Policy Purpose
1. It is the policy of BJC HealthCare and its health service organizations to provide a safe environment for its patients, employees, customers, health care providers, students, volunteers and visitors. A safe environment will be attained by appropriate employee screening, employee education and training, and the effective management of situations involving drugs, alcohol or any other substance that can cause impairment. It is the intent of BJC through its policy, procedures, and practices to reduce the potential for:
   a) The manufacture, possession, use, sale, distribution, dispensation, receipt, or transportation of illegal substances while on BJC property or while otherwise engaged in BJC business.
   b) The theft, unauthorized use, intentional mishandling or misuse of any medication and/or substance that is present at BJC.
   c) The consumption of alcoholic beverages or marijuana in all forms while performing work or on call.
   d) Being impaired or under the influence of substances, including marijuana in all forms, while on BJC property or while otherwise engaged in BJC business.
   e) In addition, the Drug-Free Workplace Act of 1988 requires BJC hospitals/service organizations who receive federal grants to certify that they will provide a drug-free workplace.

Eligibility
This policy and companion procedures apply to all BJC organizations, facilities, properties and employees. Physicians, residents and fellows must comply with the terms of their respective contracts, letters of appointment, GME policies and respective Medical Staff By-Laws.

Definitions
1. Possession: To have on one’s person, in one’s personal effects, in one’s vehicle or otherwise under one’s care, custody, or control.
2. Substance: Any alcohol, drugs, other substances whether ingested, inhaled, injected, or otherwise administered, that have mind altering or function-altering effects upon the human body or that impair one’s ability to safely perform his or her work, specifically including, but not limited to, prescription drugs and over-the-counter medications; alcohol, drugs, and other substances made illegal under federal or state law.

3. Premises: For the purpose of this policy all property, facilities, buildings, structures, installations, work locations, work areas, or vehicles owned, operated, leased, or under the control of BJC or one of its health service organizations to which such premises or property pertains. Private vehicles parked on premises or properties are also included under this definition.

4. Impaired/Under the Influence: The condition wherein any of the body’s sensory, cognitive, physical appearance, motor functions or capabilities is altered, impaired, diminished, or affected due to substances.

5. Prescription: A valid prescription issued to an individual by a licensed health care provider authorized to issue such prescription and used for its intended purpose as prescribed before any expiration date.

6. Health Care Provider: Health Care Providers include: licensed clinical staff including physicians, nurses, and other allied health professionals; students, including graduate medical students, who provide direct patient care under the supervision of licensed clinical staff.

7. Safety Sensitive: A safety sensitive position is a job where the employee holding this job is providing direct patient care, performs functions that result in a treatment decision and/or has the responsibility for his/her own safety or other people’s safety.

Policy

1. The illegal possession, distribution, or use of drugs, including medical marijuana, by employees, patients, visitors, volunteers, students, health care providers or other individuals on BJC HealthCare property will not be tolerated and may subject violators to the appropriate action up to and including termination of employment. Any individual engaging in prohibited conduct under this policy is also subject to legal action. BJC employees are expected to promptly report to a member of management or Human Resources any suspicion of another employee being under the influence.

2. Individuals are permitted to take legally prescribed and/or over-the-counter medications consistent with appropriate medical treatment plans while on duty, if such medications do not impair or affect the individual’s performance, the safety
of employees, patients, or members of the public. Individuals who show signs of impairment while on duty will be subject to post-employment drug testing.

Pre-Employment Substance Testing
1. All external job applicants will be screened for the use of illegal drugs and the illegal use of prescribed drugs at a lab of BJC's choice and expense.
2. The applicant will be required to take a substance test after an offer of employment has been made. No employee may begin work until a substance test yielding negative results has been completed.
3. Positions designated as safety sensitive must have a negative result regardless of medical marijuana cardholder ID status.
4. Re-hired employees will be drug/nicotine screened regardless of time lapse between end of employment and re-hire.
5. Offers of employment are contingent upon the results of substance abuse testing of breath, saliva, urine, blood, and/or hair in accordance with this policy. For individuals to whom a contingent offer of employment has been extended, and who test positive on a drug screen, the offer of employment will be rescinded. Offers of employment will also be rescinded and job applicants will no longer be considered for employment for any of the following reasons:
   a) Refusal to execute the required consent/release form.
   b) Refusal to submit to the drug test.
   c) Failure to show up to take the test, unless the absence is due to emergent circumstances that can be substantiated.
   d) Failure to remain at the test site or cooperate until testing is complete.
   e) Substitution, dilution, or adulteration of the specimen.
   f) Urine specimen not within normal temperature range
6. Applicants who receive a conditional offer and fail a pre-employment substance test will not be considered for employment for six months.
7. When an applicant tests positive for the use of illegal drugs or the illegal use of prescribed drugs, a medical review officer will contact the applicant to rule out the influence of prescribed and/or over the counter medications. The use of prescribed drugs that may influence test results will require supporting documentation from the prescribing physician. Negative test results from a test completed prior to the application process with BJC will not be accepted.

