

EL RIO HEALTH

SCOPE:

This policy applies to **CLINICAL** and **NON-CLINICAL** departments in the following El Rio Health functional areas and/or locations (check all that apply):

- | | | | |
|---|---|--|---|
| <input checked="" type="checkbox"/> Family Medicine | <input checked="" type="checkbox"/> Same Day Appt. Clinic | <input checked="" type="checkbox"/> Radiology | <input checked="" type="checkbox"/> MOR/DOS |
| <input checked="" type="checkbox"/> Internal Medicine | <input checked="" type="checkbox"/> Broadway | <input checked="" type="checkbox"/> Pharmacy | <input checked="" type="checkbox"/> Administration |
| <input checked="" type="checkbox"/> Pediatrics | <input checked="" type="checkbox"/> Health on Broadway | <input checked="" type="checkbox"/> Laboratory | <input checked="" type="checkbox"/> Human Resources |
| <input checked="" type="checkbox"/> Dental | <input checked="" type="checkbox"/> SIA | <input checked="" type="checkbox"/> HIM | <input checked="" type="checkbox"/> Accounting |
| <input checked="" type="checkbox"/> Behavioral Health | | <input checked="" type="checkbox"/> Information Technology | <input checked="" type="checkbox"/> Business Office |
| <input checked="" type="checkbox"/> Midwives | <input checked="" type="checkbox"/> Birth & Women's | <input checked="" type="checkbox"/> Patient Communications | <input checked="" type="checkbox"/> Coding |
| <input checked="" type="checkbox"/> OB/GYN | <input checked="" type="checkbox"/> Care Coordination | <input checked="" type="checkbox"/> Advocacy & Eligibility | <input checked="" type="checkbox"/> Security |
| <input checked="" type="checkbox"/> Clinical Pharmacy | <input checked="" type="checkbox"/> Wellness | <input checked="" type="checkbox"/> Facilities/Materials | <input checked="" type="checkbox"/> Transportation |

POLICY DESCRIPTION:

Drug and Alcohol Policy

PAGE:

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REFERENCE NUMBER:

HRD-020

APPROVAL DATE:

01/2019

DATES REVIEWED WITHOUT CHANGE:

EFFECTIVE DATE:

01/2019

REPLACES POLICY DATED:

02/2018

NEXT REVIEW DATE:

01/2021

DATE RETIRED:

N/A

RESPONSIBILITY:

Chief Human Resources Officer

APPROVALS:

PPC: 11/2016: 02/2018: 01/2019

CAC: 11/2016: 02/2018: 01/2019

Board: 2/2018: 01/2019

POLICY: It is the policy of El Rio Health to maintain a safe patient and employee environment by enforcing an alcohol and drug-free workplace.

DEFINITIONS:

Safety sensitive- Human Resources definition pertaining to job duties that may directly affect the safety of patient or staff

Safety sensitive position - job duties that relate directly to patient care, administration of medicines, patient transportation.

Self-Disclosure – Employee and/or applicant provides forthright information about current placement in a diversionary program. Is in possession of a Medical Marijuana card. Employee and /or applicant taking prescribed class I or class II narcotics, under the supervision of a medical physician.

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PROCEDURE:

The following standard operation procedures are written to comply with this policy.

- ADM – 024 – Self Reporting of Licensed Staff
- HRD-020-SOP-001 – Preliminary Determination of Reasonable Suspicion and Drug Testing of Employees
- HRD-020-SOP-002 – Self Disclosure of Drug or Alcohol Addiction
- HRD-020-SOP-003 – Self Disclosure of Drug or Alcohol Use
- HRD-020-SOP-004 – Ongoing Training
- HRD-020-SOP-005 – Drug and Alcohol Related Convictions

GUIDELINES: As part of the Center’s Drug-Free Workplace Program, employees are prohibited from working while impaired by the effects of illegal drugs, prescription drugs, designer drugs or alcohol. In addition, unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace. Furthermore, **the possession, use or sale of alcohol and/or illegal drugs** on company premises or company vehicles **is strictly prohibited at any time.**

Recognizing that drug and/or alcohol addiction are common medical problems, and that patient and worker safety are paramount in our workplace, Center and the Union agree to work jointly on creating a comprehensive Drug-Free Workplace Program. This program will acknowledge that drug/alcohol abuse/addiction is a medical illness, and will draw upon existing resources at the Center, in the Tucson community, and Federal and State government agencies, and will include ongoing employee and manager education and for-cause performance and drug/alcohol testing.

