

Kids Central, Inc. System of Care Policy & Procedure

Series:	Human Resources	
Policy Name:	Drug-Free Workplace	
Policy Number:	1104	
Origination Date:	10/01/2003	Revision Date: 10/1/2010
Authority:	Drug-Free Workplace Program requirements as set forth in the Florida Workers' Compensation Act, Florida Statute 440.102(3), The Agency for Health Care Administration, Ch. 59A-24, Fla. Admin. Code.	

Policy

Kids Central, Inc. is committed to protecting the safety, health and well-being of employees, visitors, clients and all other individuals in our workplace. In addition, Kids Central, Inc. will provide services that are not compromised by the actions of persons using illegal drugs and/or under the influence of alcohol. To that end, Kids Central, Inc. is a drug free workplace.

Procedure

Kids Central established a drug-free workplace program that balances respect for individuals with the need to maintain an alcohol and drug-free environment. In addition, employees are encouraged to voluntarily seek help with drug and alcohol problems.

Covered workers: Any individual who conducts business for the organization, is applying for a position or is conducting business on the organization's property is covered by this policy. This includes, but is not limited to the CEO, executive management, managers, supervisors, full-time employees, part-time employees, off-site employees, contractors, interns and applicants.

Applicability: This policy is intended to apply whenever anyone is representing or conducting business for the organization. This policy applies during all working hours, whenever conducting business or representing the organization, while on call, paid standby and while on the organization's property.

Prohibited Behavior: It is a violation of this drug-free workplace policy to use, possess, sell, trade, and/or offer for sale alcohol, illegal drugs or intoxicants, and non-prescribed controlled substances while in Kids Central's workplace, while on company business, or while operating a company or leased vehicle.

Arrest or Conviction for Drug-Related Offenses: Any employee who is arrested, indicted or convicted of a drug or alcohol-related violation must report this information to his/her supervisor no later than five (5) days after such arrest, indictment or conviction. The

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supervisor shall immediately notify the Director of Human Resources. Any employee who is convicted of a drug-related charge will be terminated. Any employee, who is arrested or indicted for a work-related drug or alcohol charge, is subject to discipline, up to and including termination of employment, depending on the overall circumstances and/or outcome.

Consequences of violating policy: Employees who violate this policy will be terminated from employment. Employees who report for work or are on the job having consumed alcoholic beverages will also be terminated from employment.

Drug Testing: To ensure the accuracy and fairness of our testing program, all testing will be conducted according to Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines where applicable and will include a screening test; a confirmation test; the opportunity for a split sample; review by a Medical Review Officer (MRO), including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody.

Voluntary Admission of Drug/Alcohol Problem: Full-time and part-time employees who have completed their probation period who voluntarily come forward to admit a drug or alcohol problem before being asked to be tested will be given one opportunity to undergo rehabilitative treatment. Such an employee is responsible to successfully complete at his/her own expense such a Rehabilitative Treatment Program and must agree to comply with the requirements of a Relapse Prevention Program as well as follow-up drug testing prior to returning to work on a probationary basis. Refusal to submit to the Relapse Prevention Program or to follow all of the Rehabilitative Treatment Program's recommendations will result in immediate dismissal.

Local Drug and Alcohol Rehabilitation Facilities: Any applicants or employees who may be abusing alcohol and/or engaged in the illegal use of drugs are encouraged to obtain treatment. A list of local treatment programs is available through the Human Resources Department. This is provided only as a potential source of information and does not constitute an endorsement by Kids Central of any facilities or programs listed.

Applicant Drug Testing: All applicants who have been selected for employment will be offered employment contingent upon satisfactory results of a drug test. Positive confirmed test results or failure to submit to required drug testing shall result in the denial of employment.

Employee Drug Testing: Employees will be selected for testing under the following circumstances:

1. Accident/Injury: Employees will submit to a drug and/or alcohol test following a work-related accident and/or injury, or there exists information that the employee caused, contributed to, or was involved in an accident while at work.

