

**LAKE EMS  
Policy and Procedures Manual**

**POLICY NO:** 2-4  
**PAGE:** 1 of 2

**EFFECTIVE DATE:** 10/25/2011  
**SUPERSEDES:** 10/01/2011

**SUBJECT:** Drug-Free Workplace

**Objective:**

Lake Emergency Medical Services (Lake EMS) is committed to maintaining a workplace that is free from the presence and effects of drugs and/or alcohol, providing the highest level of service to its citizens, and minimizing the risk of accidents and injuries. In order to maintain the highest standards of patient care, morale, productivity and safety, Lake Emergency Medical Services has adopted a drug and alcohol free workplace policy. This policy applies to all Lake EMS employees.

**Directives:**

- I. Lake EMS prohibits employees from using, selling, dispensing, distributing, possessing, or manufacturing illegal drugs and/or alcoholic beverages while on Lake EMS premises, work sites, or in a Lake EMS vehicle. In addition, employees are prohibited from off-premise use of alcohol and possession, use, and/or sale of illegal/prescription drugs, when such activities adversely affect job performance, job safety, or interferes with the Lake EMS's ability to carry out its mission.
- II. Employees must notify their supervisor if they have been prescribed a drug for a medical or other condition which could impair their ability to perform their job. If it is determined that the employee is unable to perform his/her job due to impairment caused by the medication, the employee should apply for appropriate leave and discuss the situation with his/her supervisor.
- III. Pursuant to Drug Free Workplace regulations, Lake EMS drug and/or alcohol tests for the following reasons:
  - A. Post-offer
  - B. Reasonable Suspicion,
  - C. Post-Accident / Injury,
  - D. Random Testing for Employees in Safety-Sensitive Positions
  - E. Fitness for Duty
  - F. Return to Duty / Follow up Testing
- IV. Employees and/or supervisors shall report immediately (during that working shift) to their Department Manager and/or Human Resources any action by any employee who demonstrates an unusual behavior pattern. An employee believed to be under the influence of drugs and/or alcohol will be required to submit to a drug and/or alcohol test.
- V. Lake EMS supervisory and management employees have the right to enter or search Lake EMS property with or without notice, including desks, lockers, computers, phones and e-mail. Generally, there shall be no expectation of privacy while on any Lake EMS property or of any property brought onto Lake EMS premises.
- VI. Continuation of Employment:
  - A. Each employee will receive a copy of the Drug-Free Workplace Policy and must abide by the Policy and Procedure(s).

**LAKE EMS  
Policy and Procedures Manual**

**POLICY NO:** 2-4  
**PAGE:** 2 of 2

**EFFECTIVE DATE:** 10/25/2011  
**SUPERSEDES:** 10/01/2011

**SUBJECT:** Drug-Free Workplace

- B. The rules contained within are to be considered conditions of continuing employment and are to be consistently followed.
- C. An employee will be subject to Corrective Action, up to and including termination, for violation of this policy.

**LAKE EMS  
Policy and Procedures Manual**

**PROCEDURE NO:** 2-4-a  
**PAGE:** 1 of 13

**EFFECTIVE DATE:** 05/01/2012  
**SUPERSEDES:** N/A

**SUBJECT:** Drug-Free Workplace  
Drug-Free Workplace Program

**Purpose:**

The purpose of this document is to provide a written description of the Lake Emergency Medical Services (Lake EMS) Drug Free Workplace Procedure. It is not the intent of Lake EMS to intrude into the private lives of its employees; however, the effect of drug and alcohol use, abuse, and/or dependency on safety, work quality, increased medical expenses, and lost productivity requires that this policy and procedure be implemented.

**Applicability:**

This procedure is applicable to all Lake EMS post-offer applicants and employees.

