

Beaumont[®] | HEALTH SYSTEM

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GENERAL

Beaumont Hospitals have a long-standing chemical dependency policy for the express purpose of maintaining a drug free workplace to protect the safety, health and welfare of patients, visitors and employees. Moreover, the Hospital complies with Federal and State laws, which impose an obligation to maintain a drug-free work force. Specifically, under Michigan law a licensed or registered health care professional who engages in health care practice with a statutorily determined bodily alcohol level or is under the influence of a controlled substance, whether due to the illegal or improper use of a controlled substance, that visibly affects ability to safely and skillfully engage in the health care practice, may be found by a State court to be guilty of a misdemeanor.

This Policy specifically prohibits the illegal manufacture, distribution, dispensing, possession or use of controlled substances or alcohol by an employee while on duty, reporting to duty or on Hospital premises. However, this Policy does not apply to alcohol that is available at a Hospital approved event. Additionally, the improper use or abuse of over the counter or prescribed drugs by an employee while on duty, reporting to duty or on Hospital premises is prohibited.

The hospital shall take the following actions if a determination is made that an employee has violated this Policy:

- **Chemical Dependency or Possession of Alcohol or a Controlled Substance without Prescription.** Any employee determined by the Hospital to have in his or her possession alcohol or a controlled substance without a physician's prescription, or to have performed job duties while under the influence of alcohol or a controlled substance, including a prescribed controlled substance that visibly alters the performance of duties, will be subject to disciplinary action up to and including discharge. If the employee is a licensed or registered health care professional, the person will be reported to the State licensing agency.
- **Theft of a Drug.** Any employee determined by the Hospital to have stolen a drug (whether from waste or an unused/unopened drug) from the Hospital will be discharged. Theft of a controlled substance is a crime reportable to the State pharmacy licensing agency and potentially law enforcement. In addition, if the employee is a licensed or registered health professional, the employee will be reported to the State licensing agency.

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DEFINITIONS

Controlled Substances Any mind-altering or function altering substance including, but not limited to, those substances listed in the Federal Controlled Substance Act or the Michigan Board of Pharmacy Administrative Rules for Controlled Substances.

Hospital Premises Includes, but is not limited to, any Hospital facility/premises, or any site where an employee is performing work on behalf of the Hospital, employer or contractor parking lots, and Hospital or contractor owned or leased vehicles or other equipment owned, used or leased by the Hospital.

Positive Drug/Alcohol Screen A medical test which reflects the presence of a controlled substance or alcohol that exceeds the limits adopted by the Hospital.

Chemical Dependency The excessive personal use of alcohol or behavior-altering substances; or the personal use of any controlled substances without consultation and prescription of a licensed physician.

Substance Possession The existence of alcohol, controlled substances, or other drugs without a physician's prescription on an employee's person, property, or under the employee's control.

Substance Theft The unauthorized appropriation from the Hospital of controlled substances or other drugs for any purpose, including but not limited to, resale and/or use.

Testing For Drug/Alcohol Blood and/or urine test for alcohol or controlled substances.

Impairment The presence of alcohol or controlled substances in a person's system at a level prohibited by Hospital policy that affects or may reasonably be expected to affect the performance and/or behavior of the person.

RESPONSIBILITY

Management Management and supervisory staff have Hospital's Chemical Dependency responsibility for ensuring the Policy is enforced, and to remain continually alert to identifying and taking corrective measures toward instances of chemical dependency, theft and/or possession.

Employees Employees have a responsibility to comply with the requirements of the Chemical Dependency Policy and an obligation to report to management any known violations of the policy.

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COMPLIANCE

All employees (e.g., regular, probationary, summer, co-op and contingent staff) as well as all volunteers, students, interns or working observers shall be required to comply with the conditions of this policy.

DRUG ALCOHOL TESTING

Pre-Placement Drug Testing

All prospective employees will be subject to drug testing during the pre-placement physical. All offers of employment shall be conditional upon passing a physical examination, which includes a drug screen.

