

**Information Management: Records Management
FORT CARSON CIVILIAN BIOCHEMICAL TESTING PROGRAM (BTP)**

PURPOSE: To outline policies, procedures, and responsibilities that must be followed in the testing, collection and shipment of urinalysis specimens for Department of Army (DA) Civilians.

REFERENCES. Appendix A.

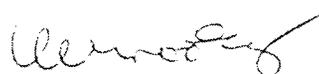
APPLICABILITY. This regulation applies to all units, directorates, activities and other military services that have Department of the Defense (DoD) Civilian Employees and their supervisors' assigned/or attached to 7th Infantry Division and Fort Carson.

(AFZC-IM)

FOR THE COMMANDER:



OFFICIAL: MARK S. LANDRITH
COL, GS
Chief of Staff



KAREN K. MOODY
Director of
Information Management

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1. General.

a. Rationale: This regulation provides guidelines and detailed instruction on the procedures that must be followed in the collection and shipment of urinalysis specimens for Department of Army (DA) Civilians served by 7ID and Fort Carson. Deviation or modification, of the procedures set forth in this regulation, is not authorized without written approval of the Fort Carson Alcohol and Drug Control Officer (ADCO). Request for authority to deviate from, supplement, or modify any procedures set forth in this regulation may be submitted for consideration to the ADCO, AFZC-PA-CA, 1675 Ellis Street, (Building 1217), Fort Carson, Colorado 80913-4163. This regulation is intended to assist in accomplishing the following objectives:

- (1) Increase the efficiency, productivity, and effectiveness of the civilian work force;
- (2) Reduce absenteeism and the abuse of sick leave through early intervention and prevention of alcohol and other drug abuse;
- (3) Detection of illegal drug use;
- (4) Effectively deter alcohol, tobacco and drug abuse;
- (5) Developing data to be used for overall program analysis;
- (6) Implementing the Drug Free Workplace (DFW) Civilian Drug Testing Program as required by Executive Order (EO) 12564;
- (7) Early identification of illegal drug use;
- (8) Deterrence of experimental and casual drug use; and,
- (9) Offer preventive, pro-active education, training and information to deter the use of drugs and abuse of alcohol and tobacco.

b. Policy: Substance abuse is inconsistent with the high standards of performance, discipline, and readiness necessary to accomplish the Army's mission. Fort Carson's goal is to provide a safe, healthy, and secure workplace. Biochemical testing for controlled substances is a tool for managers and medical personnel to use to enforce these policies:

- (1) DA civilian employees must refrain from using drugs illegally whether on or off duty.
- (2) DA recognizes alcoholism and drug abuse as preventable and treatable progressive diseases and biochemical testing can determine an individual's fitness for duty.
- (3) DA civilian employees will have access to confidential and effective screening, short-term counseling and referral services for treatment, or rehabilitation for abuse of alcohol or other drugs, use of illegal drugs, and/or related problems. When clinical resources are available, Army Substance Abuse Program (ASAP) clinical treatment services MEDDAC

Community Counseling Center - CCC) will be offered. Civilian employees have the option of participating in either the installation ASAP clinical program or being referred to an approved program in the civilian community. Civilian employees' absence (during work hours) to obtain treatment will be in accordance with (IAW) civilian personnel regulations.

(4) Biochemical testing will be used to determine the presence of controlled substance(s) in a member's urine during participation in the ASAP outpatient rehabilitation process.

c. Testing Designated Positions (TDPs) By Category

- (1) Law Enforcement.
 - (a) Positions that authorize the incumbent to carry firearms.
 - (b) Front line law enforcement personnel with drug interdiction duties who have access to firearms.
- (2) National Security.
 - (a) Positions that require the incumbent to maintain a Top Secret clearance.
 - (b) Personnel who have access to Sensitive Compartments Information.
 - (3) Protection of Life and Property
 - (a) Personnel Reliability Program (PRP) positions. Nuclear duty positions or chemical duty positions under the provisions of AR 50-5 or AR 50-6. These PRP positions must be tested annually.
 - (b) Positions that require duties involving the supervision or performance of controlling and extinguishing fires, and/or the rescuing of people endangered by fire.
 - (c) Positions that require the handling of munitions or explosives in connection with the manufacturing, maintenance, storage, inspection, transportation, or demilitarization of these items.
 - (d) Positions that require the incumbents to electroplate critical aircraft parts.
 - (4) Public Health or Safety
 - (a) Positions that require the incumbent to operate a motor vehicle transporting one or more passengers on at least a weekly basis.
 - (b) Operators of motor vehicles who are required to have commercial drivers license and drive motor vehicles weighing more than 26,001 pounds or drive motor vehicles transporting hazardous materials.
 - (c) Railroad operating crews and railroad personnel in positions in which the duties include handling train movement orders, conducting safety inspections, or the maintaining and repairing of signal systems.
 - (d) Aviation flight crewmembers, air traffic controllers, and aviation personnel in positions in which the duties include dispatching, safety inspections, or the repair and maintenance of aircraft.

