

## **Re: Changes to Department of Transportation Drug Testing Protocols for Safety-Sensitive Pipeline Employees**

Dear Member:

This letter is to advise you of new Department of Transportation (“DOT”) drug testing protocols for safety-sensitive pipeline employees. Beginning January 1, 2018, contractors will be required to screen for four (4) additional controlled substances during pre-employment and on-the-job drug tests. The four new controlled substances include hydrocodone, hydromorphone, oxycodone, and oxymorphone. These are semi-synthetic opioids commonly found in prescription medications such as OxyContin, Percodan, Percocet, Vicodin, Lortab, Norco, Dilaudid, and Exalgo.

In addition, beginning January 1, 2018, pipeline contractors will increase the rate of random drug testing of employees. Currently, contractors are required to perform random drug tests on at least 25 percent of employees each year. Beginning next year, that number will increase to 50 percent.

We want to remind you of the NPLA’s Substance Abuse Policy and how the new regulations may affect you if you are taking medications that contain controlled substances. If a laboratory drug test reveals that you are taking one of the above-listed controlled substances, or any other controlled substance that is tested for, you will be required to meet with your contractor’s medical review officer (“MRO”). The MRO will determine whether there is a legitimate medical reason why you are taking the drug, and whether there are any signs of unauthorized drug use. If you test positive for any of the above-listed opioids, you will be required to present the MRO with a “legally valid prescription.” If no prescription is presented, or if the MRO determines that you are engaging in unauthorized drug use, the MRO will report a “positive” drug test result to the contractor. We remind you that regardless of any state medical marijuana laws, there cannot be a legally valid prescription for marijuana, since it remains illegal under federal law.

If you are taking prescription medications and present a legally valid prescription to the MRO, and the MRO determines that you are not engaged in unauthorized drug use, the MRO will report a “negative” drug test result to your contractor. However, in certain circumstances, the MRO may determine that you are taking a prescription drug that poses a significant safety risk on the job. The MRO may also determine that you are medically unqualified to perform the job. In those instances, the MRO will report this information to the contractor. However, prior to the MRO reporting this information, you will be given five (5) business days to contact your prescribing physician and have the physician contact the MRO to determine if the medication can be changed to one that does not pose a significant safety risk. If, in the MRO’s professional medical judgment, a safety risk remains after speaking with the physician, the MRO must report this information to the contractor. If, however, the MRO receives information from the physician that alleviates the safety risk issue, then the MRO will not report to the contractor that you pose a safety risk.

If you are taking prescription medications, we encourage you to speak with your physician to ensure that all prescriptions are valid and up to date. You should come prepared to any jobsite

with a copy of any current prescriptions for substances that are tested and a letter from your prescribing physician stating that the medications do not affect your ability to perform pipeline work.

If you believe that your current medication regimen may result in an MRO determining that you are medically unqualified for a pipeline job or that your performance of the job is likely to pose a significant safety risk, we strongly recommend consulting with your physician to determine whether he or she can prescribe an alternative medication that will not interfere with your job performance. Being proactive about this prior to a drug test may save you from waiting after the drug test is performed – and potentially without pay – to resolve these issues.

Should you have any questions about the new protocols described in this letter, please contact Dispatch at (918) 610-2761.