Post-Employment Testing
1. Once an employee has completed all onboarding testing requirements, they may be subject to additional substance testing due to the following:
a) Post-accident testing – for employees covered by U.S. Department of Transportation regulations only.
b) Missing substances – for any employee who has access to controlled substances and a medication administration/handling discrepancy or missing substance exists. Employees who admit to or who are found diverting medications will be terminated.
c) Fitness for duty – employees suspected to be unfit for duty.
d) Reasonable suspicion for cause testing – based on observations, discovery of prohibited substances pursuant to workplace searches, any employee behavior or physical condition that support a reasonable belief that an employee is impaired and/or under the influence while on duty or on-call or a credible anonymous tip that includes specific details is received. Management may conduct searches of BJC property, including lockers, and an employee’s personal property when any of these are on BJC property; therefore, there is no expectation of privacy. Management may also at any time inspect any vehicle on BJC HealthCare property if the manager has reasonable cause to believe that the vehicle is involved in the use, storage, distribution or sale of alcohol or illegal drugs.
e) Random selection testing – for positions governed by department of transportation regulations, employees are subject to no notice random testing for substances.
f) Internal transfers – employees transferring from non-safety sensitive to safety sensitive positions will be required to complete a drug screen prior to transfer. Drug screen results must be negative, regardless of the employee’s medical marijuana ID cardholder status.

Process for Drug Testing
1. An employee who appears to be impaired or under the influence of Substance(s), in the sole discretion of BJC HealthCare, will be removed from the work area and provided with transportation to the place of testing. The employing hospital or service organization will call the emergency contact indicated by the employee or, if unavailable, arrange for a cab or other means to transport the employee home following the test.
2. Refusal to submit to the substance test shall be grounds for immediate termination of employment.
3. Following completion of a substance test, employees will be suspended without pay pending test results. If test results are negative, the employee will be reimbursed for any salary lost during administrative leave. If the test results are positive, the employee will be subject to immediate termination.
4. Specimens reported by the testing laboratory as adulterated or substituted will be considered a refusal to test, and therefore grounds for immediate termination of employment or ineligibility for hire.

5. All test results will be handled on a confidential basis and will be available only to BJC personnel who have a need to know such results. The Senior Human Resources Leader or his/her designated representative will determine who will have access to these records.

6. Confidential drug and alcohol counseling, in addition to information, education, assessment and referral, is available through the Employee Assistance Program (EAP).

**Drug Free Workplace Act Requirements**

1. Employees who are convicted of any substance related violation under state or federal law or who plead guilty or no contest to such charges must inform management in writing within five (5) days of the conviction or plea; failure to do so will result in disciplinary action, up to and including termination. In the event of an employee’s conviction or plea to charges relating to the manufacture, possession, sale, use, distribution, dispensation, receipt, or transportation of any substance, management will determine whether disciplinary action will be taken, including the appropriateness of continued employment.

2. Management will report such conviction or plea to the appropriate federal agencies as required by the Drug Free Workplace Act of 1988.

**Employee Self-Disclosure**

1. BJC will attempt to assist employees by providing information and/or access to drug or alcohol rehabilitation resources. However, the decision to seek diagnosis and accept treatment for drug or alcohol abuse is the individual employee’s responsibility.

2. Employees who voluntarily disclose a drug/alcohol problem to a member of leadership or human resources or voluntarily seek assistance prior to exhibiting performance issues or being asked to submit to for cause testing will be given the opportunity to seek treatment without jeopardizing their employment.

3. No employee will be terminated solely as a result of seeking counseling and rehabilitation.

**Reporting Requirements**

1. Under this policy, BJC will report any health care provider who is discharged (or who resigns in lieu of discharge) for violating the provisions of this policy to the appropriate regulatory and licensing agencies as required.