

**Policy Title:** Substance use, impairment, and drug testing policy

<b>Brief Description:</b>	To provide guidance to the Skaggs School of Pharmacy and Pharmaceutical Sciences (SSPPS) in managing situations involving substance use and ensure the health, safety and compliance of SSPPS students with expected ethical, professional and technical standards.
<b>Effective:</b>	Summer 2019
<b>Approved by:</b>	Dr. Ralph Altieri, Dean
<b>Responsible School Officer:</b>	Assistant/Associate Dean of Student Affairs
<b>Responsible Office:</b>	Office of Student Services (303-724-2882)
<b>Policy Contact:</b>	Student Advancement and Compliance Manager
<b>Last Reviewed/Updated:</b>	August 2019
<b>Applies to:</b>	This policy applies to accepted applicants and currently enrolled students in a Pharm.D. program at the SSPPS

**Reason for Policy:** To ensure compliance with federal, state, local, and University rules, laws and policies regarding substance use, and to optimize the health and safety of all SSPPS students, their patients, and others in our community. This policy describes the processes that ensure students meet these expectations.

1) **INTRODUCTION**

The SSPPS is committed to providing safe learning and clinical practice environments and promoting the profession of pharmacy. As such, the SSPPS requires all matriculated Pharm.D. students engaging in any *learning environment* to be free of impairment caused by *substances* that are being used legally or illegally.

2) **POLICY STATEMENT**

The SSPPS requires its students to meet the ethical, professional and technical standards of its academic programs. All Pharm.D. students are licensed interns; therefore any impairment or *substances use* may compromise patient safety and is considered unprofessional conduct subject to the SSPPS Student Ethics and Conduct Code. Consequently, the SSPPS monitors student compliance by requiring all Pharm.D. students to undergo regular *drug testing*. Students who are concerned about themselves or their peers are strongly encouraged to contact the Office of Student Services (OSS) as soon as possible to discuss resources.

3) **DEFINITIONS**

**Drug testing:** The drug test, conducted by an off-campus commercial vendor that has a contract with the SSPPS, evaluates a student's bodily sample for a drug or a panel of drugs that may include, but is not limited to, amphetamines, barbiturates, benzodiazepines, cannabinoids, cocaine, meperidine, methadone, oxycodone, opiates, phencyclidine, propoxyphene, alcohol or metabolites.

**Learning environment:** University-sponsored activities taking place in all educational, clinical practice, and co/extra-curricular activity settings, such as a classroom, lab, clinical experiential site or co/extra-curricular activity locations.

**Negative dilute:** A drug test result in which the specific gravity or the concentration of creatinine in the student's urine sample indicates that the sample was more dilute than normal, i.e., outside normal range. This usually occurs when a subject consumes large quantities of water or adds liquid to the urine sample. It may be an unintended or deliberate attempt to manipulate urine drug levels.

**Peer Assistance Services:** Department of Regulatory Agency-approved program that performs assessment and monitoring.

**Positive test result:** When the levels measured in the sample exceed the threshold established by the drug testing company and, after review, is reported to the school by the testing company as confirmed positive.

**Reasonable suspicion:** The level of suspicion that a student is using *substances* or is behaving in an impaired manner in any learning environment that is actionable under this policy.

**Stakeholder:** Any individual acquainted with the student's behavior and performance, including, but not limited to, patients, caregivers, ancillary health care professionals, and SSPPS faculty members, preceptors, residents, fellows, staff members, or students.

**Substances:** Agents that may cause physical or mental impairment. Although marijuana is legal in the State of Colorado, it is a Schedule I substance under federal law and is included as a substance for purposes of this policy, even if used for a medical condition. Alcohol or medications are included as substances if their use, overuse, and/or abuse causes impairment.

#### 4) **RELATED PROCEDURES, POLICIES, FORMS, GUIDELINES, AND OTHER RESOURCES**

##### a) Procedures

##### i) Drug testing:

A SSPPS student shall be required to undergo a drug test: a) upon admission to the school, b) at least once annually while enrolled in the Pharm.D. program, c) as required by their experiential sites, and d) if *reasonable suspicion* exists (see section 4.a) (ii)).

