



DrugPak

Quarterly Newsletter

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State DOT Reporting Requirement

Federal Department of Transportation (DOT) regulations on drug testing are well known in the industry. Some states tap into these regulations and add additional state requirements for those employers that are required to follow them. One additional requirement in particular comes in the form of results reporting to state departments of transportation or DMVs. This means that companies that employ certain types of drivers (usually in line with the federal regulations) in the states of Arkansas, California, North Carolina, New Mexico, South Carolina, Texas, and Washington must report drug testing results to the state. Here are some key elements to take note of.



the question of who does the reporting is a little trickier. Some states require just the employer to make the report, while others require it of the medical review officer (MRO), breath alcohol technician (BAT), third party administrator (TPA), the laboratory, or some combination of some or all of these parties.

Who reports?

It is clear to whom employers report their results (federal and/or state), but

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Adding Services to the Menu: A TPA Perspective

Third Party Administrators (TPAs) are a great resource for employers, effectively acting as an agent on behalf of companies they serve. The TPA's role often includes establishing and maintaining connections with applicable vendors an employer needs to run a successful drug testing program. These vendors include sample collection companies, testing laboratories, and medical review service providers. Third Party Administrators may perform other functions as well: for example, record management and random selections.

Each individual TPA may differ greatly in the services provided. Some may offer extensive lists of services for employers to take advantage of, while others may offer a very narrow selection. If the latter is the case, a TPA may want to consider offering additional services, but it is important for any TPA to examine the pros and cons associated with additional options. In this article, we will look at some ancillary services a TPA may consider adding, along with the positive and negative impacts those additions may have.



One-Stop Shop

Offering multiple services in a single location is greatly beneficial to employers. Time and money are key concerns for any employer, and minimizing the time associated with a drug testing program can be highly attractive.

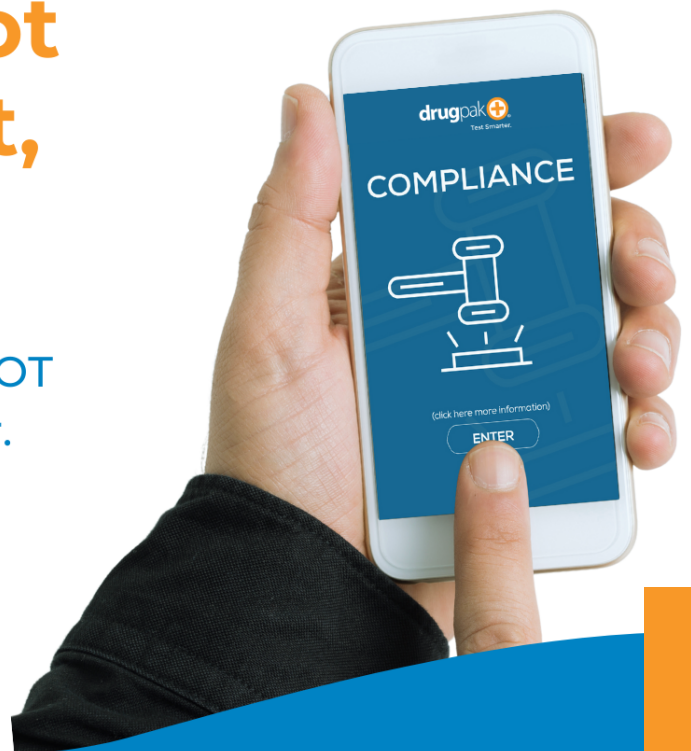
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Waiting too long to look at your DOT test numbers can ruin a good year.

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2023: What a Year!

It's time to take stock of what occurred throughout 2023. It was an eventful year, with many changes in the world of workplace drug and alcohol testing. This article will give a brief overview of major changes that occurred in 2023.

Delaware Legalizes Recreational Cannabis

April 2023 saw the legalization of recreational cannabis in Delaware via the passage of two bills, HB 1 and HB 2. HB 1 legalizes recreational cannabis for adults aged 21 and older and makes no mention of employers or the workplace.

HB 2 creates a regulatory framework for the production, manufacture, and sale of cannabis, though some details were left to the legislature to determine. HB 2 mentions the workplace, stating that it is not intended to impact/impose any requirements or restrictions on employers regarding terms or conditions of employment. This includes, but is not limited to, workplace accommodations, policies, or discipline.

Personal use cannabis is permitted in Delaware as of April 2023, and a regulatory sales framework has yet to be enacted.

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When was your Drug and Alcohol Policy updated last ?

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[800.321.7826](tel:800.321.7826)

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