(e) ASAP positions in which the incumbent provides direct rehabilitation and treatment services to identified illegal drug users.

2. Responsibilities.

a. Directorate of Community Activities (DCA).

(1) The Installation Biochemical Testing Program (IBTP) is designed to assist the installation in determining the extent of illegal drug use on Fort Carson. Organizationally, the IBTP is a service of the Fort Carson ADCO, which is under the functional control of the Director of Community Activities (DCA).

(2) The Fort Carson IBTP is located at 1675 Ellis Street, (Building 1217), Fort Carson, Colorado 80913-4163 and is responsible for collecting local urinalysis samples, conducting quality assurance, packaging, then shipping to the DoD certified Forensic Toxicology Drug Testing Laboratories (FTDTL). Additionally, the IBTP maintains a database that assists civilian supervisors (within the limits of confidentiality and privacy policy) in identifying drug abuse trends within directorates on the installation. This data is reported with the Risk Reduction Program (RRP) information to the Installation Prevention Team.

b. The ADCO is responsible for:

(1) Ensuring compliance with Fort Carson procedures for the collection of civilian urine specimens.

(2) Providing a process to conduct random selection of civilian testing designated positions (TDP) from information provided by the Civilian Personnel Advisory Center (CPAC).

(3) Notification to supervisors and employees of civilian personnel of testing time and location.

(4) Coordination with the Installation Biochemical Testing Coordinator (IBTC) for testing location, time, testing monitor, and names of personnel to be tested.

(5) Ensuring that all results of civilian tests are directed, by Federal Express, to the Medical Review Officer (MRO) and not released to any other individual.

(6) Ensuring that a separate Chain of Custody form is utilized for each civilian specimens. There cannot be a mixture of civilian or any other testing category samples on the same form.

(7) Follow-up services to assist employees' readjustment to their jobs.

(8) Training and education courses for supervisors and employees about alcohol and other drugs. Prior to individual testing, ASAP-FC will provide Employee Education, Supervisory Training, and Prerequisites IAW DA Pam 600-85, Section 2-4.

(9) Training and consultation services for supervisors on how and when to make proper use of ADCO services.

(10) Maintaining sufficient supplies (IAW) DA regulatory guidance.

c. The IBTC will, IAW approved civilian testing procedures:

(1) Set up a collection site.

(2) Conduct testing.

(3) Ensure Chain of Custody documentation is correct.

(4) Conduct a quality assurance inspection, wrap and ship all samples to the appropriate FTDTL.

d. The Employee Assistance Program Coordinator (EAPC) will:

(1) Provide follow-up services to supervisors and employees, IAW with AR 600-85.

(2) Conduct orientation, briefings, training, preventative education, and information about deterring the use of drugs and abuse of alcohol and tobacco; to achieve a "Drug Free Workplace".

(3) Train supervisors and leaders about the proper civilian testing procedures and utilization of ADCO services.

e. The Fort Carson Civilian Personnel Activity Center (CPAC) shares responsibility with the SWCPOC to:

(1) Identify all incumbents in DA Testing Designated Positions.

(2) Ensure that all employees identified as TDPs sign and date the approved DA forms and transmit to the CPOC for filing in the Official Personnel Folder, and to the ADCO. Initially, TDPs will sign the appropriate DA forms not earlier than 30 days after the effective date of the Drug Testing Regulation and MOA.

(3) Semiannually, provide the ADCO a list of all employees in Testing Designated Positions.

(4) Ensure the following statement appears on all vacancy announcements for those positions identified as TDPs:

"THIS POSITION IS COVERED BY THE CIVILIAN DRUG ABUSE TESTING PROGRAM. INCUMBENT IS REQUIRED TO SIGN AN APPROVED DA FORM, LISTING

"CONDITIONS OF EMPLOYMENT FOR CERTAIN CIVILIAN POSITIONS IDENTIFIED CRITICAL UNDER THE DEPARTMENT OF THE ARMY DRUG-FREE WORKPLACE PROGRAM."

(5) Ensure that Civilian Testing Referral and Selection Registers are properly annotated.

