

ASHLEY COUNTY MEDICAL CENTER

SUBSTANCE ABUSE POLICY

PURPOSE:

Ashley County Medical Center is committed to providing a safe working environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any ACMC employee illegally uses drugs on or off the job, comes to work under their influence, possesses, distributes or sells drugs in the workplace, or abuses alcohol on the job. Therefore, ACMC has established the following policy, pursuant to Arkansas Workers' Compensation Rule 36.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive and drug free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the illegal use of drugs and abuse of alcohol are incompatible with employment at ACMC.

POLICY:

It is a violation of hospital policy for any employee to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job.

It is a violation of hospital policy for any employee to report to work under the influence of or while possessing in his or her body, blood or urine, illegal drugs in any detectable amount.

It is a violation of hospital policy for any employee to report to work under the influence of or impaired by alcohol.

It is a violation of the hospital policy for any employee to use prescription drugs illegally, i.e., to use prescription drugs that have not been legally obtained or in a manner or for a purpose other than as prescribed. However, nothing in this policy precludes the appropriate use of legally prescribed medications.

The consumption or possession of alcoholic beverages on ACMC's premises is prohibited. An employee whose normal faculties are impaired due to alcoholic beverages while on duty/hospital business shall be guilty of misconduct, and shall be disciplined up to and including termination.

All job applicants shall be tested before they are hired, although they may begin work pending the results of the drug test. If the drug test result is positive, the job offer will be withdrawn. If a job applicant refuses to submit to a test for drugs or alcohol, he/she will not be hired.

Random drug testing may be performed four times a year, with 10% of the workforce to be tested each time.

Drug testing shall be conducted following any observed behavior creating "reasonable suspicion." These behaviors include causing, contributing to, or being involved in a workplace accident; being observed using drugs at work; or work deterioration.

The following are suspicious behaviors which may indicate need for drug testing:

Disorientation	Extremely Nervous	Thick, Slurred Speech
Unusually Talkative	Glassy-Eyed	Profuse Sweating
Poor Motor Coordination	Uncoordinated Gait	Sleepiness and Drowsiness
Belligerence	Jerky Movement of Eyes	Staggering Gait
Blank Stare Appearance	Mood Changes	Dilated Pupils
Odor of Glue, Paint Solvent	Flushed Face, Head, or Neck	Poor Perception of Time, Distance
Redness Around Nasal Area	Use of Sunglasses at Inappropriate Times	Tremor of Fingers, Hands
Unable to Perform Usual Routine Tasks	Unusual Body Position	Odor of Burnt Rope
Muscle Rigidity	Inability to Remember	Hearing and/or Seeing Things

Post-accident testing will be performed after every on-the-job accident or injury.

If a current employee refuses to submit to a test for drugs or alcohol, the employee may be terminated and will not be eligible for worker's compensation and indemnity benefits.

As a condition of employment, employees must abide by the terms of this policy and must notify ACMC in writing of any conviction of a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

An employee who comes forward voluntarily to request assistance with drug treatment will not be terminated for requesting help, if he has not previously been identified as having suspicious behavior and required to submit to drug testing.

The hospital offers resource information on various means of employee assistance in our community, including but not limited to drug and alcohol abuse programs. A list of assistance programs will be maintained in the Human Resources office; the employee or the employee's insurance will be responsible for payment for his/her participation in the program.

GENERAL PROCEDURES:

Any employee reporting to work visibly impaired will be deemed unable to perform required duties and will not be allowed to work. If possible, the employee's supervisor will first seek another Department Manager's opinion to confirm the employee's status. Next, The Department Manager will consult privately with the employee to determine the cause of the observation, including whether substance abuse has occurred. If, in the opinion of the Department Manager, the employee is considered impaired, the employee will be required to submit to a drug or alcohol test as appropriate, and will be sent home. An impaired employee will not be allowed to drive.

Random fitness for duty drug testing may be performed at any time for all employees in safety sensitive positions, or at any time that narcotics are missing. These safety sensitive positions include:

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| Anesthesia | Laboratory |
| Ashley Health Services employees | All Nursing departments |
| Engineering and Security | Pharmacy |
| Generations | Physical Therapy |
| Home Health | Radiology |
| Housekeeping | Respiratory Therapy |
| Infection Control | Surgery |

Drug and alcohol testing shall be performed by Lab Corp, Southaven, MS.

Test results will be reported by the referral lab to the Medical Review Officer, who shall be responsible for the interpretation of all positive test results.

Opportunity to Contest or Explain Test Results: Employees and job applicants who have a positive confirmed drug or alcohol test result may explain or contest the result to the medical review officer within five (5) working days after receiving written notification of the test result from the medical review officer. If an employee's or job applicant's explanation or challenge is unsatisfactory to the medical review officer, the medical review officer shall report a positive test result back to ACMC. The employee will then be terminated. If terminated, an employee may contest the drug test result pursuant to rules adopted by the Arkansas Department of Labor.