**Procedures:**

I. References

- A. Chapter 440.101, 440.102 Florida Statutes: Drug-Free Workplace Program Requirements
- B. 59A-24, Florida Administrative Code

II. Definitions

- A. Drug- alcohol, including distilled spirits, wine, malt beverages, and intoxicating liquors; amphetamines; cannabinoids; cocaine; phencyclidine (PCP); hallucinogens; methaqualone; opiates; barbiturates; benzodiazepines; synthetic narcotics; designer drugs; or a metabolite of any of the controlled substances.
- B. Controlled Substances- any substance, including its metabolites, as defined in Section 893.02(3), Florida Statutes or as defined by federal law.
- C. Specimen- tissue, hair, or a product of the human body capable of revealing the presence of drugs or their metabolites, as approved by the United States Food and Drug Administration (FDA) or the Agency for Health Care Administration (AHCA).
- D. Drug Test- any chemical, biological, or physical instrumental analysis administered by a laboratory certified by the United States Department of Health and Human Services (HHS) or licensed by AHCA, for the purpose of determining the presence or absence of a drug or its metabolites. An employer may test an individual for any or all of such drugs.
- E. Chain of Custody- the methodology of tracking specified materials or substances for the purpose of maintaining control and accountability from initial collection to final disposition for all such materials or substances and providing for accountability at each stage in handling, testing, and storing specimens and reporting test results.
- F. Licensed/Certified Laboratory- when drug and/or alcohol testing is conducted in a laboratory the Company will utilize the services of labs licensed by the State of Florida Agency for Health Care Administration or certified by the Substance Abuse and Mental Health Services Administration (SAMHSA), a division of HHS.

**LAKE EMS  
Policy and Procedures Manual**

**PROCEDURE NO:** 2-4-a  
**PAGE:** 2 of 13

**EFFECTIVE DATE:** 05/01/2012  
**SUPERSEDES:** N/A

**SUBJECT:** Drug-Free Workplace  
Drug-Free Workplace Program

- G. Medical Review Officer (MRO)- a licensed physician, employed with or contracted with an employer, who has knowledge of substance abuse disorders, laboratory testing procedures, and chain of custody collection procedures. MROs also verify positive, confirmed test results, who have the necessary medical training to interpret and evaluate an employee's positive test result in relation to the employee's medical history or any other relevant biomedical information.
  - H. Initial Drug Test- a sensitive, rapid, and reliable procedure used to identify negative and positive specimens, usually using a chemical procedure or a more accurate scientifically accepted method approved by the FDA or AHCA.
  - I. Confirmation Test- a second analytical procedure used to identify the presence of a specific drug or metabolite in a specimen. This test must be different in scientific principle from that of the initial test procedure and must be capable of providing valid test results. This test is required before a MRO contacts the individual about test results.
  - J. Reasonable Suspicion- drug testing based on a belief that an employee is using or has used drugs in violation of the employer's policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Reasonable suspicion drug testing shall not be required except upon the recommendation of a supervisor who is at least one level of supervision higher than the immediate supervisor of the employee in question.
  - K. Safety-Sensitive Position- any position, including a supervisory or management position, in which a drug impairment would constitute an immediate and direct threat to public health or safety.
  - L. Employee Assistance Program (EAP)- an established program capable of providing expert assessment of employee personal concerns; confidential and timely identification services with regard to employee drug abuse; referrals of employees for appropriate diagnosis, treatment, and assistance; and follow-up services for employees who participate in the program or require monitoring after returning to work. In addition to the above activities, an Employee Assistance Program provides diagnostic and treatment services.
- III. General
- A. All Lake EMS employees are prohibited from using, selling, dispensing, distributing, possessing or manufacturing illegal drugs and narcotics or alcoholic beverages on Lake EMS premises, work sites or in Lake EMS vehicles. In addition, an employee is prohibited from off the job use of alcohol and possession, use or sale of illegal drugs when such activities adversely affect job performance or job safety or interfere with Lake EMS' ability to carry out its mission. Such violations include, but are not limited to, possessing illegal and non-prescribed drugs and narcotics or alcoholic beverages at work; being under the influence of such substances while working; using them while working; dispensing, distributing or illegally manufacturing or selling them on Lake EMS premises or work sites or in Lake EMS vehicles. Use of prescribed medication inconsistent with or in violation of the terms of this procedure is also prohibited.

