

Law Center Policy Statement Number: PS-67LC
Title/Topic: Illegal Use of Drugs and Alcohol Misuse
Effective Date: March 2, 2009

The LSU Law Center is committed to maintaining an environment which supports the research, teaching, and service mission of the University. Although the University respects an employee's right to privacy, the illegal use of drugs or alcohol within the University community interferes with the accomplishment of the University's mission. Louisiana State Law prohibits the consumption, possession, distribution, possession with intent to distribute, or manufacture of drugs described as controlled dangerous substances in the Louisiana Revised Statutes 40:964; and other statutes define the illegal possession and/or use of alcohol. Further, various federal and state laws and regulations apply to the employees of Louisiana State University, including the Federal Drug Free Workplace Act of 1988, interim Department of Defense rules for a program to achieve and maintain a drug free workforce, The Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226), and Revised Statutes of the State of Louisiana. This policy is specifically directed at illegal actions involving alcohol and controlled drugs. Other University policies govern the legal use of alcoholic beverages in its facilities and on its premises.

DEFINITIONS

"drug free workplace" means a site for the performance of work at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in accordance with the requirements of the federal Drug Free Workplace Act of 1988.

"drug free workforce" means employees engaged in the performance of Department of Defense contracts who have been granted access to classified information; or employees in other positions that the contractor determines involve National Security, health or safety, or functions other than the foregoing requiring a high degree of trust and confidence.

"controlled substance" means a controlled substance in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812).

"criminal drug statute" means a criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance.

"misuse of alcohol" means any possession, consumption or other use of an alcoholic beverage in violation of this policy.

"conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentences, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

"employee" includes faculty, other academic, unclassified, classified, graduate assistants, student employees and any other person having an employment relationship with the University.

"safety and security sensitive" means positions for which there is a high likelihood of causing serious injury or harm to self, other employees, students, those served by the University, and the general public as well as those positions for which the consequences of failure to perform duties in a safe and proper manner are likely to result in serious injury or harm and those positions which involve the custody of data which are of such a nature that it affects or may affect the security of the position or department or unit to which the position is assigned (the Office of Human Resource Management maintains a complete list of designated positions).

GENERAL POLICY

Louisiana State University is committed to providing a workplace free from the illegal use of drugs and alcohol and seeks to make its employees aware of the dangers of drug and alcohol abuse as well as the availability of drug counseling, rehabilitation and employee assistance through various communications media available. The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the workplace is prohibited as is the illegal possession and/or consumption of alcohol. Workplace shall include any location on University property in addition to any location from which an individual conducts University business while such business is being conducted. Without reference to any sanctions which may be assessed through criminal justice processes, violators of this policy will be subject to University disciplinary action up to and including termination of employment.

Employee Education, Prevention, Counseling

Human Resource Management will notify all employees at least once each year of its policies and procedures governing the illegal use of alcoholic beverages and drugs and through appropriate media, make employees aware of the dangers of abusive or illegal use of alcohol or drugs. Specific attention is directed to the harmful effects of certain illegal controlled substances described in Exhibit III. Through the University Employee Assistance Program, employees with drug and alcohol related problems may seek help. Employees in violation of this policy as it relates to alcohol or drugs or otherwise determined to be suffering from behavioral problems adversely affecting their performance as employees may be mandatorily referred to the Employee Assistance Program as an alternative to disciplinary action or in addition to disciplinary action. **Any cost associated with required treatment is the responsibility of the employee.** Twelve Step groups for employees recovering from substance abuse problems are available on campus and in the community.

PROHIBITIONS

To establish and maintain a safe work environment, LSU prohibits an employee being on the job while having alcohol in his/her body that is above the prohibited alcohol concentration levels, prohibit the use of or presence of illegal drugs or other dangerous substances in the bodies of its employees while on duty, on call and/or engaged in LSU business on or off LSU premises. LSU further prohibits the sale, purchase, transfer, concealment, transportation, storage, possession,

distribution, cultivation, manufacture, dispensing of illegal or unauthorized drugs or related paraphernalia while on duty, on call and/or engaged in LSU business on or off LSU premises.

The prohibitions of this policy extend to the following:

- A. Illegal drugs, unauthorized controlled substances, abuse of inhalants, look-alike drugs, designer and synthetic drugs, and any other unauthorized drugs, abnormal or dangerous substances which may affect an employee's mood, senses, responses, motor functions, or alter or affect a person's perception, performance, judgment or reactions while working, including those drugs identified in Schedules I through V of Louisiana R.S. 40:964 or Section 202 of the Controlled Substances Act, 21 U.S.C.812.

