

**MRO Update**  
**Vol. 19, January – December 2013**  
**Index to Articles**

**Accidents and Injuries**

- » Jan – Construction Companies that Drug Test Have Lower Injury Rates
- » Jan – Most Drivers Killed in Accidents Test Positive for Drugs or Alcohol
- » Feb – Man Leaps from Second Story to Avoid Drug Test
- » Apr – Approach for Evaluating Drug-Related Fitness for Duty
- » May/June – Drug Abusing Worker Charged with Causing Philadelphia Building Collapse

**Adulteration, Dilution, and Substitution**

- » Jan – Diuretic Did Not Cause Substituted Result (LA)
- » Feb – Specimen Dilution Leads to Lower Positive Rates
- » Feb – Drug-Abusing Pilot Arrested
- » Oct/Nov – Zinc – An Effective Adulterant if Added, Not Ingested
- » Oct/Nov – A Screening Test for Zinc; More Data on Zinc's Effectiveness
- » Oct/Nov – Urine Dilution Reduces Yield of Positives

**Alcohol**

- » Apr – Positive Breath Alcohol Results from Purell
- » Apr – DUI Attributed to Acid Reflux
- » May – NTSB – Safety Agency Proposes 0.05% BAC for DUI
- » Aug – EtG-Positive Hair Tests and Hair-Care Products
- » Sept – Smartphone Breathalyzers
- » Oct/Nov – Non-DOT Breath Alcohol Testing is Illegal (MD)
- » Oct/Nov – Positive Alcohol Tests Caused by GI Yeast

**Amphetamines**

- » Mar – Bath Salts Can Interfere with Amphetamines Confirmation
- » Apr – Correction Regarding “Bath Salts Can Interfere With Amphetamines Confirmation”
- » Dec – Epidemic of ADD Among Professional Baseball Players

**Cocaine**

- » Apr – Distinguishing Between Coca Chewing and Cocaine
- » Aug – Americans Just Say No to Cocaine
- » Aug – Cocaine Tea Explanation Rejected (TX)
- » Oct/Nov – Rats Prefer Oreos Over Cocaine

**Collection**

- » Aug – Electronic CCF on Its Way

**Confidentiality**

- » Jan – Follow-up Drug Test is Not Part of Treatment (TN)

**Department of Transportation (DOT)**

- » Feb – Proposed Rule for Drug, Alcohol Clearinghouse (FMCSA)
- » Mar – OTC Meds Added to Railroad Post-Accident Testing (FRA)
- » Apr – Proposed Rule is Coming for National Drug Test Database (FMCSA)

- » Oct/Nov – Jim Swart Retires from DOT
- » Oct/Nov – Drug Testing Firm Indicted for Fake DOT Drug Test Results
- » Dec – 2013 DOT Random Testing Rates

**Disabilities**

- » Jan – Firing for Prescription Use Brings Disability Claim (GA)
- » Feb – A Risk of Relapse Can Be a Disability. (MA)
- » Aug – Suspension for Alcohol Use Did Not Violate ADA (NY)
- » Oct/Nov – No ADA Job Protection for Current Drug Abuser (TX)
- » Dec – Firing Driver for Alcohol Abuse Doesn't Violate ADA (NJ)
- » Dec – Firing for Positive Result Doesn't Violate ADA (TN)

**DOT Physicals**

- » Feb – FMCSA – Exemptions for Drivers With Epilepsy, Hearing Loss
- » Mar – Reminder: Certification to Conduct DOT Physicals
- » Sept – Caution Against Driving After Taking Ambien-CR

**Drug Abuse Trends**

- » Jan – Institute of Medicine Calls Substance Abuse in U.S. Military a “Public Health Crisis”
- » Mar – Drug Overdose Deaths Up for 11<sup>th</sup> Consecutive Year
- » Sept – Regular Marijuana Use on the Rise
- » Dec – PCP- and MDMA-Related ED Visits Rose Between 2005 and 2011

**Drug Testing Trends**

- » Mar – Overall Drug-Testing Positive Rate Remains 3.5 Percent
- » Mar – An iScreen in Your Pocket?
- » May/June – Drug Testing of Taxi and Limousine Drivers (AZ)
- » May/June – Drug Testing Doctors? (CA)
- » May/June – Drug Testing of Ice Fishermen
- » Aug – Nearly 80% of Employers Drug Test
- » Sept – Drug Testing of College Students Unconstitutional
- » Oct/Nov – Blacks and Hispanics Are Drug Tested More Often
- » Dec – Overall Positive Rate Remains 3.5 Percent
- » Dec – Army Reports 1 Percent Positive Rate

**Hair Testing**

- » May/June – Hair Tests Do Not Distinguish Between Cocaine Use and Passive Exposure (MA)
- » July – Hair Tests and Environmental Contamination
- » Oct/Nov – (Latest) Bill to Require Workplace Hair Testing (Congress)

**Heroin**

- » Apr – 6-AM Means Heroin
- » Aug – Heroin Makes a Rural Comeback
- » Sept – In Vitro 6-AM Formation from Morphine and Aspirin

