the whites of the eyes and skin yellow. Each drink of alcohol increases the number of live cells destroyed, eventually causing cirrhosis of the liver. This disease is eight times more frequent among alcoholics than among non-alcoholics.

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Heart: Alcohol causes inflammation of the heart muscle. It has a toxic effect on the heart and causes increased amounts of fat to collect, thus disrupting its normal metabolism.

Urinary Bladder and Kidneys: Alcohol inflames the lining of the urinary bladder making it unable to stretch properly. In the kidneys, alcohol causes increased loss of fluids through its irritating effect.

Sex Glands: Swelling of the prostate gland caused by alcohol interferes with the ability of the male to perform sexually. It also interferes with the ability to climax during intercourse.

Brain: The most dramatic and noticed effect of alcohol is on the brain. It depresses brain centers, producing progressive incoordination: confusion, distortion, stupor, anesthesia, coma, death. Alcohol kills brain cells and brain damage is permanent. Drinking over a period of time causes loss of memory, judgement and learning ability.

### **17.2 DRUGS**

#### **Marijuana**

##### **Health Effects**

- Emphysema-like conditions.
- One joint of marijuana contains cancer-causing substances equal to ½ pack of cigarettes.
- One joint causes the heart to race and be overworked. People with heart conditions are at risk.
- Marijuana is commonly contaminated with the fungus *Aspergillus*, which can cause serious respiratory tract and sinus infections.
- Marijuana lowers the body's immune system response, making users more susceptible to infections.
- Chronic smoking causes changes in brain cells and brain waves. The brain does not work as efficiently or effectively. Long-term brain damage may occur.
- Tetrahydrocannabinol (THC) and 60 other chemicals in marijuana concentrate in the ovaries and testes.
- Chronic smoking of marijuana in males causes a decrease in testosterone and an increase in estrogen, the female hormone. As a result, the sperm count is reduced, leading to temporary sterility.
- Chronic smoking of marijuana in females causes a decrease in fertility.
- A higher than normal incidence of stillborn births, early termination of pregnancy, and higher infant mortality rate during the first few days of life are common in pregnant marijuana smokers.
- THC causes birth defects including brain damage, spinal cord, forelimbs, liver, and water on the brain and spine in test animals.
- Prenatal exposure may cause underweight newborn babies.
- Fetal exposure may decrease visual functioning.
- User's mental function can display the following effects:
  - delayed decision making
  - diminished concentration
  - impaired short-term memory
  - impaired signal detection
  - impaired tracking
  - erratic cognitive function
  - distortion of time estimation

##### **Workplace Issues**

- THC is stored in body fat and slowly released.
- Marijuana smoking has long-term effects on performance.
- Increased THC potency in modern marijuana dramatically compounds the side effects.
- Combining alcohol or other depressant drugs with marijuana increase the impairing effects

#### **Cocaine**

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Used medically as a local anesthetic. When abused, it becomes a powerful physical and mental stimulant. The entire nervous system is energized. Muscles tense, heart beats faster and stronger, and the body burns more energy. The brain experiences an exhilaration caused by a large release of neurohormones associated with mood elevation.

### **Health Effects**

- Regular use may upset the chemical balance of the brain. As a result, it may speed up the aging process by causing damage to critical nerve cells. Parkinson's Disease could also occur.
- Cocaine causes the heart to beat faster, harder, and rapidly increases blood pressure. It also causes spasms of blood vessels in the brain and heart. Both lead to ruptured vessels causing strokes and heart attacks.
- Strong dependency can occur with one "hit" of cocaine. Usually mental dependency occurs within days for "crack" or within several months for snorting coke. Cocaine causes the strongest mental dependency of all the drugs.
- Treatment success rates are lower than other chemical dependencies.
- Extremely dangerous when taken with other depressant drugs. Death due to overdose is rapid. Fatal effects are usually reversible by medical intervention.

### **Workplace Issues**

- Extreme mood and energy swings create instability. Sudden noise causes a violent reaction.
- Lapses in attention and ignoring warning signals increases probability of accidents.
- High cost frequently leads to theft and/or dealing.
- Paranoia and withdrawal may create unpredictable or violent behavior.
- Performance is characterized by forgetfulness, absenteeism, tardiness, and missing assignments.

### **Opiates**

Narcotic drugs which alleviate pain and depress body functions and reactions.

### **Health Effects**

- IV needle users have a high risk of contracting hepatitis or AIDS when sharing needles.
- Increase pain tolerance. As a result, a person may more severely injure themselves and fail to seek medical attention as needed.
- Narcotic effects are multiplied when combined with other depressants causing an increased risk for an overdose.
- With increased tolerance and dependency combined, there is a serious financial burden for users.