(6) Review both the position description and the Request of Personnel Action to ensure that both are properly annotated.

f. Labor Relations and Union Cooperation. The active support of the Fort Carson approved labor organizations will contribute to the success of implementing Civilian Testing at Fort Carson. Union leaders can be influential in developing employee confidence in the Fort Carson Civilian Testing and EAP Programs. Questions regarding labor relations implications of the civilian drug abuse testing program should be addressed first, to the Fort Carson labor attorney and the CPAC's labor employment specialist, then, through command channels to HQDA (ATTN: SAMR-CPP-LR), 111 Army Pentagon, Washington, DC 20310-0111.

g. Supervisors (Directors and Commanders) of the Fort Carson Civilian Workforce should, to support the Civilian Testing Program effectively:

(1) Review each job position (prior to submitting a recruit action) to determine if duties involve any activities that fall into a TDP category and ensure the Request for Personnel Action and/or position description have been properly annotated.

(2) Place the statement "Civilian Drug Abuse Testing Program applies" in the "Remarks by Requesting Office" section of the Request for Personnel Action.

(3) Be cognizant that according to EO 126564 and DODD 1010.9, any DA civilian employee who is found to use illegal drugs may be subject to disciplinary action. Such determination may be made on the basis of direct observation, a criminal conviction, confirmed positive test, the employee's own admission, or other applicable evidence.

(4) Contact the servicing CPAC promptly when a supervisor is advised that an employee in a Testing Designated Position (TDP, as defined in AR 600-85 and DA Pam 600-85) is found to use illegal drugs. Such an employee will not remain in a TDP.

(5) Be cognizant that an employee may be returned to the TDP upon successful completion of rehabilitation, or as part of a rehabilitation program if progress is evident and the employee poses no danger to health, safety, or security.

(6) Initiate an evaluation of continued eligibility for access to classified information and reporting, IAW Personal Security Programs, when advised that an employee has been found to use illegal drugs.

3. Categories of Drug Testing and Procedures. To realize the objectives of Executive Order 12564 (refer to chapter 5 of AR 600-85), the Army implemented six required categories of drug testing. At Fort Carson,

implementation of an effective testing program requires the cooperation and involvement of the employee, the supervisor, the ADCO, the EAPC, the Installation Biochemical Test Coordinator (IBTC), the servicing CPAC and the union. The following testing categories fully conform to the guidance provided in EO 12564:

a. Reasonable suspicion testing.

(1) All DA civilian employees are subject to testing when there is a reasonable suspicion of on duty use or on duty impairment.

(2) DA employees in TDPs are subject to testing when there is a reasonable suspicion that an employee uses illegal drugs, whether on or off duty.

(3) The supervisor will initiate testing when there is "reasonable suspicion" of illegal drug use. Mere hunches or rumors are not sufficient to initiate testing. Reasonable suspicion may be based upon:

(a) Direct observation of drug use or possession and/or physical symptoms of being under the influence of an illegal drug.

(b) A pattern of abnormal conduct or erratic behavior.

(c) Conviction from a drug-related offense.

(d) Observation of drug use or possession and/or physical symptoms of being under the influence of an illegal drug provided by a reliable and credible source or independent corroboration.

(e) Newly discovered evidence that the employee has tampered with a previous drug test.

(f) When a supervisor suspects an employee is using illegal drugs, the supervisor will gather all information, facts, and circumstances leading to and supporting this suspicion and meet with the next higher level supervisor and a representative from the Office of the SJA to review the evidence. The supervisor will prepare and maintain a written report to include, at a minimum, the appropriate dates and times of reported drug-related incidents, reliable/credible sources of information, rationale leading to the test, findings of the test, and the action taken. Notification to test is prepared by the supervisor and approved by the next higher-level supervisor after coordination with a representative from the Office of the SJA. The reasonable suspicion drug test will test for all five drugs (THC, cocaine, amphetamines, opiates and PCP; not LSD or barbiturates) authorized by the Department of Health and Human Services (DHHS) for testing under this program. The employee may be asked to provide a specimen under observation if there is reason to believe the employee may alter or substitute the specimen to be provided. (A decision to obtain a specimen under observation will be determined by the supervisor, in consultation with a representative from the Office of the SJA.) Additional instructions dealing with

observed collections are provided at paragraph 4 of this regulation.

(g) The supervisor will promptly notify the IBTC and provide the information necessary to arrange for the reasonable suspicion drug test, which will be conducted as soon as possible on the same day the test was approved.

b. Accident or Unsafe Practice Testing. All DA employees may be subject to testing when there is an examination authorized by an appropriate installation or activity commander regarding an accident or unsafe practice. Accordingly employees may be subject to testing when, based on circumstances of the accident, their actions are reasonably suspected of having caused or contributed to an accident that results in a death or personal injury requiring immediate hospitalization or in damage to government property estimated in excess of \$10,000.

