

MEMORIAL HOSPITAL OF SHERIDAN COUNTY DBA SHERIDAN MEMORIAL HOSPITAL			Human Resource Manual	
Number HR 1280	Title Drug-Free Workplace Policy and Testing Procedures	Date Issued 9/18/2007	Date Revised 10/20/2009	Page 1 of 11
Authorized Signature and Title: Len Gross, Director of Human Resources			Policy Author: Dee Neavill, Employee Health Coordinator	

I. PURPOSE:

- A. Sheridan Memorial Hospital is committed to the safe, healthy and productive work environment for its employees, patients, physicians, volunteers and the public, free from the effects of illegal or non-prescribed drugs and alcoholic beverages. The use of controlled substances is inconsistent with the behavior expected of all employees, poses unacceptable safety risks, discredits the organization and will not be tolerated.

II. POLICY:

- A. The possession, use, or sale of illegal drugs or alcohol (or abusive use of legal drugs or substances) in the work place, on company property, in any company vehicle or while engaged in Sheridan Memorial Hospitals' business, including breaks or lunch, paid or unpaid, is strictly prohibited. No employee will report to work while impaired by alcohol or any controlled substances(s).
- B. A copy of this policy will be available in the Human Resource Department, Employee Health Department and is available on the hospital network. The federal Drug-Free Workplace Act will be available upon request.
- C. Substance abuse testing:
 - 1. Vacancy announcements will include the requirement of substance abuse testing.
 - 2. Notification of substance abuse testing will be posted on second floor near Human Resources.
- D. Any employee who refuses to submit to a drug and/or alcohol test will be terminated.
- E. Any employee found in violation of the policy will be required to complete an Employee Assistance Program, offered by SMH

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or other drug programs. Until the program is completed and the employee tests drug free, the employee may not work at SMH. If the employee refuses assistance, SMH will replace any employee or contractor who is found to be in violation of this antidrug plan.

- F. In view of the serious potential problem of substance abuse, SMH has established the prohibited concentrations of alcohol and the prohibited presence of controlled substances by detecting and deterring their use in the work environment through testing.
- G. Any employee who receives a positive confirmed test result may contest or explain the result to SMH within five (5) working days after written notification of the test result.

III. DEFINITIONS: For purposes of this alcohol and substance abuse plan, the following definitions apply:

- A. Controlled Substance
 - 1. Prohibited drugs as specified in Schedules I and II of the Controlled Substances Act. (21 USCS & 812) Schedule I drugs are those which have a high potential for abuse and have no currently accepted medical use. In the U.S. Schedule II, drugs are those which have a high potential for abuse; but have an accepted medical use with severe restrictions. Their use may lead to severe psychological or physical dependence. For purposes of this policy, the term "drug" shall include any of these controlled substances.
- B. Positive Controlled Substance Test
 - 1. Any controlled substance test results reported to SMH identifying the presence of drugs or drug metabolites. To be determined positive, a urine test must test

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positive in a screening test and the affected employee be provided an opportunity to offer a legitimate explanation for the positive results.

- C. Positive Alcohol Test
 - 1. Any alcohol test results reported to SMH identifying the presence of alcohol by urine in excess of 0.02 gm%. To be determined positive, urine must test positive in a screening test.

- D. 49 CFR Part 40
 - 1. A covered employer may test for Amphetamines; Marijuana (cannabinoids); Cocaine (benzoyllecgonine); Opiates (codeine, morphine, heroin); PCP (phencyclidine); Alcohol; or any controlled substance subsequently subject to testing pursuant to drug testing regulations adopted by the United States Department of Transportation.

IV. Drug/Alcohol Testing Requirements:

- A. SMH will administer drug/alcohol testing to ALL employees, (to include all Workers Compensation covered employees). All applicants seeking employment with SMH shall undergo testing as stated under pre-employment testing. Drugs tested for all testing are pursuant to 49 CFR Part 40 or any controlled substance subsequently subject to testing pursuant to drug testing regulations adopted by the United States Department of Transportation.
 - 1. Pre-Employment Testing
 - a. A pre-employment/post offer drug screen must be conducted before work is performed. This test will be performed on site or at another designated testing facility. Any prospective employee who has a "non-negative" test, may at his/her discretion submit to an off-site screening of our

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choosing to verify the results of the test. The prospective employee will be responsible for the cost of this additional testing if the urine drug test is positive. Receipt of a negative drug test result is required prior to employment. Any candidate with a positive screen except those legally taking prescription medication, will not be considered for employment or assignment.

