

Professional Reference Directory



Chapter: 6 Health and Safety

Section: 6.10

Title: Drug Testing

Date: 04/08/2021

Purpose: The purpose of this PRD is to establish and provide guidelines for the West Hartford Police Department's drug testing policy for all sworn employees.

I. DISCUSSION

The West Hartford Police Department's substance abuse testing program for all sworn employees is consistent with requirements set forth in Connecticut Public Act, No. 20 - 01, Section 3, Subsection 10 (House Bill No. 6004). (Effective from passage - approved July 31, 2020). It states in pertinent part, "To renew the certification of those police officers who have satisfactorily completed review training programs and submitted to a urinalysis drug test that screens for controlled substances, including, but not limited to anabolic steroids, the result of which indicated no presence of any controlled substance not prescribed for the officer".

II. POLICY

As required, each police officer regardless of rank will be required to submit to a drug test (urinalysis) once every thirty-six (36) months in order to maintain their police officer certification in the State of Connecticut.

III. DEFINITIONS

Chain of Custody: Procedures to account for the integrity of each specimen by tracking its handling and storage from point of collection to final disposition.

Collection Site: To be mutually agreed upon between the Chief of Police and the West Hartford Police Union. This shall include the establishment of an "off site" location for emergency use.

Confirmation Test: In drug testing, a second analytical procedure to identify the presence of a specific drug or metabolite that is independent of the screening test and that uses a different technique and chemical principle from that of the screening test in order to insure reliability and accuracy.

Controlled Substances: Any drug included in Schedules I through V, as defined by Section 802(6) of Title 21 of the United States Code (21 USC 802(6)), the possession of which is unlawful under Chapter 13 of that title, or any drug included within the definition of "Controlled substance" in Title 21A, Chapter 420B of the Connecticut General Statutes (for example, but not limited to: cocaine, marijuana, barbiturates, amphetamines, morphine.) The term does not include the use of prescribed drugs which have been legally obtained and are being used for the purpose for which they were prescribed.

Covered Employee: All sworn officers of the West Hartford Police Department.

Medical Review Officer (MRO): A licensed physician responsible for receiving laboratory results generated by an employer's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test

result together with his/her medical history and any other relevant biomedical information. If an employee's test result is positive, the MRO will contact the employee to discuss the test to determine if the positive result is valid and to notify the employee that they have seventy-two (72) hours to request a test of the split specimen.

Opportunity for Rehabilitation: Any police officer who voluntarily admits to the Chief of Police his/her use of, or dependence upon illegal drugs shall be afforded the opportunity to participate in a mutually acceptable rehabilitation program. The opportunity for rehabilitation will only be provided prior to any allegation of impropriety by the public or another member or prior to initiation of an investigation of the member's use or sale of a controlled substance by any competent state or federal authority.

The opportunity for rehabilitation (rather than discipline) may be granted once for any employee who is not involved any drug related misconduct and either:

- (a) voluntarily admits to drug abuse prior to selection for testing, or
- (b) tests positive for legally prescribed drugs for the first time

Prescribed Drug: Any drug, including over the counter medication prescribed for an individual by a licensed practitioner.

Recertification Testing: In addition to satisfactorily completing required review training credits, officers must submit to a urinalysis drug test that screens for control substances, including, but not limited to, anabolic steroids, the results of which indicated no presence of any controlled substance not prescribed for that officer.

Refusal to Submit: When any person covered by this policy engages in conduct that obstructs the testing process. This includes, but is not limited to, the refusal to sign consent forms; the failure to provide adequate urine for controlled substance testing; the refusal to take a required test; the failure to make oneself available to a test as required by this policy.

Screening Test: In drug testing, an immunoassay screen to eliminate negative urine specimens from further analysis.

Testing Facility: To be mutually agreed upon between the Chief of Police and the West Hartford Police Union.

IV. PROCEDURES

A. Prohibited Conduct

1. The illegal use of controlled substances at any time is prohibited.
2. The performance of any police function while using legally prescribed drugs is prohibited unless the use is pursuant to the instructions of a physician who has advised the employee that the substance will not adversely affect his/her work performance. The use of legally prescribed drugs that may impair the employee's work performance or may affect workplace safety shall be reported to the immediate supervisor before the performance of any police function.
3. Refusal to submit to a drug test is strictly prohibited. The employee is required to cooperate with the laboratory personnel and provide them with the following:
 - a. An adequate and complete sampling
 - b. Assistance in completing the required documentation for chain of custody
 - c. Marking and sealing the specimen

4. The refusal by a member of the Department to submit to a drug screening test pursuant to the provisions of this policy will result in disciplinary action, up to and including termination.
5. The use of a masking agent designed to conceal the use of drugs to be tested is strictly prohibited. The use of such an agent will be deemed a confirmed positive test. (Masking agents tested for are listed under Appendix A.)

