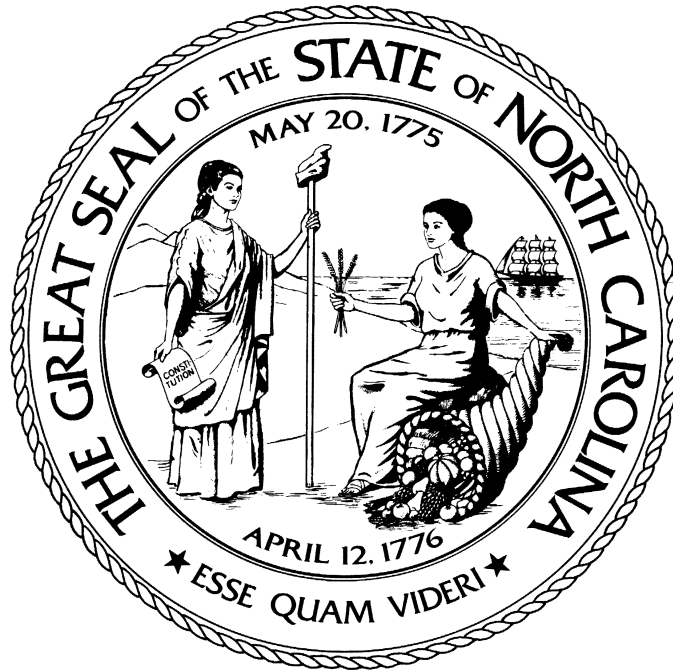


# **IMPLEMENTATION MANUAL**

## **Drug Screening Through Urinalysis for North Carolina Criminal Justice Agencies -Third Edition-**



**NORTH CAROLINA CRIMINAL JUSTICE  
EDUCATION AND TRAINING STANDARDS COMMISSION**

**NORTH CAROLINA SHERIFF'S  
EDUCATION AND TRAINING STANDARDS COMMISSION**

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## FORWARD

All applicants for employment as North Carolina criminal justice officers, as well as all veteran officers applying for lateral transfer, must submit to a drug screening through urinalysis as part of the application process. For an individual to be eligible for certification, or to transfer certification, the screening must produce a negative result for the presence of illegal drugs.

The criminal justice officer professions are demanding and often stressful. These are professions that command and deserve the public's trust and confidence. To ensure a safe work environment for those in criminal justice, and to guarantee the public interest in having competent and ethical officers is well served, it is incumbent that we seek only the most qualified and capable men and women to serve as criminal justice officers. The continued implementation of the Commission's mandatory drug screening policy is in pursuit of this end.

This manual is offered as a guide to assist you in your agency's drug screening program by answering commonly asked questions and presenting a step-by-step process for drug screening programs. However, this publication is advisory only and is not intended as a mandatory procedure manual.

If you have questions or concerns about any aspect of the manual, you should contact your agency's legal counsel before you proceed.

If you have any suggestions for future additions, deletions or changes to this implementation guide, please contact any of the Department of Justice staff listed in Appendix J. As always, let us know if the North Carolina Department of Justice can be of assistance to you on any other matter.

## DRUG SCREENING THROUGH URINALYSIS COMMONLY ASKED QUESTIONS

### *When did drug testing for certification purposes begin?*

1 July 1990

### *Who must be tested?*

There are two categories of individuals who are subject to mandatory urinalysis drug screening:

- 1) All applicants for employment as criminal justice officers.  
[12 NCAC 09B .0101]\*
- 2) All veteran law enforcement officers who apply for lateral transfer to another law enforcement agency or who apply for reinstatement.  
[12 NCAC 09C .0306 & .0309]

### *May an agency require its “in-service” officers to submit to urinalysis drug screening?*

Yes. An agency may adopt its own “in-service” testing requirements for officers employed by that agency. For example, an agency may require random testing, periodic testing, reasonable suspicion testing or testing based upon some specified “triggering event” such as an accident involving property damage or personal injury, accidental discharges of firearms, etc. Note, however, that reasonable suspicion testing is subject to the requirements of the Fourth Amendment.

### *Should an agency report to the Commission “in-service” officers who refuse to submit to a urinalysis drug screen?*

Yes. Such refusals should be reported to the Commission. [12 NCAC 09A .0204(b)(12)]

### *Should an agency report to the Commission a positive result of “in-service” officer drug screen?*

Yes. Agencies should report all positive results of “in-service” officer drug screens, provided the drug screen was administered in accordance with the substantive and procedural requirements of 12 NCAC 09C .0310. If an agency does not use a Substance Abuse and Mental Health Services Administration (SAMHSA), formerly NIDA, certified laboratory or fails to follow the procedures mandated by the Commission for required testing, then the Commission cannot use the test results for the purpose of reviewing an officer’s certification status.

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\*All citations refer to the Administrative Rules as adopted by the North Carolina Criminal Justice Education and Training Standards Commission. A copy of these rules is included in this manual as Appendix A.

***When must the urinalysis drug screening take place?***

A urinalysis drug screening for new applicants and transferring veteran law enforcement officers should take place during the application process. The agency may designate a specific time within the application process. The agency may designate a specific time within the application process for the drug screening to take place so long as the date of employment is not more than 90 days from the date the laboratory reports the test results. [12 NCAC 09B .0101 (5)(e)]

***Who performs the actual urinalysis drug screening?***

The urinalysis must be performed by a laboratory which is certified for federal workplace drug testing programs. [12 NCAC 09B .0101 (5)(f) Laboratories certified for federal workplace drug testing are listed by the Department of Health and Human Services through the Substance Abuse and Mental Health Services Administration (SAMHSA). SAMHSA certified laboratories are the only laboratories that may perform required urinalysis drug screening for North Carolina criminal justice agencies.

***Which laboratory does an agency use for urinalysis drug screening?***

SAMHSA updates the list of certified laboratories monthly. (Call SAMHSA at 301.443.6014 for an updated list.) Each individual agency must establish a contractual arrangement with a SAMHSA certified lab, or a third party provider that uses SAMHSA lab, to perform their urinalysis drug screening. Further information can be obtained directly by contacting:

Office of Workplace Initiatives  
National Institute on Drug Abuse  
Room 10A-53  
5600 Fishers Lane  
Rockville, MD 20857

For Technical Assistance Contact:

U.S. Center for Substance Abuse Prevention Workplace Helpline  
1.800.843.4971

***What else should agencies look for in labs?***

A SAMHSA-certified lab must also use the SAMHSA-approved test handling process. The Commission recognizes this process is the most superior means available to protect the applicant/officer from the chance of a “false positive” result.

Other things to consider are, of course, frequency of pick up and reporting, proximity, availability of technical assistance, etc.

***What constitutes a positive drug test result?***

When the lab receives a urine sample it will conduct an initial screening test to check for the presence of illegal drugs. This initial screening test involves using an immunological testing method.

