

Department Name
Anti-Substance Abuse Program – Template

I. Purpose: (Insert why this policy is being implemented/documentated)

Example: This policy/program is enacted to ensure a safe and drug-free work environment by prohibiting specific behaviors and by instituting an alcohol and drug testing program for all fire and rescue personnel that perform safety-sensitive functions.

II. Authority: (Insert why the organization has the local authority to implement the policy/program)

(State your authority per local government statute) Example: Section (#) of Chapter (#), of the (name) Code provides that the Fire Department/Rescue Squad establish (add applicable code language).

OR

(State your authority per organizational by-laws) Example: (Name) bylaws state the organization will adopt such procedures and policies that are binding on all members.

OR

(Reference the applicable Virginia EMS Rules and Regulations) Example: In accordance with 12VAC5-31-940 (Drugs and substance abuse), "EMS personnel may not be under the influence of any drugs or intoxicating substances that impairs their ability to provide patient care or operate a motor vehicle while on duty or when responding or assisting in the care of a patient. In addition, the "EMS agency shall have a drug and substance abuse policy which includes a process for testing for drugs or intoxicating substances."

III. Definitions: (Insert any terms that need to be specifically defined for uniformity within the organization)

Examples:

A. **Alcohol** – Any substance that may be consumed and contains ethanol.

B. **Controlled Substance "Drug or Drugs"** – As defined in Schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. Section 812; 21 C.F.R. Part 1308 [1989]) or in Schedules I through VI of the Drug Control Act of 1970 (VA Code Sections 54.1-3400, 54.1-3446, 54.1-3448, 54.1-3450, 54.1-3452 and 54.1-3456, as amended).

C. **Drug Paraphernalia** – Any article or equipment intended to be used to administer or consume drugs.

D. **On-Duty** – Anytime a member is engaged in a safety-sensitive function.

- E. **Safety-Sensitive Functions** – A broad term that applies to all activities encountered in the mitigation of emergency incidents that include but are not limited to: fire suppression, EMS delivery, training activities, duty crew assignment, home response, operation of vehicles and equipment, public education programs, public services, and other activities that involve the public trust or presents a safety risk.
- F. **Reasonable Suspicion** – A belief based upon objective, articulable facts and reasonable inferences drawn from those facts that a person has engaged or is engaging in the conduct prohibited by this policy.

IV. **Policy:** (Insert what conduct and who within the organization's will be covered in the program)

Examples:

- A. *It is the policy of the (organization name) that all members will be free from the effects of drugs and alcohol while performing safety-sensitive functions.*
- B. *Prohibited Conduct*
1. *The possession, consumption, or distribution of alcohol on duty.*
 2. *Having a (detectable/or chosen limit) blood alcohol level on duty.*
 3. *The unlawful purchase, sale, trade, use, possession, or distribution of a controlled substance.*
 4. *The unlawful purchase, sale, trade, use, possession, or distribution of drug paraphernalia.*
 5. *Refusal to comply with any portion of the detection/testing requirements of this policy.*
 6. *Attempts to alter or substitute any specimen provided in compliance with the detection/testing requirements of this policy.*
- C. *Affected Members*
1. *Applicants for membership (or employment) who intend to perform safety-sensitive functions shall be tested for drug use as part of the selection/approval process. Testing will be performed within 60 days of affiliation with the organization.*
 2. *All members who perform safety-sensitive functions shall be subject to alcohol and drug testing as required by this policy to include marijuana, PCP, barbiturates, benzodiazepines, cocaine, opiates, blood alcohol, and breath alcohol.*

D. *Frequency of Testing (decide if the organization will perform testing beyond initial affiliation)*

1. *All affected applicants for membership shall be subject to drug testing as part of their entrance selection process within 60 days of affiliation.*
2. *All affected team members shall be subject to a drug test as part of their periodic medical physical in determining fitness for duty.*
3. *Any affected team member may be ordered to submit to a drug and/or alcohol test for reasonable suspicion of being under the influence.*
4. *Any affected team member involved in an accident shall submit to a drug and/or alcohol test*
 - *If the accident results in death, bodily injury or property damage that appears to exceed \$2,000,*
 - *If determined to be at fault by law enforcement on the scene;*
 - *If anyone involved in the accident is transported to the hospital;*
 - *If one or more of the vehicles involved in the accident are towed from the scene of the accident.*

V. **Procedure:** (Insert how the policy/program will be performed)

Examples:

A. *The collecting and testing of samples will be conducted under the following guidelines:*

1. *Drug screening during normal business hours. Testing will usually be conducted by (who/location). If this facility is not available, a secondary facility may be utilized.*
2. *Drug screening after business hours, testing will usually be conducted by (who/location). If this facility is not available, a secondary facility may be utilized.*
3. *Drug screening will consist of urinalysis testing utilizing EMIT method for initial testing.*
4. *The individual to be tested will provide two urine samples in accordance with the instructions provided by the testing facility. The testing facility will ensure the individual does not have access to foreign substances that could be used to taint or alter the specimen.*
5. *At the time of the urine sample collection, the involved member will complete a form indicating all medications used in the proceeding two-week period.*

B. Drug Screening Results

- 1. Drug screenings results will be provided to the agency head. These test results will be considered confidential and dissemination of said information will be limited to those designated by the agency head. (Members will have access to their individual test results).*
- 2. The agency will maintain a record of drug screening results in a confidential and secured file.*
- 3. In the case of a positive test reading (one where the presence of illegal drugs is detected), the agency head or designee shall direct the sample testing positive be tested again utilizing the EMIT method.*
- 4. This second test will be conducted by the facility that originally performed the test. If the second test results in a positive reading (one where the presence of illegal drugs is detected), the results of the two drug screenings will be deemed as reasonable suspicion to order a confirmation test for the individual involved.*
- 5. The involved member with a positive test result of the second test will have the right to send a second sample (which was taken at the same time as the tested sample) to a laboratory of their choice for independent testing in accordance generally with Section 8.2-268 et seq. Of the State Code, as amended. (Said testing will be conducted in accordance generally with State Code, Section 2.1-116.2, as amended.) The member shall notify the agency head in writing of his request to have a second sample tested within ten days of being notified of positive specimen results. Laboratories must be certified by the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA).*

C. Confirmation Test

- 1. The agency head or designee will authorize all confirmation testing.*
- 2. Once the agency head orders a confirmation test, the appropriate agency designee will coordinate the process.*
- 3. The confirmation testing will involve urinalysis testing, utilizing the GC/MS Method and/or a hair sample analysis.*
- 4. Confirmation testing will be conducted by independent private laboratories certified by the U.S. Department of Health and Human Services (SAMHSA).*

5. *The member requiring confirmation testing will be ordered to give samples as needed. Confirmation testing via urine sample collection may be observed by the most appropriate licensed health care professional.*
6. *The collection facility will deliver the samples for confirmation testing to the designated laboratory for GC/MS analysis. Laboratory test results will be returned to the medical review officer for review. A medical opinion will be issued to the agency head by that physician.*
7. *Members testing positive by means of the confirmation test will be placed on administrative leave. All positive tests will result in appropriate follow-up action.*

D. Alcohol Related Testing

1. *When there is a reasonable suspicion that a member is under the influence, or may have alcohol on their person while on duty, that member will be required to submit to a blood test or a breathalyzer test to determine the presence of alcohol in their blood. Random screenings will not be conducted for alcohol use.*
2. *The appropriate agency designee shall be notified; and, in coordination with the personnel officer, alcohol related testing shall be conducted and documented.*
3. *Members directed to submit to a blood or breathalyzer test must be informed of the facts giving rise to a reasonable suspicion for which the test is being directed.*
4. *All positive tests will result in appropriate follow-up action.*

E. Notifications to Members Who Are to be Screened for Drugs or Alcohol

1. *Members who are ordered by the agency head or designee to provide a sample of their urine, blood, breath, or hair for screening purposes shall report to the designated location on the date and time specified by the order.*
2. *All persons required to submit to substance abuse testing, shall be escorted by the appropriate agency designee to and from the testing site.*

F. Random Screening

1. *The agency designee shall, through random computer selection, identify members for drug screening on a (specify timing – monthly/bimonthly/etc) basis.*

2. *The agency designee will schedule and notify members for random drug testing.*
 3. *The agency designee shall confirm with the collection facility that members have kept scheduled appointments. The appropriate agency designee will be notified when appointments are not kept.*
 4. *The agency shall keep appropriate records concerning selection, notification, scheduling, and results for all testing.*
 5. *Confirmed positive tests will result in appropriate follow-up.*
- G. *Rehabilitation – (Organization name) recognizes that substance abuse is a problem that can often be effectively treated. Members who may be suffering from any type of problem, including drug or alcohol related problems, are encouraged to voluntarily seek diagnostic counseling and treatment services available through the (assistance service)*
- H. *Due Process – Any complaint of illegal drug use by members or any member testing positive, as outlined in this procedure, will result in an investigation by the appropriate agency designee. All disciplinary actions taken will be administered in accordance with agency policies/by-laws.*