Objective: To provide a safe and healthful environment for patients and employees.

Policy:
UHS policy prohibits the unlawful use, manufacture, possession, distribution or dispensing of drugs ("controlled substances" as defined in the Controlled Substances Act, 21 U.S.C. 812), or alcohol on UHS property.

Violation of this policy is grounds for corrective action, up to and including immediate discharge for an employee who is in violation. Federal and state laws provide additional penalties for such unlawful activities, including fines and imprisonment (21 U.S.C. 841 et seq.; T.C.A. 39-6-401 et seq.). Local ordinances also provide various penalties for drug and alcohol-related offenses. UHS is free to take all actions it deems appropriate against violators, which may include referral for legal prosecution or requiring the individual to participate satisfactorily in an approved drug/alcohol abuse assistance or rehabilitation program.

The unlawful presence of drugs or alcohol in the workplace and/or being under the influence of alcohol or other drugs during normal or on-call working hours violates the UHS Drug-Free Workplace Policy. UHS expects employees to report for work in a condition to perform their duties in a safe and productive manner. Compliance with this requirement is considered an essential job requirement for all job assignments. All required alcohol and drug testing will be performed at the expense of UHS.

Guidelines:

Pre-Employment Testing
Applicants to whom a conditional offer of employment with UHS has been made will be required to submit to drug and alcohol testing prior to actual employment. The final job offer is contingent upon successful completion of a drug and alcohol screen. The contingent offer of employment must be made and accepted prior to testing.

Any applicant who tests positive for the following will have their conditional job offer rescinded:

- any illegal drug,
- alcohol, or
- any drug available through prescription for which the applicant does not have a valid prescription.

Any applicant who tests positive for one of the above may not reapply for employment with UHS for 1 year following the date of the drug or alcohol screen.
Prior to the drug screen, an applicant is asked to disclose any prescription drugs taken within the last seven days on the Applicant Certification and Agreement. If the applicant lists a Schedule II drug, as defined by 21 CFR 1308, and/or any other drug or substance that could result in the applicant’s inability to perform the job which he/she has been offered, the applicant will be asked to obtain a written certification from his/her health care provider that the drug will not prevent the applicant from performing the job responsibilities and essential functions as described on his/her position description, or pose a threat to the safety of patients, employees or the applicant. After completing the health assessment and drug screen, the applicant will return to UHS Human Resources for a copy of the position description and a form for the health care provider to complete and return to UHS Human Resources within 5 working days. Any cost associated with the completion of the form is the responsibility of the applicant. Depending upon the individual circumstances, UHS may also require an independent medical assessment of the applicant’s ability to perform the essential functions of the position. If UHS determines, on an individual basis, that the applicant’s use of the drug would prevent him/her from performing the job responsibilities or essential functions of the position, or would pose a threat to the safety of patients, employees, or the applicant, the job offer may be rescinded.

**Employee Testing**

UHS expects employees to report for work in a condition to perform their duties in a safe and productive manner. Compliance with this requirement is considered an essential job requirement for all job assignments. An employee who is impaired, or believed to be impaired, will not be permitted to work.

**Employee Self-Reporting Requirements**

Because of the need to provide a safe patient environment and workplace, employees who are taking prescription drugs which are accompanied with warnings regarding possible side effects which can reasonably be expected to have a detrimental effect on their ability to perform their assigned duties and adhere to UHS policies must notify their supervisor as soon as possible. This includes but is not limited to muscle relaxers, narcotics, tranquilizers, and other judgment-impairing drugs. The supervisor will report this information to the department manager. In such situations, UHS may seek medical advice regarding any precautions or restrictions that should be followed to maintain a safe working environment. Failure to comply with these self-reporting requirements may result in corrective action.

**Reasonable Suspicion Testing**

Any employee who appears to be unfit for duty due to suspected influence of alcohol and other drugs may be required to submit to urinalysis, breathalyzer or blood tests.