Should this initial test produce a positive result for the presence of an illegal drug, the lab will **automatically** perform a second test. Known as a confirmation test, the second screening uses the more accurate gas chromatography/mass spectrometry (GC/MS) testing method.

The laboratory will report a test result as positive if, and **only if**, both the initial test and then confirmation test show the presence of an illegal drug at a level above the SAMHSA threshold levels. The agency should direct the laboratory to report all test results to the agency's medical review officer. In any event, the agency must refer all test results reported as positive by the laboratory to its medical review officer (who must be a licensed physician). The result will be reported to the Commission as positive only in those cases where the applicant is unable to explain the positive laboratory test result to the satisfaction of the agency's medical review officer. [12 NCAC 09C .0310(a)]

*At what level must a drug appear in the urine for the individual to receive a positive test result?*

Appendix C lists the drugs for which applicants will be tested and the current threshold levels at which the drug must appear in order to be considered a positive test result for certification purposes. These threshold values are established by SAMHSA.

*What happens to an applicant or lateral transferee after he/she refuses to submit to a urinalysis drug screen, as required by Commission rules, or receives a positive test result?*

A refusal to submit to a drug screening or a positive test result that cannot be explained to the satisfaction of the North Carolina Criminal Justice Education and Training Standards Commission may result in suspension or denial of certification for the individual involved for a period of not less than five (5) years. [12 NCAC 09A .0204(b) and .0205(2)]

*Who maintains documentation for those applicants and lateral transferees who have received a positive test result or have refused to submit to a urinalysis drug screening?*

Each agency shall forward a copy of all positive test results (or written documentation of all positive test results) and all refusals to the Criminal Justice Standards Division, Post Office Drawer 149, Raleigh, NC 27602. Appendix H is a sample form for reporting positive results and refusals. Agencies should be sure to include the applicant's name, social security number, date of birth and either the date the test was administered or the date of the refusal. [12 NCAC 09C .0310(a) and (d)]

While the Criminal Justice Standards Division will maintain a central registry of all individuals receiving a positive test result or refusing to submit to a urinalysis drug screening, each agency should keep the original copy of the positive laboratory results as part of its permanent records.

*How can an agency determine if an applicant or lateral transferee has previously produced a positive test result or refused to submit to a urinalysis drug screen?*

Agencies should submit a records search request form to the Criminal Justice Standards Division (Appendix I). Agencies should also include a self-addressed, stamped envelope for return of the search results.

***Where should criminal justice agencies address questions concerning drug testing?***

Any questions concerning legal issues relating to drug testing should be addressed to your agency legal counsel. For questions concerning policies and procedures you should consult this manual and the Administrative Rules. (A complete copy of all Administrative Rules pertaining to drug testing is included in this manual as Appendix A.) If a question still exists after consulting this manual and the Administrative Rules, then contact the Criminal Justice Standards Division at 919.661.5980. A list of Division staff is included as Appendix J.

***What is the effect of the Americans with Disabilities Act upon drug testing?***

The Americans with Disabilities Act and regulations implementing the act prohibit any inquiry that will, or could, reveal the existence of a disability prior to the tender of a conditional offer of employment. A history of drug addiction is a disability that is protected by the Act; prior experimental use, current addiction, and current use are not.

The prospective employer may inquire if the applicant is presently addicted to or unlawfully using a controlled substance prior to the tender of a conditional offer of employment. See U.S.C. 12114(a); 29 C.F.R. 1630.3(a). The prospective employer **may not**, however, inquire if the applicant has ever been addicted to a controlled substance prior to the tender of a conditional offer of employment. Any inquiry that might reveal the existence of a disability (like diabetes) before conditional offer is likewise prohibited. Guidance from the EEOC has made it clear that the agency may **not** require the applicant to list prescribed medications prior to a conditional offer.

Commission counsel believes that sufficient rationale exists for a criminal justice agency to inquire into prior criminal conduct, to include the illegal possession or use of controlled substances. If the agency makes such inquiries after the conditional offer of employment, the agency has not violated the Act or the rules promulgated thereunder. Questions may address the frequency and amount of such possession.

Agency personnel should consult with their agency's legal counsel for specific guidance, including appropriate procedures for handling information gained through these inquiries, before posing such inquiries to applicants.

***May agencies require an applicant to list all prescribed medications?***

No, not if the agency conducts drug testing prior to the tender of a conditional offer of employment. Yes, if the agency conducts its drug testing **after** the tender of a conditional offer of employment. Although agencies should consult with their legal counsel, Commission counsel believes that the better practice is for the Medical Review Officer to conduct this inquiry after the employee has tested positive for illegal drug use.

***Should the drug screen be done before or after a conditional offer of employment?***

The ADA specifically states that a drug screen is not a medical inquiry per se. Regulations implementing the act do not specify when a screen should be conducted.

Agencies may wish to consider conducting drugs tests after issuing a conditional offer of employment. Under this sequence, in the event the agency inadvertently discovers a disability,

the discovery occurs at the post-offer stage. If an agency uses a medication disclosure form in conjunction with a drug screen, the drug screen and use of the form **must** come after the conditional offer. If an agency contract MRO uses medication disclosure forms in conjunction with drug screens, use of the form and the drug screen should follow the conditional offer. (A sample medication disclosure form is included as Appendix F.)



# DRUG SCREENING THROUGH URINALYSIS FOR CRIMINAL JUSTICE OFFICERS & APPLICANTS

## PROCEDURAL GUIDELINES

### I. Criminal Justice Agency Policy

Each criminal justice agency should include as a part of its overall agency policy, and as a part of affected job descriptions, information about the mandatory urinalysis drug screening. A model policy for the use by local agencies is included as Appendix B. At a minimum, agency policy should include:

- (1) A rationale for drug testing;
- (2) An explanation of who is subject to testing and when such testing may occur;
- (3) A clear outline of the procedure to be followed;
- (4) A written policy for dealing with employees & applicants who test positive or who refuse to submit to a drug screen.

As true with any policy, each agency should consult its legal advisor before implementation.

### II. Medical Review Officer

Each agency must make arrangements for the services of a Medical Review Officer (MRO) to review & interpret all “positive” laboratory test results. To preserve as much privacy and confidentiality of applicants and employees as possible all laboratory results should be sent directly to the Medical Review Officer. All specimens reported by the laboratory as negative will in turn be reported to the agency by the MRO as negative.

With respect to confirmed positive results, the MRO:

- (1) May conduct medical interviews with the applicant/employee;
- (2) May review applicant/employee medical histories or any other biomedical factors;
- (3) Shall review all medical records made available by the tested employee when a confirmed positive could have resulted from legally prescribed medication lawfully taken;
- (4) May deem the results scientifically insufficient for further action and declare the result to be negative based on a review of such data or facts as he may deem appropriate;
- (5) May order a re-analysis of the original sample if any questions arise as to the legitimacy of a positive result; and
- (6) May deem the positive laboratory result is consistent with illegal drug use and, if so, shall notify the agency head or appropriate agency coordinator accordingly.