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2. Reasonable Suspicion Testing: Employees will be tested for drugs and/or alcohol when there is a reasonable suspicion that an employee has violated this policy. Examples of behaviors may include:
 - a. Observable phenomena while at work, such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug;
 - b. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
 - c. A report of drug use, provided by a reliable and credible source;
 - d. Evidence that an individual has tampered with a drug test during his/her employment with Kids Central;
 - e. Information that an employee has caused, contributed to, or been involved in an accident/injury while at work; or
 - f. 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.
3. Follow-up Testing: All employees who have been determined to have engaged in the illegal use of drugs or the abuse of alcohol, or have entered a drug rehabilitation program or an employee assistance program for drug-related problems shall be subject to follow-up drug testing. Such follow-up testing shall be repeated at least once a year for a two-year period after the completion of the program. Advance notice of the follow-up testing date must NOT be given to the employee to be tested.
4. Random Testing: Kids Central, Inc. reserves its right to engage in random testing of current employees in order to ensure a drug-free workplace.
5. Additional Testing: Additional testing may also be conducted as required by state or federal law, or pursuant to KCI's policy or management discretion. An employee who refuses to submit to a drug or alcohol test will be terminated immediately.

Drugs Tested For: Kids Central, Inc. requires a 10-panel drug test. See Appendix A for a list of the substances covered by the 10-panel drug test.

Consequences of Refusing to Submit to a Drug and/or Alcohol Test:

1. An applicant, employee, contracted service worker or volunteer's refusal to submit to a test will be treated as a positive test result.
2. Failure to complete and sign testing form(s), to provide an adequate specimen, or otherwise to cooperate with the testing process in a way that prevents the completion of the test will be considered a refusal to test and will be deemed a positive test result.

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3. Any attempt to adulterate a specimen or provide a specimen that is adulterated will also be considered a refusal to test and will be deemed a positive test result. Any obstruction to, and lack of cooperation with, the testing process will be considered a refusal to test and deemed a positive test result.
4. Failure or refusal to be available for testing may be deemed a refusal to submit to testing. As stated in Fla. Stat. § 440.101(2), "it is a condition of employment for an employee to refrain from reporting to work or working with the presence of drugs or alcohol in his or her body and, if an injured employee refuses to submit to a test for drugs or alcohol, the employee forfeits eligibility for medical and indemnity [workers compensation] benefits."

Prescription Drugs: The proper use of legal drugs prescribed by a licensed physician for specific treatment purposes will not result in disciplinary action. However, such prescriptions can have a direct impact on vigilance, judgment and coordination. Therefore, an employee who must use prescribed drugs during work, and whose health care provider or pharmacist advises that performance or behavior could be negatively affected by such use, shall report this fact to his/her supervisor and provide appropriate medical documentation that shall be maintained confidentially.

Confidentiality: All aspects of the substance testing process will be kept confidential to the extent allowed by law. In general, all information, reports, statements, memoranda, and drug test results, written or otherwise, received by the District through a drug testing program are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings, except in accordance with FLA. STAT. § 440.102 and Fla. Admin. Code r. 59A-24.008.

Communication and Notice of Policy: This policy will be given to all individuals covered by its requirements and serves as notice of its requirements. Additional information concerning this policy or answers to your questions may be obtained from the Human Resources Department. Neither this notice nor any other documents associated with Kids Central Drug-Free Workplace Program are to be construed as a contract or guarantee of initial or continued employment. Kids Central, Inc. reserves the right to modify and update this policy without advance notice in order to serve the best interests of KCI and its employees.

Drug Testing Procedure

1. Applicants, volunteers, and contracted service workers must successfully pass a drug test before they are allowed to work at Kids Central, Inc. Human Resources will coordinate the drug testing process for these individuals.
2. Employees: If a supervisor feels an employee meets the criteria described in this policy for drug and/or alcohol testing, he/she should immediately contact Human Resources who will coordinate the drug testing process. The supervisor is required to accompany the employee to the drug test site if it is determined a drug test is necessary.