This requirement applies to all job applicants and no individual will be allowed to begin work prior to successfully completing the pre-placement examination. (Refer to Pre-Placement Physical Examination Procedure No. 250-1). Any applicant with a positive drug screen will be deemed to have not passed the pre-placement physical examination and will not be hired.

Reasonable Cause/Employee Drug/Alcohol Testing

When it is determined that a reasonable suspicion exists that an employee is impaired by drugs or alcohol, or that an employee is otherwise violating this policy, management will require the employee to be tested for drugs/alcohol. (Refer to Evaluation for Suitability to Work Procedure No. 250-8).

Drug Screenings

The Hospital has prepared a list of controlled substances to test for during a pre-placement physical examination or for reasonable cause/employee drug testing. In addition, appropriate levels for each drug have been established in order to determine whether initial drug screens are positive for drug and/or metabolites. An updated list of drugs subject to screening as well as their respective levels will be maintained in Occupational Health Services.

ALCOHOL TESTING Alcohol Testing shall be conducted using a single quantitative blood test. Limits for blood alcohol levels have been established by the Hospital, which are more stringent than required by Michigan law for licensed or registered health professionals, and shall be maintained by Occupational Health

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Drug Screenings (contd.)

Services. During working hours, an employee will be considered as impaired by alcohol based upon established blood alcohol levels and a medical evaluation by Occupational Health Services/ Emergency department physician. These two factors will determine an employee's suitability for work.

TESTING COMPLIANCE

Beaumont Hospital's chemical dependency testing program will be conducted in compliance with Federal and State requirements by adhering to appropriate collection, chain of custody, confirmation of positive tests, and confidentiality procedures.

All drug testing will be performed by a laboratory, which is certified as a National Institute on Drug Abuse (NIDA) facility. The Occupational Health Services physician will be responsible for reviewing results of laboratory tests and will interpret each confirmed positive test result. The Occupational Health Services physician will provide an opportunity for the employee to discuss a positive test result prior to any adverse action being taken.

The employee will be responsible for contacting Occupational Health Services to discuss the positive test result within three (3) working days from the date the employee is notified that the test result is positive.

Employees reported by the Occupational Health Service provider as testing positive for controlled substances or alcohol shall be conclusively deemed to have violated this policy.

Refusal to Submit to Evaluation to Determine Suitability for Work

If an employee's job performance raises a question as to the employee's suitability for work or if a reasonable suspicion exists that the employee is impaired by drugs or alcohol, the employee shall be referred for evaluation. Any employee who refuses to be evaluated for suitability for work will be discharged.

USE OF OVER THE COUNTER OR PRESCRIBED DRUGS

The use of over-the-counter (OTC) or prescribed drugs which may adversely affect the performance or behavior of an employee must be reported to the employee's supervisor upon reporting for duty.

Abuse of over-the-counter or prescribed drugs is prohibited and may be subject to corrective action up to and including discharge.

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**OBSERVATION OF CHEMICAL
DEPENDENCY/THEFT/
POSSESSION**

Chemical Dependency

Management shall be alert at all times to employees whose job performance is below standard.

If it is suspected that substandard job performance may be the result of the employee's use of alcohol or drugs, the employee will immediately be sent to Occupational Health Services (or Emergency department after hours) to be evaluated for suitability to work (refer to Evaluation for Suitability to Work Procedure No. 250-8).

In those cases where an employee does not have direct supervision while on duty, it will be the responsibility of the Administrative Supervisor, Nursing Administration and the Lieutenant, Security Department to determine if the employee will be sent to Occupational Health Services (or Emergency department after hours) to be evaluated for suitability to work. If an employee is deemed to be unsuitable for work due to alcohol use, he/she shall be immediately suspended from work until appropriate corrective action measures are determined.

If an employee is suspected of drug use, the employee will be suspended until the testing is completed and the results are reviewed by the Occupational Health Services physician. If the results are negative, the employee will be returned to work and reimbursed for any loss of pay while on suspension. However, if determined that the employee has an alcohol or drug dependency problem, even though the results are negative, the employee may be provided an "Opportunity for Second Chance".