##### (1) Process

- (a) The student shall be provided with a finite period of time to attend a school-approved *drug test* vendor site, and provide a sample
- (b) A student's *drug test* results shall be provided to the student and the SSPPS Office of Experiential Programs
- (c) If a student's urine drug test result indicates a negative dilute, the student shall be required to undergo an additional drug test within a specified timeframe

##### (2) Result Interpretation

##### (a) If a student:

- i. receives a positive *drug test* result,
- ii. receives a second *negative dilute* immediately following a *negative dilute* result, i.e., two negative dilute tests in a row,
- iii. has a history of negative dilutes (three or more) throughout their time in the PharmD program,
- iv. refuses or inappropriately engages in the drug test process, or
- v. fails to meet the deadline to complete a drug test,

The student shall be required to undergo an assessment by *Peer Assistance Services* within a specified timeframe; this may occur multiple times throughout the student's tenure in the program. *Peer Assistance Services* will provide the result of the assessment to the SSPPS Assistant/Associate Dean of Student Affairs (or designee). If any restrictions are required, the school will communicate with the student their eligibility to continue participating in the PharmD program. If the student fails to complete the *Peer Assistance Services* assessment within the specified timeframe, their participation, progression or graduation from the PharmD program may be halted. If the student receives a positive *drug test* result, refuses or inappropriately engages in the *drug test* process, fails to meet the deadline to complete a *drug test* or fails to undergo an assessment by *Peer Assistance Services* within the specified timeframe, the student must submit a Student Ethics and Conduct incident self-report within seven calendar days. If the student fails to submit an incident self-report, the Office of Experiential Programs will submit a Student Ethics and Conduct incident report to document the concern.

- (b) A student has the right to review their drug test and request that the designated vendor verify its accuracy. Prior to making a final determination, that may adversely affect the PharmD applicant or student, the SSPPS will inform the student or applicant of their rights and the drug testing vendor's contact information.

- (c) Failure of a student to comply with the Peer Assistance Services evaluation, treatment and monitoring requirements shall result in disciplinary action up to and including permanent expulsion from the SSPPS PharmD program.
- (d) A student should review their responsibilities pursuant to their Pharmacist Intern license, particularly regarding the need to self-report a positive drug test to the State Board of Pharmacy (SBOP) and their employer.

ii) Reasonable suspicion of impairment:

(1) *Reasonable suspicion* may be determined by, among other things:

- (a) Direct observation of the signs of impairment. Examples of physical symptoms, abnormal behavior or other direct observations include, but are not limited to:
  - i drowsiness and/or sleepiness
  - ii slurred/incoherent speech
  - iii unusually aggressive behavior
  - iv unexplained work errors
  - v rapid changes in mood
  - vi impaired manual dexterity
  - vii lack of coordination in walking
  - viii dilated or constricted pupils
  - ix the smell of alcohol or marijuana on the breath with observed behavior issues
  - x excessive absenteeism and/or lack of responsiveness
  - xi possession of drug paraphernalia
- (b) A pattern of abnormal conduct or erratic behavior in the *learning environment* that may be consistent with impairment;
- (c) Information provided either by reliable and credible sources or independently corroborated; or
- (d) Evidence that the student has tampered with a previous *drug test*.

(2) Reasonable suspicion documentation and procedures:

- (a) Visible intoxication and/or erratic behavior on campus should be immediately reported to the Campus Safety Office at 303-724-4444.
- (b) If a *stakeholder* determines a *reasonable suspicion* exists or receives information from any source suggesting that a student may be impaired while engaging in the *learning environment*, the student should immediately and safely be removed from the *learning environment* and be directed to appropriate medical services, if deemed necessary.
- (c) The *stakeholder* shall immediately notify their immediate supervisor or an appropriate administrator. If the immediate supervisor is unavailable for confirmation, the *stakeholder* may use any of the following to confirm a *reasonable suspicion* of impairment:
  - i another manager, supervisor or administrator
  - ii public safety or health services personnel
  - iii another University employee (e.g., Campus Safety Office/Police)
  - iv If no one listed above is available, the *stakeholder* shall act on their own suspicion and document the lack of available witnesses
- (d) The *stakeholder* shall immediately document in writing those facts that led them to suspect the student was impaired and the actions taken regarding removal, safe transportation, and referral of the student.
- (e) The report developed by the *stakeholder* shall be kept confidential to the extent permitted by law and the use of the report shall be limited to those who are required to be involved on a need to know basis by virtue of their job responsibilities. A copy of the report shall be forwarded to the Student Advancement/Compliance Officer in the SSPPS Office of Student Services (303-724-8884).
- (f) The student shall be required to undergo drug testing (see section 4.a) (i) above for additional information).
- (g) The student shall be referred to *Peer Assistance Services* within a specified timeframe. The results of the *Peer Assistance Services* assessment will be provided to the Assistant/Associate Dean of Student Affairs (or designee) and will communicate any restrictions that may be placed on the student for their future participation in the PharmD program. If the student fails to

complete the *Peer Assistance Services* assessment within the specified timeframe, their participation, progression or graduation from the program may be halted.