## Hydrocodone

- » Feb – *FDA - Vicodin a Step Closer to Schedule II*

## Laboratories

- » July – *NLCP Notices – Split Specimens; Insufficient Volume*
- » Oct/Nov – *Lab Owes Duty to Donor (NY)*
- » Oct/Nov – *Case Report of False-Positive Ketamine Screen*

## Marijuana and Synthetic Cannabinoids

- » Jan – *SAMHSA – Marijuana Use Still Prohibited, Despite State Laws*
- » Jan – *Marijuana Doesn't Directly Reduce Pain, But Does Make it More Tolerable*
- » Jan – *Recent Marijuana Use Impairs Driving*
- » Jan – *California Drivers Use as Much Marijuana as Alcohol*
- » Feb – *AL, MD, NH, OK – Medical Marijuana Bills With Job Protection*
- » Feb – *National Safety Council Says Marijuana Use Makes Driving Unsafe*
- » Feb – *Federal Court Refuses to Reschedule Marijuana (DC)*
- » Feb – *Employer Sued for Firing Medical Marijuana User (ME)*
- » Mar – *Marijuana Legalization Violates U.N. Treaties*
- » Mar – *Heavy Marijuana Users Have Positive Blood Tests for Up to a Month*
- » Apr – *Employers May Still Prohibit Marijuana Use (CO)*
- » Apr – *Legislature Passes Medical Marijuana Bill (MD)*
- » Apr – *Most Employers Take No Policy on Medical Marijuana*
- » May/June – *DUI Limit of 5 ng/mL THC in Blood (CO, WA)*
- » May/June – *Court Supports Firing if Medical Marijuana User (CO)*
- » May/June – *Insurer Need Not Pay for Medical Marijuana (NM)*
- » July – *Court Upholds Firing of Medical Marijuana User (CA)*
- » July – *Marijuana Users Switch to Spice to Pass Drug Tests*
- » Aug – *20<sup>th</sup> State to Legalize Medical Marijuana (IL)*
- » Aug – *Does Living with a Medical Marijuana User Explain a Positive Result?*
- » Sept – *Federal Government Won't Block State Marijuana Laws*
- » Sept – *Employer Can Fire Medical Marijuana User (CO)*
- » Sept – *Marijuana Smokers Release THC From Fat While Exercising*
- » Sept – *Positive Drug Tests from Blueberry Yogurt?*
- » Oct/Nov – *Portland Voters OK Recreational Marijuana (ME)*
- » Oct/Nov – *Support for Marijuana Legalization at All-Time High*
- » Dec – *AMA Reaffirms Opposition to Marijuana Legalization*
- » Dec – *Uruguay Legalizes Marijuana*

## Medical Review Officers

- » Feb – *Court Dismisses Trucker's Lawsuit Against MRO (PA)*
- » Sept – *MRO Audits*
- » Oct/Nov – *Case Lost Because MRO Didn't Testify (PA)*

## Meperidine

- » Feb – *Absence of Metabolite Casts Doubt on Meperidine-Positive Result*

## Opioids

- » July – *Mom Settles Suit Over Poppy Seed Drug Tests*
- » Sept – *Stronger Warnings for Extended Release Opioids*

## Oral Fluid

- » Jan – *Court Prefers Oral Fluid Over Urine (Australia)*
- » Mar – *Vinegar as Cause of Screen-Positive Oral Fluid Tests*

## Pain Patient Testing

- » Jan – *New SAMHSA Manual About Testing Patients for Substance Abuse Disorders*
- » Apr – *Three-Fifths of Prescription Drug Monitoring Tests Inconsistent*
- » Dec – *ACP Urges Caution in Drug Testing Pain Patients*

## Prescription Drugs

- » Jan – *Prescription Drug Abuse Decreasing in Some States*

## Random Testing

- » Jan – *Marines - New Random Alcohol Testing Program*
- » Jan – *Random Testing of Oil Workers Not Justified (Alberta, CA)*
- » Mar – *Production Plant Wins Challenge to Random Alcohol Testing (PA)*
- » May/June – *Appeals Court Allows Random Tests of Safety-Sensitive State Workers (FL)*

## Refusal to Test

- » Dec – *Fired for Refusal to Test*

## School Drug Testing

- » Feb – *College Can Drug Test Students (MO)*
- » Mar – *Middle-School Testing Discourages Alcohol Abuse in High School*
- » Apr – *College Ordered to Stop Testing Students (MO)*

## Welfare Drug Testing

- » Mar – *Appeals Court Rules Welfare Drug Testing Unconstitutional (FL)*

## Worker's Compensation/Unemployment Benefits

- » Mar – *Benefits Awarded Despite Marijuana-Positive Post-Accident Test (KY)*
- » Apr – *Workers' Comp Covers Addiction to Prescribed Pain Meds (FL)*
- » Oct/Nov – *Fail Pre-employment Drug Test, Lose Unemployment Benefits (MI)*

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