B. Recertification Testing

1. Using the drug testing procedures outlined in paragraph C. below, officers scheduled for POSTC triennial officer recertification must submit to a urinalysis drug test that screens for controlled substances, including, but not limited to, anabolic steroids.
2. As part of the officer recertification process, a West Hartford Assistant Chief shall, with the assistance of a contracted / reliable testing entity, schedule officers for the required drug testing. The collection location shall be the West Hartford Police Department unless extenuating circumstances arise.
3. The results of the drug test shall be provided to the Assistant Chief assigned as the Drug Testing Program Manager.
4. The results of the drug test shall be noted on the POSTC Form 50CS. This form will be retained in the officer's training file.

C. Drug Testing Procedures

1. Drug testing will be performed by providing a urine sample (minimum of 60-75 ml.) at the collection site.
2. If an employee is unable to provide an adequate sample, the employee must remain at the collection site for a period of three (3) hours. The employee will be required to consume a minimum of 40 fl. oz. of water during this period. If the employee is still unable to provide an adequate sample, the employee will be referred to a mutually agreed upon physician, to assess the employee's inability to provide an adequate sample.
3. Specimen collection procedures require security for the collection site, chain of custody documentation, use of authorized personnel, privacy during collection, integrity and identity of the specimen, and transportation to the laboratory. Only the site approved as the testing facility will be used.
4. All personnel subject to testing shall present their department identification upon appearing at the collection site. Under normal conditions the collection site will be at West Hartford Police Department by a mobile collection agency.
5. Once the urine specimen is collected, it will be forwarded to the testing facility. The accuracy of the test shall be drug specific. The initial test shall employ a methodology different from the second test. If this test is negative no further test will be required. If the result is positive, a second confirmation test will be conducted. A MRO will review and interpret positive test results.
6. The testing facility will be continuously bound to make provisions to properly preserve, store and secure a split urine sample of the original urine specimen, to be reserved and made available for the purpose of an independent confirmation. The employee, using the laboratory of his/her discretion, will authorize this independent confirmation provided such laboratory is an approved testing facility. Any employee requesting testing of the split sample must make the request to the MRO within 72 hours of being notified of the results. The laboratory will make available to the

employee, for his/her inspection, all records of the primary and secondary confirmation testing done by the lab on the urine sample provided by the employee. There are no cut-off levels for testing of the split sample.

7. Only confirmed positive results are reported positive. The Chief of Police shall be notified immediately following a positive test result.

8. The laboratory must continue the uninterrupted chain-of-custody procedure from receipt of the specimen and maintain internal chain of custody procedures that establish fundamental accountability and reliability of testing from a legal viewpoint. The chain of custody procedure must be stringent and confidential in all phases of the process:
 - a. Handling of the specimen
 - b. Testing the specimen
 - c. Storing of the specimen
 - d. Reporting of the test results

9. The Town shall ensure that the existing laboratory will be subject to appropriate external auditing procedures to evaluate quality assurance, evaluation of testing procedures and overall performance.

10. A list of commonly used controlled substances and anabolic steroids provided by POSTC is attached hereto as Appendix A. This list is subject to change and should only be referred to as guidance. Additional tests and/substances may be tested and analyzed under this policy.

11. The West Hartford Police Department is not required to test for ALL controlled substances on the list provided by POSTC but may select a panel encompassing most of them. The list may change over time as determined by health department guidance, POSTC and the Chief of Police.

D. Steroid Testing Considerations

1. Testosterone occurs naturally in the body and will be found in all urine (men and women). Due to the presence of testosterone in all urine samples, testing agencies cannot submit a result indicating "no presences" of an anabolic steroid.

2. To determine improper/illegal use of anabolic steroids, technicians/scientist will review the ration of testosterone to epitestosterone. Based on medical advice and research, POSTC recommends testosterone/epitestosterone ratio of 6/1. A specimen with a T/E ratio greater than the cut-off of a 6/1 ratio shall be reported as a positive test.

3. On a rare occasion, some officer may have a natural elevation that exceeds the 6/1 ratio requiring further testing such as Carbon Isotopic Ratio or sequential testing, etc. This will be determined by the Medical Review Officer.

E. Consequences of a Positive Controlled Substance Test

1. Any employee who has tested positive for the use of a controlled substance (including steroids) in violation of this policy will immediately be suspended with pay pending a hearing before either a Hearing Officer or the Chief of Police as appropriate. A confirmed use of a controlled substance will result in termination.

2. In the case of a new probationary employee, involved in the performance of any safety sensitive or police function, a confirmed use shall result in his/her termination.

3. It is the policy of the Town of West Hartford to encourage the rehabilitation of its employees with alcohol and/or substance abuse problems. Therefore, the Employee Assistance (EAP) Program is available to provide rehabilitative counseling and treatment to employees with alcohol and/or substance abuse problems. Any counseling or treatment received through EAP is confidential and will not be reported to the Town. However, should an employee disclose to a member of the police department that he/she is engaging in the illegal use of a controlled substance or abuse of a prescribed medication, that disclosure must be reported to a Division commanding officer, up the chain of command to the Chief of Police, and will subject the employee to discipline, up to and including termination.