b) Justification

- i) Safety and Well-Being of Patients. Health care providers are entrusted with the health, safety, and welfare of patients, and operate in settings that require high levels of critical thinking, good judgment, and ethical behavior. Thus, objective documentation that a student is substance-free or an assessment of a student's possible impairment that has the capacity to diminish his/her ability to function in such a setting is imperative to promote the highest level of integrity and safety in health care services.
- ii) Accreditation Standards. Clinical facilities are increasingly interpreting standards by accreditation agencies as requiring drug testing individuals who provide services within their facilities, especially those who provide care and render treatment involving controlled substances. Educational institutions have agreed to conduct drug testing for students who participate in programs in facilities having such a requirement.
- iii) Licensure Issues. Advanced and introductory pharmacy practice experiences are integral elements of the SSPPS PharmD curriculum. Students who cannot participate in experiential practice due to the use of a substance may be unable to fulfill the requirements of the PharmD program. Additionally, many healthcare licensing agencies require individuals to pass a drug test panel as a condition of licensure and prerequisite to employment. Finally, the Colorado State Board of Pharmacy expects all pharmacy license holders to practice pharmacy with reasonable skill and safety (CRS 12-42.5-134). Therefore, it is critical to report impairment that impacts ability to practice and to resolve licensure eligibility prior to a commitment of resources by the school or the student.
- iv) Contractual Obligations. The SSPPS Office of Experiential Programs is obligated to meet the contractual requirements as part of affiliation agreements between the SSPPS and various healthcare facilities in which students are placed for clinical or pharmacy practice experiences.
- v) Liability Issues. Given the current medical liability environment, institutions focused on higher education and/or health care are appropriately attentive to factors that may adversely affect the integrity of the clinical environment and increase their liability exposure.

c) Administrative Policy Statements (APS) and Other Policies

Drug Violations Penalties and Financial Aid Eligibility under Section 485 and 484r of the Higher Education Act, students become ineligible for federal student aid upon conviction during any period of enrollment of any offense involving the possession or sale of illegal drugs. Federal aid includes Federal Pell Grants, Federal Work-Study, Federal Supplemental Educational Opportunity Grants, Federal ACG Grants, Federal Direct Loans, Federal Direct PLUS Loans, Federal Direct Graduate PLUS Loans, Federal SMART Grants, Federal TEACH Grants and Perkins Loans. <https://studentaid.ed.gov/sa/eligibility/criminal-convictions>

SSPPS Student Ethics and Conduct Code:

<http://www.ucdenver.edu/academics/colleges/pharmacy/currentstudents/OnCampusPharmDStudents/PharmDResources/Pages/StudentBulletin.aspx>

SSPPS Technical Standards:

<http://www.ucdenver.edu/academics/colleges/pharmacy/currentstudents/OnCampusPharmDStudents/PharmDResources/Documents/SSPPS%20Technical%20Standards%209.2012.pdf>

SSPPS Safe Behavior in the Practice Environment policy:

[http://www.ucdenver.edu/academics/colleges/pharmacy/currentstudents/OnCampusPharmDStudents/PharmDResources/Documents/Safe\\_Behavior\\_in\\_the\\_Practice\\_Environment\\_Policy.pdf](http://www.ucdenver.edu/academics/colleges/pharmacy/currentstudents/OnCampusPharmDStudents/PharmDResources/Documents/Safe_Behavior_in_the_Practice_Environment_Policy.pdf)

Drug-free schools and Campuses Regulations [EDGAR Part 86]: <https://ifap.ed.gov/regcomps/attachments/86.pdf>  
Colorado Revised Statutes 12-42.5-134. Confidential agreement to limit practice - violation - grounds for discipline: CRS 12-42.5-134

d) Guidelines

None

e) Other Resources:

Peer Assistance Services: <http://www.peerassistanceservices.org>  
Campus Safety Office: 303-724-4444

f. Frequently Asked Questions (FAQs)

*Why is drug testing required by the school?*

The primary reason for drug testing is increased requirements by health care institutions to assure patient safety. Drug testing was put in place to meet SSPPS contractual obligations with experiential education partners and ensure students are safe to practice. For those PharmD students who have pharmacy-related jobs, it is highly likely that they are (or will be) subject to similar drug testing policies at their site of employment as well.

*How much will the drug test cost?*

The cost of an annual drug test is included in each student's tuition. However, payment for any additional drug tests (e.g., a follow-up to a dilute negative result) may be the responsibility of the student at the time of the test.

*Are drug tests administered by the school?*

No. Students shall be directed to a designated off-campus vendor (clinical lab collection/testing site) and shall be given a short window of time to complete the test.

*Do I need to make an appointment to have a drug test?*

No. The off-campus vendor facilities allow students to simply "walk-in" during their regular hours, i.e., an appointment is not necessary.