(1) The supervisor will gather all information, facts, and circumstances leading to and supporting this suspicion and meet with the next higher level supervisor, the installation safety program manager and a representative from the Office of the SJA to review the evidence. The supervisor will prepare a notification to test when approved by the next higher-level supervisor. Additionally, the supervisor will prepare and maintain a written report that will include the date, time, and description of reported accident/mishap(s), rationale leading to the decision to test, findings of the test, and the action taken.

(2) The supervisor will notify the IBTC promptly and provide the information necessary to arrange for the urine sample that will be tested for all five drugs authorized by DHHS; testing will be conducted as soon as possible.

c. Voluntary Testing. Voluntary testing is available for employees to demonstrate their commitment to the Army's goal of a Drug Free Workplace (DFW) and to set an example for other Federal/DA civilian employees. DA civilian employees, not in TDPs, may volunteer for unannounced random testing. The supervisor will ask the employee to submit a written request to be included in a random drug-testing program when an employee (not in a TDP) has volunteered to be drug tested. The supervisor will advise the next higher supervisor and the IBTC and then arrange a meeting with the employee to review the program's conditions and employee's obligations and to obtain a signed voluntary consent to drug testing. As soon as the required administrative procedures are complete, the supervisor will notify the IBTC promptly and provide the information necessary to include the employee in random testing pool for TDPs. The employee may withdraw from participation by submitting a written request to the supervisor, who will promptly notify the IBTC of the employee's withdrawal.

d. Follow-up Testing. As a follow-up to counseling or rehabilitation.

e. Applicant Testing. DA applicants tentatively selected for appointment to a TDP are required to participate in the drug-testing program, which is designed to screen out applicants who use illegal drugs. Applicant drug testing of civilians tentatively selected for a position requiring a negative drug urine test can be conducted at either the gaining installation or at a remote installation that is located in the same geographical location in which the individual lives. Testing must be conducted at a DOD/DHHS-certified forensic drug-testing laboratory as specified by DA; results from other laboratories will not be accepted.

(1) If the appointment to the TDP is for 30 days or less, or the applicant currently occupies a TDP within the DoD, no applicant testing is required.

(2) The tentatively selected applicant will be required to sign the approved DA Form which addresses Condition of Employment for Certain Civilian Positions Identified as Critical Under the Department of the Army Drug-Free Federal Workplace Program, acknowledging DA's right to require TDP employees to participate in random drug urinalysis testing.

(3) All applicants who are not current employees and who refuse to be tested must be refused that employment. All applicants with verified positive test results shall be refused employment. Applications from such individuals shall not be considered for employment for a period of 6 months from the date of the test results.

f. Random Testing. DA civilian employees in a TDP are subject to random testing.

(1) Random drug testing is a system of drug testing imposed without individualized suspicion that a particular individual is using illegal drugs. Random drug testing either may include testing of employees occupying a specified area, element, or position, or may be a statistically random sampling of such employees based on neutral criterion (e.g., social

security number, multiple sided die, Army Drug Testing Program computer program, etc). Employees will report to the testing facility within 2 hours of being notified.

(a) Directorates will identify all civilian positions that meet the TDP position criteria provided in AR 600-85 and DA Pam 600-85. Management will ensure that the TDP position descriptions clearly document their critical safety or security responsibilities.

(b) The ADCO will establish and maintain an updated DFW/TDP roster that identifies the DFW/TDPs and incumbents in those positions and will provide a copy to the IBTC. The DFW/TDPs rosters may be in any format, but will contain at a minimum:

(1) Position title and number.

(2) Name, social security number and work telephone number of incumbent.

(3) Name, work telephone number of first line supervisor, and date supervisor was trained regarding the Army's DFW Civilian Drug Testing Program. A copy of the roster, to include the names of bargaining unit employees in TDPs, will be provided to the union, consistent with provisions of the Privacy Act.

(c) Employees in DFW/TDPs and applicants for these positions will receive an individual notice (on the approved DA form) explaining that:

(1) The employee's position has been designated as a TDP and that the employee will be subject to random testing no sooner than 30 days subsequent to receipt of this notice.

(2) It is mandatory that employees refrain from the use of illegal drugs.

(3) Applicants who fail to sign the individual notice will not be selected for the position. Current employees who fail to sign, or who sign and then refuse to be tested, will be removed from their TDP position, either through reassignment, demotion, and/or separation from Federal employment.