**Chemical Dependency
Theft/Diversion**

An employee suspected of the unauthorized appropriation of a controlled substance or other drug for any reason from the Hospital shall be subject to an investigation by the Hospital. In all cases Pharmacy management, and Human Resources shall be immediately notified. The employee will be sent to Occupational Health Services (or Emergency department after hours) to be evaluated for suitability to work (refer to Evaluation for Suitability to Work Procedure No. 250-8). The employee is then suspended from work during the investigative process until a final determination is made.

Any employee determined by the Hospital to have engaged in drug theft/diversion will be deemed to have violated this policy and will be discharged. Moreover, employees who are licensed or

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Chemical Dependency Theft/Diversion (cont'd.)

registered health care professionals will be reported to the State licensing agency. All thefts of controlled substances are reportable to the State pharmacy licensing agency and potentially law enforcement. The investigatory participants, Human Resources, Director of Security, Pharmacy Management, Management and the office of Legal Affairs may review the findings of the investigation and determine whether the facts identified should be reported to the local law enforcement. If a decision is made to notify local law enforcement, The Director of Security will file the police report. Any further contact with local law enforcement will be coordinated through the Security Department.

Substance Possession

Management observing an employee with unauthorized possession of alcohol, a controlled substance, or other drug or suspected of selling alcohol, a controlled substance, or other drug must contact Security, and Human Resources who will determine the required investigation to be conducted. Should it be determined that the employee was in possession of or intended to sell or sold alcohol, unauthorized controlled substances, or other drug not stolen from the Hospital, the employee shall be deemed to have violated this policy and shall be subject to corrective action up to and including discharge.

REHABILITATION

Self-Identification

Hospital management recognizes alcohol and drug dependence as illnesses which may be successfully treated when identified and acknowledged by the substance user.

Therefore, Hospital management is committed to assisting employees who voluntarily seek and accept rehabilitative treatment for drug/alcohol dependencies prior to a violation of the Chemical Dependency Policy. It is the responsibility of the employee to seek assistance before alcohol or drug dependence leads to disciplinary action. Human Resources management will evaluate each case with Hospital/department management to determine appropriate action.

A decision to self identify or seek chemical dependency treatment will not be used as the basis for corrective action. However, the self-identification must occur prior to a violation of this Policy or any other Hospital policy.

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CORRECTIVE ACTION

Violation of the Hospital's Chemical Dependency Policy is considered a serious occurrence and shall be subject to Corrective Action up to and including discharge.

Opportunity for Second Chance

An employee committing a first occurrence violation of the Chemical Dependency Policy (except those cases of drug theft/diversion) and agrees to accept referral to Occupational Health Services for evaluation may be given a "second chance" in lieu of discharge. If an employee is given a "second chance" the employee will receive a performance improvement plan (one day suspension) and be subject to follow-up and evaluation for a period of time to be determined by the Occupational Health Services physician, and if appropriate, the Employee Assistance Program Coordinator.

As a part of a "second chance" in conjunction with the recommendation of the Occupational Health Services physician, the Hospital may require the employee to enter an approved rehabilitation program for abuse of OTC drugs, prescribed drugs or alcohol.

In order to return to work and continue employment, employees will be required to provide:

- Proof to the Occupational Health Services physician that they have arranged to receive professional help for their problem, and if the employee is a licensed or registered health care professional the employee must provide proof of self-report to the Health Professional Recovery Program.
- Occupational Health Services physician or designee indicating Verification, as approved by the Hospital, submitted to the treatment is ongoing. Failure to comply with Hospital's Second Chance Program requirement verification will result in discharge.
- A written statement from a rehabilitative treating physician that the Employee has reached a stage in the program where the employee is suitable to return to work.
- If referred to the Employee Assistance Program Coordinator, verification that the employee has followed any and all recommendations set forth as a result of the referral to the Employee Assistance Program.

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