

American Drug Testing

Drug-Free Workplace Programs

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DRUG-FREE WORKPLACE ADVISOR

AN ONGOING SERIES TO PROTECT YOUR COMPANY BY HELPING TO KEEP DRUGS OUT OF YOUR WORKPLACE.

The Challenge of Dilute Specimens, Part II

DOT TESTING

The DOT policy regarding negative-dilute specimens – With dilute specimens showing creatinine level of greater than 5mg/dl and less than 20 mg/dl, the employer may require the donor to submit to another specimen collection. The re-collection cannot be done under direct

observation. If the employer adopts a policy of re-collection for negative-dilute results, all employees must be treated the same. However, the employer may elect to treat different types of tests differently (e.g. re-collect for pre-employment tests, but not for random tests). If the second test is also negative-dilute, the employer must accept that result and cannot continue re-collections. The second test is the test of re-



collection for negative-dilute results, all employees must be treated the same. However, the employer may elect to treat different types of tests differently (e.g. re-collect for pre-employment tests, but not for random tests). If the second test is also negative-dilute, the employer must accept that result and cannot continue re-collections. The second test is the test of re-

cord. An applicant/employee's refusal to submit to a re-collection for a negative-dilute result is a refusal to test under the DOT. On May 28, 2003, the Department of Transportation (DOT) announced that it was immediately changing the definition of a "substituted" specimen in urine drug testing so that urine specimens with a creatinine level greater than 2mg/dL but less than 5 mg/dL will no longer be reported as "substituted."

"An applicant/employee's refusal to submit to a re-collection for a negative-dilute result is a refusal to test under the DOT."

This change is important because a "substituted" test is considered a refusal to take a drug test, which is a violation of DOT rules equivalent to failing a drug test. The reason for the change is that the DOT has learned of a small number of cases in

which individuals appear to have had legitimate medical explanations for producing specimens with a creatinine level of less than or equal to 5 mg/dL. In addition, the DOT concluded that there is an increasing consensus among scientific and medical experts that the 5 mg/dL standard may not be appropriate. Under the new rules, when the Medical Review Officer (MRO) gets a report from the laboratory that the creatinine level in a specimen is less than 2 mg/dL or the creatinine is "not detected," the MRO will report the specimen to the employer as "substituted."

Dilute specimens will not cause the employee to be regarded as violating the regulation. When the MRO gets a report from the laboratory that the creatinine level

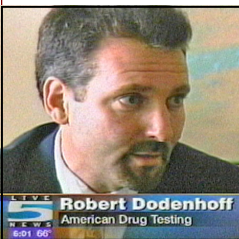
in a specimen is greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL, the MRO will report the specimen to the employer as "dilute" and must, under the new rules, direct the employer to require the employee to undergo an immediate recollection under direct observation. The



employer must then ensure that this recollection takes place. Remember that the dilute with creatinine level greater than 5mg/dl and less than 20 mg/dl can require a second collection but it cannot be directly observed unless another reason for the direct observation is present.

For additional tips, see the "client area" at www.AmericanDrugTesting.net or call 843-747-4111.

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