**LAKE EMS  
Policy and Procedures Manual**

**PROCEDURE NO:** 2-4-a  
**PAGE:** 3 of 13

**EFFECTIVE DATE:** 05/01/2012  
**SUPERSEDES:** N/A

**SUBJECT:** Drug-Free Workplace  
Drug-Free Workplace Program

- B. All employees are prohibited from being at work with the presence of any drug or its metabolite, or with the presence of alcohol in the employee's body. Any employee who has a confirmed positive test of a drug or its metabolite, or under the influence of alcohol will be presumed to be under the influence of a drug and in violation of Lake EMS Policy.
  - C. Lake EMS conducts the following types of drug tests: post-offer, reasonable suspicion, post-accident / injury, fitness for duty, and follow-up.
  - D. An employee may be required to take a drug test at any time to determine the presence of drugs in accordance with the reasonable suspicion alcohol and/or drug testing provisions of this procedure.
  - E. An employee will be subject to Corrective Action, up to and including termination, for violation of the Drug-Free Workplace Policy and this Procedure, a positive drug and/or alcohol test, and/or refusal to submit to a drug and/ or alcohol test.
  - F. An employee who is required to submit to a drug and/or alcohol test, who then states they have a problem with drugs and/or alcohol abuse is not exempt from Corrective Action, up to and including termination.
  - G. An injured employee who refuses to submit to a test for drugs and/or alcohol, or who receives a confirmed positive result may forfeit eligibility for medical and indemnity benefits.
- IV. Searches
- A. Management retains the right to search the workplace for the presence of drugs and/or alcohol.
  - B. Employees have no expectation of privacy in work locations, property, or equipment.
- V. Management's Responsibilities
- A. Lake EMS Managers and Supervisors are responsible for implementing the Drug-Free Workplace Policy/Procedure(s). It is their responsibility to observe the behavior of employees on the job as a precaution against unstable or unreliable behavior that could threaten the safety and well-being of employees or the public.
  - B. Management is responsible for maintaining a safe work environment by determining each employee's fitness for duty.
  - C. An employee's supervisor should report immediately (during that working shift) to their Department Manager and Human Resources any action by any employee who demonstrates an unusual behavior pattern or who has otherwise violated this policy. An employee believed to be under the influence of drugs and/or alcohol will be required to submit to a drug and/or alcohol test. The supervisor will arrange safe transit to the approved testing site.
  - D. In all cases when an employee is being removed from duty for drug testing, the supervisor must notify his superior.

**LAKE EMS  
Policy and Procedures Manual**

**PROCEDURE NO:** 2-4-a  
**PAGE:** 4 of 13

**EFFECTIVE DATE:** 05/01/2012  
**SUPERSEDES:** N/A

**SUBJECT:** Drug-Free Workplace  
Drug-Free Workplace Program

VI. Employee's Responsibilities

- A. It is each employee's responsibility to be fit for duty when reporting for work and to inform his/her supervisor if he or she is under the influence of prescription medication which may affect job performance or safety.
- B. In the event that an employee observes behavior that raises a doubt as to the ability of a co-worker to work in a safe and reliable manner, the employee should report this behavior to his/her supervisor.
- C. Employees who voluntarily or, as a condition of continued employment, enter a drug or alcohol treatment and/or rehabilitation program must participate and complete recommended treatment. Any employee who enters a drug or alcohol treatment and/or rehabilitation program will be responsible for payment for the treatment and/or program to the extent not covered by medical insurance provided by Lake EMS. If the employee fails to comply with the treatment and/or program, the employee will be subject to discipline, up to and including termination of employment.

VII. Employee Education: Employees and supervisors will be required to participate in a drug-free awareness program on a periodic basis. The program will inform employees about the following:

- A. The legal, social, physical, and emotional consequences of the use, misuse, and/or abuse of drugs or alcohol;
- B. Lake EMS' commitment to maintain a drug-free workplace;
- C. Available drug counseling, rehabilitation, and employee assistance programs;
- D. Assistance in identifying personal and emotional problems which may result in the misuse of alcohol or drugs; and
- E. The penalties that may be imposed by Lake EMS on employees for drug abuse violations occurring in the workplace.