Applicants and veteran employees who test positive for illegal drugs must always be afforded an opportunity to consult with the MRO to provide evidence which may justify a positive test result. Information that may be used to justify a positive result may include, for example, a valid prescription.

### III. Confidentiality of Test Results

If appropriate medical or pharmacological information shows the positive result was not caused by an illegal or abused drug, then the MRO will report the test result as negative. The positive reading may not be released to the Commission or any agency for the purpose of identifying illegal drug use. Records of the MRO should only be released to the agency head or appropriate agency coordinator and, when necessary, to the North Carolina Criminal Justice Education and Training Standards Commission when requested.

All records and information of personnel actions taken on applicants and veteran employees based upon verified positive test results shall be maintained in accordance with appropriate personnel and privacy laws and ordinances as well as applicable policies and procedures.

### IV. Chain of Custody

The Administrative Rules require that “a chain of custody shall be maintained on the specimen from collection to the eventual discarding of the specimen.” [12 NCAC 09B .0101(5)(b)]

If the specimen is handled only by a medical professional or a third party provider and the laboratory (which utilizes federally mandated chain of custody procedures), then the agency may not need an inter-agency chain of custody procedure. But, if agency staff will be handling the urine specimen at any point, then the agency needs a firmly established chain of custody procedure. (A sample Chain of Custody Form is included as Appendix D.)

Each agency must develop and follow well documented chain of custody procedures if an employee of that agency is going to handle the urine specimen. At a minimum, a chain of custody form should include a space to document the date and purpose each time a specimen is handled or transferred. The form should also include the name and signature (or initials) of each individual who handles or transports the specimen.

The chain of custody policy should include procedures to account for the integrity of each urine specimen by tracking its handling and storage from the point of collection to final disposition of the specimen. If the specimen is divided into separate containers, then the chain of custody procedures should account for each container holding any part of the specimen.

In addition, it is recommended the person supervising the collection of the urine specimen use a checklist to ensure the collection procedure is carried out in the appropriate manner. (Sample form, Urine Specimen Collection Checklist, Appendix H.)

The laboratory selected to perform the drug screening will also have certain chain of custody procedures they will want the agency to follow. The laboratory is responsible for documenting the chain of custody once the specimen is delivered to it.

## **V. Urine Specimen Collection Procedures**

It is imperative that every agency establish a well-defined specimen collection procedure to be utilized by its collection agent. The following proposed collection procedure models those many federal agencies use. This step-by-step procedure is designed to protect the integrity and reliability of the urine collection process and protect (to the greatest extent possible) the donor's legitimate privacy concerns. The collection agent should initial each step on a form during each collection process. (Sample form, Urine Specimen Collection Checklist, Appendix H.)

- (1) The applicant to be tested presents one of the following as identification:
  - NC Driver's License
  - Division of Motor Vehicles Identification Card
  - Other governmental-issued picture ID
- (2) The applicant completes an Applicant Consent Form (Sample form, Appendix E).
- (3) The collection agent inspects the sample collection room to ensure it is private, secure, and free from any foreign substance.
- (4) A collection agent places a toilet bluing agent in the toilet bowl to ensure the applicant does not use toilet water to dilute the specimen.
- (5) The collection agent instructs the donor to remove any unnecessary outer garments such as a coat or jacket.
- (6) The donor leaves all personal belongings (purse, briefcase, etc.) outside the collection room. The donor may retain his/her wallet.
- (7) The collection agent instructs the donor to wash and dry hands.
- (8) The collection agent gives the donor a new and unadulterated specimen collection bottle/container and instructs the donor that a specimen of two (2) ounces (60 milliliters) is necessary for urinalysis.
- (9) The collection agent instructs the donor not to run any water, flush the toilet, or handle anything else in the sample collection room until specifically instructed to do so.

- (10) The donor enters the collection room and the collector stands outside the door. Collector should note on the Urine Specimen Collection Checklist if he/she hears any unusual activity.\*

*\*If the donor runs water or flushes the toilet while alone in the collection room then the specimen may not be used; the process must begin anew.*

- (11) Collector receives the sample from the donor. Should the specimen need to be transferred from the collection container to other containers the donor should make such transfer while the collector observes. The specimen must be kept in full view of both the collector and donor until it is sealed.

- (12) Collector must check to see that a specimen is of sufficient quantity for testing. Should the specimen be of insufficient quantity, that specimen and container must be discarded and the process must begin anew.\*

*\*If the donor is unable to produce a specimen at that time, drinking eight (8) ounces of liquid (water, coffee, soft drink) every thirty (30) minutes should enable the donor to produce a sample within two hours. The donor must stay at the collection site until a specimen of sufficient quantity is obtained.*

- (13) If the specimen is of sufficient quantity the collector must check the temperature of the specimen.\*

*\*The Federal Workplace Drug Testing Program guidelines require an exact measurement of the urine temperature. Under the program's regulations the temperature must fall between 90-100 degrees F and time from urination to temperature measurement shall not exceed four (4) minutes.*

Generally, certified laboratories provide temperature-sensitive dots or labels on collection containers to be used to determine the temperature of the sample. Absent such dots or labels, the collector must use an accurate temperature measuring device, taking care that the device does not contaminate the specimen.

- (14) The collector must inspect the specimen's color and look for any signs of contaminants. Any concerns must be noted on the Urine Specimen Collection Checklist. Should there be reasonable suspicion that the donor tampered with the specimen, the collector must notify the employing agency immediately and send the specimen to the laboratory for testing.\*

*\*The employing agency may choose to make arrangements to obtain a second specimen while the donor is under direct observation by a member of the same gender. The second specimen must be collected as soon as possible and should be delivered to the laboratory for testing.*

- (15) Collector must seal the specimen container and be sure appropriate identification is added to the container's outer label(s).

- (16) Donor may now wash hands.
- (17) Collector must see the specimen is safeguarded pursuant to federal guidelines until such time as it is prepared for delivery and delivered to the laboratory.

## VI. Selecting a Laboratory to Perform the Urinalysis

The urinalysis drug screening laboratory must be certified for federal workplace drug testing. The laboratory must adhere to applicable federal rules, regulations and guidelines pertaining to the handling, testing, storage, and preservation of samples. [12 NCAC 09B .0101(5)(f)]

The United States Department of Health and Human Services lists certified labs through SAMHSA. SAMHSA updates this list monthly, and an agency may contract with any lab on the SAMHSA list. SAMHSA is the only federal agency that certifies labs for federal workplace testing. Each criminal justice agency is responsible for independently contracting with a certified laboratory (or third party provider that uses a certified laboratory to perform its urinalysis drug screening.

Further information may be obtained by contacting SAMHSA directly. SAMHSA's address and toll-free number appear on page 2.

