

I. SETTING

Medical Center

II. PURPOSE

To promote a drug-free work environment in accordance with the Drug-Free Workplace Act of 1988. In addition, a drug-free work environment supports patient safety and quality of care, as well as the safety of employees and others in a health care workplace.

III. DEFINITIONS

Substance Abuse Screen – A substance abuse screen is an assessment for evidence of the use of illegal drugs and the inappropriate use of legal drugs. A substance abuse screen occurs when a urine specimen is screened for the following eight categories of drugs including amphetamine (amphetamines and methamphetamine), cocaine metabolite, opiates (Codeine, Oxycodone, Hydromorphone, Hydrocodone, Morphine and Oxymorphone), phencyclidine (PCP), Barbiturates, Benzodiazepines, Methadone, Propoxyphene by an independent (non-UC) laboratory. All positive substance abuse screens are reviewed by a Medical Review Officer (MRO), properly trained in this area. The presence of any of the above substances constitutes a positive-pending-review substance abuse screen, at which point the prospective employee will be contacted. The presence of any legal substance for which there is no prescription and/or medical confirmation of need constitutes a positive screening result.

IV. POLICY

- A. University of California, Davis Health (UC Davis Health) requires pre-employment substance abuse screenings for all new employees including Graduate Medical Education (GME) trainees and excluding academic staff and faculty. Prospective employees who have received offers of employment for career, limited appointment, per diem, and contract appointment positions are required to submit to a substance abuse screen as a condition of employment conducted by a third-party vendor and complete third-party vendor forms that are provided. The offers of employment will be contingent upon successful completion of this screening. Prospective employees who fail or refuse to participate in the pre-employment substance abuse screening will not be hired. This policy is intended to comply with all requirements of the Americans with Disabilities Act of 1990 and applicable state law.
- B. The substance abuse screen requirement is applicable to contracts executed after this policy's effective date for temporary staffing firms, travelers, registry, contract labor and independent consultants and contractors, unless a contract is exempted from this provision by the Executive Director, Talent and Rewards.

V. PROCEDURES

- A. All prospective employees will be notified that positions at UC Davis Health require pre-employment substance abuse screening following an employment offer.
- B. When an offer of employment is made, substance abuse screening must be scheduled as part of the pre-employment clearance process. Substance abuse screening is authorized by the Talent Acquisition Manager in Human Resources and will be conducted through a third-party vendor. Prospective employees will be given a deadline, typically 48 hours, within which they must complete pre-employment substance abuse screening. (Prospective residents/fellows, see B.1. below.) Failure to complete the substance abuse screen by the deadline may result in the conditional offer of employment being rescinded absent the prospective employee promptly providing to Talent Acquisition compelling information as to why they could not meet the substance abuse screening deadline. The University will consider such explanation and may, at its sole, non-grievable discretion, determine whether the prospective employee should be granted an additional opportunity to complete the substance abuse screening.
1. Prospective residents and fellows will be given a deadline, typically 72 hours after being notified of acceptance into the UC Davis Health training program, within which time the prospective resident or fellow must complete the pre-employment substance abuse screening.
 2. International residents and fellows with visa status will be given a deadline that may allow for additional time.
- C. Offers of employment will be contingent upon a negative substance abuse screening.
- The prospective employee will complete all required paperwork and provide a sample to the third-party lab for processing. Please see section V.B.) above for seeking authorization of alternate substance abuse screening process for prospective employees hired to work remotely (i.e., out of region, out of state).
- D. When a prospective employee's substance abuse screen is positive, the laboratory will automatically perform a second test on the original specimen to review the positive results. Confirmed positive results are deemed "positive pending review." These results will be provided for review to the MRO, who will contact the prospective employee to discuss the screening results and whether there is a reason for the positive result such as lawful drug use (excluding marijuana) or possible explanations other than the use of illegal substances. Based on this conversation, the MRO will make a final determination whether the test result is positive or negative.
- E. The MRO (or designee) will communicate the results of the substance abuse screening to Talent Acquisition.
- F. All information, interviews, reports, statements, memoranda, and drug test results, written or otherwise, received by UC Davis Health as part of this substance abuse screening program are confidential records. UC Davis Health will not release such information without a written consent form signed voluntarily by the person screened, unless permitted or required by law, regulation, or policy and with the authorization of Associate Vice Chancellor- Human Resources/Chief Human Resources Officer. Information on substance abuse screening results will not be released in any criminal, civil, or administrative disciplinary proceeding

unless such information or records are compelled by a court or a professional or occupational licensing board in a related disciplinary proceeding.

- G. A positive pre-employment substance abuse screen as determined by the MRO will require the rescission of the conditional offer of employment. Talent Acquisition will inform the Department Manager and notify the prospective employee that the conditional offer of employment has been rescinded.
 - 1. Talent Acquisition will forward any resident or fellow positive pre-employment substance abuse screen results to the Designated Institutional Official (DIO) for consideration and action.
 - 2. Residents who were matched through the National Residency Match Program (NRMP) are expected to abide by their matched institution's requirements; any violation of such requirements may nullify the NRMP binding contract.
- H. Prospective employees whose offer was rescinded due to a positive substance abuse screen will not be considered for employment with UC Davis Health for one year from the date the specimen was collected. At that time the prospective employee may reapply and, if offered a position, will be subject to the pre-employment substance abuse screening procedure.

VI. NEGATIVE DILUTE SPECIMENS

If the MRO informs Talent Acquisition that a test was negative dilute, the prospective employee will be required to submit to a second pre-employment substance abuse screen. Failure by the prospective employee to submit to the second pre-employment substance abuse screen may result in the offer of employment being rescinded unless the prospective employee promptly provides Talent Acquisition with compelling information as to why s/he could not meet the second substance abuse screen deadline. The University will consider such explanation and may, at its sole discretion determine whether the prospective employee should be granted an additional opportunity to complete the substance abuse screen. A prospective employee is not entitled to grieve the University's decision whether to grant him or her an additional opportunity to complete the substance abuse screen.

VII. RESPONSIBILITY

Questions about the implementation of this policy should be directed to Talent Acquisition.

VIII. REFERENCES

[Federal Drug-Free Workplace Act of 1988](#)

[Americans with Disabilities Act of 1990](#)

[California Drug-Free Workplace Act of 1990](#)

[California Fair Employment and Housing Act](#)

UC Davis Policy PPM [380-18](#), Use of Intoxicating Substances

IX. REVIEWED BY

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