(4) Confirmed positive urinalysis results may form the basis for determinations of failure to meet the conditions for continued employment in a TDP.

(5) All personnel in TDPs are subject to random drug testing as a condition of continued employment.

(d) Individuals will be allowed individual privacy while providing the urine specimen unless there is reason to believe the specimen will be altered.

(e) The collection, handling, and testing of the urine sample will be conducted under chain-of-custody procedures established by the DHHS.

(f) In the event the specimen tests positive, the individual will be given an opportunity to submit documentation to a designated MRO that may support legitimate use of the specific drug(s) before any administrative action is taken.

(g) Individuals who believe they have a drug problem are encouraged to seek counseling and/or referral services by contacting the Fort Carson EAPC.

(h) A fundamental purpose of Fort Carson's drug testing program is to assist employees who themselves are seeking treatment for use of illegal drugs. For this reason, any employee who meets all three of the following "safe harbor" conditions will be exempt from disciplinary action for the admitted acts of use of illegal drugs.

(1) Voluntarily identifies him/herself as a user of illegal drugs prior to being identified through other means, and

(2) Successfully obtains counseling and/or rehabilitation through Fort Carson's Employee Assistance Program, or an approved Employee Assistance Program which provides continuing information to the installation EAP, and

(3) Thereafter, refrains from using illegal drugs.

(i) This does not immunize an employee from discipline on any other grounds, including misconduct related to or resulting from the use of illegal drugs or misconduct unrelated to the use of illegal drugs.

(j) This self-referral option allows any employee to step forward and identify him/herself as an illegal drug user for the purpose of entering a drug treatment program under the EAP. In stepping forward, an employee may volunteer for drug test as a means of identification. Although this self-identification test may yield a verified positive test result, such result will not subject the employee to discipline when the three safe harbor requirements are met.

(k) Since the key to this provision's rehabilitative effectiveness is an employee's willingness to admit his or her problem, this provision will not be available to an employee who is asked to provide a urine sample when required, or who is found to have used illegal drugs and who thereafter requests protection under this provision.

g. Testing Notification.

(1) The IBTC will utilize an approved selection process (computer or manual) and then, will notify the first level supervisors of those employees selected for random drug testing (within 2 hours of the scheduled testing). If the first level supervisor is unavailable, the next higher-level supervisor will be contacted. In a Memorandum for Record (MFR) the IBTC will record the names of employees selected, names of supervisor(s), times notified, time scheduled for specimen collection, and the method used for selection.

(2) The supervisors will explain privately to employees that they are under no suspicion of taking drugs, rather that the individuals were selected randomly, and employees are to report promptly to the testing facility point with photo identification. Supervisors should record in an MFR the names of individuals advised to report for drug testing, the times notified, and times employees were advised to report for testing.

(3) Supervisors of employees who work shift duty or are assigned special duty hours/locations (i.e., not the normal day shift of 0800-1600 hours) will advise the IBTC, who will develop a plan to ensure subject employees are tested. While

working with the IBTC to develop such a plan, supervisors will coordinate special transportation arrangements for employees who work in remote locations (i.e., range, Pinion Canyon Maneuver Site, etc.).

h. Deferral of test.

(1) Supervisors will notify the IBTC promptly when employees selected for drug testing obtain a deferral of test. The IBTC will reschedule the employee for a random testing within the next 60 days.

(2) A deferral of an employee's random test selection may be authorized when the employee's first line and higher supervisor concur, in writing, that a compelling need exists and necessitates a deferral when the employee is:

(a) In a status such as pre-approved annual leave, sick leave, suspension, absent without leave, continuation of pay, or excused absence.

(b) On official travel away from the work site or is about to embark on official travel scheduled before testing notification.

(c) Working a different shift.

(d) Performing a task or project that requires the employee's presence at the work site during the time the test is scheduled.

(3) The EAPC can request that an employee be exempted from random drug testing for a period not to exceed 60 days while undergoing rehabilitation treatment. The EAPC must consult with the supervisor and clinician and then document this consultation and the decision to defer testing while in rehabilitation. (Supervisor has final authority to grant a 60-day deferral.) The EAPC will advise the IBTC when an employee is to be exempted from random testing program.

(4) Failure to appear for random drug test.

(a) The IBTC will notify the supervisor promptly when an employee refuses to provide a sample or fails to report to the designated collection site within the designated time. The IBTC will document the employee's failure to appear for testing and provide a copy to the employee's first line supervisor.