### **Workplace Issues**

- Side effects such as nausea, vomiting, dizziness, mental clouding and drowsiness place the user at high risk for an accident.
- Causes impairment of physical and mental functions.

### **Amphetamines**

Central nervous system stimulant that speeds up the mind and body

### **Health Effects**

- Regular use causes strong psychological dependency and increased tolerance.
- High doses may cause toxic psychosis resembling schizophrenia.
- Intoxication may induce a heart attack or stroke due to increased blood pressure.
- Chronic use may cause heart or brain damage due to severed constriction of capillary blood vessels.
- Euphoric stimulation increases impulsive and risk taking behavior, including bizarre and violent acts.

# SAN MIGUEL COUNTY

## DRUG AND ALCOHOL PROGRAM PROCEDURES

- Withdrawal may result in severe physical and mental depression.

### Workplace Issues

- Since the drug alleviates the sensation of fatigue, it may be abused to increase alertness during periods of overtime or failure to get rest.
- With heavy use or increasing fatigue, the short-term mental or physical enhancement reverses and becomes an impairment.

### Phencyclidine (PCP)

Often used as a large animal tranquilizer. Abused primarily for its mood altering effects. Low doses produce sedation and euphoric mood changes. Mood can rapidly change from sedation to excitation and agitation. Larger doses may produce a coma-like condition with muscle rigidity and a blank stare. Sudden noises or physical shocks may cause a "freak out" in which the person has abnormal strength, violent behavior, and an inability to speak or comprehend.

### Health Effects

- The potential for accidents and overdose emergencies is high due to the extreme mental effects combined with the anesthetic effect on the body.
- PCP, when combined with other depressants, including alcohol, increases the possibility of an overdose.
- If misdiagnosed as LSD induced, and treating with Thorazine, can be fatal.
- Irreversible memory loss, personality changes, and thought disorders may result.

### Workplace Issues

- Not common in the workplace primarily because of the severe disorientation that occurs.
- There are four phases to PCP abuse:
  - Acute toxicity causing combativeness, catatonia, convulsions, and coma. Distortions of size, shape, and distorted perception are common.
  - Toxic psychosis with visual and auditory delusions, paranoia and agitation.
  - Drug induced schizophrenia.
  - Induced depression which may create suicidal tendencies and mental dysfunction.

## 18. REFERRAL, EVALUATION AND TREATMENT.

Referrals into a Substance Abuse Professional play an important role in preventing and resolving employee drug use or alcohol abuse by providing employees an opportunity to discontinue their use.

All Substance Abuse Professional operations shall be confidential in accordance with this policy relating to records and confidentiality.

### **A non-inclusive assistance resource listing:**

NAME	ADDRESS	CITY	STATE	ZIP	PHONE
Behavioral Health Services Div. Substance Abuse Bureau	725 St. Michaels Drive	Santa Fe	NM	87504	(505) 827-0117
Drug Abuse Information and Treatment Referral Hotline					(800) 662-HELP

# SAN MIGUEL COUNTY

## DRUG AND ALCOHOL PROGRAM PROCEDURES

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National Institute for Drug Abuse					(800) 843-4971
Cocaine Helpline					(800) COCAINE
Al-Anon					(800) 356-9996
American Council on Alcoholism					(800) 527-5344

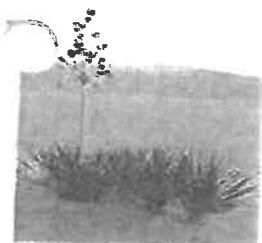
**19. Severance:**

In the event that any portion of this policy or any portion of the regulations it incorporates are declared unenforceable, the remainder of this policy and such regulations shall remain in full effect.

**20. Certificate of receipt:**

Drug/Alcohol policies shall be distributed to covered employees. Employees are required to sign for the materials. A copy showing receipt shall be maintained by The Safety Institute's consortium as part of the employees drug and alcohol file.





## White Sands Drug & Alcohol Compliance

1110 Washington Ave  
Alamogordo, NM 88310

Ph. (575) 434-8734  
Fx. (575) 434-8733

### NOTICE OF CLARIFICATION FOR SAN MIGUEL DRUG & ALCOHOL POLICY

RE: MEDICAL MARIJUANA

San Miguel County's drug and alcohol policy does not now, nor has it ever, recognize the use of prescription marijuana as a justifiable excuse for laboratory positive results. The drug and alcohol policy requires medical review officer review all positive laboratory results. The federal government and, subsequently, the medical review officers throughout the country, specifically San Miguel County's Medical Review Officer, Dr. Daniel Drew, do not, and will not, overturn positive results based on medical marijuana use and/or medical marijuana prescriptions.