

**MRO Update**  
**Vol. 18, JAN. - DEC. 2012**  
**Index to Articles**

**Adulteration and Substitution**

- » Feb – Donor Becomes Psychotic After Using Drug Detox Kit
- » March/April – One in Six Surgeons Have Alcohol Problems
- » May – Dilute Urine Associated with Low Weight, High Metabolic Rate
- » Nov – Water Loading Study Reports >10% Dilute Rate
- » Dec – Alcohol Touchpads Coming to Cars

**Alcohol**

- » July/Aug – SAMHSA Updates Alcohol Biomarker Advisory
- » Sept – Study Reconfirms Need to Wait 15 Minutes Between Alcohol Tests
- » Sept – Worker Claims Seizure Stopped Him from Finishing Breath Test
- » Nov – Random Testing of Alcoholic Was Discriminatory (NJ)
- » Dec – Alcohol Touchpads Coming to Cars
- » Dec – Drunk Driver Mistakes Breathalyzer for iPhone

**Amphetamines**

- » March/April – No Effect on Driving from One Dose of d-Methamphetamine
- » Oct – False-Positive Amphetamines Screens from Fenofibrate
- » Sept – Urine Amphetamine Concentrations
- » Sept – Methamphetamine Use Impairs Driving Skills

**Cocaine**

- » March/April – Cocaine-Positive Rate Up by 33% After Cutoffs Lowered
- » Oct – Trucker Blames Cocaine-Positive Result on Dentist (NV)

**Collection**

- » May – DOT - Program Reminder for MROs, TPAs, Collectors, and Employers
- » June – Collector Sued for Having Donor Sign CCF Before Collection (LA)
- » July/Aug – Fake Urine Temperature Strips
- » Sept – Collection Goes Awry When Donor Forgets ID (NJ)
- » Sept – Office Worker Sues Over DOT-Style Direct Observation (IA)

**Department of Transportation (DOT)**

- » March/April – Company Can Have Policy Stricter Than DOT's (OH)
- » May – Compliance With DOT Precludes Discrimination Claim (NY)
- » July/Aug – Clarification Regarding Public Interest Exclusion
- » July/Aug – Only DOT Can Authorize a DNA Test (FL)
- » Dec – Congress - Bill Would Make DOT Try Hair Testing

**DOT Physicals**

- » May – FMCSA - New Rule Will Create Registry of Certified Medical Examiners
- » July/Aug – National Registry Open for Medical Examiner Sign-Ups
- » Dec – FMCSA - Medical Examiner Testing Begins

**Drug Testing Trends**

- » March/April – Florida - Drug Testing of State Workers
- » May – State Worker Drug Testing Law Ruled Unconstitutional (FL)
- » May – Union Agreement Does Not Bar Use of Last-Chance Agreement (TX)
- » Nov – Air Testing for Drugs
- » Nov – Court Says Drug Testing Policy is Not a Contract (TN)

**Hair Testing**

- » Jan – Hair Test Reasonable for Employee with Kidney Failure (TX)
- » March/April – Hair Test May be Grounds for Denying Benefits (WI)
- » June – Cocaine-Positive Hair from Passive Exposure
- » June – Methamphetamine-Positive Hair in Children from Passive Exposure
- » Sept – Melanin Affects Methamphetamine Incorporation in Human Hair
- » Oct – Court Rejects Racial Bias Claim Against Hair Drug Tests (MA)
- » Dec – Distinguishing Tramadol Use from Contamination

**Hydrocodone**

- » Jan – Stronger Hydrocodone Products Coming to Market
- » Jan – Vicodin-Abusing Police Officer Loses Job (IL)

**Laboratories**

- » July/Aug – LabCorp Buys MedTox
- » Oct – Lab Worker Falsifies Drug Test Results

**Marijuana and Synthetic Cannabinoids**

- » Jan – Low to Moderate Marijuana Use Doesn't Impair Lung Function
- » Feb – Truckers Can't Use Medical Marijuana
- » March/April – Baby Soaps Can Cause Positive Marijuana Screens
- » March/April – DEA - Renewed Ban on Spice and K2
- » March/April – Employee Loses Challenge Over Marijuana Cutoff Level
- » March/April – Marijuana Use Doubles Crash Risk
- » June – ADA Does Not Protect Medical Marijuana Use (CA)
- » June – Bath Salts and Spice are Moving Targets
- » June – Connecticut Legalizes Medical Marijuana, Protects Employees
- » July/Aug – Dronabinol Impairs Driving Skills
- » July/Aug – Israeli Firm Grows No-High Marijuana
- » Sept – Arkansas and Massachusetts to Vote on Medical Marijuana
- » Sept – Marijuana Cutoff of 5 ng/mL Increases Positives by 25%
- » Oct – Colorado, Oregon, Washington - Voters May Legalize Recreational Marijuana
- » Oct – Donor Blames Marijuana Result on Hepatitis and Paxil (FRA)
- » Oct – HIV-Positive Applicant Failed to Corroborate Use of Marinol (AZ)
- » Oct – Medical Marijuana User Reinstated After Testing Positive (CA)
- » Oct – Wal-Mart Worker Loses Medical Marijuana Appeal (MI)