A few of the variables an agency may want to consider when selecting a laboratory or third party contractor include:

- (1) Cost per urinalysis;
- (2) Delivery procedures
  - Does the laboratory /provider pick up the specimens?
  - Will your agency be required to mail the specimens to the laboratory/provider—and thus be required to handle and store specimens?
- (3) Materials and Supplies
  - Does the laboratory/provider supply standard collection containers for the urine specimen?
  - Is the cost of these containers included in the price of the urinalysis?
- (4) Are temperature sensitive labels or dots available for collection containers?
- (5) What specific procedures will the agency be required to follow?
- (6) Does the laboratory/provider provide a medical review officer service for use by the agency for reviewing positive test results?

If a SAMHSA laboratory ever loses its certification it is required to notify all clients. The agency must then contract with another laboratory on SAMHSA's list.

All SAMHSA certified laboratories store urine specimens which test positive for illegal drugs for one year. Should an agency be involved in litigation then the laboratory will store the positive specimen for the duration of the legal proceedings if notified of the litigation. SAMHSA certified laboratories retain records pertaining to specimens for two (2) years.

All SAMHSA certified laboratories will have certain chain of custody procedures that an agency must follow in transporting the specimen from the collector to the laboratory.

The agency must provide a list of drugs and threshold values (the current drug list and threshold values appear on Appendix C) to the SAMHSA certified laboratory the agency selects.

#### **VII. Use of the “Element of Surprise” in Urinalysis Drug Screening**

Each agency must have a well-defined written drug testing policy and must inform all applicants that a urinalysis drug screen is required as part of the application process. However, in order to maintain the effectiveness and reliability of the drug screening process, applicants should not receive more than 24-hours advance notice of the exact testing date and time.

#### **VIII. Dealing with a Refusal to Submit to Urinalysis Drug Screen or a Positive Test Result**

If an applicant or lateral transferee refuses to submit to a urinalysis drug screen or if the urinalysis drug screen produces a positive result, the agency must report the refusal or positive test result to the Criminal Justice Standards Division. [12 NCAC 9C .0310(a)] In order to comply with this reporting requirement, the agency must forward a copy of the positive laboratory report, along with written documentation of the positive result or written documentation of the refusal to: *Criminal Justice Standards Division, Post Office Drawer 149, Raleigh, NC 27602*. Agencies should be sure to include applicant name, social security number, date of birth and either the date the drug screen was administered or the date of the refusal. Appendix H is the form agencies should use to report positive test results and refusals. Although SAMHSA-certified laboratories must retain specimens yielding positive results for a year, the agency should contact the laboratory to ensure this requirement is met. Certainly, the agency should request that the sample be maintained if testing litigation arises.

#### **IX. In-Service Testing for Veteran Officers**

An agency may conduct in-service urinalysis drug screening on a random or periodic basis, or in cases where there is a reasonable suspicion of drug use, or based upon a certain specified “triggering event” or events even though no reasonable suspicion exists. Agencies conducting in-service testing must report positive drug screening results to the Criminal Justice Standards Division, provided that the drug screening is done pursuant to Rule 12 NCAC 09C .0310(b). [12 NCAC 09B .0101] Agencies should use the Drug Testing Report form (Appendix H).

Because such in-service testing will affect veteran criminal justice officers, it is important that the agency include a policy concerning urinalysis testing in the agency's employee policy manual. If a drug screening policy is established, all affected employees should receive a copy of the written policy.

An agency should carefully consider what constitutes "reasonable suspicion" that a veteran officer may be using illegal drugs. Observation of drug use; apparent drug intoxication; abnormal or erratic behavior; and reports from apparently credible and reliable sources about behavior or actions might be considered "reasonable suspicion." Beyond this, each agency must rely on the best judgment of those in supervisory positions with the agency. Policies should include a list of examples of behavior establishing reasonable suspicion. The policy should establish unequivocally that the policy's listing is not an exclusive complete listing but rather is illustrative.

Specified triggering event testing and random testing programs should be carefully planned and implemented. Such programs should be designed with appropriate safeguards to eliminate any potential for the use of unrestrained discretion of supervisors or others involved in the process of selecting employees to be tested.

The procedures for obtaining a urine specimen under these circumstances should be exactly the same as the procedures used to obtain specimens from new applicants and lateral transfer applicants and should protect, to the greatest extent possible, the employee's reasonable privacy expectations.

## Drug Screening Through Urinalysis A Step-By-Step Guide

- STEP 1:** Include information about the mandatory drug testing program in agency policies, and also make such information part of the job application process.
- A model policy for local agencies is included as Appendix B.
- STEP 2:** Contract with a SAMHSA certified laboratory, or third party provider that uses a SAMHSA certified laboratory, to perform the drug screening urinalysis for your agency. The laboratory must be certified for federal workplace drug testing. The lab must use the SAMHSA testing process.
- STEP 3:** If the SAMHSA lab does not offer Medical Review Officer (MRO) services, or if the agency does not wish to use the lab's MRO, contract with a licensed physician to perform the MRO functions. The MRO must be a licensed physician. Ideally, the physician selected will have an extensive background in pharmacology, toxicology and substance abuse.
- STEP 4:** Develop a written chain of custody procedure to follow if any of the agency employees will be involved in the handling or transfer of urine specimens.
- STEP 5:** Establish and familiarize agency personnel with the forms to be used in the urinalysis drug screening procedure such as the Chain of Custody Form, Applicant Consent Form and Urine Specimen Collection Checklist.
- STEP 6:** Notify all new applicants and lateral transfer applicants they will be required to submit a urine specimen.
- STEP 7:** During the application process ask each applicant to sign an Applicant Consent Form.\*

\*If an applicant refuses to submit to a urinalysis drug screening, inform the applicant that he/she may be ineligible to hold certification as a criminal justice officer for a period of not less than five (5) years. Send a written notification of the applicant's refusal to the Criminal Justice Standards Division.

Sample Test Result/Refusal Reporting Form is included as Appendix H.



**STEP 8:** Obtain an acceptable urine specimen from each applicant and deliver the specimen to the laboratory for drug screening urinalysis.

**STEP 9:** Take appropriate action after receiving results of drug screening as follows:

- (a) If the drug screening urinalysis produces a negative result, then proceed with the employment/transfer process at the discretion of agency personnel.
- (b) If the drug screening urinalysis produces a positive result (based upon the laboratory result and subsequent review by the agency Medical Review Officer), then notify applicant of such. Also inform the applicant that he/she may be ineligible to hold certification as a criminal justice officer. Retain documentation of the positive laboratory result and report result to the Criminal Justice Standards Division.