Confidentiality: The confidentiality of any information received by the employer through a substance abuse testing program shall be maintained, except as otherwise provided by law.

Job Applicant Drug Testing: All job applicants (post-offer, pre-placement) at ACMC will undergo testing for substance abuse as a condition of employment. Any Applicant with a confirmed and verified positive test result will be denied employment.

Once an offer of employment has been made and accepted, applicants will be required to submit voluntarily to a urinalysis test in the ACMC Lab, and by signing a consent agreement will release ACMC from liability. If the physician, official, or lab personnel has reasonable suspicion to believe that the job applicant has tampered with the specimen, the applicant will not be considered for employment.

ACMC will not discriminate against applicants for employment because of a past history of drug or alcohol abuse. It is the current illegal use of drugs and/or abuse of alcohol, preventing employees from performing their jobs properly, that ACMC will not tolerate.

Employee Drug and Alcohol Testing: ACMC has adopted testing practices to identify employees who use illegal drugs on or off the job or who abuse alcohol on the job. It shall be condition of employment for all employees to submit to substance abuse testing under the following circumstances:

1. When there is reasonable suspicion to believe that an employee is illegally using drugs or abusing alcohol. "Reasonable suspicion" is based on a belief that an employee is using or has used drugs or alcohol in violation of the employer's policy from specific objective and articular facts and reasonable inferences drawn from those facts in light of experience. Testing for reasonable suspicion of an employee must be done within a reasonable time frame of the precipitating incident; for alcohol, it must be done within eight (8) hours of the incident; for drugs, it must be done within thirty-two (32) hours of the incident. Among other things, such facts and inferences may be based upon, but not limited to, the following:
 - Observable phenomena while at work such as direct observation of substance abuse or of the physical symptoms or manifestations of being impaired due to substance abuse;
 - Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
 - A report of substance abuse provided by a reliable and credible source;
 - Evidence that an individual has tampered with any substance abuse test during his or her employment with the current employer;
 - Information that an employee has caused or contributed to an accident while at work; or
 - Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery, or equipment.

Within 24 hours of the observed behavior requiring testing for reasonable suspicion, the manager observing the behavior must turn in a written report describing the behavior to the

Human Resources Director. A copy of this documentation may be given to the employee upon request.

2. When employees have an on-the-job injury that requires more than first aid treatment as defined in AWCC Rule 36, the employee shall be required to submit to a substance abuse test.
3. If an employee has been required by ACMC to go through a substance abuse rehabilitation program, the employee will be required to submit to annual drug testing for two years.

Refusal to Submit

Failure to submit to a required substance abuse test is considered misconduct and shall be subject to discipline up to and including termination.

Important Information for Job Applicants and Employees:

When an employee or job applicant submits to a drug and/or alcohol test, they will be given a form by the specimen collector for the employee to list any medications that he/she is taking or substances which he/she feels may alter or affect the outcome of a drug or alcohol test. This form will also have a space for the donor to provide any information that he/she considers relevant to the test.

The information form should be kept by the job applicant or employee for their personal use. If the job applicant or employee has a positive confirmed test result, a medical review officer will attempt to contact the individual in order to privately discuss the findings with that person. The job applicant or employee should keep the form as a "reminder" to discuss this information at that time.

The medical review officer will take this information into account when interpreting any positive confirmed test results. The information provided shall be treated as confidential and will not be given to the employer. Employees and job applicants have the right to consult with a medical review officer for technical information regarding prescription and nonprescription medicine.

It is the responsibility of every employee or job applicant to notify the testing laboratory of any administrative or civil action brought pursuant to Act 1552 of 1999 Section 5a. The provisions of this policy are subject to any applicable collective bargaining agreement or contract and include the right of appeal as described in AWCC Rule 35, Section XIV.

Substance abuse testing for job applicants and employees will include a urinalysis screen for the following drugs:

- **Alcohol:** (not required for job applicant testing)
Any "Alcoholic Beverage," all liquid medications containing ethyl alcohol (ethanol). Please read the label for content. For example; Vicks Nyquil TM is 25% (50 proof) ethyl alcohol, Comtrex TM is 20% (40 proof), Contac Sever Cold Formula Night Strength TM is 25% (50 proof) and Listerine TM is 26.9% (54 proof).
- **Amphetamines, Methamphetamines:** "speed," "uppers," etc.
- **Cannabinoids:** THC, marijuana, hashish, pot, grass "hash," etc.
- **Cocaine:** "coke," "crack," etc.
- **PCP:** "angel dust."
- **Opiates:** Narcotics, Heroin, Codeine, Morphine, smack, dope, etc.

EFFECTIVE DATE OF THE PROGRAM: JUNE 14, 2005