2. Post-Accident Testing
 - a. Post accident testing will be performed on an employee when an on-the-job accident or incident occurs, regardless of whether or not the accident/incident results in lost work time or days. These circumstances include injury requiring medical treatment, or any accident causing damage to property or equipment. The department manager, HR Director, Supervisor or Employee Health Coordinator has the authority to require a drug and alcohol test be performed in any other safety sensitive areas in which situations, conditions or circumstances warrant the testing. Testing must occur as soon as reasonably possible following the accident/incident. Post accident testing may be on-site testing or off-site testing at a designated collection site
3. Reasonable Cause/Suspicion Testing
 - a. Reasonable cause/suspicion testing is designed to provide management with a tool to identify drug affected employees who may pose a danger to themselves and others in their job performance. Employees may be at work in a condition that raises concern for safety or productivity. Supervisors must then make a decision as to whether there is reasonable cause to believe an employee is using or has taken alcohol or a

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- prohibited drug. Supervisors and coworkers with knowledge of abuse who do not take action will be subject to discipline or termination.
- b. Employees or supervisors with concerns about other employees are to discuss these matters in confidence with their immediate supervisor, Human Resources Director or Employee Health Coordinator determining whether reasonable cause exists. Appropriate documentation of the review and findings will be made.
 - c. When reasonable cause exists, testing procedures for drugs and alcohol will be as follows:
 1. The employee will be escorted to the assigned collection site where a urine sample will be obtained as set forth below.
 2. When reasonable cause provides suspicion that an employee is under the influence of alcohol, a urine sample will be taken. The results of the urine sample will be available as soon as possible to the Human Resources Department or other designated individuals.
 3. When an employee is suspected of being under the influence of drugs and the designated individual deems it necessary, urine will be collected and sent to an independent certified reference laboratory for screening and confirmation testing.
 4. If there is uncertainty as to the substance the employee is suspected of being under the influence of, urine samples will be obtained and tested as detailed above.
 5. Employees suspected of drug or alcohol use will not be permitted to return to work while awaiting results of tests.
 - d. Random Testing-The primary purpose for random

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testing is to deter prohibited drug use and to ensure a Drug-Free Work Place. SMH will conduct random drug and alcohol testing at a rate of up to 20% of ALL employees, per calendar year, spread reasonable over a 12-month period. The number of employees selected will be based on the total number of employees that are in the pool at the time of generation and the necessary testing rate.

1. All employees will remain in the random selection pool at all times regardless of whether they have been previously selected for testing.
2. Employees shall be selected by using the employee's name and birthdate.
3. The process will be unannounced as well as random. Employees will be notified that they have been selected for testing after they have reported for duty.
4. A manager or other designated individual from SMH will notify the employee to be tested to report to the assigned collection site either on or off-site. The employee will be notified of the test while on company time. If any testing is done off-site, the employee will be escorted to the collection site.
5. The designated individual shall use the random selection procedures to compile a list of employees selected for random testing during that testing cycle.
6. Photo identification is required by way of driver's license or photo identification, at the assigned collection site.

V. Consequences

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- A. A negative drug screen is a required condition of employment.
- B. Prescription medications affecting the drug test result must be verified by the medical review officer (MRO) with proof of prescription. Legal use of medication and prescriptions will not hinder employment. However, medications that may affect employee work performance and safety issues must be reported to the immediate Supervisor, or other designated individuals.
- C. Employees suspected of being under the influence of alcohol/drugs will be placed on administrative leave of absence pending receipt of test results. The immediate Supervisor or other designated individuals will arrange to have the employee transported home. If the results are negative, employees will be paid for the suspension time that they normally would have worked. No payment will be made if the results are positive.
- D. Employees who test positive on the confirmatory drug test may be terminated.

