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DOCUMENT ID: HR-01-03	VERSION: B	EFFECTIVE: 3/22/2024
TITLE: Drug Free Workplace		

Purpose:	In order to ensure the safety of patients, employees, medical staff, volunteers and visitors, TMCH will provide an environment free from substance abuse misconduct and any related impairment. TMCH will comply with all federal Drug-Free Workplace regulations.
Definitions:	<p><u>Drugs/Alcohol</u>: Any substance that may affect an individual's behavior, job performance, or physical or mental abilities. Such substances may include, but are not limited to; alcoholic beverages, illegal drugs, controlled medications not prescribed to the individual, prescribed medications, inhalants and over-the-counter medications or substances.</p> <p><u>Post-Offer Drug Screening</u>: Testing completed after a conditional offer of employment has been accepted. A negative result is a condition of employment.</p> <p><u>Reasonable Suspicion</u>: Any situation based on specific, current observations including, but not limited to, performance (e.g. drug/pharmacy audit, judgment errors), behavior (e.g. erratic change, anger), or physical indicators (e.g. appearance, speech or body odors) that raise reasonable suspicion or concern that substance abuse may be present.</p> <p>Failure to perform or improper performance of job duties.</p> <p>Any other conduct which creates a potential risk of harm to the individual or others may also constitute reasonable suspicion.</p> <p><u>Reasonable Suspicion or "For Cause" Screening</u>: Testing completed when there is sufficient reason to believe that an individual may be in violation of this policy.</p> <p><u>Accident or Adverse Event</u>: An incident that leads to a fatality, injury or property damage.</p> <p>An incident that occurred due to unexplained negligence or carelessness.</p> <p>Vehicle accidents that occur on company property or off-property if the employee was driving for TMCH business purposes at the time the accident occurred.</p> <p><u>Return to Work Agreement</u>: An agreement between the employee and TMCH after the employee returns to work following treatment for substance abuse. The agreement will outline the terms and conditions of employment and will include random drug screening for a period of at least one year.</p>

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	<u>Contract Staff (Clinical)</u> : Any contract staff member working in a clinical position. This includes, but is not limited to; contingent, temporary, traveler or agency staff.
Keywords:	Drug, alcohol, impaired, impairment, influence, suspicion, marijuana, prescription, screen, for cause, accident
Applicability:	<p>TMC Health: TMC Hospital Main and TMC Hospital at Rincon, including all inpatient and outpatient departments, Peppi's House – TMC Hospice, TMC Integrative Pain Clinic, and TMC Wound Care Center; TMC Medical Network and TMCOne, including all ambulatory primary and specialty care clinics, TMC Urgent Care – Rincon, and TMC Urgent Care – Wyatt; Benson Hospital, including Benson Hospital Rehabilitation, Benson Family Health Care Clinic, Benson San Pedro Clinic, and Vail Valley Family HealthCare; Northern Cochise Community Hospital, including Sulphur Springs Medical Center and Sunsites Medical Clinic; and all other TMC HealthCare subsidiaries except as otherwise noted.</p> <p>For purposes of this Policy, Affiliates do not include Tucson4Health LLC, Southern Arizona Hospital Alliance or TMCH joint ventures with physicians.</p>
Statement of Policy:	<ol style="list-style-type: none"> 1. TMCH does not tolerate the manufacture, distribution, use, impairment or influence, possession or sale of illegal drugs or alcohol, or the facilitation of any of these activities, in the work place. Anyone who fails to comply with this prohibition will be subject to disciplinary action, up to an including termination. 2. Employees, volunteers and contract staff working in clinical or safety-sensitive positions are expected to abide by the provisions of this notice. Employees who are convicted in a court of law of a criminal drug violation that occurred on TMCH property are required to notify TMCH within five days of any such conviction so notification can be made to the federal government. 3. Illegal drug use in the workplace creates serious health and safety dangers. Individuals are required to report suspected violations to their manager, the house supervisor, Human Resources or Security. 4. Employees are encouraged to contact the Employee Assistance Program (EAP) or their health insurance carrier for questions regarding drug