## Appendices

### Policies and Procedures Manual

### Drug Screening Through Urinalysis for North Carolina Criminal Justice Agencies

## Appendix A

### Administrative Rules for Drug Screening Through Urinalysis

#### 12 NCAC 09A .0204

##### .0204 Suspension, Revocation or Denial of Certification

- (b) The Commission may suspend, revoke or deny the certification of a criminal justice officer when the Commission finds that the applicant for certification or the certified officer:
  - (12) has refused to submit to an applicant or lateral transferee drug screen as required by the rules in this Chapter, or has refused to submit to an in-service drug screen pursuant to the guidelines set forth in the Drug Screening Implementation Guide as required by the agency through which the officer is certified; or
  - (13) has produced a positive result on a drug screen reported to the Commission as specified in 12 NCAC 9C .0310, where the positive result cannot be explained to the Commission's satisfaction.
- (c) Following suspension, revocation or denial of the person's certification, the person may not remain employed or appointed as a criminal justice officer and the person may not exercise any authority of a criminal justice officer during a period for which the person's certification is suspended, revoked or denied.

#### 12 NCAC 09A .0205

##### .0205 Period of Suspension, Revocation or Denial

- (b) When the Commission suspends or denies the certification of a criminal justice officer the period of sanction shall be not less than five (5) years; however, the Commission may either reduce or suspend the period of sanction under Paragraph (b) of this Rule or substitute a period of probation in lieu of suspension of certification following an administrative hearing, where the cause of sanction is:
  - (2) refusal to submit to the applicant or lateral transferee drug screen required by these Rules; or
  - (3) production of a positive result on a drug screen reported to the Commission under 12 NCAC 9C .0310, where the positive result cannot be explained to the Commission's satisfaction.

## 12 NCAC 09B .0101

### .0101 Minimum Standards for Criminal Justice Officers

Every criminal justice officer employed by an agency in North Carolina shall:

- (5) have been examined and certified by a licensed physician or surgeon to meet physical requirements necessary to properly fulfill the officer's particular responsibilities and shall have produced a negative result on a drug screen administered according to the following specifications:
  - (a) the drug screen shall be a urine test consisting of an initial screening test using an immunoassay method and a confirmatory test on an initial positive result using a gas chromatography/mass spectrometry (GC/MS) or other reliable initial and confirmatory tests as may, from time to time, be authorized or mandated by the Department of Health and Human Services for Federal Workplace Drug Testing Programs;
  - (b) a chain of custody shall be maintained on the specimen from collection to the eventual discarding of the specimen;
  - (c) the drug screen shall test for the presence of at least cannabis, cocaine, phencyclidine (PCP), opiates and amphetamines or their metabolites;
  - (d) the test threshold values meet the requirements established by the Department of Health and Human Services for Federal Workplace Drug Testing Programs, as found in 82 F.R. 7920 (2017), incorporated by reference, including later amendments and found at <https://www.federalregister.gov/documents/2017/01/23/2017-00979/mandatory-guidelines-for-federal-workplace-drug-testing-programs>
  - (e) the test conducted shall not be more than 90 days old, calculated from the time when the laboratory reports the results to the date of employment;
  - (f) the laboratory conducting the test shall be certified for federal workplace drug testing programs, and shall adhere to applicable federal rules, regulations and guidelines pertaining to the handling, testing, storage, and preservation of samples.

## 12 NCAC 09C .0306

### .0306 Lateral Transfer of Law Enforcement Officers

- (b) Prior to transfer of certification, the law enforcement officer shall:
  - (4) produce a negative result on a drug screen administered according to the specifications outlined in 12 NCAC 09B .0101(5).

## 12 NCAC 09C .0307

### .0307 Agency Retention of Records of Certification

Each agency shall place in personnel files the official notification from the Commissioner of either probationary or general certification for each criminal justice officer employed or appointed by the agency. Such files shall be available for examination at any reasonable time by representatives of the Commission for the purpose of verifying compliance with these Rules. The personnel files shall also contain:

- (3) documentation of the officer's drug screening results.

## 12 NCAC 09C .0310

### .0310 Agency Reporting of Drug Screening Results

- (a) Each agency shall report in writing to the Criminal Justice Standards Division all refusals and all positive results of required drug screening obtained from applicants and lateral transfers unless the positive result has been explained to the satisfaction of the agency's medical review officer who shall be a licensed physician.
- (b) Each agency, if it conducts a drug screen for in-service officers, shall report in writing positive results or refusals to submit to an in-service drug screening to the Criminal Justice Standards Division within 30 days of the positive result or refusal unless the positive result has been explained to the satisfaction of the agency's medical review officer who shall be a licensed physician, to the extent the drug screen conducted conforms to the specifications of 12 NCAC 09B .0101(5)(a), (b), (c), (d) and (f).
- (c) For reporting purposes, a result will be considered "positive" only in those cases where the drug screen reveals the presence of an illegal drug at a level equal to or greater than the threshold value as established by the Department of Health and Human Services for Federal Workplace Drug Testing Programs and adopted by reference in Section 12 NCAC 09B .0101 (5)(d) of these Rules.
- (d) All written reports required to be submitted to the Criminal Justice Standards Division by this Rule shall contain, at a minimum, the individual's name, social security number, date of birth and either the date the test was administered or the date of the refusal.

## Appendix B

### Model Agency Policy for Local Agencies

#### Model Drug Testing Policy

##### I. Purpose

The purpose of this policy is to provide all applicants and employees with notice of the provisions of the department's drug testing program.

##### II. Discussion

Due to the critical mission of criminal justice officers, and the reliance by the citizens of the community upon this department for law enforcement and general safety and protection, it is the policy of this department to maintain a drug-free work environment through the use of an applicant, lateral transferee, random, reasonable suspicion, and triggering event testing program for sworn personnel. Non-sworn personnel are subject to applicant and reasonable suspicion testing.

To ensure the integrity of this department, to comply with state regulations, to protect the citizens of this community, and to preserve public trust and confidence in a fit and drug-free criminal justice profession, this department will implement a drug testing program. This program is designed to detect prohibited drug use by employees and to reduce the likelihood that drug-dependent applicants and lateral transferees will be employed by this department.

##### III. Definitions

- A. *Criminal Justice Officer*—A sworn law enforcement officer with powers of arrest; corrections officers, probation officers and juvenile justice officers.
- B. *Lateral Transferee*—A criminal justice officer who applies for employment or appointment where the officer has previously held general certification and has been separated by an agency in good standing or a criminal justice officer who has transferred to this agency and has been separated from a criminal justice officer position for no more than twelve months.
- C. *Applicant*—A person, other than a lateral transferee, who applies for employment or appointment as a criminal justice officer.
- D. *Employee*—Any person employed by this department. This term includes, but is not limited to, criminal justice officers and clerical and support staff.

- E. *Drug Test*—The compulsory production and submission of urine by an applicant, lateral transferee, or employee in accordance with departmental procedures, for chemical analysis to detect prohibited drug use.
- F. *Reasonable Suspicion*—An articulable belief that an employee used or is using illegal drugs drawn from specific and particularized facts and reasonable inference from those facts. This reasonable suspicion may arise from the occurrence of a triggering event such as an accident.

