

# THE UNIVERSITY OF LOUISIANA AT MONROE

## College of Pharmacy Drug Testing Policy and Procedure

### I. Purpose

The safety and security of personnel, students, and visitors as well as property of the State of Louisiana is of vital importance to the University of Louisiana at Monroe (ULM). The purpose of this policy is to create and maintain a drug and alcohol free academic environment by identifying existing students and potential students, who use or abuse illicit drugs and/or abuse prescribed medications.

### II. Policy Statement

It is the policy of this institution to provide a safe environment in order to conduct the mission of the University in the most effective manner possible. A safe environment will be attained by appropriate student screening, student education and training, surveillance of the academic area, and the effective management of situations involving drugs and alcohol regarding individuals who fall under the purview of University authority and/or the Louisiana Board of Pharmacy. It is the intent of the University through its policy, procedures, and practices to reduce the potential for:

- A. The manufacture, possession, use, sale, distribution, dispensation, receipt, or transportation of illegal substances while on ULM property or while otherwise engaged in University business.
- B. The theft, unauthorized use, or intentional mishandling or misuse of any medication and/or substance that is present at ULM for the purpose of treating patients.
- C. The consumption of alcoholic beverages, except the moderate consumption of alcoholic beverages at University-sponsored events or groups approved by the University.
- D. Being under the influence of substances while on ULM property or while otherwise engaged in University business or during employment.
- E. Performing duties while under the Influence of substances whether on or off University property.

### III. Definitions

- A. **Possession:** To have on one's person, in one's personal effects, in one's vehicle or otherwise under one's care, custody, or control.
- B. **Substance:** Any alcohol, drugs, other substances whether ingested, inhaled, injected subcutaneously, or otherwise) that have known mind altering or function-altering effects upon the human body or that impair one's ability to safely perform his or her work, specifically including, but not limited to, prescriptions drugs and over-the-counter medications; alcohol, drugs, and other substances made illegal under federal or state law; "synthetic or designer" drugs: illegal inhalants; "look-alike" drugs; amphetamines, cannabinoids (marijuana and hashish), cocaine, phencyclidine (PCP), and opiates; and any drugs or other substances references in Schedule I through V of 21 C.F.R. Part 1308 (whether or not such drugs or other substances are narcotics).

- C. **Premises:** For the purpose of this policy all property, facilities, buildings, structures, installations, work locations, work areas, or vehicles owned, operated, leased, or under the control of the University entity to which such premises or property pertains. Private vehicles parked on premises or properties are also included under this definition.
  - D. **Under the Influence:** The condition wherein any of the body's sensory, cognitive, or motor functions or capabilities is altered, impaired, diminished, or affected due to substances. This also means the detectable presence of substances within the body, regardless of when or where they may have been consumed, having an alcohol test result of 0.08 or greater alcohol concentration of blood or breath, and/or having a positive test for other substances.
  - E. **Prescription:** A valid prescription issued to the employee by a licensed health care provider authorized to issue such prescription and used for its intended purpose as prescribed before any expiration date.
- IV. **Applicability:** This policy and companion procedures apply to all ULM professional pharmacy students. All students are responsible to be familiar with and comply with this policy and companion procedures.
- V. **Policy Provisions**
- A. It is a violation of the law to manufacture, possess, use, sell, distribute, receive, or transport illicit drugs on to State of Illinois Property; ULM is State property. The illegal possession, distribution, or use of drugs by students or other individuals on ULM property will not be tolerated and may subject violators to discipline, up to and including termination of enrollment pursuant to the applicable University policies and procedures or collective bargaining procedures. Any individual engaging in prohibited conduct under this policy is also subject to legal action.
  - B. **Legal Compliance:** The provisions of this policy are subject to any federal, state, or local laws that may prohibit or restrict their applicability, and testing for substances shall be conducted in accordance with and limited by such laws notwithstanding any terms of this policy to the contrary.
  - C. **Other Substance Tests:** The University may periodically conduct substance tests based on breath, saliva, urine, blood, and/or hair samples under any of the circumstances noted below. Any student subjected to any substance test will be required to sign a Substance Test Consent Form. Refusal to sign the form or leaving the University or certified testing facility prior to the substance test without permission of the supervisor, or refusal to cooperate in any way with the testing process, shall be grounds for immediate termination of enrollment. In the event, an employee consents to a substance test but fails to sign a Substance Test Consent Form, his/her failure will not invalidate the consent for the testing.

A student, who appears to be Under the Influence of Substance (s), at the discretion of the University, shall be removed from the academic area and provided with transportation to the place of testing. The University shall call the emergency contact indicated by the student or, if unavailable, arrange for a cab or other means to transport the employee home following the test.

At the discretion of the University, students suspected of violating this policy may be placed on administrative leave pending test results. If test results are negative; the student will be allowed to return to the classroom.

- D. **Post-Accident Testing:** If the University has reasonable cause to believe a student has caused an on-the-job injury that is considered recordable under OSHA guidelines (i.e., requiring medical treatment) as a result of being Under the Influence, the University may require the injured student to undergo a post-accident substance test. Refusal to submit to the substance test shall be grounds for immediate termination of enrollment.
- E. **Missing Substances:** When there is a medication administration/handling discrepancy or where a substance is missing, all students who were involved in the handling of, or had access to, the missing substance will be immediately be required to submit to a substance test. Students who admit to diversion of medications will undergo substance testing. Refusal to submit to a substance test will be grounds for immediate termination of enrollment.
- F. **Fitness for Duty:** Students suspected to be unfit for duty (i.e., classroom attendance, rotation performance, etc.) as a result of the use or reasonably suspected use of substances will be subject to substance testing. Refusal to submit to substance test will be grounds for immediate termination of enrollment.
- G. **Reasonable Suspicion:** The University may require a student to submit to a substance test if the Office of Student and Professional Affairs has a reasonable belief that the student is using, is Under the Influence of, or is in the possession of substance or has otherwise violated this policy's prohibition on the use of substances. Refusal to submit to a substance test will be grounds for immediate termination of enrollment.
- H. **Random Selection Testing:** All students are subject to random testing for substances. Where random testing is prohibited or restricted by applicable state or local statute or regulation, or other legally-binding agreement, the University will conform to all applicable laws, regulations, and agreements notwithstanding the provisions of this policy.
- I. **Alteration of Sample:** Specimens reported by the testing laboratory as adulterated or substituted will be considered a refusal to test, and therefore grounds for immediate termination of enrollment.
- J. **Workplace Searches:** The University may conduct searches of University property, including lockers, and an student's personal property in cases where there is reasonable cause to suspect a violation of this policy. While no search will be conducted without a student's consent, consent to a search is a condition of continued enrollment in the professional pharmacy program. A student who refuses to cooperate in the conducting of such searches will be subject to disciplinary action up to and including termination of enrollment.
- K. **Collection of Samples:** Testing samples will be collected by a qualified individual or facility designated by the College of Pharmacy. Collection of samples will be performed under reasonable and sanitary conditions. The chain of custody of the sample will be recorded, and this record should be retained.
- L. **Off-Premise Use:** The University reserves the right to suspend any student who has been arrested for criminal offenses related to the manufacture, possession,

sale, use, distribution, dispensation, receipt, or transport of any illegal substance pending resolution of the charges to the University's satisfaction.

Students who are convicted of any substance related violation under state or federal law or who plead guilty or nolo contendere (i.e., no contest) to such charges must inform the University in writing within five (5) days of the conviction or plea. **Failure to do so will result in disciplinary action, up to and including removal from the professional program.** In the event of a student's conviction or plea to charges relating to the manufacture, possession, sale, use, distribution, dispensation, receipt, or transportation of any substance, the faculty will determine whether disciplinary action will be taken, including the appropriateness of continued enrollment.

- M. **Confidentiality of Test Results:** All test results will be handled on a confidential basis. The Director of the Office of Student and Professional Affairs and the Dean of the School of Pharmacy or his/her designated representative will determine who will have access to these records.
- N. **Cost of Process:** Until further notice, the College of Pharmacy will be responsible for costs associated with the random screening process. However, students may be responsible for costs associated with maintenance screening programs, outpatient and/or inpatient treatment and follow-up.

VI. The ULM Office of Student and Professional Affairs will make counseling, direction, training, and education regarding drug testing and rehabilitation services available (and as directed by the Louisiana Board of Pharmacy).

VII. University offices and officials with primary responsibility to implement and achieve the goals of this policy include.

- A. University Police Department
- B. Office of the President of the University of Louisiana at Monroe
- C. Office of the Provost of the University of Louisiana at Monroe
- D. University Counseling Center
- E. Office of the General Counsel
- F. Dean of the College of Pharmacy
- G. Director, Office of Student and Professional Affairs