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	<p>counseling and/or treatment options.</p> <p>5. MEDICAL MARIJUANA</p> <p>5.1. Individuals must properly obtain and use medical marijuana in accordance with Arizona law. If used properly in accordance with Arizona law, medical marijuana will be treated as any other prescription drug under TMCH policies.</p> <p>5.2. Individuals may never possess or use medical marijuana on TMCH property, while on duty, when reporting to work, or when operating a vehicle on TMCH business.</p> <p>5.3. Individuals cannot be impaired by medical marijuana while on TMCH property, while on duty or while operating a vehicle on TMCH business.</p> <p>5.4. If an individual ever tests positive for marijuana, they must promptly produce a previously issued medical marijuana card pursuant to Arizona law.</p> <p>5.5. Should an individual exhibit signs of impairment, TMCH will follow the procedure for reasonable suspicion testing. The improper or unlawful use of marijuana may lead to immediate disciplinary action up to and including termination.</p> <p>6. DRUG AND ALCOHOL SCREENING</p> <p>TMCH may request that an individual submit to drug and alcohol screening under any of the following circumstances:</p> <p>6.1. A post-offer drug screening is required</p> <p>6.2. Reasonable suspicion exists. This could be, but is not limited to:</p> <p>(a) Suspicion that the individual is impaired by or under the influence of alcohol or drugs when reporting to work or during work hours.</p> <p>(b) A controlled substance cannot be accounted for and there is reasonable suspicion that it was stolen or inappropriately used. In this case, individuals who had direct access to the missing substance may be subject to testing as part of the</p>
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	<p>investigation process.</p> <p>(c) An individual has been identified during a pharmacy audit as having withdrawn unusually high amounts of narcotics from the automated medication dispensing system.</p> <p>6.3. An accident or adverse event occurs</p> <p>6.4. As part of a Return to Work Agreement following treatment for substance abuse</p> <p>7. PROFESSIONAL MEDICAL STAFF</p> <p>Should a member of the professional staff exhibit behavior, including involvement in an accident, that would indicate that the individual may be impaired by or under the influence of illegal drugs, controlled chemicals, or alcohol or is in some way unable to safely perform their job, that behavior should be reported immediately to the house supervisor, Chief Medical Officer, Chief of Staff, Chief Executive Officer, or his/her designee for intervention pursuant to the Bylaws for Professional Staff. If the individual is involved with patient care, steps to provide for appropriate patient care shall be initiated.</p> <p>8. CONTRACT STAFF (CLINICAL)</p> <p>8.1. The house supervisor should be contacted if a contract staff member exhibits behavior (including involvement in an accident) that would indicate that the individual may be impaired by or under the influence of drugs or alcohol while at work. The house supervisor will contact TMCH Security and the employer of the contract staff member.</p> <p>8.2. The TMCH Drug and Alcohol Screening Procedure will be followed. The contract staff member will not be allowed to work for TMCH pending the result. Arrangements for substitute services should be made directly with the agency.</p> <p>8.3. EHS will be responsible for receiving the test results back from the laboratory and communicating the results to the department director and the agency that employs the contract staff member.</p> <p>8.4. In the event of a positive result for drugs or alcohol, the department director will consult with their vice president</p>
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	<p>regarding the proper reporting procedures to regulatory agencies.</p> <p>9. PRESCRIPTION MEDICATIONS</p> <p>Employees must report to their manager the personal use of any prescribed drug or over-the-counter substance which may affect the employee's behavior, job performance, or physical or mental abilities. If a medication has side effects that could potentially impact an employee's behavior, performance or ability, a written medical authorization to work must be provided. It is the employee's responsibility to determine from their doctor whether or not a drug may impair job performance. Failure to report use of prescription drugs may result in corrective action, up to and including termination. Abuse of prescription drugs, such as taking an amount more than prescribed, as well as the use of prescription drugs for which one does not have a lawful prescription, is prohibited and will be treated the same as the use of an illegal drug under this policy.</p> <p>10. RIGHT TO SEARCH</p> <p>10.1. TMCH property and all equipment and furniture are the property of TMCH. When reasonable suspicion exists, all company property will be subject to inspection, including but not limited to equipment, vehicles, cabinets, desk, lockers and computers.</p> <p>10.2. When reasonable suspicion exists, TMCH reserves the right to request that an individual submit to an immediate inspection of their person and/or any personal property they have brought onto TMCH premises or while off-property conducting TMCH business. This includes, but is not limited to, vehicles, coats, briefcases, wallets and purses. Any alcohol, illegal drugs and/or drug paraphernalia may be immediately confiscated. Individuals found to have alcohol, illegal drugs and/or drug paraphernalia on their person, in their possession, or in the surrounding area will be subject to immediate disciplinary action, up to and including termination. Refusal to consent to an inspection, when requested, may result in disciplinary action, up to and including termination.</p> <p>10.3. If illegal drugs are found during an inspection, TMCH will contact the Tucson Police Department.</p> <p>11. TREATMENT AS AN OPTION</p>
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	<p>11.1. In the event that an employee self-discloses an addiction to drugs and/or alcohol, they may have the option of entering into a treatment agreement as a condition of continued employment.</p> <p>11.2. In the event that an employee's professional license is suspended or restricted due to drugs and/or alcohol use, continuing their employment may not be feasible. In this case, the employee will be allowed to reapply once they have completed treatment and their license is fully reinstated.</p> <p>11.3. If an employee is involved in an accident or incident that caused significant harm to themselves or another person, continuing their employment through a treatment agreement will not be an option.</p> <p>11.4. As a condition of continued employment, the employee will be required to comply with all terms of the treatment agreement. If at any time the employee fails to comply, the employee will be immediately terminated.</p> <p>11.5. A treatment agreement may include, but is not limited to:</p> <ul style="list-style-type: none"> (a) A mandatory referral to the Employee Assistance Program. This will include an initial assessment and a recommended course of treatment. (b) In-patient and/or intensive out-patient counseling and treatment. (c) A Return to Work Agreement that includes random drug screening for a period of at least one year. <p>11.6. A Leave of Absence (FMLA or MLOA) may be available for employees who need to seek treatment. Employees should contact the TMCH Benefits Center to request the necessary paperwork.</p> <p>11.7. Entering into a treatment agreement does not mean that the employee will not also be subjected to disciplinary action when appropriate.</p> <p>11.8. Employees will have the opportunity to enter into a treatment agreement only once during their course of employment with TMCH. If an employee violates any terms of the treatment agreement, the Return to Work Agreement, or if they test positive</p>
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	at any time in the future for a drug or alcohol screening, they will be subject to disciplinary action, up to and including termination.
Procedure:	<p>DRUG AND ALCOHOL SCREENING</p> <p>The process listed below will be followed for all employees, all volunteers and any contract staff members who are working in clinical positions. For situations that involve professional medical staff, please refer to the section of this policy titled Professional Medical Staff.</p> <ol style="list-style-type: none"> 1. When an individual has reason to believe that a co-worker or volunteer may be in possession of, using, impaired by or under the influence of drugs or alcohol, it is their responsibility to bring their concern to the attention of their manager, the house supervisor, Human Resources or Security. 2. The manager or house supervisor will notify Human Resources and/or Security of the issue and a preliminary investigation will be initiated. 3. The individual will be advised that reasonable suspicion exists and they will be requested to complete immediate screening for drugs and alcohol. All references to drug or alcohol use should be phrased strictly in terms of suspected violation(s) of this policy. All discussions will take place in a private setting. 4. Once a reasonable cause determination has been made, refusal to consent to the screening process constitutes a presumption of intoxication and/or controlled substance abuse and is grounds for immediate suspension without pay. The individual will have 3 hours to provide a specimen. Failure to provide a specimen within this timeframe will be considered a refusal to test. The individual will be advised that a decision concerning their status with TMCH will be forwarded to them. Refusal to consent for screening or refusal to provide a specimen is grounds for termination. Individuals who have a medical condition that prohibits them from providing a valid specimen will be provided with an alternative method of testing. 5. If the individual consents to screening, they will be escorted to Employee Health Services (EHS) by the manager or their designee during normal working hours (07:30 – 16:00 M-F). In the event that EHS is closed, the house supervisor will be contacted. The individual will be requested to sign a written consent for testing. The manager or