VIII. Requirement to Report Medication Use

- A. Lake EMS does not prohibit the use of a prescribed medication that has a currently accepted medical use, provided all of the following exist:
  - 1. The drug is prescribed or authorized for an employee by a licensed practitioner.
  - 2. The use of the drug at the prescribed or authorized level is consistent with safe performance of the employee's duties.
  - 3. The drug is used at the dosage prescribed or authorized.
- B. Employees are encouraged (required for safety-sensitive positions) to notify their immediate supervisor when reporting for work or during the course of a work shift if their use of any prescription or non-prescription medication may adversely affect their ability to satisfactorily and safely perform their normal job duties (e.g., including but not limited to drowsiness).

**LAKE EMS  
Policy and Procedures Manual**

**PROCEDURE NO:** 2-4-a  
**PAGE:** 5 of 13

**EFFECTIVE DATE:** 05/01/2012  
**SUPERSEDES:** N/A

**SUBJECT:** Drug-Free Workplace  
Drug-Free Workplace Program

- C. When information is obtained that an employee is using a medication that may adversely affect their ability to work, a determination will be made as to whether the employee will be able to perform the essential functions of the job safely and properly. When management deems it necessary, an employee may be required to undergo a fitness for duty physical examination as described in Policy 2-18: Standards of Conduct.
  - D. Failure to report medication usage while on-duty may result in Corrective Action up to and including termination.
- IX. Employee Drug or Alcohol-Related Criminal Charges or Arrests
- A. Employees are required to notify their Department Manager and/or Human Resources of any criminal drug statute-related criminal charge or arrest within 24 hours and no later than prior to the start of the next scheduled work shift after such charges have been filed. Failure to report this information may result in Corrective Action up to and including termination.
  - B. Employees in positions which require driving a Lake EMS vehicle must notify Human Resources of any drug or alcohol-related arrest (e.g., including but not limited to Driving While Under the Influence) prior to the start of their next scheduled work shift.
  - C. Lake EMS will take appropriate action with respect to an employee who is so charged. Such action may include transfer to a non-safety sensitive position in alcohol-related cases or Corrective Action in cases related to illegal drugs.
  - D. Employees are required to notify Human Resources of the outcome of all criminal charges within 24 hours and no later than prior to the start of the next scheduled work shift after any change in status of such charges. This includes notification of a conviction, a plea of guilty, an adjudication of guilty, a plea of nolo contendere, adjudication withheld, an acquittal, or a dismissal of the charges.
  - E. Lake EMS will take appropriate disciplinary action following the outcome or any change in the status of such criminal drug statutes or alcohol-related charges.
- X. Types of Testing Pursuant to the Drug-Free Workplace Policy, Lake EMS will test for the presence of drugs and/or alcohol in the following circumstances:
- A. Post-offer:
    - 1. All job applicants must submit to a post-offer drug test and successfully pass prior to starting employment with Lake EMS. Confidentiality will be maintained pursuant to this procedure.
    - 2. For purposes of this section, the term "applicant" may include Lake EMS employees who have been promoted, reassigned or transferred to a safety-sensitive position.
    - 3. Lake EMS will not discriminate against an applicant for employment because of the applicant's past addiction to drugs or alcohol. It is the current use/abuse of drugs or alcohol that will not be tolerated.

**LAKE EMS  
Policy and Procedures Manual**

**PROCEDURE NO:** 2-4-a  
**PAGE:** 6 of 13

**EFFECTIVE DATE:** 05/01/2012  
**SUPERSEDES:** N/A

**SUBJECT:** Drug-Free Workplace  
Drug-Free Workplace Program

4. If the applicant fails to pass the post-offer drug and/or alcohol screening, he or she will be disqualified from consideration for employment and will remain ineligible for employment with the Lake EMS for six (6) months from the date of the initial test results.

**B. Reasonable Suspicion:**

1. Employees who are determined to be under reasonable suspicion of drug or alcohol use will be required to submit to a drug and/or alcohol test. Among other things, reasonable suspicion may be based upon:
  - 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 or her employment with the current employer.
  - e. Information that an employee has caused, contributed to, or been involved in an accident while at work.
  - 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.
  - g. An arrest for drug or alcohol abuse off the job.
2. For a reasonable suspicion drug and/or alcohol testing, the supervisor must complete the following steps:
  - a. Complete a Reasonable Suspicion Observation Form, detailing specific observations as described above. The form requires the name and signature of two supervisors observing the questionable behavior.
  - b. Report the incident to the Department Manager and Human Resources.
  - c. Upon approval from the Department Manager and/or Human Resources, remove the employee from the worksite immediately. The supervisor, or designee, must drive the employee to the designated specimen collection site for the drug and/or alcohol test.
  - d. The supervisor will forward the completed Reasonable Suspicion Drug Test Form to Human Resources.
  - e. Place the employee on administration leave with pay, until the confirmed test results are obtained.
3. A copy of documentation supporting a "Reasonable Suspicion" will be provided to the employee upon request, and will be retained by Human Resources for at least one (1) year.