F. Compensation of Employee

1. Each employee shall be compensated at their regular hourly rate for all testing pursuant to this policy, while on duty.

G. Testing Costs

1. The West Hartford Police Department shall be responsible for the costs associated with the testing outlined in this policy.

H. General Precautions

1. Police Officers should be aware of over-the-counter performance enhancing supplements found in local stores. Most of these supplements are not FDA controlled and may contain products that will test positive for anabolic steroids. Warning labels may or may not indicate a positive test result for anabolic steroids on the packaged material. If unsure, officers should not use such products.
2. Officers should not use foreign products or products sold over the internet.
3. Officer should be aware of hemp and/or CBD oils/produces sold over-the-counter in local stores and/or over the internet; these types of products may test positive for THC.
4. It is the responsibility of the individual officer to know what products they use, ingest, or take for maintaining health and fitness. It is recommended that all officers consult with a physician or medical provider before taking over-the-counter supplements / products as they may contain substances that can test positive on a drug screening.

APPENDIX A

<u>DRUG CLASS</u>	INITIAL TEST LEVEL	CONFIRMATORY TEST LEVEL	CONFIRMATORY METHOD
AMPHETAMINES	300 ng/mL		
AMPHETAMINE		100 ng/mL	MS
METHAMPHETAMINE		100 ng/mL	MS
BARBITURATES	200 ng/mL		
AMOBARBITAL		100 ng/mL	MS
BUTALBITAL		100 ng/mL	MS
PENTOBARBITAL		100 ng/mL	MS
PHENOBARBITAL		100 ng/mL	MS
SECOBARBITAL		100 ng/mL	MS
BENZODIAZEPINES	200 ng/mL		
ALPRAZOLAM METABOLITE		100 ng/mL	MS
OXAZEPAM		100 ng/mL	MS
COCAINE METABOLITES	150 ng/mL	50 ng/mL	MS
MARIJUANA METABOLITES	20 ng/mL	10 ng/mL	MS
METHADONE	300 ng/mL	100 ng/mL	MS
METHAQUALONE	300 ng/mL	200 ng/mL	MS
MDA-ANALOGUES	250 ng/mL		
MDA		200 ng/mL	MS
MDMA		200 ng/mL	MS
MDEA		200 ng/mL	MS
OPIATES	300 ng/mL		
MORPHINE		100 ng/mL	MS
CODEINE		100 ng/mL	MS
HYDROMORPHONE		100 ng/mL	MS
HYDROCODONE		100 ng/mL	MS
6-ACETYLMORPHINE	10 ng/mL	10 ng/mL	MS
OXYCODONES	100 ng/mL		
OXYMORPHONE		100 ng/mL	MS
OXYCODONE		100 ng/mL	MS
PHENCYCLIDINE	25 ng/mL	10 ng/mL	MS
PROPOXYPHENE	300 ng/mL	100 ng/mL	MS

ANABOLIC ANDROGENIC AGENTS

1-Testosterone &/or Metabolite/ 1-Androstendiol/ 1-Androstendione
 Bolasterone Metabolite
 Boldenone/ Boldione/ Quinbolone Metabolite
 Calusterone Metabolite
 Clenbuterol
 Clostebol Metabolite
 Danazol/ Ethisterone &/or Metabolite
 Dehydrochloromethyltestosterone (DHCMT)
 Metabolite Dihydrotestosterone/ Drostandiol &/or Metabolite
 Desoxymethyltestosterone Metabolite
 Drostanolone &/or Metabolite
 Estra-4,9-dien-3,17-dione Metabolite

Fluoxymesterone Metabolite Formebolone
Metabolite
Furazabol Metabolite
4-Hydroxytestosterone/ Formestane Metabolite
6α-Methylandrosterone Metabolite

Mestanolone Metabolite
Mesterolone &/or Metabolite
Methandrostenolone (Methandienone, Dianabol) Metabolite
Methandriol &/or Metabolite
Methasterone Metabolite
Methenolone &/or Metabolite
Methylnortestosterone
Methyltestosterone Metabolite
Methyl-1-testosterone &/or Metabolite
Mibolerone &/or Metabolite
Nandrolone/ 19-Norandrostendione/ 19-Norandrostendiol Metabolite
Norclostebol Metabolite
Norethandrolone/ Ethylestrenol Metabolite
Oxabolone Metabolite
Oxandrolone &/or Metabolite
Oxymesterone
Oxymetholone Metabolite
Prostanozol Metabolite
Stanozolol Metabolite, Stenbolone &/or Metabolite
Testolactone Metabolite
Testosterone/ Androstendione/ Androstendiol/ DHEA (T/E Ratio >6)
Trenbolone Metabolite

Masking Agents:

Probenecid
Epiandrosterone (> 200 ng/mL)