

# ACOEM's MRO Update Newsletter Index to Articles

Vol. 20 / January – December 2014

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## Accidents and Injuries

- » Jan – High Opioid Doses Associated with Motor Vehicle Accidents
- » June – Court Orders Employer to Pay for Medical Marijuana
- » Aug/Sept – Drugged Driver Crashes on Way to Drug Test (MA)

## Adulteration, Dilution, and Substitution

- » Dec – Substitutes Wife's Urine, Finds Out She's Pregnant

## Alcohol

- » Feb – Mandatory Drug and Alcohol Testing of Truck Drivers (Australia)
- » Aug/Sept – Employer Overrides Medical Examiner Regarding Alcoholism (GA)
- » Dec – One-Third of American Adults Drink Too Much
- » Dec – Driver Eats His Positive Breath Test Report
- » Dec – Driver Says Beer-Battered Fish Caused His Alcohol Result

## Americans with Disabilities Act (ADA)

- » Mar – Pre-Offer Testing for Legal Drugs Violated ADA (PA)
- » Aug/Sept – Unclear if ADA Covers Tests for Prescription Drugs (TN)

## Amphetamine/methamphetamine

- » Oct – Immunoassays Are Relatively Specific for d-Methamphetamine

## Baking Soda

- » Feb – Overdosing on Baking Soda to Beat the Drug Test

## Benzodiazepines

- » Mar – Post-Accident Positive Test Rates As an Indicator of Risk

## Cocaine

- » Apr/May – Police May Have Bias Against Hair Tests (MA)
- » Aug/Sept – Wash Procedure Effective at Excluding Passive Exposure to Cocaine

## Codeine

- » Nov – Oral Fluid and Urine Pharmacokinetics of Morphine and Codeine Following Poppy Seed Ingestion
- » Nov – Is This Result for Real?

## Collection

- » Jan – Hospital Sued for Directly Observed Drug Test Collections (TN)
- » July – Clarification About Leaving the Collection Site (DOT)
- » Dec – Donor Claims He Was Mistreated by Breath Alcohol Technician (CA)
- » Dec – Court Finds MRO Has No Duty of Care to Donor (NY)

## Custody and Control Form (CCF/eCCF)

- » June – HHS to Approve Electronic Custody and Control Form Processes
- » June – HHS Reminder: CCF Must Accurately Identify the MRO
- » Aug/Sept – Case Lost Due to Failure to Submit Lab Copy of Chain-of-Custody Form (IN)

## Department of Transportation (DOT)

- » Feb – Proposed Drug, Alcohol Test Result Database (FMCSA)
- » Feb – Shortage of Certified Medical Examiners (FMCSA)
- » Apr/May – Release Forms for Corroborating Medical Explanations
- » Apr/May – Urologist Not Required for Shy Bladder Evaluation (NC)
- » July – Clarification About Leaving the Collection Site
- » Aug/Sept – FMCSA Administrator Ferro Resigns
- » Oct – Verifying an Employee's Prescription
- » Nov – Proposed Driver Medication Form (FMCSA)

## Dialysis

- » Jan – Dialysis Patient Can't Give Urine for Drug Test (TX)

## Drug Testing

- » Jan – Making a Positive Out of a Negative
- » Jan – Dialysis Patient Can't Give Urine for Drug Test (TX)
- » Feb – \$15.7 Million Fine for Unnecessary Addiction Treatment Drug Tests

- » Feb – Synthetic Marijuana Being Added to Military Drug Tests (DOD)
- » Feb – Health Care Worker Drug Testing Bill Nears Passage (NH)
- » Feb – Mandatory Drug and Alcohol Testing of Truck Drivers (Australia)
- » Feb – ASAM Monograph on Drug Testing
- » Mar – FAA Considers Drug Testing of Overseas Plane Repairers
- » Mar – Pre-Offer Testing for Legal Drugs Violated ADA (PA)
- » Mar – Religious Fast Is No Excuse for Skipping Drug Test (London, UK)
- » Mar – Black Sheep of the Fair Due to Failed Drug Test
- » Apr/May – Mining Employers Must Report Positive Tests to State (WV)
- » Apr/May – Urologist Not Required for Shy Bladder Evaluation (NC)
- » Apr/May – Random Testing Violated Workers' Rights (Alberta, CAN)
- » Apr/May – Acute Liver Failure from Taking Niacin to Beat Drug Test
- » Apr/May – California Voters to Decide if Doctors Should be Drug Tested
- » June – HHS to Approve Electronic Custody and Control Form Processes
- » June – Medicare Data Highlight Drug Testing Profits
- » June – Updated Pediatrics Guideline for Drug Testing
- » Aug/Sept – State Law Doesn't Apply to Test for Out-of-State Employer (MN)
- » Aug/Sept – Drug Testing Is Reliable (NY)
- » Aug/Sept – Unclear if ADA Covers Tests for Prescription Drugs (TN)
- » Oct – Occupations Subject to Drug Testing (DOL)
- » Oct – Editorials Object to Proposed California Mandate for Physician Drug Testing
- » Nov – Medicare's Rising Costs for Drug Testing
- » Nov – Oral Fluid and Urine Pharmacokinetics of Morphine and Codeine Following Poppy Seed Ingestion
- » Nov – Is This Result for Real?
- » Nov – Employer Sued for Not Allowing Non-Urine Drug Test (MD)
- » Dec – Federal Court Strikes Down Drug Testing of Welfare Recipients (FL)