**C. Post-Accident / Injury:**

1. All employees who have caused, contributed to, or been involved in an accident or injury while at work may be required to take a drug and/or alcohol test after administration of emergency medical treatment.



**LAKE EMS  
Policy and Procedures Manual**

**PROCEDURE NO:** 2-4-a  
**PAGE:** 7 of 13

**EFFECTIVE DATE:** 05/01/2012  
**SUPERSEDES:** N/A

**SUBJECT:** Drug-Free Workplace  
Drug-Free Workplace Program

2. Employees who may have caused, contributed to, or been involved in a vehicle accident or injury while at work will be required to take a drug and/or alcohol test after administration of emergency medical treatment. If it cannot be determined who was operating a Lake EMS vehicle at the time of a vehicular accident, then anyone who was in the vehicle at the time of the accident will be required to submit to testing.
  3. If there is reasonable suspicion that the influence of alcohol and/or drug may have been a contributing factor to the accident or injury, the supervisor or designee must drive the employee to the authorized testing facility immediately following the local authorities' scene investigation. The employee will not be allowed to return to duty pending test results.
  4. If an employee receives emergency medical treatment at a hospital following an accident or injury, the following time frames apply for drug and alcohol tests:
    - a. Drug Test: warranted as stated above.
      - i. A post-accident/injury drug test needs to be administered as soon as practicable, but within thirty-two (32) hours following the incident.
      - ii. If the drug test is not administered within the thirty-two (32) hours following the incident, the supervisor will include information why the testing was unsuccessful within the thirty-two (32) hour period on the Supervisor Investigation Report.
    - b. Alcohol: warranted based upon reasonable suspicion.
      - iii. A post-accident/injury alcohol test needs to be administered as soon as practicable, but within eight (8) hours following the incident.
      - iv. If the alcohol test is not administered within the first two (2) hours, the supervisor will document on the Supervisor Investigation Report the reasons for the delay.
      - v. At four (4) hours, if the alcohol test is still not completed, the supervisor must again document (update) the reasons for the delay.
      - vi. If the alcohol test is not completed within the maximum eight (8) hours, the supervisor must include information why the testing was unsuccessful.
- D. Random Testing for Employees in Safety-Sensitive Positions:
1. Safety-sensitive employees are subject to random testing which will be conducted via an unbiased selection procedure on a monthly basis.
  2. Each eligible employee will have an equal chance of being tested each time selections are made.
  3. Under the random testing schedule, ~25% of eligible employees will drug tested annually.
  4. Employees will not be given advance notice with regard to the random drug test.
  5. Human Resources will provide a Random Drug Testing Notice Form containing the name of the employee to be tested to either the supervisor or to the employee directly.