NOTE: Illegal drugs include:

- 1. Any drug which is not legally obtainable.
- 2. Any drug which is legally obtainable but has not been legally obtained; or
- 3. Legally obtained (prescription) drugs not being used for prescribed purposes or in excess of prescribed dosages.

- B. Misuse of alcoholic or intoxicating beverages; and

- C. Drug related paraphernalia as defined in R.S. 40:1031, including any unauthorized material or equipment or items used or designated for use in testing, packaging, storing, injecting, ingesting, inhaling, or otherwise introducing into the human body those substances covered by this policy.

ALCOHOL MISUSE POLICY

Alcohol misuse is prohibited. This prohibition extends to 1) use of alcohol on the job; 2) use of alcohol during the four hours before performance of safety-sensitive and security sensitive functions; and 3) having a prohibited alcohol concentration level in the individual's blood system while on the job. Any employee exhibiting behavior and/or appearance characteristic of alcohol misuse or whose job performance appears to be impaired by alcohol or who is involved in an accident in which the misuse of alcohol is suspected may be required to submit to a test for the presence of alcohol. In addition, each applicant for employment or each employee who is required to obtain a commercial driver's license (CDL) must be tested for drugs, alcohol, or controlled substances in accordance with the provisions of the Omnibus Transportation Employee Testing Act of 1991. A blood alcohol concentration level of 0.04 or greater is considered to be above the prohibited alcohol concentration level.

PRESCRIPTION/LEGAL DRUGS

The use of drugs/medications prescribed by a licensed physician is permitted provided that it will not affect the employee's work performance. The employee shall notify his/her direct supervisor of any drugs/medications prescribed by a licensed physician in those instances when the

physician or pharmacy advises that the employee's performance could be impaired or when the employee believes use of the prescribed drugs/medications will impair his/her ability to perform his/her usual duties and responsibilities. Employees are encouraged to utilize accrued leave, with approval, in those instances where impaired functioning is a distinct possibility.

Employees are encouraged to maintain prescribed drugs/medications in the original prescription containers which properly identify the employee's name, medication name, issuing physician, and dosage.

The Law Center reserves the right to have a licensed physician of its own choice determine if use of a prescription drug/medication produces effects which may impair the employee's performance or increase the risk of injury to the employee or others. If such is the case, the Law Center reserves the right to suspend the work activity of the employee during the period in which the employee's ability to safely perform his/her job may be adversely affected by the consumption of such medication.

DRUG TESTS/SCREENS

LSU reserves the right to require drug screening for pre-employment, re-employment, or reinstatement. Also, employees in safety-sensitive and security-sensitive positions may be subject to random/unannounced drug testing. All employees are subject to being tested for drugs under the following circumstances:

1. Post-Accident/Incident - following an accident that occurs during the course and scope of an employee's employment that a) involves circumstances leading to a reasonable suspicion of the employee's drug use, b) results in a fatality, c) results in or causes the release of hazardous waste or materials, or d) involves an on-the-job injury or potentially serious accident, injury, or incident in which safety precautions were violated, equipment or property was damaged, or unusually careless acts were performed. Such testing is required of any employee who is directly involved in such an incident and whose action or inaction may have been a causative factor.
2. Reasonable Suspicion - this is defined as a supervisor's belief, based upon reliable, objective, and articulable facts that a person is violating this policy. A decision to test must be based on direct observation of specific physical, behavioral, or performance indicators. The decision to test shall be made by the Chancellor or other designated appointing authority. This testing is likewise applicable to an employee found in possession of suspected illegal or unauthorized items as previously defined.
3. Rehabilitative - required for those employees participating in substance abuse aftercare treatment for up to sixty (60) months, pursuant to the terms of the rehabilitation agreement.

4. Routine Unannounced Testing – the University reserves the right to use routine unannounced testing for those employees in safety-sensitive and security-sensitive positions where any form of substance abuse may affect the operation of the department through unsafe work behavior/performance or error in judgement, or where substance abuse could jeopardize the safety and well-being of employees, other personnel, or the general public.