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3. Medical Review Officer (MRO): The MRO works for the lab contracted with Kids Central, Inc. to conduct drug testing and determines the final drug test result.
4. Reporting Medications to the MRO: Employees, job applicants, and volunteers may confidentially report to the medical review officer (MRO) their use of prescription or nonprescription medications both before and after being tested in order to make the MRO aware of conditions that could alter or affect the test. Moreover, employees/applicants/volunteers/contracted service workers have the right to consult with an MRO for technical information regarding prescription or nonprescription medication.
5. Effect of Common Medications: Because an initial positive test result does not automatically identify an employee/applicant/volunteer as having used drugs, providing the MRO with detailed knowledge of possible alternative explanations is important to the review of results and is the responsibility of the employee/applicant/volunteer. The most common drugs and medications which may alter or affect a drug test are listed in Appendix A.
6. Confirmation Test: A confirmation test (a second analytical procedure to confirm the presence of a specified drug or metabolite in a specimen through a different technique than the screen) is used to confirm an initial positive test.
7. The MRO, within five (5) days of receiving positive test results, will initiate contact with the tested individual of the drug test results to give the individual an opportunity to explain the result. If the tested individual does not return the MRO's contact within five (5) working days, the MRO will record the results as positive. If the tested individual contacts the MRO with an explanation within five (5) days, the MRO will evaluate the tested individual's explanation and make a decision about the final test result. The MRO will report the final test result to Kids Central's Human Resources Department.
8. The Human Resources Department will inform the tested individual of the drug test results as well as any consequences described above.
9. An individual who receives a positive confirmed drug test result may contest or explain the result to the Human Resources Department within five (5) working days after receiving notification of the positive test result. The Human Resources Department will review the information with the MRO to make a determination. If an the explanation provided is unsatisfactory, Human Resources will explain to the individual in writing, why the employee's explanation is unsatisfactory and give the individual a report of positive results.

Approved By:

Cynthia A. Schuler, Chief Executive Officer

Date

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Kids Central will test for the following drugs:

Chemical Name	Brand names	Cut-off levels ¹ Initial Confirmation
ALCOHOL	wine, liquor, beer, medications containing ethyl alcohol (ethanol)	0.04 g/dL (initial) 0.04 g/dL (confirmation)
AMPHETAMINES	Obetrol, Biphedamine, Desoxyn, Dexedrine, Didrex, Ionamine, Fastin	1000 ng/ml (initial) 500ng/ml (confirmation)
CANNABINOIDS	Marijuana	50 ng/ml (initial) 15 ng/ml (confirmation)
COCAINE	Not legal by prescription. Coke, crack	300 ng/ml (initial) 150 ng/ml (confirmation)
PHENCYCLIDINE	Not Legal by prescription. PCP, angel dust.	25 ng/ml (initial) 25 ng/ml (confirmation)
METHAQUALONE	Not legal by prescription	300 ng/ml (initial) 150 ng/ml (confirmation)
OPIATES	opium, codeine, morphine, heroin, demoral	2000 ng/ml (initial) 2000ng/mlconfirmation)
BARBITURATES	Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal	300 ng/ml (initial) 150 ng/ml (confirmation)
BENZODIAZEPINES	Ativan, Azene, Clonopin, Dalmane, Diazepam, Halcion, Librium, Xanax, Poxipam, Restoril, Serax, Traxene, Valium, Vertron	300 ng/ml (initial) 150 ng/ml (confirmation)
METHADONE	Dolophine, Methadose	300 ng/ml (initial) 150 ng/ml (confirmation)
PROPOXYPHENE	Darvocet, Darvon, Dolene	300 ng/ml (initial) 150 ng/ml (confirmation)

Testing for the presence of alcohol will be conducted by analysis of blood. Testing for the presence of the metabolites of drugs will be conducted by the analysis of urine.

¹These cut-off values are provided as information only and may change from time-to-time as determined by the Agency for Health Care Administration. KCI has no duty to notify employees of any changes to the cut-off values or to modify this policy to reflect any revisions to the cut-off values.