## Drug Testing/Use Trends

- » Mar – Adults Increasingly Turn to ADHD Drugs
- » Mar – Prescribers Are the Leading Source of Opioids for High-risk Abusers
- » Mar – High Positive Drug Test Rate in Palliative Care Patients
- » Mar – Washington State Perspective on the Impact of Legalization of Marijuana
- » Apr/May – Acute Liver Failure from Taking Niacin to Beat Drug Test
- » July – Prescribed Opioid Use Doubles Between 2004 and 2011
- » July – Opioid Use High Among Soldiers
- » Aug/Sept – Positive Drug Test Rate Increased in 2013
- » Aug/Sept – Synthetic Cannabinoid Use to Avoid Positive Drug Tests
- » Oct – Heroin and Marijuana Use Increasing
- » Oct – Heroin Deaths Rise Sharply

## Federal Aviation Administration (FAA)

- » Mar – FAA Considers Drug Testing of Overseas Plane Repairers

## Federal Railroad Administration (FRA)

- » Aug/Sept – Coverage of Maintenance Employees

## Hair Testing

- » Apr/May – Police May Have Bias Case Against Hair Tests (MA)
- » July – Courtroom Update: Clarification Regarding Hair Testing
- » Oct – Chemical Straightening Reduces Drug Concentrations in Hair
- » Dec – Dying and Bleaching Hair Reduces EtG Levels

## Heroin

- » Feb – ATM4G as a Marker of Heroin Use
- » Oct – Heroin and Marijuana Use Increasing
- » Oct – Heroin Deaths Rise Sharply

## Hydrocodone

- » Aug/Sept – Hydrocodone Combination Products Moved to Schedule II
- » Aug/Sept – Drugged Driver Crashes on Way to Drug Test (MA)

## Impairment

- » Feb – Post-Accident THCA-Positive Blood Test
- » Mar – Comp Benefits Awarded Despite Positive Drug Tests (AR)

## Laboratories

- » June – HHS to Approve Electronic Custody and Control Form Processes
- » June – HHS Reminder: CCF Must Accurately Identify the MRO

- » **Aug/Sept** – 6-AM Produced from Morphine During Sample Preparation
- » **Aug/Sept** – Case Lost Due to Failure to Submit Lab Copy of Chain-of-Custody Form (IN)
- » **Oct** – Addendum: 6-AM Produced from Morphine During Sample Preparation

### **Marijuana and Synthetic Cannabinoids**

- » **Feb** – Synthetic Marijuana Being Added to Military Drug Tests (DOD)
- » **Feb** – Post-Accident THCA-Positive Blood Test
- » **Mar** – Post-Accident Positive Test Rates As an Indicator of Risk
- » **Mar** – Washington State Perspective on the Impact of Legalization of Marijuana
- » **Mar** – Comp Benefits Awarded Despite Positive Drug Tests (AR)
- » **Mar** – Admission of Drug Abuse Establishes Policy Violation (OK)
- » **Apr/May** – Medical Marijuana with Job Protection (MN)
- » **Apr/May** – Employee Fired for Bringing Medical Marijuana to Work (WA)
- » **June** – Court Orders Employer to Pay for Medical Marijuana (NM)
- » **June** – Two Suits Over Medical Marijuana Firings (NM)
- » **June** – DEA Threatens Doctors Who Prescribe Marijuana
- » **June** – Florida's Medical Marijuana Law
- » **July** – USDA: Agency Warns Employees About "Recreational Marijuana"
- » **Aug/Sept** – Synthetic Cannabinoid Use to Avoid Positive Drug Tests
- » **Oct** – Heroin and Marijuana Use Increasing
- » **Nov** – Recreational Marijuana Legalized in Alaska, DC, Oregon
- » **Nov** – Passive Exposure Experiment Shows It's Still Improbable
- » **Dec** – Federal Government Ends Ban on Medical Marijuana
- » **Dec** – D.C. Bans Pre-Offer Marijuana Testing
- » **Dec** – Native American Tribes Can Grow and Sell Marijuana
- » **Dec** – State Medical Marijuana Laws Make Physicians Gatekeepers for Recreational Use
- » **Dec** – Off-Duty Marijuana User Entitled to Unemployment Benefits (IL)
- » **Dec** – Medical Marijuana Users Entitled to Unemployment Benefits (MI)