Employees, individually or in groups, may be randomly selected for unannounced drug/alcohol testing. Jobs selected for random testing include those requiring certain safe work practices, those having responsibility for the safety of others and those involving security sensitive functions, as may be determined by the University. LSU maintains a list of such jobs and will notify employees who hold such positions in the event that drug testing is required.

A list of randomly selected employees in jobs which are subject to the periodic unannounced sampling procedure will be generated from HRM computer files. Sufficient names will be produced to provide a suitable number of employees to be tested. HRM will send an appropriate notice to the appropriate supervisor who will notify the employee(s) to report to testing.

Testing methodologies to be used include urine test, blood test, and/or breath tests. These tests shall be used to determine violations of this policy by detecting the presence of any illegal or unauthorized drugs, alcohol, or other substances in the body.

TARGET DRUGS

Drug testing of LSU employees pursuant to this policy shall target the presence of the following drugs or their metabolites in the body:

1. Cannabinoids (marijuana);
2. Opiates;
3. Methamphetamine;
4. Cocaine metabolite; and
5. Phencyclidine (PCP)

Additional tests for additional drugs or their metabolites may be performed if circumstances warrant. Further, LSU will test for the presence of alcohol through breath or blood testing methodologies if circumstances warrant.

TESTING PROCEDURE

The collection, custody, storage, and analysis of drug test samples will be performed in compliance with Substance Abuse and Mental Health Services Administration (SAMSHA) Guidelines. Testing will be conducted under the direction and supervision of a laboratory certified by SAMSHA and in accordance with SAMSHA Guidelines. To ensure accuracy, a sequence of two (2) tests, at LSU's expense, will be utilized. Initial testing will be by the immunoassay methodology. Each presumptively positive sample will then be subjected to

additional, more precise confirmatory testing through means of the gas chromatography-mass spectrometry (GC-MS) methodology.

A test confirmed as positive through this dual testing procedure indicates the presence of a drug or its metabolite at or above the cutoff level prescribed by this policy. Particular cutoff levels may be dependent upon the employee's assigned duties within the University. The applicable standards for cutoff levels for drugs are defined by the "Mandatory Guidelines for Federal Workplace Drug Testing Programs," 53 F.R. 11979; "Programs for Chemical Drug and Alcohol Testing of Commercial Vessel Personnel," 46 C.F.R. Parts 4, 5, and 6; and "Procedures for Transportation Work Place Drug Testing Programs, " 49 C.F.R. Part 40. R.S. 1001, et seq. The applicable standards for cutoff levels for alcohol are set by the Omnibus Transportation Employee Testing Act of 1991.

Test results shall be documented and maintained with strict confidentiality. Positive test results and samples will be maintained in accordance with law and applicable medical standards.

SEARCHES/INSPECTIONS

In furtherance of this policy, employees are hereby notified that University offices and work sites are the property of the University and there is no expectation of privacy with regard to University offices and work sites. Under appropriate circumstances and in accordance with the law, the University, in conjunction with law enforcement authorities, reserves the right to conduct unannounced searches and inspection of LSU facilities and properties, including vehicles.

ENFORCEMENT

Each alleged violation of this policy will be handled on a case-by-case basis. Certain employees may be rehabilitated, while others may have manifested total disregard for the health, welfare, and safety of themselves or others. Participation in the LSU Employee Assistance Program may be treated by the University as a positive attempt by the employee to combat his/her substance abuse problem and indicative of a future desire to adhere to this policy. However, participation in the EAP will not shield the employee from enforcement of this policy and disciplinary action, where appropriate.

After a review of all data, including any defenses or additional test results produced by the employee, appropriate action will be taken, which may include the following:

- A. Refusal or failure to submit to a test - Termination.
- B. Submission of an adulterated or substitute sample in the testing process - Termination.
- C. Buying, selling, dispensing, distributing or possession of an illegal or controlled dangerous substance or unauthorized alcohol while on duty or on LSU premises - Termination.

- D. Unjustifiable possession of drug-related paraphernalia on duty or on LSU premises - Suspension and/or termination.
- E. Unjustifiable possession of an excess quantity of legal (prescription) drugs - Suspension and/or termination.
- F. Positive test result for illegal or controlled dangerous substance Suspension and/or termination.
- G. Positive blood alcohol level - Suspension and/or termination.

