

## NEW OPIOID DOT TESTING, HOW WILL IT IMPACT EMPLOYERS AND EMPLOYEES??

On 1-1-2018 DOT drug test were changed to include the following 4 new substances, hydrocodone, hydromorphone, oxycodone & oxymorphone.

Here is a synopsis of what these changes may mean to employers and employees.

### General

- Possible extended me for laboratory testing of specimens
- Higher laboratory positive rate for opioids
- More MRO reviews and prescription validation for laboratory positive opioid test - More medical safety concerns/notices to employers from MRO's
- Increased cost to employers for laboratory and MRO services
- Shrinking driver pool due to unwillingness of drivers to forgo their opioid prescriptions

### MRO Process Changes (FTA,PHMSA, and some FAA)

- MRO reports negative result to employer immediately based on verified opioid prescription
- MROs must delay reporting medication safety concerns when opioid prescription is involved to the employer if the treating physician does not "clear" the driver
- MRO instructs donor to have his prescribing/treating physician contact the MRO ASAP - MRO discusses the safety risks associated with the medications donor disclosed with the physician if the physician contacts MRO
- If medications are not cleared or discontinued by the prescribing Physician, the MRO then reports safety concerns to the employer
- If employees prescribing/treating physician does not contact the MRO within 5 days of reporting the initial negative result, the MRO will release safety concern to employer

### MRO Process Changes (FMCSA, FAA Pilots, USCG)

- If donor has an ongoing prescription for a synthetic opioid, MRO will release as a negative drug test with "Safety Concerns" immediately to the employer.
- The employer must determine if the employee is medically fit to perform safety sensitive duties while taking this medication.
- For FMCSA employees, please refer to their most current DOT physical. If the driver disclosed that they are taking the medication in question on their DOT physical and were issued a medical card, they are qualified to drive. If they did not disclose that information on their physical, a new DOT physical must be performed in order for them to drive.
- FAA pilots need to go through the same process with their AME.
- USCG employees need clearance on their most recent coast guard physical.

### MRO Process Changes: Impact on Employers

- Additional prescription validation measures may take more me, thus increasing MRO verification timeline.

- MRO processes associated with verification of positive test or safety concerns will not be able to identify employee prescription abuse/misuse
- The delay in reporting medication safety concerns, for up to 5 days are reporting a negative result, means that an employer hires or returns to work an employee based on a negative result, and then subsequently learns that there is a significant safety risk associated with the employee's performance of safety-sensitive functions
- When a medication safety concern is reported by the MRO, it becomes incumbent upon the employer to address/resolve it
- DOT also states you can also resolve it by having the driver take a fit-for-duty physical examination, the physician would have to medically qualify the driver to perform safety sensitive duties while being allowed to continue their prescribed opioids. In today's litigious environment that is highly unlikely.

#### MRO Process Changes: Impact on Employees

- You will be tested for four semi-synthetic opioids: hydrocodone, oxycodone, hydromorphone, oxymorphone. Some common names for these semi-synthetic opioids include OxyContin®, Percodan®, Percocet®, Vicodin®, Lortab®, Norco®, Dilaudid®, Exalgo®.
- **Talk to your prescribing physician now do not wait until you are drug tested.** Your prescribing physician should be willing to sign a statement that you can safely perform your safety-sensitive functions while taking the medication(s) or consider discontinuing or changing your medication to one that does not make you medically unqualified or does not pose a significant safety risk.
- You will most likely need to discontinue the use of prescribed opioids or seek employment in another field.