

## PRE-EMPLOYMENT/PRE-TRAINING DRUG TESTING POLICY

**PURPOSE** Montefiore Medical Center is committed to ensuring a safe, healthy, productive and efficient work and training environment for its associates, postgraduate medical school trainees, patients and visitors. Accordingly, the Medical Center has established a pre-employment drug-testing program for job applicants, postgraduate medical school trainees, and other individuals seeking to work, train or volunteer at the Medical Center.

### **INDIVIDUALS**

**COVERED:** This pre-employment/pre-training drug testing procedure applies to all applicants for temporary or regular employment, and all other individuals seeking to work, train, or volunteer at Montefiore Medical Center, including interns, residents, fellows, independent contractors who will work on site, and individuals referred through employment agencies (hereinafter referred to collectively as “applicants”). Applicants must undergo and pass a drug test before they actually commence employment, work, training, or volunteer activity at Montefiore Medical Center. The pre-employment drug testing policy shall not apply to students (other than postgraduate medical students) and/or persons under the age of 18.

**PROCEDURE:** Montefiore Medical Center’s pre-employment drug testing procedure complies with applicable federal, state and local law.

All covered individuals (as defined above) must undergo a drug test and receive a negative test result as a pre-condition to employment, work, training, appointment, or volunteer activity.

The House Staff Office is responsible for administering this policy for postgraduate medical school trainees. The Recruitment Department is responsible for administering this policy for all other covered individuals other than volunteers. The Volunteer Office is responsible for administering this policy for volunteers.

The pre-employment/pre-training drug testing procedure is administered by a laboratory certified by the Substance Abuse and Mental Health Services Administration (“SAMSHA”). Montefiore Medical Center has retained a third party to administer the procedure to ensure the confidentiality and reliability of the testing process.

The pre-employment/pre-training drug test is administered after the applicant receives from Montefiore Medical Center a conditional offer of employment, work, training, appointment or volunteer opportunity. Montefiore will not initiate new hire processing or extend offers of training or appointment until the covered individual has completed drug testing with satisfactory results.

At the time Montefiore Medical Center extends to the covered individual a conditional offer of employment, work, training, appointment, or volunteer

opportunity, the covered individual will promptly be provided with the documents he/she will need to comply with the pre-employment/pre-training drug testing procedure. These documents will include:

- A Forensic Drug Testing Custody and Control Form.
- A list of drug testing collection sites approved by the certified laboratory and/or directions for locating on the Internet approved collection sites. The covered individual should select a collection site that is most convenient for him/her to use.
- An acknowledgement and consent form which the covered individual must return to the Recruitment Department (or, in the case of post graduate medical school trainees, to the House Staff Office) at the time he/she receives a copy of this policy.

A covered individual other than a postgraduate medical student is required to provide a urine specimen at an approved collection site within forty-eight (48) hours of receiving from Montefiore Medical Center an offer of employment, work, training, appointment, or volunteer opportunity. If the day after the covered individual receives such an offer is not a business day in which a collection site is open, the covered individual will be allowed seventy-two (72) hours to provide the urine specimen.

*The House Staff office will determine the amount of time or deadline by which postgraduate medical students must provide a urine specimen at an approved collection site.*

Negative Test Results: The HR Recruiter (or, in the case of graduate medical students, the House Staff Office) will be informed by the certified laboratory of negative test results within two days from the collection date.

Positive Test Results: When a covered individual tests positive for drugs, the certified laboratory will automatically retest the original specimen before concluding that the test result is positive. The Medical Review Officer (“MRO”) will then contact the covered individual directly to review positive test results. If the MRO determines that there is no valid reason for the positive test results, the covered individual will be ineligible to work, train, or volunteer at Montefiore Medical Center.

Negative Dilute. In a case where the test result is reported as negative but diluted, the covered individual will be required to undergo a second test within 24 hours of being contacted by Montefiore Medical Center of the result.

Refusal To Submit to a Drug Test: Although a covered individual has the right to refuse to submit to a pre-employment drug test, Montefiore Medical Center will not consider the covered individual who so refuses. Moreover, Montefiore Medical Center will consider the following conduct by a covered individual as a refusal to submit to a drug test:

- Refusing or failing to appear for a substance abuse test within a specified time, as determined by Montefiore Medical Center, after being directed to do so;
- Failing to remain at the testing site until the testing process is complete;
- Failing to provide a urine specimen for collection; failure to provide a sufficient amount of urine when directed, without an adequate medical explanation;
- Failing or declining to take a second drug test that Montefiore Medical Center or collector has directed to be taken;
- Failing to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by Montefiore Medical Center as part of the “shy bladder” procedures;
- Adulterating or substituting a urine sample, or attempting to adulterate or substitute a urine sample; or
- Failing to cooperate with any part of the testing process such as delaying the collection, testing or verification process or otherwise engaging in conduct that obstructs or manipulates, or attempts to obstruct or manipulate, the testing process.

Questions regarding the meaning or application of this policy should be directed to Recruitment Department (or, in the case of post graduate medical school trainees, to the House Staff Office).

This policy is not a contract of employment. If a covered individual fails to comply with this policy, the covered individual will be ineligible for employment.

*Montefiore Medical Center retains the right to alter or amend this policy at any time, with or without notice, to the full extent permitted by law.*