**LAKE EMS  
Policy and Procedures Manual**

**PROCEDURE NO:** 2-4-a  
**PAGE:** 8 of 13

**EFFECTIVE DATE:** 05/01/2012  
**SUPERSEDES:** N/A

**SUBJECT:** Drug-Free Workplace  
Drug-Free Workplace Program

6. After being notified and presented a copy of the Random Drug Testing Notice Form, the employee will proceed promptly to the designated specimen collection site for testing.
  7. An employee who does not complete the drug test within twenty-four (24) hours from notification will be subject to discipline, up to and including dismissal.
- E. Fitness for Duty:
1. Employees who are required to complete a fitness for duty examination will be subject to a drug test.
  2. Prior to returning for duty, confirmation must be received that the employee has successfully passed the drug test.
- F. Return to Duty / Follow up Testing:
1. All employees who have been given an opportunity to receive rehabilitation and complete a treatment program as a result of violating this policy/procedure will be required to successfully pass a re-test for drug and/or alcohol before returning to their job duties.
  2. Follow-up testing will be randomly conducted once every six (6) months for a two (2) year period after completion of the program. Advance notice of a follow-up testing date will not be provided to the employee.
- XI. Consequences of Refusing a Drug Test
- A. An employee who refuses to submit to a drug test will be subject to discipline, up to and including dismissal.
  - B. Any job applicant who refuses to submit to drug testing as part of the pre-employment testing process will be refused employment at that time.
  - C. In the event that an employee who has been given notification of the requirement to submit to a drug test admits to the illegal or improper use of drugs and alcohol, such admission will be deemed a positive confirmed test.
- XII. Testing Information
- A. Notice of Common Medications: Below is a list of the drugs for which Lake EMS will test described by common or brand name that may alter or affect a drug test. Due to the large number of obscure brand names and constant marketing of new products, this list cannot and is not intended to be all-inclusive: (Drugs - Trade or Common Names)
    1. Alcohol, all liquid medications containing ethyl alcohol (ethanol). Please read the label for alcohol content. As an example, Vick's Nyquil is 25% (50 proof) ethyl alcohol, Comtrex is 20% (40 proof), Contact Severe Cold Formula Night Strength is 25% (50 proof) and Listerine is 26.9% (54 proof).
    2. Amphetamines: Obetrol, Biphedamine, Desoxyn, Dexedrine, Didrex.
    3. Cannabinoids: Marinol (Dronabinol, THC), Marijuana, Hash Pot
    4. Cocaine: Cocaine HC1 topical solution (Roxanne), Crack, Coke
    5. Phencyclidine: Not legal by prescription; PCP, Angel Dust
    6. Methaqualone: Not legal by prescription

**LAKE EMS  
Policy and Procedures Manual**

**PROCEDURE NO:** 2-4-a  
**PAGE:** 9 of 13

**EFFECTIVE DATE:** 05/01/2012  
**SUPERSEDES:** N/A

**SUBJECT:** Drug-Free Workplace  
Drug-Free Workplace Program

7. Opiates: Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid (Hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Opium, Heroin, etc
  8. Barbiturates: Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esquic, Butisol, Mebaral, Butabarbital, Butabital, Phrenilin, Triad, etc.
  9. Benzodiazepines: Ativan, Azene, Clonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, Centrax.
  10. Methadone: Dolophine, Metadose
  11. Propoxyphene: Darvocet, Darvon N, Dolene, etc.
- B. Reporting use of Medication: Employees and job applicants may confidentially report the use of prescription or non-prescription medication to the MRO through Human Resources both before and after having a drug test.
- C. Medication Information: An employee or job applicant may consult with the Employer's MRO or the testing laboratory for technical information regarding prescription and non-prescription medication.
- D. Drug testing may be required for any or all of the following drugs:
1. Alcohol, including distilled spirits, wine, beer, and intoxicating liquors
  2. Amphetamines, including methamphetamines
  3. Cannabinoids
  4. Cocaine
  5. Phencyclidine (PCP)
  6. Methaqualone
  7. Opiates
  8. Barbiturates
  9. Benzodiazepines
  10. Synthetic Narcotics (Methadone and Propoxyphene)
- E. Testing for the presence of drugs and/or alcohol will be performed by an AHCA approved laboratory after obtaining urine specimens for drug tests and blood samples for alcohol tests. All positive specimens from the initial screening are then tested a second time using a different technique and chemical principal from the initial test to insure reliability and accuracy. All test results are reported to the MRO for verification prior to being transmitted to the employee and/or Lake EMS Human Resources.
- XIII. Test Results
- A. Negative result: The result reported by a certified laboratory to an MRO when a specimen contains no and/or alcohol or the concentration of the drug and/or alcohol is less than the cutoff concentration for the drug, drug class and/or alcohol and the specimen is a valid specimen.