DRUG AND ALCOHOL ARRESTS/CONVICTIONS

Any LSU employee convicted of a criminal drug or drug-related offense which occurs on or off duty must notify his/her immediate supervisor within the next work day or immediately upon the employee's return to the workplace. Upon final disposition of the criminal proceedings, LSU will review all evidence to determine whether disciplinary action, including termination, is warranted. In all cases involving an employee's arrest on a drug or drug-related offense which occurs on the job or on LSU premises, prompt investigation will be conducted and, disciplinary action taken, if warranted.

The Federal Drug-Free Workplace Act of 1988 requires that each employee notify his/her supervisor within five (5) days of conviction of any criminal drug statutes when such offense occurred in the workplace, while on official business, during work hours, or when in on-call duty status. Federal law requires that LSU report within ten (10) days any such criminal drug statute conviction to each Federal Agency from which grants or contracts are received.

Employees whose jobs require driving, are required to notify their immediate supervisor if their driving privileges are suspended or revoked.¹ DUI convictions create a distinct problem in the workplace as a result of the driver's license forfeiture provisions of Louisiana R.S. 32:414 and Louisiana R.S. 32:661, ET SEQ. Employees who operate department vehicles on a regular and recurring basis may be forced to utilize accrued annual compensatory leave or be placed in leave without pay status during the pendency of any period of suspension. Supervisors will attempt to accommodate those employees suffering suspensions of reasonable duration, including temporary reassignment of duty and/or possible placement into another classification that does not require a valid driver's license, provided that such a bonafide vacancy exists. However, employees should realize that circumstances may justify termination if no reasonable, accommodating measures exist or if the driver's license suspension extends beyond a reasonable period of time, as is the case with a second or subsequent submission/refusal to breath alcohol testing. Affected employees are encouraged to seek restricted/hardship licenses which authorize driving for employment purposes. Employees returning to work after any such suspension shall be required to provide proof of restoration of driving privileges.

¹ Supervisors are required to report all suspensions and/or revocations to the Employee Relations Section of Human Resource Management.

CRIMINAL PENALTIES

Employees are responsible under both University policy and state law for their conduct. It is the policy of the University to arrest and refer for prosecution any person who violates state or federal law concerning alcohol or drugs while within the jurisdiction of the LSU Police Department.

REPORTING

In accordance with Executive Order MJF 98-38, the Associate Vice Chancellor will report to the Office of the Governor the number of employees affected by the drug testing program, the categories of testing being conducted, the costs of testing, and the effectiveness of the program annually.

Source: Drug-Free Workplace Act of 1988. Department of Defense Federal Acquisition Regulation Supplement; Drug-free Work Force (Interim rule and request for comment), Drug-Free Schools and Communities Act Amendments of 1989. Executive Order MJF 98-38.

CONFIDENTIALITY

LSU respects the individual rights of its employees. Any employee involvement in the LSU Employee Assistance Program (EAP) or other rehabilitative program for substance abuse problems will be handled with confidentiality. Employees seeking such assistance shall be protected from abuse, ridicule, retribution, and retaliatory action. All medical information obtained will be protected as confidential unless otherwise required by law or overriding public health and safety concerns.

The results of all drug screens obtained in compliance with this policy will be confidential, except on a need to know basis. LSU may deliver any illegal drug, controlled dangerous substance, or other substance prohibited by this policy, discovered on LSU property or on the person of a LSU employee to appropriate law enforcement agencies. Likewise, any employee engaged in the sale, attempted sale, distribution, or transfer of illegal drugs or controlled substances while on duty or on LSU property will be referred to appropriate law enforcement authorities.

CONCLUSION

The use of illegal drugs and abuse of alcohol or other controlled substances, on or off duty, is inconsistent with law-abiding behavior expected of the citizens of the State of Louisiana. LSU will not tolerate substance abuse or use which imperils the health and well-being of its employees and the public, or threatens its service to the public. LSU's intention, through this policy, is to adhere to the Federal Drug-Free Workplace Act of 1988, 34 C.F.R. Part 83, Subpart F, the Department of Transportation Procedures for Transportation Workplace Drug Testing Programs, 49 C.F.R. Part 40, and the State of Louisiana Employee Substance Abuse and Drug-Free Workplace Policy, and Executive Order No. MJF 98-38 all in an effort to maintain a safe, healthful, and productive work environment for its employees and to promote public safety.