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	<p>house supervisor will complete the Form QRA-1037 documenting the reason(s) suspicion exists.</p> <ol style="list-style-type: none"> 6. Once a specimen is obtained, the individual will be suspended without pay pending the results of the drug/alcohol screening and the outcome of the investigation. EHS will follow the procedure for specimen collection and chain of custody. 7. In all situations involving reasonable suspicion, the manager, house supervisor or Security will arrange for safe transportation for the individual to his or her home. If the individual refuses the offer of transportation and attempts to drive their vehicle, TMCH will contact the Tucson Police Department. This process will be followed regardless of whether the individual consents to screening or refuses to consent. 8. Testing methods may include urinalysis and/or a blood test. The testing laboratory involved in the analysis will follow scientifically accepted analytic testing methods and procedures. The screening will include, but is not limited to; Alcohol, Amphetamines, Barbiturates, Benzodiazepine, Cannabinoids, Cocaine, MDMA/Ecstasy, Methadone, Methamphetamine, Opiates, Oxycodone, Buprenorphine, and Propoxyphene. 9. EHS staff will be responsible for instructing the laboratory regarding the tests to be conducted. 10. Drug screen results will be sent to the reference lab for confirmation when testing is completed for reasonable suspicion. Positive results will be reviewed by the reference lab's Medical Review Officer (MRO). In the event of a positive result for drugs, the MRO will contact the individual and allow them the opportunity to explain the positive result. The individual may also request a written copy of the result. 11. EHS will be responsible for receiving the test results from the laboratory and communicating the results to Human Resources and/or the manager. A decision on the appropriate action to be taken will be made by the manager and his or her department director in consultation with Human Resources and/or others as appropriate. 12. If the result of the screening is negative, and there are no other disciplinary actions pending due to work performance or other misconduct, the suspension will be lifted. Employees will be paid for
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	<p>the period of the suspension.</p> <p>13. In the event that a licensed clinical staff member tests positive for drugs or alcohol while working, the department director will consult with their vice president regarding the proper reporting procedures to regulatory agencies.</p>
Standard Work:	TMCH has not adopted Standard Work for this Policy
References:	<p>Drug-Free Workplace Program Policy, Society for Human Resource Management</p> <p>Drug Testing: Last Chance Agreement, Society for Human Resource</p>
Policy Creator:	Chief Human Resources Officer/Vice-President
Executive Sponsor:	Chief Human Resources Officer/Vice-President
Review:	This Policy shall be reviewed as needed per changes in applicable laws, regulations, and accreditation or operational requirements, but no less often than every 3 years.

Approved: /s/ Alex Horvath 03/22/2024
 Alex Horvath Date
 Chief Human Resources Officer/Vice President