*Is there an option to waive the drug test?*

No. Compliance with the drug testing policy is required for students to participate in and complete the PharmD program.

*How often are students tested?*

Students will be tested at least once yearly. Additional tests may be required at the discretion of the school or experiential site when there is *reasonable suspicion* (see 4.a) ii) above). It is important to be aware that some experiential sites do not accept the school's process and will require students to undergo an independent drug testing process; this allows the site to document this requirement within its system.

*Which compounds will be evaluated in a drug test?*

Although variable, most required panels screen for amphetamines, barbiturates, benzodiazepines, cannabinoids, cocaine, meperidine, methadone, methaqualone, oxycodone, opiates, phencyclidine, and propoxyphene.

*What if I'm taking medication?*

If students are taking medications that have been prescribed to them legitimately by their medical provider, have been filled for the student by a legitimate pharmacy, and are part of necessary medical care, the student should not stop taking them in preparation for the test. The Medical Review Officer (MRO) associated with the drug testing vendor takes prescriptions into account when interpreting the drug test results.

*Is the testing procedure standardized?*

The procedure that occurs at each testing facility is standardized in accordance with national guidelines. Further information about such processes is available from the drug test vendor.

*How is a drug testing sample collected?*

First, the student has to check-in at the drug test vendor site and provide basic information about him or herself. The student will not be asked to provide any drug-related information. The student must then produce a sample, normally urine, at the site.

*What will happen if I receive a positive drug result (i.e., one or more drugs is detected) on the test?*

If a *positive result* is obtained by the drug testing vendor, the test result is automatically forwarded to a physician at the drug testing vendor site who has specialized training and is designated as a Medical Review Officer (MRO). The MRO will call the student and conduct a standardized interview to identify potential causes of the positive result. (Please note: if the MRO is trying to get in contact with you, it may come from a number you do not recognize. Be sure your voicemail can accommodate messages and return the call as soon as possible)

If the school receives a confirmed positive drug test result for a student from the drug testing vendor, it will be reviewed and handled on a case-by-case basis, typically starting with a mandatory referral to *Peer Assistance Services* for an assessment. Please see section 4) a) i) (2). (above) for additional details.

*What will happen if I receive a negative dilute result on the test?*

If a *negative dilute* is obtained by the drug testing vendor, the student shall be required to undergo additional testing (with the urine sample being collected under observation by a drug test vendor representative) and evaluation. It is important to appreciate that two negative dilute reports *in a row* will result in the student being referred to Peer Assistance Services for an assessment and likely having to undergo additional drug testing at the student's expense. The same applies to students who have a history of negative dilutes (three or more) throughout their time in the PharmD program. See section 4) a) i) (2) (a) (above) for additional details. In some situations, a student's legitimate medical documentation will be taken into consideration during this process.

*How do I avoid a negative dilute urine drug test result?*

A *negative dilute* test result is usually caused by a student drinking large volumes of fluid to (i) ensure he/she is able to provide a urine sample, or (ii) subvert the test by attempting to "flush an illegitimate drug out of his/her system". To prevent having a *negative dilute* result, a student should go to the collection site early in the morning when the urine is fresh and not likely dilute. A student should not drink extra water for fear of not being able to produce urine during the drug test collection. If the student has difficulty providing the required volume of urine, the student will be allowed to consume more water and try again.

*Are there any other possible results of the urine drug testing process?*

The sample may not be usable or measurable for a variety of reasons, such as something having been added to the urine sample or another person's urine has been submitted for the test. These circumstances will be investigated by the Medical Review Officer and will likely be reported to the school. The student will be required to take an additional drug test that (i) involves the urine sample being collected and observed by a drug test vendor representative, (ii) occurs on a date specified by the school, and (iii) will be paid for by the student.

*How are the results of the drug test reported?*

A student's drug test results are posted on the student's eValue portal. The school maintains records of the drug test results. Students are required to sign waivers to allow this information to be shared with their experiential sites.

*I'm being referred to Peer Assistance Services for an assessment, now what?*

If any restrictions are required, the school will communicate with the student their eligibility to continue participating in the PharmD program. Typically, positive results and situations involving reasonable suspicion will result in a student's clinical activities being suspended until the school receives their assessment and/or the student signs a monitoring contract.

*What should I do if I observe intoxication and/or erratic behavior by a Pharm.D. student (or anyone else?) while on campus?*

You should reach out to the Campus Safety Office at 303-724-4444 using your cell phone, or any of the blue or red emergency phones located outdoors or indoors (respectively) throughout the campus.

## 5) **HISTORY**

During the 2018-2019 academic year, the SSPPS combined the former "Drug Testing Policy" and "Substance Abuse Policy" to create the SSPPS Substance Use, Impairment, and Drug Testing Policy.