

Health Professionals' Services Program Program Guidelines

Title: Toxicology Testing – General

Pages: 3

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Guideline:

- 1 In accordance with HB2345, all licensees enrolled in the Health Professionals' Services Program must
2 participate in the toxicology testing program. When possible, the testing should follow the procedures
3 outlined by the Department of Transportation, CFR part 40. The HPSP program will maintain a
4 toxicology testing system and provide aspects of the system including but not limited to, a randomized
5 individual testing schedule for each licensee in the testing program, laboratory supplies and collection
6 sites. Licensees are responsible for all costs associated with toxicology testing, including a fee for travel
7 kits which include chain of custody forms, specimen bottles, and mailing envelopes.

- 8 The testing frequency and appropriate panel for each licensee in the toxicology program may be
9 determined with approval by the Medical Director by either the third party evaluator or the agreement
10 monitor. Licensees with a diagnosis of substance abuse disorders or substance abuse and mental
11 health disorders must test a minimum of 24 tests for the initial two years in the program. Licensees with
12 a mental health disorder only with no evidence of a substance abuse disorder are required to test a
13 minimum of 6 tests in the initial 6 months of the program. The toxicology tests are to be randomized,
14 except that there must be an emphasis on Monday, Friday and Saturday testing. There are also specific
15 circumstances where an additional test may be scheduled. These include but are not limited to concerns
16 of substance abuse due to a report from provider, employer, and/or credible others; licensee failed to
17 test, licensee had a dilute test, licensee had a non-negative test, or the licensing board required
18 additional testing. Licensees must have a baseline toxicology test within 10 business days of enrollment.
19 As part of the program completion process, licensees must have a negative toxicology test. The test
20 may be urine, and/or blood; hair testing may be used as a supplement to the standard urine testing.

- 21 Testing may be conducted Monday through Saturday. Licensees are to call in to an interactive voice
22 response system (IVR) Monday-Saturday from 3:00amPT-5:00pmPT, except for Oregon state holidays. If
23 necessary, arrangements may be made for Sunday testing. The IVR will inform the licensee if they are
24 scheduled to test and what panel they are to be tested for. If the licensee is using a paper chain of
25 custody form (CCF), it is the licensee's responsibility to check the appropriate panel box on the CCF
26 form. The majority of collection sites are able to access the CCF through the computer which has the
27 correct panel already marked. There may be specific circumstances when the licensee will be notified
28 by the program staff when he/she is to be tested. For board referrals, these situations will be approved

29 by the appropriate monitoring board. For self-referrals, these situations will be approved by the Policy
30 Advisory Committee.

31 All tests are to be observed by a same sex observer. There may be specific circumstances where a
32 monitored observation will be permitted. These situations will be approved by the appropriate licensing
33 board for board referrals and by the Policy Advisory Committee for self-referrals. Typically a monitored
34 urine test will be alternated with blood testing. Licensees must test on the same day they are
35 scheduled. It is the licensee's responsibility to test prior to the close of their assigned collection site.
36 Failure to test will be reported as substantial non-compliance. Licensees must provide at least 45ml for
37 the specimen to be considered an adequate specimen.

38 **The laboratory:** The toxicology testing laboratory is certified by the Substance Abuse and Mental Health
39 Services Administration (SAMHSA) and accredited through the College of American Pathologists Forensic
40 Drug Testing Accreditation Program (CAP) and it follows SAMHSA and CAP's published drug testing
41 guidelines and complies with Oregon Administrative Rule 333-024-0305 through 333-024-0350.

42 **Chain of Custody Forms (CCF):** All licensees at the time of enrollment are assigned a collection site and
43 informed if the site needs a paper CCF form. As part of enrollment, CCF forms are sent to the licensee.
44 It is the licensee's responsibility to maintain an adequate supply of CCF at all times. Failure to test due
45 to the lack of a CCF form will be reported as non-compliance.

46 **Role of the Medical Review Officer:** All non-negative tests are reviewed by a medical review officer
47 who will contact the licensee to determine if the licensee has a current prescription or medical
48 explanation for any non-negative test. If the licensee does not have a valid prescription or a verified
49 medical condition to explain the non-negative, the test result will be reported as a non-negative test or
50 positive. All tests results reported as a non-negative are reported as non-compliance. If the medical
51 review officer cannot contact the licensee the test will be reported to the HPSP program as a non-
52 contact positive test. The licensee's agreement monitor will attempt to reach the licensee and inform
53 the licensee to contact the medical review officer within 24 hours in order for the medical review officer
54 to determine if the licensee has a current prescription or medical condition for the non-negative test. If
55 the licensee has a valid prescription for a potentially addicting and/or mood altering medication, the test
56 will be reported as a negative with a warning. All negative with warning test results are reviewed by the
57 medical director to ensure that the program had previously approved use of the medication. If there is
58 no medication form on file, licensees must provide a completed medication management form for all
59 medications with addicting or mood altering potential, including over the counter medications. The
60 medical director may contact the prescribing physician if there are concerns about the prescribed
61 medication and to ensure that the prescriber knows that licensee is in the HPSP program.

62 **Failure to provide an adequate specimen:** Licensees must provide at least 45 ml for a specimen to be
63 valid. If the licensee is unable to provide an adequate specimen, the licensee must remain at the
64 collection site until a specimen is provided. The collector may provide up to 40 fluid ounces of fluid
65 through a period of up to three hours or until the licensee has provided a sufficient urine specimen,

66 whichever occurs first. If the licensee refuses to make an attempt to provide a new urine specimen or
67 leaves the collection site before the collection process is complete, the licensee is reported as a failure
68 to test. If the licensee is unable to provide a sufficient specimen within three hours of the first
69 unsuccessful attempt to provide a specimen, the collector will make note on the chain of custody form.
70 If the licensee is unable to provide a physician's statement indicating a physiological reason that the
71 licensee is unable to test, the licensee is reported as a failure to test and a report of non-compliance is
72 completed. If the licensee has a mental health disorder which prohibits licensee from providing an
73 observed sample, it is the licensee's responsibility to inform the HPSP at the time of enrollment. (For
74 new referrals) The licensee must provide documentation from a treating provider that verifies their
75 inability to provide observed samples. Otherwise, the licensee will be reported non-compliant for failure
76 to test.

77 **Cancellation of a toxicology test result: The Policy Advisory Committee is able to cancel a toxicology**
78 **test if the test result is not able to be linked to the licensee in the HPSP program by the toxicology**
79 **report received from the laboratory or by affidavit. Cancelled tests are handled in accordance with**
80 **the Department of Transportation regulations regarding toxicology testing, meaning no action may be**
81 **taken on a cancelled test. The licensee must be tested on the next business day following the**
82 **cancellation of a test. The licensee is not charged for a canceled toxicology test.**