#### IV. Procedures/Rules

##### A. Prohibited Activity

The following rules shall apply to all applicants and employees while on or off duty:

1. No employee shall illegally possess any controlled substance.
2. No employee shall ingest any controlled or other dangerous substance, except as prescribed by a licensed medical practitioner.
3. No employee shall ingest any prescribed or over-the-counter medication in amounts beyond the recommended dosage.
4. Any employee who unintentionally ingests, or is made to ingest, a controlled substance shall report the incident to his/her supervisor immediately upon discovery so that appropriate medical steps may be taken to ensure the employee's health and safety.
5. Any employee having a reasonable basis to believe that another employee is illegally using, or is in possession of, any controlled substance shall immediately report the facts and circumstances to his/her supervisor.

##### B. Applicant and Lateral Transferee Drug Testing

1. Applicants and lateral transferees applying for criminal justice officer positions shall be required to take a drug test as a condition of employment during the application process (but not more than sixty (60) days prior to the date of employment as a criminal justice officer).
2. Applicants and lateral transferees shall be disqualified from further consideration and employment under the following circumstances:
  - a. Refusal to submit to a required drug test; or
  - b. A confirmed positive drug test indicating drug use prohibited by this policy.

### C. Employee Drug Testing

Criminal justice officers and other employees will be required to submit to a drug test, as a condition of continued employment, in order to ascertain prohibited drug use in any case where there exists an individualized “reasonable suspicion” that the officer or employee uses or is using illegal drugs. Reasonable suspicion that an officer or employee uses or is using illegal drugs may be based upon but not limited to:

1. Observable phenomena, such as direct observation or drug use or possession and/or the physical symptoms of being under the influence of a drug;
2. A pattern of abnormal conduct or erratic behavior, including abnormal leave patterns;
3. Arrest or conviction for a drug-related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use, or trafficking;
4. Information provided either by reliable and credible sources or independently corroborated;
5. Evidence that an employee has tampered with a previous drug test; or
6. Facts or circumstances developed in the course of an authorized investigation of an accident or unsafe working practice.

### D. Specimen Collection Procedures

1. The testing procedures and safeguards provided in this policy to ensure the integrity of department drug testing shall be adhered to by all personnel administering drug tests.
2. The individual to be tested (hereinafter referred to as “donor”) must be positively identified by presenting one of the following:
  - NC Driver’s License
  - Division of Motor Vehicles Identification Card
  - Other government issued picture ID
3. The donor will be required to complete an Applicant Consent Form.
4. The room where the sample is to be obtained must have been checked to ensure it is private, secure, and free of any foreign substance.



5. A toilet bluing agent must be placed in the toilet bowl to ensure the donor does not use toilet water to dilute the specimen.
6. The donor must be asked to remove any unnecessary outer garments such as a coat or jacket.
7. All personal belongings such as a purse or briefcase should be left outside the collection room. A donor should be allowed to retain his/her wallet.
8. Donor must be instructed to wash and dry hands before the screen.
9. Donor must be provided with a new and/or unadulterated specimen collection bottle/container. The donor must be instructed that a specimen of 60 milliliters or 2 ounces is necessary for urinalysis.
10. Donor must be instructed while alone in the collection room he/she may not run any water, flush the toilet, or handle anything else in the room.
11. Donor enters the collection room and the collector stands outside the door. Collector must note on the Urine Specimen Collection Checklist if he/she hears any unusual activity.\*

*\*If the donor runs water or flushes the toilet while alone in the collection room, then the specimen is invalid and the process must begin anew.*

12. The collector must receive the sample from the donor. Should the specimen need to be transferred from the collection container to other containers, the donor should make such transfer while under observation by the collector. The specimen must be kept in full view of both the collector and donor until it is sealed.
13. Collector must check to see that a specimen of sufficient quantity has been collected. Should a specimen of insufficient quantity be presented to the collector, that specimen must be discarded and another specimen must be collected in a new container.\*

*\*If the donor is unable to provide a specimen at that time, it is recommended that the donor be given eight (8) ounces of liquid (water, coffee, soft drinks) every thirty (30) minutes. This should enable the donor to produce a sample within two hours. The donor must stay at the collection site until a specimen of sufficient quantity is obtained.*

14. If the specimen is of sufficient quantity, the collector must check the temperature of the specimen.\*

*\*Temperature must fall between 90 degrees F-100 degrees F and time from urination to temperature measurement shall not exceed four (4) minutes.*

15. The collector must inspect the specimen's color and look for any signs of contaminants. Any concerns should be noted on the Urine Specimen Collection Checklist. Should there be reasonable suspicion that the donor tampered with the specimen, the collector must notify the employing agency and send the specimen to the laboratory for testing.
16. The collector must seal the specimen container in the donor's presence and be sure that appropriate identification is added to the container's outer label(s).
17. The donor may now wash hands.
18. The collector must see that the specimen is appropriately safeguarded until such time as it is prepared for and delivered to the laboratory.

E. Drug Testing Methodology

1. The testing or processing phase shall consist of a two-step procedure:
  - a. Initial screening test using an immunoassay testing method; and
  - b. Confirmation test using gas chromatography/mass spectrometry (GC/MS) method.
2. When the lab receives a urine sample it will conduct an initial screening test to check for the presence of illegal drugs. This initial screening test involved using an immunoassay testing method.
3. The test detects the presence of cannabis, cocaine, phencyclidine (PCP), opiates, and amphetamines or their metabolites.
4. The threshold levels established by SAMHSA are hereby adopted by reference. This adoption shall automatically incorporate any later amendments and additions.
5. The laboratory conducting the test must be certified for federal workplace drug testing programs and must adhere to applicable federal rules, regulations and guidelines pertaining to the handling, testing, storage, and preservation of sample.
6. Should the initial test produce a positive result for the presence of an illegal drug, the lab will automatically perform a second test. Known as a confirmation test, the second screening involves using the technologically different and more sensitive gas chromatography/mass spectrometry (GC/MS) testing method.

7. The laboratory will report a test result as positive if, and only if, both the initial test and the confirmation test show the presence of an illegal drug.
8. The laboratory will report all test results directly to the Medical Review Officer (MRO).

F. Medical Review Officer

In order to provide, to the greatest extent possible, for the privacy and confidentiality of applicants and employees who are required to submit to drug testing, all laboratory results will be sent directly to the Medical Review Officer. All specimens reported by the laboratory as negative will in turn be reported to the agency by the MRO as negative.

With respect to confirmed positive results, the MRO:

1. May conduct medical interviews with the applicant/employee;
2. May review applicant/employee medical histories or any other biomedical factors;
3. Shall review all medical records made available by the tested employee when a confirmed positive could have resulted from legally prescribed and taken medication; and
4. May deem the result to be insufficient for further action and declare the result to be negative based on a review of such data or facts as she/he may deem appropriate.