As part of the Center’s Drug-Free Workplace Program, employees are prohibited from working while impaired by the effects of illegal drugs, prescription drugs, designer drugs, or alcohol. Possession of illegal drugs or designer drugs is prohibited in the workplace.

The Center and the Union encourage employees who may be affected by a substance abuse problem to utilize the Employee Assistance Program for initial counseling and education.

In order to assure that all employees refrain from the use or influence of all non-prescribed controlled drugs, abuse of authorized prescription drugs and use of alcohol during working hours and to maintain the safety of patients and staff, El Rio Health Center, Inc. may test employees and applicants for employment. Prior usage of a non-prescribed controlled drug, abuse of authorized prescription drugs, or use of alcohol in sufficient quantity to result in a threshold level test during working hours is prohibited. Violation of this policy may result in dismissal from employment. All employees shall abide by the terms of this policy. All employees shall consent to drug and alcohol screen testing as set forth in the testing program.

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El Rio Health Center, Inc. shall request that employees submit to drug and alcohol testing when:

- A candidate for employment is subject to a pre-employment screening prior to hire.
- There is a reasonable suspicion that the employee has used, may be using or that the employee's job performance has been adversely affected by the use of illegal drugs, abuse of authorized prescription drugs or use of alcohol.
- Self-Disclosure - Substance abuse monitoring is required as a condition of employment after returning from rehabilitation or substance abuse assessment after previously testing positive under this policy.
- Arizona medical marijuana current registered cardholders may not work while impaired by marijuana and/or may not undertake any task under the influence of marijuana that would constitute negligence or professional malpractice.
- Furthermore, if El Rio Community Health Center- have positions as **safety-sensitive** and the Company has a good faith belief that the employee is using any drug, whether legal, decriminalized, or prescribed by a physician, that could cause an impairment while working, or otherwise impact the employee's job performance or ability to perform job duties then the Company may take appropriate action to exclude the employee from the **safety-sensitive position**. For instance, the Company may assign the employee to another job or place the employee off work. Additionally, if El Rio Community Health Center would lose a monetary or licensing benefit under federal law or regulation, El Rio Community Health Center will refuse to hire or keep employed an Arizona medical marijuana registered cardholder.
- When an employee must take prescription or over-the counter drugs, the employee must obtain from their Primary Care Provider a release stating if the drug has any side effects which may impair the employee's ability to safely or productively perform the employee's job duties. If there is potential impairment of the employee's ability to work safely or productively, the employee must report this information to the supervisor/manager. With input from the employee, El Rio Community Health Center will determine if the employee should work in his regular job, be temporarily assigned to another job or placed off work.
- Furthermore, if El Rio Community Health Center has designated a position as **safety-sensitive** and the Company has a good faith belief that the employee is using any drug, whether legal, decriminalized, or prescribed by a physician, that could cause an impairment while working, or otherwise impact the employee's job performance or ability to perform job duties then the Company may take appropriate action to exclude the employee from the **safety-sensitive position**. For instance, the Company may assign the employee to another job or place the employee off work.

Provider Staff:

Should a member of the Provider Staff exhibit behavior including involvement in an accident that would indicate that the individual may be under the influence of illegal drugs, abusing authorized prescription drugs, controlled chemicals, or use of alcohol, or is in some way unable to safely perform their jobs, then that behavior should be reported immediately to the Medical Director or his designee for intervention pursuant to the Bylaws of the Provider's Professional Regulations which may or may not include following the above procedure.