### **Medical Review Officers**

- » **Mar** – British Medical Association Affirms Medical Review Officer Role
- » **Apr/May** – TPA Charged with Posing as an MRO (PA)
- » **Apr/May** – MRO Not Liable for Employer's Firing Over Safety Concern (UT)
- » **Apr/May** – MRO's Liability Isn't Transferable to the Employer – #1 (WA)
- » **Apr/May** – MRO's Liability Isn't Transferable to the Employer – #2 (WI)
- » **June** – HHS Reminder: The CCF Must Accurately Identify the MRO
- » **July** – Opioid Use High Among Soldiers: MRO Review in Army Testing
- » **Oct** – Verifying an Employee's Prescription
- » **Dec** – Fake MRO Sentenced to Probation and Home Detention

### **Medicare**

- » **June** – Medicare Data Highlight Drug Testing Profits
- » **Nov** – Medicare's Rising Costs for Drug Testing

### **Morphine**

- » **Aug/Sept** – 6-AM Produced from Morphine During Sample Preparation
- » **Oct** – Addendum: 6-AM Produced from Morphine During Sample Preparation
- » **Oct** – Tasty and Addictive
- » **Nov** – Oral Fluid and Urine Pharmacokinetics of Morphine and Codeine Following Poppy Seed Ingestion

### **Niacin**

- » **Apr/May** – Acute Liver Failure from Taking Niacin to Beat Drug Test

### **Opioids**

- » **Jan** – High Opioid Doses Associated with Motor Vehicle Accidents
- » **Mar** – Prescribers Are the Leading Source of Opioids for High-risk Abusers
- » **Mar** – Mom Who Ate Poppy Seeds Sues Over Failed Drug Test (PA)
- » **Apr/May** – Opioid Use in Workers' Comp is High in New York and Louisiana
- » **July** – Expert Reports Cite Risk from Opioid Use and Safety-Sensitive Work
- » **July** – FMCSA Finds Risk from Schedule II Opioids and Driving
- » **July** – ACOEM Guideline on Opioids and Safety-Sensitive Work

- » **July** – Prescribed Opioid Use Doubles Between 2004 and 2011
- » **July** – Opioid Use High Among Soldiers
- » **Dec** – Opioids Are Usually Prescribed with Other Sedatives

### **Poppy Seeds**

- » **Mar** – Mom Who Ate Poppy Seeds Sues Over Failed Drug Test (PA)
- » **Oct** – Tasty and Addictive
- » **Nov** – Oral Fluid and Urine Pharmacokinetics of Morphine and Codeine Following Poppy Seed Ingestion

### **Post-Accident Drug Testing**

- » **Feb** – Post-Accident THCA-Positive Blood Test
- » **Mar** – Post-Accident Positive Test Rates As an Indicator of Risk
- » **Mar** – Comp Benefits Awarded Despite Positive Drug Tests (AR)

### **Prescription Drugs**

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- » **Aug/Sept** – Unclear if ADA Covers Tests for Prescription Drugs (TN)
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### **Random Testing**

- » **Jan** – Use of Borrowed Medicine Is Not Misconduct (AR)
- » **Mar** – Post-Accident Positive Test Rates As an Indicator of Risk
- » **Mar** – Religious Fast Is No Excuse for Skipping Drug Test (London, UK)
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- » **Apr/May** – Random Testing Violated Workers' Rights (Alberta, CAN)
- » **Apr/May** – California Voters to Decide if Doctors Should be Drug Tested

### **Refusal to Test**

- » **Mar** – Religious Fast Is No Excuse for Skipping Drug Test (London, UK)
- » **Apr/May** – Urologist Not Required for Shy Bladder Evaluation (NC)

### **Safety-Sensitive Work**

- » **July** – Expert Reports Cite Risk from Opioid Use and Safety-Sensitive Work
- » **July** – FMCSA Finds Risk from Schedule II Opioids and Driving
- » **July** – ACOEM Guideline on Opioids and Safety-Sensitive Work

### **Suboxone**

- » **Oct** – Is Suboxone Use Disqualifying from Truck Driving?
- » **Nov** – Letter to the Editor: Is Suboxone Use Disqualifying from Truck Driving?

### **Vicks VapoInhaler**

- » **Oct** – Immunoassays Are Relatively Specific for d-Methamphetamine

### **Welfare**

- » **Dec** – Federal Court Strikes Down Drug Testing of Welfare Recipients (FL)

### **Worker's Compensation/Unemployment Benefits**

- » **Jan** – Use of Borrowed Medicine Is Not Misconduct (AR)
- » **Mar** – Comp Benefits Awarded Despite Positive Drug Tests (AR)
- » **Apr/May** – Opioid Use in Workers' Comp is High in New York and Louisiana
- » **Apr/May** – Employee Fired for Bringing Medical Marijuana to Work (WA)
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- » **Dec** – Medical Marijuana Users Entitled to Unemployment Benefits (MI)

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