

<b>BAPTIST HOSPITALS OF SOUTHEAST TEXAS</b>	
Policy Manual:	Human Resources
Policy Number:	HRF.03.01.0024
Original Date:	September 2000
Review Date:	07/13, 06/15, 06/17, 05/18
Reviewed By:	Chief Human Resources Officer
Revision Date:	07/13, 06/16, 06/17
This Policy Supersedes:	05/10, 06/16
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**SUBJECT: SUBSTANCE ABUSE**

**POLICY STATEMENT**

It is the desire of Baptist Hospitals of Southeast Texas (BHSET) to provide a drug free, healthy and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a safe and satisfactory manner.

While on hospital premises or while conducting business-related activities off the hospital premises, no employee may, possess, distribute, sell or excessively use alcohol or engage in the unlawful distribution, manufacture, dispensing, possession or use of illegal drugs. Violations of this policy may lead to corrective action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner, and does not endanger other individuals in the workplace.

In keeping with the goals established by this policy, employees and job applicants may be asked to provide body substance samples (e.g., blood, urine), to determine the illicit use of drugs. The hospital will attempt to protect the confidentiality of all drug and alcohol test results. All body substance samples are to be observed.

Employees, their possessions, and hospital-issued equipment and containers under employee control are subject to search and surveillance at all times while on the hospital premises or while employees are conducting hospital business. Employees that are believed to be under the influence of drugs, narcotics or alcohol will be required to leave the premises.

**PROCESS**

**Employees**

- Notify Employee Health of prescribed drugs or narcotics, which may affect work, related job performance or behavior.
- Provide acceptable medical documentation.

**Supervisors**

- Report to Human Resources any employee demonstrating unusual behavior.
- Human Resource management or designee is available 24 hours per day to assist in determining whether the employee should be required to submit to a drug and/or alcohol test according to the procedures set forth below.

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### **Human Resources**

- Provide supervisors with training and/or guidelines in the recognition of symptoms of and behavior indicating drug and alcohol use.
- Review the facts of the situation and determine if employee should be examined by Employee Health and/or tested for drugs and alcohol.
- Consult with appropriate medical personnel to determine if prescribed drug use will impact employee's ability to perform work safely and properly.
- Arrange transportation for an employee believed to be under the influence of drugs, narcotics or alcohol.
- Maintain confidentiality of all test results.

### **Employee Health**

#### *Types of Drug Testing*

Drug tests may be conducted in any of the following situations:

- **PRE-EMPLOYMENT TESTING** – As a pre-qualification to assuming any position, a prospective employee is required to provide a body substance sample for screening. This occurs in connection with the pre-employment medical examination.
- **POST-ACCIDENT TESTING** – Any current employee who is involved in an incident or accident while on duty, whether on or off the employer's premises. Policy will limit post-incident testing to situations in which impairment is suspected. For example, it would likely not be reasonable to drug-test and employee who reports repetitive strain injury, or an injury caused by an insect.
- **FITNESS FOR DUTY OR REASONABLE SUSPICION/CAUSE TESTING** – For the purpose of this policy, "reasonable cause suspicion" means a belief based on objective facts sufficient to lead a reasonably prudent person to suspect that an employee is under the influence of drugs or alcohol such that the employee's ability to perform the functions of the job is impaired, or the employee's ability to perform his job safely is reduced. Reasons which constitute a factual basis for determining reasonable cause may include, but not limited to: odor of alcohol beverage, erratic behavior, violent mood swings, excessive absenteeism including tardiness, information about possible drug or alcohol abuse, a medical emergency that can be attributed to drug use (e.g. unaccounted narcotics, unaccounted medication of patients), physical on-the-job evidence of drug use, documented deterioration in the employee's job performance, failure to document narcotic waste per policy, or an accident which is caused by the apparent action or inaction of the employee.
- **RANDOM TESTING** – All employees other than Primary Drivers (see random testing for Primary Drivers) are subject to random screening. The screening will be administered on a random selection and random date basis at an annualized rate of 15 percent of covered employees. The program will randomly select employees and screening dates from all covered

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- employees and all possible test days. The names and dates of the scheduled screening will be held confidential by the Employee Health Department until the day of the actual screening.
- **RANDOM TESTING FOR PRIMARY DRIVERS** – All primary drivers will be in a separate pool and are subject to random screening. The screening will be administered on a random selection and random date basis at an annualized rate of 20 percent of covered primary drivers. The program will randomly select drivers and screening dates from all covered primary drivers and all possible test days. The names and dates of the scheduled screening will be held confidential by the Employee Health Department until the day of the actual screening.