Vendor, Contractor or Non-Patient Visitor:

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Should a vendor, contractor, or non-patient visitor to El Rio exhibit behavior including involvement in an accident that would indicate that the individual may be under the influence of illegal drugs, abusing authorized prescription drugs, controlled chemicals, or use of alcohol, Security shall be contacted. For contractors and vendors, the employer shall be contacted and advised of the behavior. Arrangements for substitute services shall be made directly with the employer.

The Center encourages employees who are using illegal drugs, abusing authorized prescription drugs or using alcohol to seek help from the Employee Assistance Program.

Additions to the Drug and Alcohol Policy:

- 1) Any attempt by an employee to mask or adulterate a sample, or refusal to submit to a “for cause” or follow up test shall be grounds for termination of employment.
- 2) Sale, purchase or use of illegal drugs or alcohol while on El Rio premises or while operating an El Rio vehicle while on duty, is grounds for termination. This provision also applies to the sale, purchase or use of prescribed medications if the prescription is in the name of a different individual.
- 3) If an employee tests positive for alcohol, El Rio will extrapolate backwards from the time of the test to determine what the employee’s probable alcohol reading would have been when they came to work using standard extrapolation methodology based upon sex and weight.
- 4) El Rio will establish a Confidential Resource person to whom all El Rio employees will have to report any medications that they are taking which could make them unfit for duty or compromise their ability to provide quality patient care. If that Confidential Resource person determines that the prescribed medication adversely affects their ability to provide quality patient care, they will be re-assigned to non-patient related duties, without a reduction in pay. If the period of such re-assignment exceeds two (2) weeks, the employee is required to complete and submit FMLA/Disability paperwork to Human Resources. At that time, it will be determined if the employee requires additional re-assignment to a non-patient care position with a potential decrease in their hourly rate based upon the salary range of the new position.
- 5) Any employee who is convicted for a violation of a criminal drug statute occurring in the workplace must notify the Chief Human Resources Officer within 5 calendar days following the conviction.

VOLUNTARY TREATMENT:

El Rio Community Health Center supports sound treatment efforts. Whenever practical, El Rio will assist employees in overcoming drug and/or alcohol problems as long as this policy has not already been violated.

If an employee seeks treatment for drug and/or alcohol use, the employee may be eligible to go into a drug and/or alcohol treatment program either through El Rio’s Employee Assistance Program or at the employees own expense.

If the employee enters an appropriate treatment program, El Rio may place the employee on unpaid status and can initiate the process for a short term disability claim by working with the short term disability carrier to determine eligibility, but the employee will be required to use any accrued Personal Time Off (PTO) while participating in the program, so long as the employee is complying with the conditions of treatment. El Rio can require a release to work and/or verification of treatment from the

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health care provider as described in the EL Rio's medical leave policies. Substance abuse monitoring is required as a condition of employment after returning from rehabilitation or substance abuse assessment after testing positive under this policy. El Rio will follow the procedures outlined in this policy - Section 1 - Drug and Alcohol Policy when working with employee.

Training and Education

- New employees will be required to complete an e-learning course on Drug and Alcohol Awareness, and will be informed during New Employee Orientation that El Rio Community Health Center is a drug-free work place, and directed to where they can find the policy on the intranet.
- Existing employees will be required to complete annually an e-learning course on Drug and Alcohol Awareness.
- Flyers will be posted throughout our facilities informing employees of our drug-free work place.

References:

- Labor / Management Agreement 7/1/2016 through 12/31/2019 El Rio Division-AFSCME Local 449, AFL- CIO
- Forms- El Rio intranet> Forms >Human Resources> Forms, Discipline Packages> Drug Free Workplace II> Form I, Form II and Statement
- Form I – Test for Reasonable cause. U:\HR ONLY\Labor Management Tools\For Cause
- Form II - Written Consent to Drug Test U:\HR ONLY\Labor Management Tools\For Cause
- Arizona Statute ARS 36-2813.B
- Arizona Statute ARS 36-2802.A
- ADM – 024 – Self Reporting of Licensed Staff