(b) Effective deterrence requires a random selection process that ensures that all employees subject to random testing believe that they may be required to provide a urine sample on any day they report to work. Refusal to be tested or failure to report can result in the same type of disciplinary action as a first time verified positive test result.

(c) The IBTC will ensure that the frequency of random drug testing conforms to DoD guidance (see DA Pam 3-2f(6)(b) in DA Pam 600-85, page 6) requiring agencies/components and the military services having civilian employees to conduct a minimum of 0.50 random tests per TDP per year. This

means that all TDPs will be eligible for testing each time a random selection is made and should result in half of the TDPs being tested during the course of the year. The installation commander (in consultation with the local law enforcement agencies, the ADCO, and other drug control organizations) may increase the random percentage with the approval of the respective MACOM. TDPs that require the incumbents to enroll in the Army's Personnel Reliability Program (PRP) identified in AR 50-5 and AR 50-6 will be tested randomly at least once in a 12-month period.

(d) The IBTC will ensure that the random selection for testing should be evenly distributed throughout the year. Testing should occur on different days of the week.

4. Biochemical (urine) Specimen Collection. The IBTC will meet all the collection requirements prescribed by the Mandatory Regulatory Guidelines for Federal Workplace Drug Testing Programs. For those TDP employees covered by the Department of Transportation drug and alcohol testing program, applicable provisions of 49 CFR Part 382 and Part 40 apply. Additional guidance designed to assist the "collector" can be found in the "Urine Specimen Collection Handbook for Federal Workplace Drug

Testing Programs" prepared by the Division of Workplace Programs, DHHS, which is available at Web Site: (www.health.org/pubs/urine/umenu.htm). General guidance includes:

a. Unobserved Collection. The individual subject to be tested generally will be permitted to provide a urine specimen privately in a restroom or similar enclosure so that the employee is not visually observed while providing a sample. Collection site personnel (CSP) of either gender will escort the individual to the test site and remain outside during collection.

b. Observed Collection.

(1) When the IBTC observes behavior clearly indicating an attempt to tamper with the specimen or when the specimen temperature is outside the normal range, the IBTC will contact the ADCO to request approval to observe the collection.

(2) The ADCO will contact a representative from the Office of the SJA to discuss the IBTC's request to observe the urinalysis collection, and document the decision. The IBTC will then be notified of the decision and how to proceed. In the event an observed collection is not approved, the CSP will provide an e-mail or memorandum for record to the supervisor and ADCO. If approved to observe, the following will occur:

(a) The CSP will conduct the observed collection (when approved) and promptly and fully document the circumstances leading to the request.

If the employee refuses to undergo an observed test, the IBTC will notify the supervisor and prepare a MFR concerning the refusal for the supervisor and ADCO.

(b) A directly observed collection will be conducted by site personnel of the same gender as the employee. The observer will watch urine leave the body and must have the collection bottle in line of site at all times.

5. MEDICAL REVIEW. The medical review serves as a critical safeguard in the urine drug-testing program to ensure that positive drug tests resulting from legitimate medications and foods are not misinterpreted as illegal drug use.

a. All laboratory results (positives and negatives) are forwarded to the MRO according to Mandatory Regulatory Guidelines for Federal Workplace Drug Testing Programs. The MRO should be especially familiar with the guidelines and will only accept test results that fully comply with those guidelines.

b. The MRO is responsible for reviewing, evaluating, and interpreting a confirmed positive test result and will contact (face-to-face contact not required) the applicant or employee with the positive test result and provide the individual with the opportunity to document (e.g., medical records, valid prescriptions, or other pertinent data) authorized use of the identified drugs, and to discuss the test results with the MRO. Proper attention must be paid to the doctor-patient confidentiality in all phases of the medical review process. Upon request, the employee will be given the opportunity for a face-to-face meeting with the MRO. Supervisors will make a reasonable effort to accommodate this request. Employees may request leave to obtain documentation to submit to the MRO.

c. When the MRO determines there is no medical justification for the positive result, such result will then be considered a verified positive test result.

d. Following verification of a positive test result the MRO shall refer the case to the EAPC and the management official with authority to recommend or take administrative action.

e. All relevant documentation, including a positive drug test result form indicating that the positive result is "unjustified" along with a summary of findings, will be provided to the EAPC (with a concurrent copy to the employee), who will offer referral for rehabilitation services to the employee.

f. Should any question arise as to the accuracy and/or validity of a positive test result, only the MRO is authorized to order a re-analysis of the original sample, and such a retest is authorized only at a military DHHS-certified laboratory.

g. The MRO may also request quantitation levels from the civilian drug-testing laboratory, but the request must be made in writing.

h. If the MRO determines there is a legitimate medical explanation for the positive test result, the MRO shall affirm that the result is consistent with legal drug use and take no further action.

i. The MRO will take all steps necessary to ensure confidentiality of medically sensitive information obtained during the review process. The MRO is the custodian of such information and is both legally and professionally responsible for its security. The Privacy Act requirements for safeguarding these records apply fully.

j. The MRO will ensure results are sent to ADCO/IBTC for file maintenance, tracking, and statistical information.

k. Distribution of the forms will be IAW the Disposition Instructions that fully comply with regulatory requirements.