A reasonable suspicion sufficient to conduct drug and/or alcohol testing will be based on a reasonable belief that an employee may be under the influence of, or is using or has used, drugs or alcohol in violation of UHS Drug-Free Workplace Policy. Reasonable suspicion is based on specific facts and reasonable inferences drawn from those facts in light of experience.
Reasonable Suspicion Testing of employees is outlined in the paragraphs that follow and includes:

- Observable behavior
- Pattern of deteriorating performance
- Information from a reliable source
- Missing controlled substances
- Post accident and incident testing

**Observable Behavior**

- Types of observable behavior include but are not limited to: smell of alcohol on an employee’s breath, erratic conduct or behavior, apparent possession or use of alcohol or drugs, symptoms of being under the influence of drugs or alcohol, excessive absenteeism, poor judgment.
- The behavior of the employee may be reported by other employees but should be documented by the suspected employee's supervisor or designee utilizing a Reasonable Suspicion Documentation Form.
- In situations in which it is believed that the suspected employee may endanger the safety of patients, employees or himself/herself, the supervisor will immediately remove the employee from the work situation before taking further action.
- The supervisor will immediately contact another supervisor to evaluate the observations. The Patient Services Administrative Supervisor is available for consultation during the evening and night shifts.
- When a reasonable suspicion is corroborated, an employee will be asked to submit to a drug or alcohol screen immediately and will be escorted to the testing site.
- Any suspected employee who refuses to submit to such testing may be immediately suspended and be subject to discharge. The Head of Human Resources or designee must be contacted for assistance prior to or immediately subsequent to such a suspension.
- In either situation, the supervisor will work with the employee to ensure that he/she does not operate a motor vehicle when leaving the premises, regardless of whether the employee agrees to be tested or not.

The supervisor will, as soon as possible in the process, begin detailed documentation of the employee's behaviors, the supervisor's actions, noting dates, times and persons involved.

**Pattern of Deteriorating Performance**

- The supervisor should follow procedures for documenting and addressing poor job performance.
- When the supervisor suspects that a pattern of poor performance may be alcohol- or drug-related, the supervisor shall consult with the Head of Human Resources or designee prior to requesting drug or alcohol testing.
- When testing is to be requested, the supervisor will proceed to inform the employee as outlined under the section, Observable Behavior.
Information from a Reliable Source

- Information from a source believed to be reliable or credible regarding possible violation of this policy may be investigated.
- The person contacted should relay the information directly to the accused employee's supervisor.
- When the supervisor obtains such information, the Head of Human Resources or designee should be contacted for consultation.
- The supervisor will consider the employee's current work performance and behavior.
- The supervisor may discuss the accusations with the employee.
- When believed to be warranted, the supervisor will proceed with a request for a drug or alcohol screen and subsequently follow the procedures as outlined in the section, Observable Behavior.

Missing Controlled Substances

- When controlled substances are missing, an investigation should be initiated by Department Manager.
- Employees believed to have had access to the missing substances may be requested to submit to a drug screen as outlined in the section, Observable Behavior.

Post-Accident/Incident Testing

- Alcohol and drug screening may be required following an accident or near accident. An accident is an occurrence where an employee(s) or a member of the general public is injured seriously enough to require medical attention beyond first aid or damage to property in excess of $500 results.
- Testing may also be requested when an employee engages in unsafe acts, which create a potentially hazardous situation for the employee, other employees or the public.
- Testing may be requested when there are medical incidents of an unexplained origin.
- Employees involved in accidents or incidents may be requested to submit to a drug screen as outlined in the section, Observable Behavior.

Procedures following the return of alcohol/drug test results

Alcohol and drug testing results will be returned to the Medical Review Officer (MRO) or designee. The MRO will advise the Head of Human Resources or designee. Human Resources will advise the supervisor of the results. The results will be retained in the medical file and maintained as confidential.

Negative Results

Upon being informed of a negative result, the supervisor will set up a conference with the employee as soon as possible. The supervisor may desire assistance from Human Resources in planning or conducting the conference. At the conference, the employee will be informed of the negative test results. The supervisor may discuss possible corrective action which may be required based on the circumstances which led to the reasonable suspicion test.
**Positive Results**

Upon being informed of a positive result, the supervisor will consult with the Head of Human Resources or designee for appropriate action. The supervisor will set up a conference with the employee as soon as possible. At the conference, the employee will be informed of the positive result and the consequences. Appropriate reports will be filed with regulatory boards. Employees who are retained and begin rehabilitation will be asked to sign a "Conditions of Continued Employment following a Positive Alcohol/Drug Screen" agreement indicating their willingness to accept the terms and conditions thereof. The provisions of this procedure do not act in any way to restrict UHS management in deciding whether to terminate an employee at any time in the corrective action process.

Effective January 2005