**LAKE EMS  
Policy and Procedures Manual**

**PROCEDURE NO:** 2-4-a  
**PAGE:** 10 of 13

**EFFECTIVE DATE:** 05/01/2012  
**SUPERSEDES:** N/A

**SUBJECT:** Drug-Free Workplace  
Drug-Free Workplace Program

- B. Dilute Negative: Specimens reported as negative with creatinine 5-20 mg/mL and specific gravity >1.0010 and <1.0030 are considered negative dilute. Applicants whose results indicate a dilute negative will be considered not to have passed. For current employees, Lake EMS requires re-collection of the specimen as soon as practical and with little prior notice to the employee. Upon re-test, an employee who provides a second dilute sample will be deemed to have refused to submit to the test and subject to corrective, up to and including dismissal.
- C. Super-Dilute Negative: Specimens reported as negative with creatinine between 2 and 5 mg/dL and specific gravity >1.0010 and <1.0030 are considered super-dilute. A current employee who provides a super-dilute sample will be deemed to have refused to submit to the test and subject to Corrective Action, up to and including dismissal; an applicant is ineligible for hire.
- D. Substituted: Specimens with creatinine <2 mg/dL and specific gravity  $\leq 1.0010$  or  $\geq 1.0200$  are considered substituted and not physiologically possible as human urine. A current employee whose results indicate a substituted sample will be deemed to have refused to submit to the test and subject to Corrective Action, up to and including dismissal; an applicant is ineligible for hire.
- E. Adulterated: a specimen that has been altered, as evidence by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance. A current employee whose results indicate adulterated will be subject to Corrective Action, up to and including dismissal; an applicant is ineligible for hire.
- F. Positive:
  - 1. Positive result: The result reported by a certified laboratory when a specimen contains a drug, drug metabolite and/or alcohol equal or greater to the cutoff concentrations.
  - 2. If the drug test of a Lake EMS applicant or employee is confirmed as positive, the MRO will provide technical assistance to the individual for the purpose of interpreting the test result to determine whether the result could have been influenced by prescription or nonprescription medication taken by the individual.
  - 3. An employee who tests positive on a confirmation test will be immediately suspended without pay, and subject to Corrective Action, up to and including dismissal; an applicant is ineligible for hire.
- G. Contesting Results:
  - 1. The employee or applicant who receives a super-diluted, substituted, adulterated, or positive confirmed test result may contest or explain the result to the MRO within five (5) working days after receiving written notification of the test result.
  - 2. If an employee's or job applicant's explanation or challenge is unsatisfactory to the MRO, the MRO will report back to the employer. The drug test result may be contested pursuant to law or to rules adopted by the AHCA.
  - 3. Challenge of Drug Test Results Under Florida Law: An employee or applicant who receives a super-diluted, substituted, adulterated, or positive confirmed test result may challenge the result by requesting retesting at the individual's expense in accordance with Florida Statute 112.0455.

**LAKE EMS  
Policy and Procedures Manual**

**PROCEDURE NO:** 2-4-a  
**PAGE:** 11 of 13

**EFFECTIVE DATE:** 05/01/2012  
**SUPERSEDES:** N/A

**SUBJECT:** Drug-Free Workplace  
Drug-Free Workplace Program

4. The employee or applicant is responsible to notify the laboratory of any administrative or civil actions brought pursuant to this policy/procedure.

**XIV. Last Chance Agreement**

- A. For diluted, super-diluted, substituted, adulterated, or positive test results, the Executive Director, at his or her discretion, may allow the employee an opportunity for rehabilitation through a last-chance agreement. Any such last-chance agreement will include a provision for random drug testing for two (2) years from the date of the agreement, and successful completion of any treatment program recommended by a healthcare professional. The employee will be responsible, through his insurance or otherwise, for the cost of the random testing and treatment program.
- B. Under no circumstances will an employee be allowed to return to work prior to receiving a negative test result.
- C. Refusal of a last-chance agreement: If an employee is offered an opportunity to enter into a last-chance agreement and refuses to do so, the employee will be immediately terminated.
- D. Treatment Program Requirements
  1. Employees who have been provided with an opportunity to enter into a treatment and/or rehabilitation program as part of a last-chance agreement must meet all requirements of that program including any required aftercare.
  2. Failure to follow or complete the treatment and/or rehabilitation program will result in immediate termination of employment.