6. REQUEST TO IDENTIFY ADDITIONAL POSITIONS AS TDPs. There may be certain jobs which a MACOM or installation commander considers appropriate to be identified as TDPs for drug abuse testing, but which do not fall within those listed in AR 600-85 and DA Pam 600-85. These can only be included in the testing program with prior approval of the MACOM, MSC, DA, and DOD. A formal request for authorization to test these specific positions must be forwarded through channels and must satisfy the requirements listed below. Decisions will be made on a case-by-case basis. Under no circumstances does an earlier decision to identify a specific job as an additional TDP carry over to any other job class, or to a similar job at another MACOM/installation.

a. Specific jobs requested to be identified as TDP must involve law enforcement, national security, protection of life and property, public health or safety, or other functions requiring a high degree of trust and confidence.

b. The rationale for testing must be clearly stated and completely justified. The justification must include a statement/description of possible negative consequences if an incumbent in that job were to abuse drugs.

c. A copy of a current and properly executed job description must be provided, along with a schematic of the chain of supervision. The total number of employees covered will be provided. If the positions are being established or a change in the number of employees is expected, it must be so stated. Under no circumstances should the inclusion of a small number of employees be requested when rapid growth in that job class is forecast. If turnover is a problem, turnover rates should be specified.

d. The location where the sample will be taken must be specified and a statement from the local IBTC concerning the capability to process specimens must be included. The FTDTL that will normally test the sample must also be specified.

e. Any request for designation of jobs as TDP must be submitted through the respective MACOM and MSC for HQDA and DOD approval before testing is authorized. Requests should be sent to HQDA (ATTN: DAPE-HR-ACSAP), Washington, DC 20310-0300.

7. Procedures for Biochemical testing of Department of Transportation (DOT) / Commercial Drivers License (CDL) Testing Designated Personnel. The Department of Interior (DOI), National Business Center, Employee and Public Services for Alcohol and drug testing services, will provide the Army Center for Substance Abuse Programs (ACSAP) the following alcohol and drug testing services: random selection, scheduling, individual alcohol and drug collections (to include collections for random, applicant, reasonable suspicion, post-accident, return to duty and follow-up tests), transportation of specimens to the Fort Meade lab, and other clinical procedural, and technical services as requested in accordance with DOT, 49 CFR Parts 382 and 40, AR 600-85, chapter 14, Section V, DA Pam 600-85, Chapter 4, and the following:

a. To execute the random selection process and begin the testing of DOT/CDL positions the DOI will generate a pool of Army DOT/CDL positions.

(1) Fort Carson will identify DOT/CDL positions subject to alcohol and drug testing and will forward identifying CDL data to ACSAP, Attention: Mr. Prepscius, initially, not later than 15 July 2002, (e-mail prepscuus@usadaoa-ernh1.army.mil) (FAX: (703 681-6575) and monthly thereafter as individuals change (add, delete, move, etc.) in the testing designated positions.

(2) DOI will merge all of the installation files into a consolidated pool from which to randomly select personnel to be tested for either alcohol and/or drugs. Random selection to start 1 September 2002 and frequency of testing to conform to DOT guidance.

(3) Approximately 2 weeks in advance of a test date, DOI staff will contact the Fort Carson ADCO/designee to confirm the individuals selected and schedule the testing date and time. On the day of testing (or before, as necessary to ensure driver availability the ADCO/designee will contact the supervisors, who in turn, will notify the drivers of their selection for testing and advise them as to when and where to report.

(4) DOI staff or the DOI contractor will conduct the biochemical collection in accordance with procedures that conform to 49 CFR Parts 382 and 40, AR 600-85, chapter 14, Section V, DA Pam 600-85,

Chapter 4, at the Fort Carson testing site and then FEDEX the samples to the Fort Meade lab for analysis. Breathe alcohol test results will be immediately provided to the ADCO or designee. Installations will provide to the collector the required split sample kits, obtained from the Army lab.