G. Chain of Evidence-Storage

1. Each step in collecting and processing of the urine specimens shall be documented to establish procedural integrity and the chain of custody.
2. Where a positive result is confirmed, urine specimens shall be maintained by the laboratory in secured, refrigerated storage for an indefinite period.

H. Confidentiality of Test Results

1. A positive result which the MRO justifies (by using appropriate medical or scientific documentation to account for the result as being caused by something other than the ingestion of an illegal drug) will be reported as a negative result and may not be released for purposes of identifying illegal drug use. Records of the MRO shall only be released to the agency head or appropriate agency coordinator and, when necessary, to the North Carolina Criminal Justice Education and Training Standards Commission.

2. All records and information of personnel actions taken on applicants and veteran employees with verified positive test results shall be maintained in accordance with state and local personnel and privacy laws and ordinances as well as departmental personnel policies and procedures.

## Appendix C

### ILLEGAL DRUGS AND THRESHOLD VALUES

Listed below are the illegal drugs for which the drug screening must check, and the threshold values\* that are presently being used by the Commission for the purpose of determining whether a test result should be reported as positive. The Commission's rules have adopted the threshold values designated by SAMHSA. In the event that SAMHSA changes the designated values the Commission's values will adjust automatically. [12 NCAC 9B .0101(5)(d)]

The "threshold values" refer to how much of the drug must be present in the urine for the drug test to yield a positive result. "Initial" and "confirmatory" refer to the initial drug screening and the automatic confirmatory test which will be performed should the initial test prove positive. [For exact language see 12 NCAC 9B .0101(5).]

Illegal Drug	Initial	Confirmatory
1. Cannabis	50 ng/ml*	15 ng/ml
2. Opiates	300 ng/ml	300 ng/ml
3. Cocaine	300 ng/ml	150 ng/ml
4. PCP	25 ng/ml	25 ng/ml
5. Amphetamines	1000 ng/ml	500 ng/ml (NOTE: Methamphetamine must also contain amphetamines at a concentration of at least 200 ng/ml.)
	*ng/ml = nanograms per milliliter	

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\*These are the threshold values in effect at the time of the printing of this manual. Because they are subject to change, the Commission has adopted them, and any subsequent amendments, by reference.

Appendix D

**DRUG SCREENING THROUGH URINALYSIS  
CHAIN OF CUSTODY FORM**

1. Name: \_\_\_\_\_

2. Social Security Number: \_\_\_\_\_

IMPORTANT: Information from line 1 & 2 above must be recorded on the specimen bottle label.

**CHAIN OF CUSTODY  
(MUST BE COMPLETED AT TIME OF COLLECTION)**

Purpose of Change of Custody: \_\_\_\_\_

---

Released by: \_\_\_\_\_  
(Signature) (Print Name)

Received by: \_\_\_\_\_  
(Signature) (Print Name)

Date: \_\_\_\_\_

Provide Specimen: \_\_\_\_\_  
(Donor's Signature) (Collector's Signature)

Ship Specimen: \_\_\_\_\_  
(Collector's Signature)

Special Notes:

Appendix E

**Drug Screening Through Urinalysis  
Applicant Consent Form**

I, \_\_\_\_\_, understand that as part of the pre-employment process as required by the North Carolina Education and Training Standards Commission I must submit to a urinalysis drug screening.

**I do hereby voluntarily consent to the sampling and submission for testing of my urine for the purpose of screening for the presence of illegal drugs. I understand that a negative result from this screening is a condition of employment.**

I understand that refusal to supply the necessary samples in a reasonable and timely manner or producing a positively confirmed test result for the presence of illegal drugs may result in my being denied certification as a criminal justice officer. I also understand that in the case of a refusal to submit to a drug screen or a positive result my name will be forwarded to the Criminal Justice Standards Division, which serves as the central agency for documentation of such results. I understand that a refusal to submit to a drug screen or a confirmed positive test result indicating the presence of illegal drugs may bar me from securing employment as a criminal justice officer.

I authorize disclosure of the drug screen results by and between the testing laboratory, Medical Review Officer, employing agency and the Criminal Justice Standards Division. I further authorize disclosure of this or any related information, to include results of prior drug screens or refusals, by the Criminal Justice Standards Division to the extent that such disclosure is made to a law enforcement agency or criminal justice licensing or regulatory agency as needed or requested for certification or employment and other valid non-criminal purposes.

I understand the results of the urinalysis will be available to me as soon as possible after receipt by the \_\_\_\_\_ (agency).

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Social Security Number

STATE OF NORTH CAROLINA  
COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public in and for said County and State do hereby certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the due execution of the foregoing instrument in writing for the purposes therein expressed.

WITNESS my hand and notary seal, this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

## Appendix F

### DRUG SCREENING THROUGH URINALYSIS MEDICATION DISCLOSURE

**To the Medical Review Officer:** This form was developed to assist you in identifying medications an applicant or officer has taken that would cause a positive drug screen result. Please retain this form in your files. Please do not send this form or a copy to the agency or to the Criminal Justice Education and Training Standards Commission unless requested to do so.

**To the Applicant/Officer:** If you have received or taken any prescription or non-prescription medication of any kind in the past thirty (30) days please indicate below.

**NOTE:** "Medication" includes all prescription drugs, over-the-counter drugs, inhaled medications, eye drops, other drugs, any kind of injection, and any other type medication received at a doctor's office or emergency room.

- I. During the past thirty (30) days I have taken the following prescription medications and I am prepared to furnish valid prescription information if requested:

<u>Name of Medication</u>	<u>Prescribing Physician</u>	<u>Date Last Taken</u>
---------------------------	------------------------------	------------------------

- 1.
- 2.
- 3.

(If more than three (3) please continue on back of this form.)

- II. During the past thirty (30) days I have taken the following non-prescription medications (example: cough medicines, cold tablets, etc.):

<u>Name of Non-Prescription Medication</u>	<u>Date Last Taken</u>
--------------------------------------------	------------------------

- 1.
- 2.
- 3.

(If more than three (3) please continue on back of this form.)

- III. During the past thirty (30) days I have taken the following other drugs and/or received the following medications (be specific):

- 1.
- 2.
- 3.

(Use space below for additional information if necessary.)



Additional information from Sections I, II, and III:

Name of Applicant/Officer (Print): \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Signature of Applicant/Officer: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_ The applicant/officer completed this form

\_\_\_\_ The Medical Review Officer completed this form at applicant's/officer's direction

## Appendix G

### DRUG SCREENING THROUGH URINALYSIS URINE SPECIMEN COLLECTION PROCEDURAL CHECKLIST

Applicant's Name: \_\_\_\_\_  
(please print or type)

Applicant's Social Security Number: \_\_\_\_\_

Collector's Name: \_\_\_\_\_

Collector's Title: \_\_\_\_\_

Collector should initial in the space to the left following completion of each step listed below.