**XV. Employee Education and Referral Program**

- A. Employee Education Information: The following crisis information centers will provide information regarding employee assistance programs (EAP) and local alcohol and drug rehabilitation programs available to employees:
  1. Lake EMS Employee Assistance Program: MHNet
    - a. Main: 800-272-3626
    - b. TTY: 800-338-2039
  2. Other Resources:
    - a. Lifestream Behavioral Center: 352-315-7500
    - b. Neuropsychology & Counseling: 352-253-9348
  3. Support Groups:
    - a. Alcoholics Anonymous: 352-360-0960 (1003 North Blvd E Leesburg, FL)
    - b. Narcotics Anonymous: 352-754-7200 (Brooksville), 407-425-5157 (Orlando)

**LAKE EMS  
Policy and Procedures Manual**

**PROCEDURE NO:** 2-4-a  
**PAGE:** 12 of 13

**EFFECTIVE DATE:** 05/01/2012  
**SUPERSEDES:** N/A

**SUBJECT:** Drug-Free Workplace  
Drug-Free Workplace Program

4. Information:
  - a. The National Clearinghouse for Alcohol and Drug Information: 800-729-6686
  - b. Cocaine Anonymous National Referral Line: 800-347-8998
  - c. National Drug Abuse Hotline: 800-662-4357
- B. It is the responsibility of each employee to seek assistance before drug and alcohol use or abuse leads to discipline or job-performance problems.
  1. An employee who is experiencing work-related or personal problems resulting from drug and/or alcohol abuse or dependency may request to seek counseling under the Employee Assistance Program (EAP). Employees are encouraged to contact Human Resources for a referral.
  2. An employee's decision to seek assistance or referral from Human Resources prior to an incident warranting disciplinary action will not be used as the basis for disciplinary action or in any disciplinary proceeding.
- C. If an employee in a safety-sensitive enters an employee assistance program or drug rehabilitation program on their own free will and not a result of an accident or reasonable suspicion, the employee will be assigned a position other than a safety-sensitive or, if such position is not available, the employee will be placed on leave while the employee is participating in the program. The employee will be permitted to use their accrued PDO before leave may be ordered without pay.
- D. If a violation of this policy occurs, subsequent use of a counseling or rehabilitation program on a voluntary basis will not affect the determination of appropriate disciplinary action. Participation in a treatment program does not protect an employee from the imposition of Corrective Action for violations of this or other Lake EMS policies or procedures.
- E. All employees who have entered an Employee Assistance Program (EAP) or rehabilitation program for drug and/or alcohol abuse must take drug and/or alcohol tests. This requirement may be waived at the discretion of the Executive Director when an employee voluntarily enters a drug treatment program before a violation of this policy has been reported.
- F. Upon successful completion of a drug treatment program an employee may be released to resume work but will be subject to drug testing unless the employee voluntarily entered the program. Advance notice of a follow-up testing date must not be given to the employee to be tested.

**LAKE EMS  
Policy and Procedures Manual**

**PROCEDURE NO:** 2-4-a  
**PAGE:** 13 of 13

**EFFECTIVE DATE:** 05/01/2012  
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**SUBJECT:** Drug-Free Workplace  
Drug-Free Workplace Program

**XVI. Confidentiality and Records Maintenance**

- A. Confidentiality of records concerning drug testing pursuant to the Drug-Free Workplace Policy will be maintained by Lake EMS in accordance with Florida law. All information, records, and drug test results in the possession of Lake EMS, laboratories, employee assistance programs (EAP), and drug and alcohol rehabilitation programs will be kept confidential. No such program's information or records will be released unless written consent, signed by an employee or job applicant, is provided unless such disclosure is required by court order. Lake EMS may also disclose such information when relevant in any civil, disciplinary, or administrative hearing if required or compelled. Lake EMS will maintain records concerning drug testing separate and apart from a job applicant or employee's personnel file.
  
- B. An employee's participation in an alcohol or drug treatment program will not be made any part of his or her official personnel file and will remain confidential except to the extent necessary to comply with this Policy and to the extent permitted by law. Medical and insurance records, with the exception of insurance enrollment, change and cancellation forms will be preserved in the same confidential manner as all other medical records. Treatment recommendation records and compliance records will be maintained by Human Resources.

**Reservation of Authority**

The authority to issue or revise this Procedure is reserved to the Executive Director. The Executive Director may authorize exceptions to this procedure when deemed appropriate.