(5) The ADCO/designee will coordinate "request for collection of applicant, reasonable suspicion, post accident, return to duty and follow-up tests" directly with the DOI's POC at (202) 208-5628, FAX (202) 208-5455.

b. Upon receipt of the samples, the Fort Meade Lab will test the specimens and daily forward the test results to the Army contract MRO for review who will forward "reviewed" results back to the installation MRO. Thereafter the procedures outlined in # 5 of this regulation will be followed, which conform to 49 CFR Parts 382 and 40, AR 600-85, chapter 14, Section V, DA Pam 600-85, Chapter 4.

c. Fort Carson ADCO/EAPC will ensure the following are completed prior to any testing:

(1) Conduct supervisory training as required in AR 600-85, DA Pam 600-85, 49 CFR Parts 382.601, and Part 382-603 (available at www.dot.gov/ost/dapc/).

(2) Process the DA Form 7412, (available at www.usapa.army.mil) Condition of Employment and provided to each driver required handout materials (paragraph G, DA Form 7412) addressed in 49 CFR Part 382-603.

(3) Obtain an adequate number of urine collection (split sample) kits from the Fort Meade Lab. (50%) of total number of CDLs to be drug tested annually.)

(4) Forward the required reports to conform to DA and FORSCOM guidance.

8. POINT OF CONTACT. This regulation is in effect as of the date of this memorandum. It is strongly recommended that all personnel involved with collecting and/or handling of urine samples for drugs of abuse read and become familiar with it and AR 600-85 and DA Pam 600-85. The point of contact is the Fort Carson Alcohol and Drug Control Officer, DSN: 691-2501 or Commercial: (719) 526-2501.

APPENDIX A
Required Publications and References

DoD Directive 1010.4, Drug and Alcohol Abuse by DoD Personnel

DOD Directive 1010.9., DoD Civilian Employee Drug Abuse Testing Program

AR 11-2, Management Control

AR 600-85, Army Substance Abuse Program (ASAP)

DA Pam 600-85, Army Substance Abuse Program Civilian Services

FC Circular 11-3, Management Control Process

**APPENDIX B
GLOSSARY**

ACSAP	Army Center for Substance Abuse Programs
AD	Active Duty
ADAPT	Alcohol Drug Abuse Prevention Training
ADCO	Alcohol Drug Control Officer
ASAP	Army Substance Abuse Program
BTP	Biochemical Testing Program
CCC	Community Counseling Center
CD	Clinical Director
CDL	Commercial Drivers License
CFR	Code of Federal Regulations
CONUS	Continental United States
CPAC	Civilian Personnel Advisory Center
CPOC	Civilian Personnel Operations Center
CSP	Collection Site Personnel
DA	Department of the Army
DAMIS	Drug and Alcohol Management Information System
DCA	Directorate of Community Activities
DCSPER	Deputy Chief of Staff for Personnel
DFW	Drug-free Federal Workplace
DHHS	Department of Health and Human Services
DHR	Director of Human Resources
DOD	Department of Defense
DOT	Department of Transportation
EAP	Employee Assistance Program
EAPC	Employee Assistance Program Coordinator
EO	Executive Order
FAA	Federal Aviation Administration
FTDTL	Forensic Toxicology Drug Testing Laboratory
HQDA	Headquarters, DA
HRC	Human Resource Council
IAW	In Accordance With
IBAT	Installation Breath Alcohol Technician
IBTC	Installation Biochemical Test Coordinator
IBTC	Installation Biochemical Test Program
IPP	Installation Prevention Plan
IPT	Installation Prevention Team
LSD	Lysergic Acid Diethyl amide
MACOM	Major Army Command
MEDCEN	Medical Center
MEDDAC	Medical Department Activity
MH	Mental Health
MP	Military Police
MRE	Military Rules of Evidence
MRO	Medical Review Officer
MSC	Major Subordinate Command
MTF	Medical Treatment Facility
OCONUS	Outside CONUS
ONDCP	Office of National Drug Control Policy
ODCSPER	Office of the DCSPER

PC
PCP
PERSCOM
PL
PM
PRP
RRP
SAV
SJA
TDP
THC
UCMJ
UPL
DVA

Prevention Coordinator
Phencyclidine
Total Army Personnel Command
Public Law
Provost Marshal
Personnel Reliability Program
Risk Reduction Program
Site Assistance Visit
Staff Judge Advocate
Testing Designated Position
Tetra Hydrocannabinol (marijuana)
Uniform Code of Military Justice
Unit Prevention Leader
Department of Veterans Affairs