- » Nov – Colorado, Washington - Two States Legalize Recreational Marijuana
- » Nov – Arkansas Rejects Medical Marijuana
- » Nov – Massachusetts Legalizes Medical Marijuana
- » Nov – Montana Limits Medical Marijuana
- » Dec – DOT - Marijuana Use Still Prohibited, Despite State Laws
- » Dec – Medical Marijuana Not Disqualifying From Being a Dad (CA)
- » Dec – Pro-Marijuana's Approach to Legalization

#### **Medical Review Officers**

- » Jan – Concentration Can be Disclosed to Employer (GA)
- » Feb – DOT Advisory Issued Regarding Medical Review Officers Contacting Treating Physicians
- » Feb – Fake MRO Pleads Guilty (VT)
- » March/April – MRO Acted Appropriately (AL)
- » May – Prescription Verification
- » July/Aug – Resident Physicians Overestimate Their Drug Test Interpretation Skills
- » Nov – Hurricane Sandy's Effect on Transmission of Laboratory Drug Test Results to Medical Review Officers

#### **Methadone**

- » Jan – Prescription Methadone Users at Increased Risk of Motor Vehicle Accidents
- » Jan – FMLA Lets Treating Provider Determine Fitness for Return
- » July/Aug – One-Third of Prescription Opioid Deaths Caused by Methadone
- » Sept – Tapentadol Can Cause False-Positive Methadone Screens

#### **Opioids**

- » Jan – Prescription Opioids Are Larger Share of Workers Compensation Costs
- » Jan – Prescription Opioids Overdoses at Epidemic Levels
- » Jan – Recalled OTC Drugs May Contain Opioids
- » Jan – Drug Testing Matters - Focus on Opioids
- » Feb – Fewer Opioid-Related Deaths After State Issues Prescribing Guidelines
- » March/April – Oxycodone and Hydrocodone Sales Spike Over Last Decade
- » March/April – Rise in Opana (Oxymorphone) Abuse
- » May – Codeine-Positive, Morphine-Negative Results from Poppy Seeds
- » May – DOT - Less Scrutiny of 6-AM Positive/Morphine-Negative Results
- » June – Drug Abusing Hospital Worker Suspected in Hepatitis C Outbreak
- » June – Senate Investigates Financial Ties Between Opioid Makers and Medical Groups
- » July/Aug – Doctors Accused of Murder by Overprescribing
- » July/Aug – Dog X-Ray Dupes Doctor in Drug Sting
- » Sept – Codeine As a Contaminant of Heroin
- » Sept – Propoxyphene Still Around Two Years After Removal from Market
- » Oct – DOT - Permanent Change to Handling of 6-AM Positive/Morphine-Negative Results
- » Oct – Illicit Drug Use Correlated With Not Taking Prescribed Opioids
- » Nov – Doctors Pressured to Prescribe Opioids
- » Nov - Drug Tests Show Less Propoxyphene in Use
- » Dec – Suboxone Sales Surge

#### **Pain Patient Testing**

- » March/April – Profit-Driven Testing of Pain Patients
- » June – Court Says Urine Tests Can't Measure Dose or Timing of Drug (MD)
- » Oct – Kentucky - Mandatory Drug Testing of Patients on Chronic Pain Meds
- » Dec – Millennium Laboratories Under Investigation for Alleged Fraud

#### **Postaccident Testing**

- » Sept – Test Negated by Failure to Follow State Law (IA)

#### **Prescription Drugs**

- » Oct – Prescription Drug Abuse Rates Drop
- » Nov – Firing Prescription Drug User Was Discriminatory (UT)
- » Nov – Addiction Does Not Excuse Stealing Drugs (Alberta, CA)

#### **Railroads**

- » Oct – High Positive Rates at AMTRAK

#### **Random Testing**

- » June – Random Testing of Job Corps Workers Unconstitutional (Federal case)
- » Dec – DOT - 2013 Random Testing Rates Notice

#### **Refusal to Test/Shy Bladder**

- » Jan – Refusal to Test is Misconduct (NY)
- » Jan – Failure to Promptly Show for Random Test is a Refusal
- » March/April – Reinstatement After Refusal to Test is Not Contrary to Public Policy (CT)
- » July/Aug – Employee Refuses Testing to Get Breast Lump Checked (MN)
- » July/Aug – Shy Bladder Not Covered by ADA

#### **School Drug Testing**

- » Oct – Drug Tested Students Are Less Likely to Use Drugs

#### **Sports Testing**

- » Jan – Goats Disqualified by Positive Drug Tests

#### **Substance Abuse and Mental Health Services Administration (SAMHSA)**

- » Feb – Federal Tests Will Include Hydrocodone, Oxycodone, and Oral Fluid
- » July/Aug – Proposed Rule for Hydrocodone, Oxycodone, Oral Fluids Imminent
- » Sept – Oral Fluid and Hydrocodone/Oxycodone Proposal Imminent

#### **Truck and Bus Drivers**

- » Jan – No Safe Harbor Where Driver Continues Drug Abuse (KY)

#### **Unemployment Benefits**

- » Feb – Positive Random Drug Test is Misconduct (WI)
- » March/April – Congress - States Can Drug Test Applicants for Unemployment Benefits

#### **United States Coast Guard**

- » Feb – Request for Comments About Possible Rule Changes

#### **Welfare**

- » June – States Require Drug Tests for Welfare Recipients

#### **Workers' Compensation**

- » June - Surge in Drug Tests Billed to Workers' Comp

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