



Opioids in the Maryland Workplace: Challenges and Solutions

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Opioids in the Maryland Workplace: Solutions

- Components of a Drug Free Workplace Program
 - Drug Testing
 - Safety Sensitive
 - Supervisor Training for Reasonable Suspicion
- Naloxone Use Guide (NIOSH)
- OSHA Interpretation on Drug Testing
- Resources

Components of DFWP Program

- Policy
 - Medical Marijuana (Where Legal)
 - Safety-Sensitive
- Goal
 - “establish and maintain a drug free, alcohol free, safe, healthy work environment for all of its employees.”
- Role of Third Party Administrator (TPA)
- Definitions
- Employee Education and Training
- Supervisor Education and Training

Components of DFWP Program

- Program Drug Testing Types
 - Initial
 - Annual
 - Random/Computer Generated Selection Testing (CGST)
 - Post-Accident/Incident
 - Reasonable Suspicion
 - Return to Duty
 - Accelerated Random Testing
 - Re-Analysis

Reasonable Suspicion

- Many [checklists](#) available
- Document, document, document!
 - Moods, Accidents, Work Patterns
 - Absenteeism
 - Actions, Relationship to Others on the Job
 - Current Indicators:
 - Constricted pupils, drowsiness, dizziness, odor of alcohol, scratching, sniffles, red or watering eyes, excessively active, irritable, argumentative, bizarre or violent behavior, etc.
 - Determining Reasonable Cause
 - ?s to consider: impairment shown?, related to D/A?, are the facts documentable?, facts reliable?, etc.
 - Taking Action
 - Witness
 - "Take" for Drug Test

Components of DFWP Program

- Testing Procedures
 - Zero Tolerance vs. non-Zero Tolerance
 - Samples
 - DOT vs. non-DOT
 - Privacy
 - Screening
 - Adulteration or Substitution
 - Reports
 - [Medical Review Officer](#) (MRO)

Components of DFWP Program

- Confidentiality
- Rules; Corrective Actions; Grievance Procedures
 - Medical and Recreational Marijuana (Where Legal, Address in Policy)
- Workplace Assistance and Rehabilitation
 - Employee Assistance Program
 - Member Assistance Program/Peer-to-Peer/Labor Assistance Professionals
 - Return to Duty Opportunities
 - Treatment centers (vetting)
 - Medication Assisted Treatment (MAT) and Reconciliation with Drug Testing
 - Accountability

Components of DFWP Program

- Rebuttable presumption (Workers Compensation)
- Workplace Naloxone Program
- Program Reviewed/Updated Annually
 - Labor/Management (Subject to Collective Bargaining)
 - Laws Constantly changing
 - Relationship with TPA/MRO (what's going on in your specific area?)

Naloxone Use Guide (NIOSH)

- Risk Assessment
- Liability
- Records Management
- Staff Roles
- [Training](#)
- Purchasing Naloxone
- Naloxone Storage
- PPE and Other Equipment Storage
- Follow-up Care and Planning
- Maintaining a Program

<https://www.cdc.gov/niosh/docs/2019-101/pdfs/2019-101-508.pdf>

Using Naloxone to Reverse Opioid Overdose in the Workplace: Information for Employers and Workers

Introduction

Opioid misuse and overdose deaths from opioids are serious health issues in the United States. Overdose deaths involving prescription and illicit opioids doubled from 2010 to 2016, with more than 42,000 deaths in 2016 [CDC 2016a]. Provisional data show that there were more than 49,000 opioid overdose deaths in 2017 [CDC 2018a]. In October 2017, the President declared the opioid overdose epidemic to be a public health emergency.

Naloxone is a very effective drug for reversing opioid overdoses. Police officers, emergency medical services providers, and non-emergency professional responders carry the drug for that purpose. The Surgeon General of the United States is also urging others who may encounter people at risk for opioid overdose to have naloxone available and to learn how to use it to save lives [USSG 2018].

The National Institute for Occupational Safety and Health



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(NIOSH), part of the Centers for Disease Control and Prevention (CDC), developed this information to help employers and workers understand the risk of opioid overdose and help them decide if they should establish a workplace naloxone availability and use program.

Background

What are opioids?

Opioids include three categories of pain-relieving drugs: (1) natural opioids (also called opiates) which are derived from the opium poppy, such as morphine and codeine; (2) semi-synthetic opioids, such as the prescription drugs hydrocodone and oxycodone and the illicit drug heroin; (3) synthetic opioids, such as methadone, tramadol, and fentanyl. Fentanyl is 50 to 100 times more potent than morphine. Fentanyl analogues, such as carfentanil, can be 10,000 times more potent than morphine. Overdose deaths from fentanyl have greatly increased since 2013 with the introduction of illicitly-manufactured fentanyl entering the drug supply [CDC 2016b; CDC 2018b]. The National Institute on Drug Abuse [NIDA 2018] has more information about types of opioids.

What is naloxone?

Naloxone hydrochloride (also known as naloxone, NARCAN® or EVZIO®) is a drug that can temporarily stop

many of the life-threatening effects of overdoses from opioids. Naloxone can help restore breathing and reverse the sedation and unconsciousness that are common during an opioid overdose.

Side effects

Serious side effects from naloxone use are very rare. Using naloxone during an overdose far outweighs any risk of side effects. If the cause of the unconsciousness is uncertain, giving naloxone is not likely to cause further harm to the person. Only in rare cases would naloxone cause acute opioid withdrawal symptoms such as body aches, increased heart rate, irritability, agitation, vomiting, diarrhea, or convulsions. Allergic reaction to naloxone is very uncommon.

Limitations

Naloxone will not reverse overdoses from other drugs, such as alcohol, benzodiazepines, cocaine, or



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OSHA Interpretation on Drug Testing

- The purpose of this memorandum is to clarify the Department's position that 29 C.F.R. § 1904.35(b)(1)(iv) does not prohibit workplace safety incentive programs or post-incident drug testing.
- In addition, most instances of workplace drug testing are permissible under § 1904.35(b)(1)(iv). Examples of permissible drug testing include:
 - Random drug testing
 - Drug testing unrelated to the reporting of a work-related injury or illness
 - Drug testing under a state workers' compensation law
 - Drug testing under other federal law, such as a U.S. Department of Transportation rule
 - Drug testing to evaluate the root cause of a workplace incident that harmed or could have harmed employees. If the employer chooses to use drug testing to investigate the incident, the employer should test all employees whose conduct could have contributed to the incident, not just employees who reported injuries

Resources

- [National Safety Council](#)
 - [Stop Everyday Killers](#)
- American Society of Safety Professionals
- [NIOSH](#)
- [CPWR](#)
- NABTU Opioid Task Force
- [Construction Industry Alliance for Suicide Prevention](#)





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