### **Drug & Alcohol Testing**

#### *Fitness for Duty or Reasonable Suspicion Cause Testing*

- Whenever a supervisor reasonably suspects that an employee is under the influence of drugs or alcohol and is unfit for duty, the supervisor should contact Human Resources and/or Employee Health for further guidance. The supervisor should document the surrounding circumstances and specific observable behaviors and characteristics of the employee. The supervisor must normally obtain a second opinion by another supervisor regarding the employee's outwardly observable behavior/performance. If both supervisors concur that a drug/alcohol test is appropriate, arrangements must be made to escort the employee to the collection location. Following the test, arrangements should be made to transport the employee home.
- The employee should be told immediately by a supervisor the reason for conducting a fitness for duty or reasonable suspicion screen, including behavior that may be affecting or interfering with the safety of the employee, coworkers, or patients. The supervisor should request any employee believed to be under the influence of drugs or alcohol to leave the work floor immediately and arrange for the employee to wait in a non-work area until a determination can be made as to whether the employee is fit for duty or whether the employee should be required to submit to a drug test according to the procedures set forth below.
- The employee should be given the opportunity to explain his/her behavior.
- Alcohol or drug tests administered because there is reasonable suspicion and/or for cause will be performed at a company-designated medical facility at the hospital's expense.
- An employee who is tested for reasonable suspicion/for cause may be withheld from service until the company receives test results. The company will pay such time away from work, unless the employee's tests are confirmed positive.

### **Random Testing**

- Upon the day of the actual screening, Employee Health will notify the department director, who will be responsible for contacting their involved personnel. All employees selected will be required to report to the designated testing facility as soon as feasible with coordination with Employee Health to provide a body substance sample.

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### **Refusal to Submit to Drug/Alcohol Test**

Subject to any limitations imposed by law, a refusal to provide a body substance sample under the conditions described above is considered insubordination and may result in corrective action, up to and including termination of employment. A certified Medical Review Officer will review all positive drug screens.

### **Positive Drug/Alcohol Test**

- The Medical Review Officer will communicate results to Employee Health Nurse.
- Employee Health is responsible for directly notifying Human Resources management of the test results.
- Human Resources will consult with director level and will handle disposition of the employee's rehabilitation, treatment, and/or termination.

### **Non Produced Body Sample**

An employee who does not produce a body sample within two (2) hours of request will be considered to have refused to submit to testing and will be subject to disciplinary action, up to and including immediate discharge.

### **Consequences of a Positive Drug/Alcohol Test**

- Applicants: In the event of a confirmed positive test result for prohibited drug use during a pre-employment drug test, the applicant will not be considered further for employment.
- Current Employees: Before corrective action up to termination is imposed, employees will be given the opportunity to explain positive test results.
  - A. If the employee is not immediately terminated as a consequence of a positive drug/alcohol test, the employee will be suspended without pay until they are registered for EAP. If employee is registered for EAP the level of corrective action will be a final warning.
  - B. The company Employee Assistance Program (EAP) provides confidential counseling and referral services to employees. The first time an employee tests positive for drugs and/or alcohol, he/she may be referred to the EAP. Employees who test positive for drugs and/or alcohol will be required to provide proof of successful completion of a drug and/or alcohol abuse treatment or rehabilitation program such as those offered by the EAP before being considered for return to work.
  - C. If an employee refuses to participate in the mandatory EAP, employment with Baptist Hospitals of Southeast Texas will be terminated.

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- D. An employee who has been allowed to return to work after testing confirmed positive normally will be discharged immediately for a confirmed positive result on any subsequent drug or alcohol test.
  - E. In cases where a positive drug test is confirmed, consideration will be given to available rehabilitation where appropriate.
  - F. An employee who tests positive and who successfully completes rehabilitation will be subject to unscheduled testing for a 12-month period following reinstatement.