VI. Prescription Medications

- A. The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates a mental function, motor skills, or judgment may be adversely affected, must be reported to supervisory personnel and the Employee Health Coordinator and medical advice must be sought by the employee, as appropriate, before performing work-related duties.
- B. A legally prescribed drug means that an individual has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. It must

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include the patient's name, the name of the substance, quantity/amount to be taken, the period of authorization, and the prescribing physician. The misuse of legal drugs while performing job duties is prohibited. Employees found misusing prescriptions will be referred for a mandatory substance abuse evaluation.

VII. Drug and Alcohol Testing

- A. All drug and alcohol testing will be done under the direction of the Human Resources Department or other designated individuals. All policies and procedures for the collection of samples will be under the guidelines recommended by the manufacturer of the testing supplies. A multiple drug screen will be utilized for the testing of the sample. Any controlled substances as outlined in the Definitions Section of this Policy will be included in the testing.

VIII. MRO Review

- A. An employee challenging the results of an on-site test may request the positive test results be sent to a medical review officer (MRO) for investigation to determine if the results are from a legitimate prescribed medication. If it is determined that the positive result is from a legitimate prescription that is being used appropriately, then the drug test will be reported to the Human Resources Department or other designated individuals as negative. However, costs of such additional testing is the responsibility of the employee.

IX. Reporting Positive Results

- A. All positive results will be reported to the Human Resources Director. All records in regard to positive drug/alcohol results and the mandatory monitored treatment program will be kept in a secured file with Human Resources.

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X. Confidentiality

- A. SMH and other designated individuals will uphold the confidentiality of all testing procedures, results, and records/contracts for the Substance Abuse Prevention Program.

XI. Prohibitions

- A. Any person found in violation of this policy and procedure will be dismissed from SMH until a drug program is successfully completed. Employees will be dismissed who are found to be in violation or believed to be in violation, whose compliance cannot be certified based upon acceptable laboratory testing. Employees violating any prohibitions listed below shall be subject to immediate dismissal without warning.
1. Unauthorized use, possession, manufacture, distribution, dispensation, sale, and known transportation of alcohol and controlled substances on SMH premises will be treated with zero tolerance. In particular, this policy expressly prohibits the unlawful use of controlled substances by employees.
 2. Consumption of alcoholic beverages or controlled substances during working hour, during breaks, during meal breaks, while on-call/standby or working or reporting to work when alcohol, drugs or drug metabolites are present in the employee's system. Alcohol may never be used while driving to or from a meeting or other work related business.
 3. Testing positive for the presence of any controlled substance or alcohol (in excess of 0.02 urine levels) during working hours, or otherwise conducting SMH business, or operating personal vehicles (owned or leased) for SMH.
 4. Switching or altering any urine specimen submitted for

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- testing for controlled substances or alcohol.
5. Refusing consent to controlled substance or alcohol testing or to submit a specimen for testing in conformance with this policy.
 6. Failure to adhere to the requirements of any treatment or counseling program in which the employee is enrolled in as part of rehabilitation offered at the hospital's discretion subsequent to a positive alcohol or controlled substance test or the voluntary disclosure of substance abuse prior to selection for testing.
 7. Failure to notify a SMH manager/supervisor within two days of any arrest or conviction under any criminal statute involving the use of alcohol or controlled substance.
 8. Providing false information when information is required under this policy.
 9. Failure to report information to a physician indicating that the use of a prescribed or over-the-counter drug may alter the employee's behavioral alertness or mental ability and any interference with the employee's ability to perform their normal job duties to a manager/supervisor prior to the beginning of the employee's shift.

V. ATTACHMENTS

- A. Acknowledgment of receipt

VI. DEPARTMENTS & POLICIES AFFECTED:

- A. All Departments
- B. Employer Exceptions Policy #HR 2500
- C. Hiring Procedures Policy #HR 0080

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VII. REFERENCES:

- A. Titan Foods, LLC.
- B. State of Wyoming, Workers' Safety and Compensation Division
- C. Wyoming Statute &27-14-102(a)(xi)(B)(I).
- D. Rules, Regulations and Fee Schedules of the Wyoming Workers' Safety and Compensation Division. Chapter 2- Employer Coverage and Compliance, Section 8. Drug and Alcohol Testing Program; Employer Discount.

VIII. COMMITTEE APPROVAL IF APPLICABLE: None

IX. DISTRIBUTION:

- A. All Departments