- \_\_\_ 1)      Applicant has been positively identified by use of a picture ID.  
            Type of ID Used: \_\_\_\_\_  
            Identification Number: \_\_\_\_\_
- \_\_\_ 2)      Applicant has completed the Applicant Consent Form.
- \_\_\_ 3)      Room where the urine specimen is to be collected has been checked and is  
            private, secure, and free of foreign substance.
- \_\_\_ 4)      A toilet bluing agent has been placed in the toilet bowl (to ensure there is no  
            Attempt to dilute the specimen with toilet water).
- \_\_\_ 5)      Applicant has removed all unnecessary outer garments (such as a coat or jacket).
- \_\_\_ 6)      Applicant has left all personal belongings (such as a purse or briefcase) outside  
            the collection room.
- \_\_\_ 7)      Applicant has been instructed to wash and dry his/her hands while in the  
            presence of the collector and prior to the screen.
- \_\_\_ 8)      Applicant has been provided with a new and/or unadulterated specimen  
            collection container.
- \_\_\_ 9)      Applicant has been instructed about specimen volume requirements for  
            urinalysis (60 ml./2 oz.).

\_\_\_10) Applicant has been informed that while alone in the collection room he/she is prohibited from running water, flushing the toilet, or handling anything in the room.

\_\_\_11) Applicant has been allowed to enter the collection room. (The collector must stand outside the door and note on this form if he/she hears any unusual activity. If the applicant runs water or flushes the toilet the specimen is invalid and the procedure must begin again from Step 1.)

NOTE: Should the applicant be unable to provide a specimen at this time, it is recommended that the applicant be given eight (8) ounces of liquid (water, coffee, soft drink) every thirty (30) minutes until a specimen can be produced. The applicant must stay at the collection site until a specimen of sufficient quantity is obtained.

\_\_\_12) Collector has received the specimen from the applicant. (*Should the specimen need to be transferred from the collection container to other containers, the applicant will make such transfer while under observation from the collector.*)

NOTE: The specimen should remain in full view of both the applicant and the collector until it is sealed.

\_\_\_13) Collector has checked to verify that a specimen of sufficient quantity has been collected.

NOTE: Should a specimen of insufficient quantity be presented to the collector that specimen should be discarded and another specimen collected in a new container.

\_\_\_14) Collector has checked temperature of the specimen or has taken other precaution to ensure the specimen was rendered at that particular time.

The specimen's temperature was \_\_\_\_\_.

The time from urination to temperature measurement for this specimen was \_\_\_\_.

\_\_\_15) Collector has inspected the specimen's color and checked for any signs of contaminants (any concerns should be noted in the selection labeled "Collector's Additional Comments" at the bottom of this form).

NOTE: Should there be reasonable suspicion that the applicant tampered with the specimen, the collector should send the specimen to the laboratory for testing and notify the employing agency. The employing agency may want to make immediate arrangements to collect another specimen. The second specimen should be collected under direct observation by an observer of the same gender. Both specimens should be submitted to the laboratory for analysis.

- \_\_\_16) Collector has sealed container in the donor's presence and has added appropriate identification to the container's outer labels(s).
- \_\_\_17) Collector has informed applicant that he/she may now wash his/her hands.
- \_\_\_18) Collector has seen that the specimen is appropriately safeguarded until such time as it is prepared for and delivered to the laboratory.

Collector's Additional Comments:

I hereby certify that the collection of the urine specimen for the above-listed applicant followed the procedures as outlined on this form.

Collector's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Appendix H

North Carolina Criminal Justice Education and Training Standards Commission  
Criminal Justice Standards Division  
North Carolina Department of Justice  
Post Office Drawer 149  
Raleigh, North Carolina 27602  
(919) 661-5980

DRUG TESTING REPORT FORM-POSITIVE RESULTS AND REFUSALS

Donor's Name: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Check ONE of the following:

\_\_\_\_\_ Drug test administered for Pre-Employment

\_\_\_\_\_ Drug test administered for Veteran Officer

Date Test Administered: \_\_\_\_\_; or

Date of Refusal to Submit to Test: \_\_\_\_\_

Drug determined to have caused positive result and, if available, the nanogram level:

\_\_\_\_\_

\_\_\_\_\_  
Signature of Agency Head

\_\_\_\_\_  
Name of Agency

\_\_\_\_\_  
Date

Appendix I

North Carolina Criminal Justice Education and Training Standards Commission  
Criminal Justice Standards Division  
North Carolina Department of Justice  
Post Office Drawer 149  
Raleigh, North Carolina 27602  
(919) 661-5980

REQUEST FOR RECORDS SEARCH-DRUG TESTING

Applicant's Name: \_\_\_\_\_

Social Security #: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Requesting Agency: \_\_\_\_\_

A copy of the Applicant's Drug Screen Consent Form is attached.

\_\_\_\_\_  
Signature of Agency Head

\_\_\_\_\_  
Date of Request

*NOTE: Please remember to include a self-addressed, stamped envelope.*

**DO NOT WRITE BELOW THIS LINE—SEARCH RESULTS BELOW**

---

\_\_\_\_\_ No Record Located

\_\_\_\_\_ Positive Results on File

Date Tested: \_\_\_\_\_

\_\_\_\_\_ Refusal Reported

Date of Refusal: \_\_\_\_\_

Search Conducted By: \_\_\_\_\_

Date of Search: \_\_\_\_\_

**\*\*Please Note:** Search of combined Criminal Justice Standards and Sheriffs' Standards Division database has been made.

## Appendix J

North Carolina Criminal Justice Education and Training Standards Commission  
Criminal Justice Standards Division  
North Carolina Department of Justice  
Post Office Drawer 149  
Raleigh, North Carolina 27602  
(919)661-5980

### Office of the Director

Jeffrey Smythe, Director  
Michelle Schilling, Deputy Director  
Joseph Graziano, Deputy Director  
Erica Reid, Administrative Secretary

### Officer Certification Unit

Jenny Myers, Law Enforcement Certification Specialist  
Sonya Phannouvong, Law Enforcement Certification Specialist  
Kim Pulley, Correctional Coordinator  
Judy Kelley, Investigator  
Angelica Maviki, Investigator  
Kevin Wallace, Investigator  
Ron Harrison, Investigator

### Company Police/Campus Police Program

Randy Munn, Program Manager

### Training Certification Unit

Russell Henderson, Research and Planning Specialist  
Bob Overton, CCH / RELOF Program Manager  
Rosie Battles, BLET / Instructor Program Manager  
Steve Parker, SMI / In-Service Program Manager

### Field Service Representatives

Ken Bumgarner, Region 1 Field Representative  
Jason McIntyre, Region 2 Field Representative  
Mike Whitley, Region 3 Field Representative  
Mike Brim, Region 4 Field Representative