

Delaware Professionals' Health Services Program Program Guideline

Title: Management of Non Negative Toxicology Test Results (Positive, Substituted or Adulterated Specimen; ETG result equal to or greater than 500 ng/ml)

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Guideline:

The following test results are non-negative test results: an adulterated test, a substituted test, a positive test for illegal substances, a positive test for mood altering, impairing, and potentially addicting medications that have not been prescribed for the licensee, or an ETG result equal to or greater than 500ng/ml. This includes non-negative test results reported from a treatment facility **or** employer. (For more specific information regarding ETG testing, please see Guideline on ETG TESTING.) If a licensee has a non-negative test result, the following actions will be initiated by the Delaware Professionals' Health Monitoring Program (DPHMP):

1. The licensee will be requested to refrain from practice until a third party evaluation can be completed.
 - a. If licensee does not voluntarily refrain from practice, the Division of Professional Regulation is notified directly by DPHMP.
 - b. If the licensee is in treatment, the agreement monitor will work with the treatment provider to determine the appropriate level of care. The treatment provider's recommendation must be reviewed by the Program's consulting physician.
2. If employed, the employer is informed of the non-negative test result. This includes informing the employer of the circumstances of the non-negative, including the test result.
3. Licensee will be scheduled to test within 24 hours from receipt of confirmation from the Medical Review Officer regarding the non-negative test result.
4. A non-compliance report will be completed within 24 hours of confirmation of the non-negative test.
5. The licensee will be required to complete a third party evaluation within a specific time frame, unless licensee is in treatment and the agreement monitor and consulting physician concur that the treatment center's recommendations following the non-negative test result is appropriate.

6. The licensee will be required to follow and complete the recommendations of the third party evaluation and/or the treatment provider.
7. The third party evaluation will determine workplace restrictions, limitations and under what circumstances licensee may be able to return to work.
8. Licensee will receive an updated addendum to the monitoring agreement for signature.
9. If employed, the employer will receive a copy of the updated addendum.
10. If the licensee requests that the non-negative specimen be tested again using the split sample, the agreement monitor will require the licensee to step down from his/her position until the result of the split specimen is received. If the result from the split specimen is positive, the agreement monitor will proceed with the procedures above. If the result of the split specimen is negative, the report of non-compliance will be withdrawn and all entities involved will be informed.
11. Licensee's request for a split sample will be documented and licensee will be billed approximately \$42 for the cost of testing the split specimen at the same laboratory or approximately \$110 if the licensee requests the sample to be tested at a different laboratory. The pricing for the testing of split specimens are subject to change.