EXHIBIT I
Drug Free Workplace

The federal Drug Free Workplace Act of 1988 contains specific requirements relating to University employees who are engaged in the performance of a federal grant or contract as follows:

Each such employee must receive a copy of the University policy providing a drug free workplace, which shall be provided through the official promulgation of this Policy Statement and such other means as may be appropriate, and each such employee:

1. Agrees as a condition of employment to abide by the terms of the drug free workplace policy.
2. Must notify the LSU Office of Human Resource Management of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction.

The University is required to:

1. Notify the granting agency; within 10 days after receiving notice of conviction as above, or otherwise receiving notice of such conviction which notification shall be by the LSU Office of Human Resource Management.
2. Within 30 days after receiving such notice, impose a sanction on, up to and including termination, or require satisfactory participation in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency by any employee so convicted with such sanction or required participation to be coordinated by the Office of Human Resource Management through the normal LSU administrative processes.
3. Make a good faith effort to continue to maintain a drug free workplace through implementation of the requirements of the Act.

EXHIBIT II

Drug Free Workforce

In addition to requirements of the Drug Free Workplace Act of 1988 which apply to all employees engaged in the performance of a federal grant or contract, the Department of Defense has issued interim regulations which specifically apply to employees engaged in the performance of a Department of Defense contract which are provided below.

Covered employees include those employees engaged in the performance of Department of Defense contracts as follows:

1. All Department of Defense contracts involving access to classified information.
2. Any other Department of Defense contract when the contracting officer determines such application to be necessary for reasons of national security or for the purpose of protecting the health or safety of those using or affected by the product of or the performance of the contract (except for commercial or commercial-type products).
3. Excepted are any contracts or parts of contracts to be performed outside of the United States, its territories, and possessions, except as otherwise determined by the contracting officer.

For those Department of Defense contracts to which these regulations apply, the following specific conditions or appropriate alternatives apply:

- (1) Employee assistance programs emphasizing high level direction, education, counseling, rehabilitation, and coordination with available community resources [which shall be as provided through the LSU Employee Assistance Program];
- (2) Supervisory training to assist in identifying and addressing illegal drug use by Contractor employees [which shall be provided as appropriate through the Office of Human Resource Management];
- (3) Provision for self-referrals as well as supervisory referrals to treatment with maximum respect for individual confidentiality consistent with safety and security issues [which shall be as provided through the provisions of the Employee Assistance Program and this Policy Statement];
- (4) Provision for identifying illegal drug users, including testing on a controlled and carefully monitored basis. Employee drug testing programs shall be established taking account of the following:
 - (c) Contractor programs shall include the following, or appropriate alternative.

- (i) The Contractor shall establish a program that provides for testing for the use of illegal drugs by employees in sensitive positions. The extent of and criteria for such testing shall be determined by the Contractor based on considerations that include the nature of the work being performed under the contract, the employee's duties, the efficient use of Contractor resources, and the risks to public health, safety, national security that could result from the failure of an employee adequately to discharge his or her position.
- (ii) In addition, the Contract may establish a program for employee drug testing-
 - (A) When there is a reasonable suspicion that an employee uses illegal drugs; or
 - (B) When an employee has been involved in an accident or unsafe practice;
 - (C) As a part of or as a follow-up to counseling or rehabilitation for illegal drug use;
 - (D) As a part of a voluntary employee drug testing program.
- (iii) The Contractor may establish a program to test applicants for employment for illegal drug use.
- (iv) For the purpose of administering this clause, testing for illegal drugs may be limited to those substances for which testing is prescribed by section 2.1 of Subpart B of the "Mandatory Guidelines for Federal Workplace Drug Testing Program," (53 FR 11980 (April 11, 1988), issued by the Department of Health and Human Services.
- (d) Contractors shall adopt appropriate personnel procedures to deal with employees who are found to be using drugs illegally. Contractors shall not allow any employee to remain on duty or perform in a sensitive position who is found to use illegal drugs until such time as the Contractor, in accordance with procedures established by the Contractor, determines that the employee may perform in such a position.
- (e) The provisions of this clause pertaining to drug testing programs shall not apply to the extent they are inconsistent with state or local law, or with an existing collective bargaining agreement; provided that with respect to the latter, the Contractor agrees that those issues that are in conflict will be a subject of negotiation at the next collective bargaining session."

EXHIBIT III

Alcohol - Uses and Effects

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including peer, spouse, and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain, liver, and digestive system.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other children of becoming alcoholics.

APPENDIX A
EMPLOYEE ACKNOWLEDGEMENT OF PS-67LC

Law Center employees are hereby notified that the use, abuse, presence in the body of, reporting to work under the influence of, possession, transfer, storage, concealment, transportation, promotion, or sale of illegal or unauthorized drugs, alcohol or other substances, and related paraphernalia is strictly prohibited at all times while on duty, while in the course and scope of employment, while in an on call status, or while on pay status, whether on or off LSU/State premises. This prohibition is required to assist in LSU's establishment and maintenance of a safe working environment for its employees and the general public.

It is understood that this policy may be implemented by such reasonable means as may from time to time be determined appropriate, including unannounced searches and inspections, in accordance with the law, of employee's personal effects and LSU/State properties as set forth herein.

Employees who decline or fail to submit to a drug screen or who otherwise violate the terms and conditions of this policy will be subject to disciplinary action, including discharge, even for a first offense violation.

My signature hereon indicates that I have read the LSU Law Center Substance Abuse and Drug-Free Workplace Policy (PS-67LC) and agree to comply with all of its requirements, including drug screening.

I understand that compliance with the LSU Law Center Substance Abuse and Drug-Free Workplace Policy is a condition of my employment or continued employment and, as such, in hereby agree to abide by the terms and conditions of this policy.

DATE

EMPLOYEE NAME (PRINTED)

LSU LAW CENTER REPRESENTATIVE

EMPLOYEE SIGNATURE

WITNESS

APPENDIX B
CERTIFICATION OF NOTICE

I hereby, certify, as representative of Louisiana State University, that _____, an employee of the LSU Law Center, has on this date had the LSU Law Center Substance Abuse and Drug-Free Workplace Policy read and explained to him/her and has agreed to comply with the terms thereof, including drug screening, as a condition of employment or continued employment.

DATE

EMPLOYEE'S SIGNATURE

LSU LAW CENTER REPRESENTATIVE

COMMENTS:

APPENDIX C
AGREEMENT TO SUBMIT TO AN ALCOHOL OR DRUG TEST AND
AUTHORIZATION FOR THE RELEASE OF TEST RESULTS
TO LSU LAW CENTER

I have been requested to submit to an alcohol and/or drug test by a urine, body vapor, blood and/or hair test and/or medical assessment.

I have been informed and I understand that my agreement to submit to the requested alcohol and/or drug test is completely voluntary on my part and that I have the right to refuse to submit to the test(s). I am aware and have been told that my refusal to submit to the test(s) may be grounds for **disqualification for employment or, if an employee, for** disciplinary action against me up to and including termination/expulsion.

I have also been informed and am aware that results of the alcohol and/or drug test are protected by confidentiality requirements for alcohol and drug patient records under Federal laws and regulations. Therefore, I voluntarily agree to the below stated release of the test results.

I, _____, authorize the Medical Review Officer who will receive the results of the drug and/or alcohol screen test or assessment made pursuant to this agreement to release to the Director of Human Resource Management or his/her designee the results of such test or assessment **for the purpose of determining the appropriateness of my eligibility for employment or continued employment.** I authorize the Director of Human Resource Management or his/her designee to release the results of any drug or alcohol screen test or medical assessment (as well as any and all medical and psychological reports and test results that may be contained in any file maintained by Louisiana State University) to the following individuals and bodies: the appropriate state or federal agency including the State Civil Service Commission and its Referees, etc. as appropriate for the individual. This consent is subject to revocation at any time except to the extent that the program which is to make the disclosure has already taken action in reliance on it. If not previously revoked, this consent will terminate upon conclusion of any proceedings, administrative, judicial or internal, as to which the test results are sought to be used. I also understand that withdrawal of this permission prior to, or at any time after, the release of any of the above information to the above named individuals or bodies constitutes grounds for termination of my employment.

Signature Date

Witness Signature Date

NOTE: FOR PATIENT RECORDS APPLICABLE UNDER FEDERAL LAW 42 CFR PART 2 (ALCOHOL AND DRUG RECORDS)
This information has been disclosed to you from records protected by Federal confidentiality rules (42 CFR part 2). The Federal rules prohibit you from making any further disclosure of this information unless further disclosure is expressly permitted by the written consent of the person to whom it pertains or as otherwise permitted by 42 CFR part 2. A general authorization for the release of medical and other information is NOT sufficient for this purpose. The Federal rules restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient