



HUMBOLDT STATE UNIVERSITY

Controlled Substances and Alcohol Policy for Drivers of Commercial Vehicles

Policy #18-03

Risk Management & Safety Services

Applies to: Employees who drive commercial motor vehicles subject to 49 CFR Part 382. Employees assigned to positions requiring either a Commercial Drivers License or an Endorsement to a Class C license.

Supersedes: Alcohol and Drug Testing Administrative Procedures (12/11/06)

Purpose of the Policy 49 CFR Part 382 of the Federal Motor Carrier Safety Regulations (FMCSA). This policy was procured from Compliance Associates Inc. and has been vetted by the California Highway Patrol.

Table of Contents: see attached

Definitions: see attached

Policy Details: The policy is attached and is copyrighted.

Expiration Date: None

History

Each organization that has commercial drivers per 49 CFR Part 382 is required to have an employee substance abuse testing program that is overseen by a designated employee representative (DER). Previously this was housed in Human Resources (HR). Per HR's request, it was moved to Risk Management & Safety Services (RM&SS). RM&SS determined that the administrative procedures was not compliant with the 49 CFR Part 382 requirements. The policy purchased from Compliance Associates meets the current requirements. It effectively communicates all required information to the employees and the procedures described in the policy meet the legal requirements.

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Controlled Substances and Alcohol Policy

POLICY STATEMENT

Revised January 1, 2018

Humboldt State University is committed to providing a safe, drug-free workplace. An employee substance abuse testing program mandated for all interstate and intrastate employers regulated by [§49 CFR Part 382](#) to help prevent accidents and injuries resulting from the misuse of alcohol or the abuse of controlled substances by drivers of commercial motor vehicles. In addition, all intrastate employers are subject to [49 CFR Part 382](#) as adopted by the [State of California under vehicle code section 34520](#) to help prevent accidents and injuries resulting from the misuse of alcohol or the abuse of controlled substances by drivers of commercial motor vehicles.

An employer who *employs* only himself/herself as a driver shall implement a random alcohol and controlled substances testing program of two or more covered employees in the random testing selection pool.

Humboldt State University has initiated a program with Compliance Associates, Inc., a California Corporation acting as a Consortium/Third Party Administrator to assist **Humboldt State University** in complying with federal controlled substance and alcohol testing regulations for “safety sensitive function” positions as prescribed in [§49 CFR Part 382](#) of the Federal Motor Carrier Safety Regulations (FMCSA). *The employer retains ultimate responsibility for compliance with this program.*

Humboldt State University recognizes each employee’s value and contribution to the services **Humboldt State University** provides to their customers, therefore, this Policy is a “non-zero tolerance” policy. This Controlled substance and Alcohol Testing Policy is intended to comply with Federal Motor Carrier Safety Administration (FMCSA) regulations. This policy version supersedes all previous published versions.

EFFECTIVE DATE

This policy is effective January 1, 2018.

WHO WILL BE TESTED AND WHEN [§49 CFR 382, 383](#)

This policy concerns the activities of transportation employers, “safety sensitive function” positions, also referred to herein as “**employee**,” as prescribed by the Federal Motor Carrier



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Safety Administration under [§49 CFR Part 382.107](#). This includes self-employed individuals also referred to as employee's, contractors and volunteers as covered by the U.S. Department of Transportation agency regulations.

Safety sensitive function is defined in [§49 CFR 382.107](#), as all time from the time an individual who is required to hold a commercial motor vehicle driver's license for their job begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work.

Employers/employees are operators of commercial motor vehicles or combination of vehicles requiring a commercial driver's license as prescribed by [§49 CFR Part 383](#).

Employers/employee's may be tested for drugs or alcohol whenever they are **on duty**. For the purposes of this Policy, "on duty" is defined as any time on the job, since employers/employees are expected to be ready to perform safety-sensitive driving functions on short notice. Conversely, time spent in association with controlled substance testing specimen collection and/or alcohol testing is considered "on-duty" time. Safety-sensitive functions shall include:

1. All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer;
2. All time inspecting equipment as required by [§49 CFR Part 392.7](#) and [§49 CFR Part 392.8](#) of this subchapter or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time;
3. All time spent at the driving controls of a commercial motor vehicle in operation;
4. All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth, (a berth conforming to the requirements of [§49 CFR Part 393.76](#);
5. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and
6. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

TYPE OF CONTROLLED SUBSTANCE AND ALCOHOL TESTING REQUIRED

The following are occasions for controlled substance and/or alcohol testing under this Policy.



Pre-employment testing [§49 CFR Part 382.301](#)

Pre-employment controlled substance testing is required for all employee's subject to safety sensitive function positions. No employee who the employer intends to hire or use, shall perform safety-sensitive functions unless the employee has received a controlled substances test result from the MRO indicating a verified negative test result.

Controlled substance test results, which are verified positive for unauthorized controlled substances, will medically disqualify the applicant for any safety sensitive position until the employee has come into compliance with their Substance Abuse Professional (SAP) requirements. All medically disqualified donors will be put into the federally mandated Controlled Substances and Alcohol Clearinghouse [§49 CFR Part §382.701](#) where their information will remain for a period of five years unless cancelled or revoked under [§49 CFR Part 382.713](#).

Random Testing [§49 CFR Part 382.305](#)

Definition of Random Test: A random test is a test that is unannounced, and where every participant in the random selection "pool" has an equal chance of being selected for testing each time a selection occurs. Random testing is considered an effective deterrent to substance abuse. Employees subject to safety sensitive function positions are required to be randomly tested under DOT regulations.

Method of Random Selection: Current testing percentage requirements are maintained and adjusted annually as applicable by federal regulation in the Compliance Associates, Inc. consortium.

Procedure for Notification and Specimen Collection: The Program Coordinator of Compliance Associates, Inc. will notify the Designated Employer Representative (DER) which employee(s) came up in the random draw and must report for testing. The Designated Employer Representative (DER) will notify the employee(s) of their report time to the designated clinic.

Each employee selected for random alcohol and controlled substances testing under the selection process used, shall have an equal chance of being tested each time selections are made. Each employee selected for unannounced testing shall be tested during the selection period. Humboldt State University's DER shall ensure that the dates for administering random tests conducted are spread reasonably throughout the quarter in which they are drawn.

An employee shall only be tested for alcohol while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions.



Reasonable Suspicion Testing §49 CFR Part 382.307

Humboldt State University's representative that has been trained in reasonable suspicion recognition has reason to believe that a safety sensitive employee may be impaired, intoxicated or under the influence of a controlled substance and/or alcohol. If **Humboldt State University's** representative determines that reasonable suspicion exists to require the employee to undergo controlled substances and/or alcohol testing it must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the safety sensitive employee. The observations may include indications of the chronic and withdrawal effects of controlled substances.

An employee may be directed by **Humboldt State University** to only undergo reasonable suspicion testing for alcohol while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions.

The required observations for alcohol and/or controlled substances reasonable suspicion testing shall be made by a supervisor, the **Humboldt State University** DER, or a company official who is trained in accordance with §382.603. The person who makes the determination that reasonable suspicion exists to conduct an alcohol test shall not conduct the alcohol test of the employee.

A written record shall be made of the observations leading to an alcohol or controlled substances reasonable suspicion test and signed by the supervisor, the **Humboldt State University** DER or company official who made the observations, within 24 hours of the observed behavior or before the results of the alcohol or controlled substances tests are released, whichever is earlier.

Post-accident Testing §49 CFR Part 382.303

Under this policy, any employee subject to a safety sensitive function position who is involved in a "reportable accident" will be required as soon as practicable following an occurrence involving a commercial motor vehicle, to provide a urine specimen for the purpose of controlled substance screening and/or submit themselves to a Breath Alcohol Technician for an alcohol test.

A reportable accident under Federal Motor Carrier Safety Administration regulations is defined as an accident in which an employee was operating a commercial motor vehicle and in which:

TABLE FOR §382.303(A) AND (B)

Type of accident involved	Citation issued to the CMV driver	Test must be performed by employer
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i. Human fatality	YES NO	YES YES
ii. Bodily injury with immediate medical treatment away from the scene	YES NO	YES NO
iii. Disabling damage to any motor vehicle requiring tow away	YES NO	YES NO

- Controlled substance tested as soon as possible, but in no case later than 32 hours after the accident.
- Tested for alcohol as soon as possible, but in no case later than 8 hours after the accident.

An agent and/or employee who is seriously injured and cannot provide a specimen for testing may be requested to authorize the release of relevant hospital records and/or other documentation that would indicate whether there were any controlled substances in his/her system at the time of the accident.

Use following an accident §382.209

No employee required to take a post-accident alcohol test under §382.303 shall use alcohol for eight hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.

NON-REGULATED CONTROLLED SUBSTANCE AND ALCOHOL TESTING §40.13

1. DOT tests must be **completely separate** from non-DOT tests in all respects.
2. DOT tests must take priority and must be conducted and completed before a non-DOT test is begun. Do not perform any tests on DOT urine or breath specimens other than those specifically authorized by §40.13.
3. DOT urine specimen may not be tested for additional drugs, and a laboratory is prohibited from making a DOT urine specimen available for a DNA test or other types of specimen identity testing.
4. The single exception to this section is when a DOT controlled substance test collection is conducted as part of a physical examination required by DOT agency regulations. It is permissible to conduct required medical tests related to this physical examination (e.g., for glucose) on any urine remaining in the collection container after the controlled substance test urine specimens have been sealed into the specimen bottles.

5. No one is permitted to change or disregard the results of DOT tests based on the results of non-DOT tests. For example, as an employer you must not disregard a verified positive DOT controlled substance test result because the employee presents a negative test result from a blood or urine specimen collected by the employee's physician or a DNA test result purporting to question the identity of the DOT specimen.

EDUCATION AND TRAINING

As required by [§49 CFR Part 382.601\(a\)\(b\)\(11\)\(d\)](#), information is provided with this policy regarding the effects of alcohol and controlled substances use on an individual's health, work, and personal life along with signs and symptoms of an alcohol or controlled substances problem.

At the time of hire, employees subject to safety sensitive function positions will receive a copy of the Controlled substance and Alcohol Testing Policy. Employees will be informed of their responsibilities with respect to compliance with the federal controlled substance and alcohol testing regulations. Employees will be required to sign the policy Certificate of Receipt form acknowledging receipt and understanding of this information.

CONTROLLED SUBSTANCES USE and TESTING [§49 CFR Part 382.213 & 382.215](#)

This policy specifically prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances in the workplace, as described in the Drug-Free Workplace Act of 1988. It also prohibits employees from reporting for duty or being on duty with evidence of alcohol, controlled substances, or illegally obtained prescription medications, in their systems. Violation of these prohibitions will lead to administrative action, up to and including possibility of termination of employment. Violations will be remitted to the federally mandated Controlled Substances and Alcohol Clearinghouse [§49 CFR Part §382.701](#) where their information will remain for a period of five years unless cancelled or revoked under [§49 CFR Part 382.713](#).

No employee shall report for duty, remain on duty, or perform a safety-sensitive function, if the employee tests positive for controlled substances. No employer having actual knowledge that an employee has tested positive for controlled substances shall permit the employee to perform or continue to perform safety-sensitive functions.

No employee shall report for duty or remain on duty requiring the performance of a safety-sensitive function when the employee uses any controlled substance. Except when the use is pursuant to the instructions of a licensed medical practitioner, as defined in [§49 CFR Part 382.107](#), who has advised the employee that the substance will not adversely affect the employee's ability to safely operate a commercial motor vehicle.

No employer having actual knowledge that an employee has used a controlled substance shall permit the employee to perform or continue to perform a safety-sensitive



function. Employee's must remain readily available for testing.

ALCOHOL USE and TESTING §49 CFR Part 382.201, 382.205, 382.207 & 382.209

No employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater or having a confirmed test of .04 or greater. No employer having actual knowledge that an employee has an alcohol concentration of 0.02 or greater shall permit the employee to perform or continue to perform safety-sensitive functions.

No employee shall use alcohol while performing safety-sensitive functions. No employer having actual knowledge that an employee is using alcohol while performing safety-sensitive functions shall permit the employee to perform or continue to perform safety-sensitive functions.

No employee shall perform safety-sensitive functions within four hours after using alcohol. No employer having actual knowledge that an employee has used alcohol within four hours shall permit an employee to perform or continue to perform safety-sensitive functions.

No employee required to take a post-accident alcohol test under §49 CFR Part 382.303 shall use alcohol for eight hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.

REFUSAL TO SUBMIT TO A REQUIRED CONTROLLED SUBSTANCES TEST or ALCOHOL §49 CFR Parts 382.211, 40.191 & 40.261

No safety sensitive employee shall refuse to submit to a required controlled substances or alcohol test. No employer shall permit a safety sensitive employee who refuses to submit to such tests to perform or continue to perform safety-sensitive functions.

An employee has refused to take a controlled substance test if:

1. Fail to appear for any test (**except a pre-employment test**) within a reasonable time, as determined by **Humboldt State University**, after being directed to do so by **Humboldt State University** This includes the failure of an employee to appear for a test when called by a consortium and/or third-party administrator (C/TPA).
2. Fail to remain at the testing site until the testing process is complete; an employee who leaves the testing site prior to the testing process commencing for a pre-employment test is not deemed to have refused to test;
3. In the case of a directly observed or monitored collection in a controlled substance test, fail to permit the observation or monitoring of your provision of a specimen;
4. Fail to provide a sufficient amount of urine when directed, and it has been determined through a required medical evaluation, that there was no adequate medical explanation for the failure;



5. Fail or decline to take a second test that **Humboldt State University** or the collector has directed you to take;
6. Fail to undergo a medical examination or evaluation, as directed by the medical review officer as part of the verification process, or as directed by **Humboldt State University**' designated employer representative. In the case of a pre-employment controlled substance test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment; or
7. Fail to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process).

An employee has refused to take an alcohol test if:

- 1) Fail to appear for any test within a reasonable time, as determined by **Humboldt State University**, after being directed to do so by **Humboldt State University** This includes the failure of an employee to appear for a test when called by a consortium and/or third-party administrator(C/TPA);
- 2) Fail to remain at the testing site until the testing process is complete;
- 3) Fail to provide an adequate amount of breath for any alcohol test;
- 4) Fail to provide a sufficient breath specimen, and a physician has determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
- 5) Fail to undergo a medical examination or evaluation, as directed by **Humboldt State University** as part of the insufficient breath procedures outlined at [§49 CFR Part 40.265\(c\)](#);
- 6) Fail to sign the certification at Step 2 of the alcohol testing form; or
- 7) Fail to cooperate with any part of the testing process.

Employee admission of controlled substances and use alcohol [§382.121](#)

Employees who admit to alcohol misuse or controlled substances use are not subject to the referral, evaluation and treatment requirements of this part and [part 40](#) of this title, provided that:

- The admission is in accordance with a written employer-established voluntary self-identification program or policy that meets the requirements of paragraph two of this section;
- The safety sensitive employee does not self-identify in order to avoid testing under the requirements of this part;
- The employee makes the admission of alcohol misuse or controlled substances use prior to performing a safety sensitive function (i.e., prior to reporting for duty); and

- The employee does not perform a safety sensitive function until the employer is satisfied that the employee has been evaluated and has successfully completed education or treatment requirements in accordance with the self-identification program guidelines.

A qualified voluntary self-identification program or policy must contain the following elements:

- It must prohibit the employer from taking adverse action against an employee making a voluntary admission of alcohol misuse or controlled substances use within the parameters of the program or policy;
- It must allow the employee sufficient opportunity to seek evaluation, education or treatment to establish control over the employee's-controlled substance or alcohol problem;
- It must permit the employee to return to safety sensitive duties only upon successful completion of an educational or treatment program, as determined by a controlled substance and alcohol abuse evaluation expert, i.e., employee assistance professional, substance abuse professional, or qualified controlled substance and alcohol counselor;
- It must ensure that:
 - (a) Prior to the employee participating in a safety sensitive function, the employee shall undergo a return to duty test with a result indicating an alcohol concentration of less than 0.02; and/or
 - (b) Prior to the employee participating in a safety sensitive function, the employee shall undergo a return to duty controlled substance test with a verified negative test result for controlled substances use.

FAILURE TO COOPERATE [§49 CFR Part 382.211](#)

Any employer/employee who refuses to take a controlled substance or alcohol test to comply with Federal Motor Carrier Safety Administration (FMCSA) [§49 CFR Part 382](#) will be immediately removed from duty performing a safety sensitive function as required by these federal regulations and reported to the federally mandated Controlled Substances and Alcohol Clearinghouse [§49 CFR Part §382.701](#) where their information will remain for a period of five years unless cancelled or revoked under [§49 CFR Part 382.713](#). A refusal under [§49 CFR Part 382](#) is considered to have the same ramifications as a positive test result.

CONTROLLED SUBSTANCE and ALCOHOL CLEARINGHOUSE [§382.701](#)

(Effective January 1, 2020)

Pre-employment query required: Employers must not employ an employee subject to controlled substances and alcohol testing to perform a safety-sensitive function without first conducting a pre-employment query of the Clearinghouse to obtain information about whether the employee has a verified positive, adulterated, or substituted controlled substances test result; has an alcohol confirmation test with a concentration of 0.04 or



higher; has refused to submit to a test in violation of §382.211; or that an employer has reported actual knowledge, as defined at §382.107, that the employee used alcohol on duty in violation of §382.205, used alcohol before duty in violation of §382.207, used alcohol following an accident in violation of §382.209, or used a controlled substance, in violation of §382.213. **Humboldt State University** must conduct a full query which releases information contained in the Clearinghouse to **Humboldt State University** and requires that the individual employee give specific consent.

Annual query required: **Humboldt State University** must conduct a query of the Clearinghouse at least once per year for information for all employee's subject to controlled substance and alcohol testing to determine whether information exists in the Clearinghouse about those employees.

- In lieu of a full query, **Humboldt State University** may obtain the individual employee's consent to conduct a limited query to satisfy the annual query requirement. The limited query will tell **Humboldt State University** whether there is information about the individual employee in the Clearinghouse but will not release that information to **Humboldt State University**. The individual employee may give consent to conduct limited queries that is effective for more than one year.
- If the limited query shows that information exists in the Clearinghouse about the individual employee, **Humboldt State University** must conduct a full query within 24 hours of conducting the limited query. If **Humboldt State University** fails to conduct a full query within 24 hours, **Humboldt State University** must not allow the employee to continue to perform any safety-sensitive function until **Humboldt State University** conducts the full query and the results confirm that the employee's Clearinghouse record contains no prohibitions.

No employer may allow an employee to perform any safety-sensitive function if the results of a Clearinghouse query demonstrate that the employee has a verified positive, adulterated, or substituted controlled substances test result; has an alcohol confirmation test with a concentration of 0.04 or higher; has refused to submit to a test in violation of §382.211; or that an employer has reported actual knowledge, as defined at §382.107, that the employee used alcohol on duty in violation of §382.205, used alcohol before duty in violation of §382.207, used alcohol following an accident in violation of §382.209, or used a controlled substance in violation of §382.213, except where a query of the Clearinghouse demonstrates:

- (1) That the employee has successfully completed the SAP evaluation, referral, and education/treatment process; achieves a negative return-to-duty test result; and completes the follow-up testing plan prescribed by the SAP.
- (2) That, if the employee has not completed all follow-up tests as prescribed by the SAP in accordance with §40.307 of this title and specified in the SAP report required by §40.311 of this title, the employee has completed the SAP evaluation, referral, and education/treatment



process and achieves a negative return-to-duty test result, and Humboldt State University assumes the responsibility for managing the follow-up testing process associated with the testing violation.

Recordkeeping required: Humboldt State University must retain for 3 years a record of each query and all information received in response to each query made. As of January 6, 2023, an employer who maintains a valid registration fulfills this requirement.

Safety sensitive employee consent to permit access to information in the Clearinghouse §382.703

Humboldt State University may not query the Clearinghouse to determine whether a record exists for any employee without first obtaining that employee's written or electronic consent. The employer conducting the search must retain the consent for 3 years from the date of the last query.

Before **Humboldt State University** may access information contained in the employee's Clearinghouse record, the employee must submit electronic consent through the Clearinghouse granting **Humboldt State University** access to the following specific records:

- (1) A verified positive, adulterated, or substituted controlled substances test result;
- (2) An alcohol confirmation test with a concentration of 0.04 or higher;
- (3) A refusal to submit to a test in violation of [§382.211](#);
- (4) An employer's report of actual knowledge, as defined at [§382.107](#), of:
 - (i) On duty alcohol use pursuant to [§382.205](#);
 - (ii) Pre-duty alcohol use pursuant to [§382.207](#);
 - (iii) Alcohol use following an accident pursuant to [§382.209](#); and
 - (iv) Controlled substance use pursuant to [§382.213](#);
- (5) A SAP report of the successful completion of the return-to-duty process;
- (6) A negative return-to-duty test; and
- (7) An employer's report of completion of follow-up testing.

Humboldt State University may not permit an employee to perform a safety-sensitive function if the employee refuses to grant the required consent.



An employee granting consent must provide consent electronically to the Agency through the Clearinghouse prior to release of information to an employer in accordance with §382.701(a)(2) or (b)(3).

An employee granting consent grants consent for the Agency to release information to an employer in accordance with §382.701(c).

Reporting to the Clearinghouse §382.705

MROs. Within 2 business days of making a determination or verification, MROs must report the following information about an employee to the Clearinghouse:

- Verified positive, adulterated, or substituted controlled substances test results;
- Refusal-to-test determination by the MRO in accordance with §49 CFR 40.191(a)(5), (7), and (11), (b), and (d)(2).

MROs must provide the following information for each controlled substance test result:

- Reason for the test;
- Federal Controlled Substance Testing Custody and Control Form, Specimen ID number;
- Driver's name, date of birth, and CDL number and State of issuance;
- Employer's name, address, and USDOT number, if applicable;
- Date of the test;
- Date of the verified result; and
- Test result. The test result must be one of the following:
 - Positive (including the controlled substance(s) identified)
 - Refusal to test: Adulterated;
 - Refusal to test: Substituted; or
 - Refusal to provide a sufficient specimen after the MRO determinations, in accordance with §40.193 of this title, that the employee does not have a medical condition that has, or with a high degree of probability could have, precluded the employee from providing a sufficient amount of urine. A refusal would also include a refusal to undergo a medical examination or evaluation to substantiate a qualifying medical condition.

Employer: Humboldt State University must report the following information about an employee to the Clearinghouse by the close of the third business day following the date on which they obtained that information:

- (i) An alcohol confirmation test result with an alcohol concentration of 0.04 or greater;
- (ii) A negative return-to-duty test result;

- (iii) A refusal to take an alcohol test pursuant to [§49 CFR 40.261](#);
 - (iv) A refusal to test determination made in accordance with [§49 CFR 40.191\(a\)\(1\)](#) through [\(4\)](#), [\(a\)\(6\)](#), [\(a\)\(8\)](#) through [\(11\)](#), or [\(d\)\(1\)](#), but in the case of a refusal to test under [\(a\)\(11\)](#), the employer may report only those admissions made to the specimen collector; and
 - (v) A report that the driver has successfully completed all follow-up tests as prescribed in the SAP report in accordance with [§40.307](#), [§40.309](#), and [§40.311](#) of this title.
- (2) The information required to be reported under paragraph (b)(1) of this section must include, as applicable:
- (i) Reason for the test;
 - (ii) Driver's name, date of birth, and CDL number and State of issuance;
 - (iii) Employer name, address, and USDOT number;
 - (iv) Date of the test;
 - (v) Date the result was reported; and
 - (vi) Test result. The test result must be one of the following:
 - (A) Negative (only required for return-to-duty tests administered in accordance with [§382.309](#);
 - (B) Positive; or
 - (C) Refusal to take a test.

For each report of a violation of [§49 CFR 40.261\(a\)\(1\)](#) or [§40.191\(a\)\(1\)](#), **Humboldt State University** must report the following information:

Documentation, including, but not limited to, electronic mail or other contemporaneous record

- Time and date the employee was notified to appear at a testing site; and the time, date and testing site location at which the employee was directed to appear, or an affidavit providing evidence of such notification;
- Indication the date the employee was terminated or resigned (if applicable);
- Showing that the C/TPA reporting the violation was designated as a service agent for an employer who employs himself/herself as an employee
- When the reported refusal occurred (if applicable); and
- Documentation, including a certificate of service or other evidence, showing that the employer provided the employee with all documentation.



Humboldt State University must report the following violations by the close of the third business day following the date on which **Humboldt State University** obtains actual knowledge, as defined at [§382.107](#), of:

- (i) On-duty alcohol use pursuant to [§382.205](#);
- (ii) Pre-duty alcohol use pursuant to [§382.207](#);
- (iii) Alcohol use following an accident pursuant to [§382.209](#); and
- (iv) Controlled substance use pursuant to [§382.213](#).

For each violation, the employer must report the following information:

- (i) Driver's name, date of birth, CDL number and State of issuance;
- (ii) Employer name, address, and USDOT number, if applicable;
- (iii) Date the employer obtained actual knowledge of the violation;
- (iv) Witnesses to the violation, if any, including contact information;
- (v) Description of the violation;
- (vi) Evidence supporting each fact alleged in the description of the violation required under paragraph (b)(4) of this section, which may include, but is not limited to, affidavits, photographs, video or audio recordings, employee statements (other than admissions pursuant to [§382.121](#)), correspondence, or other documentation; and
- (vii) A certificate of service or other evidence showing that the employer provided the employee with all required information.

An employer who employs himself/herself as a driver must designate a C/TPA to comply with the employer requirements related to his or her own alcohol and controlled substances use.

Consortiums/Third Party Administrators: An employer may designate a C/TPA to perform the employer requirements, regardless of whether it uses a C/TPA to perform its requirements, *the employer retains ultimate responsibility for compliance with this section.*

Reporting truthfully and accurately: Every person or entity with access must report truthfully and accurately to the Clearinghouse it is expressly prohibited from knowingly reporting information that is false or inaccurate.



REPORTING ENTITIES AND CIRCUMSTANCES

Reporting entity	When information will be reported to clearinghouse
Prospective/Current Employer of CDL Driver	—An alcohol confirmation test with a concentration of 0.04 or higher. —Refusal to test (alcohol) as specified in §49 CFR 40.261 .
	—Refusal to test (drug) not requiring a determination by the MRO as specified in §49 CFR 40.191 .
	—Actual knowledge, as defined in §49 CFR 382.107 , that a driver has used alcohol on duty, used alcohol within four hours of coming on duty, used alcohol prior to post-accident testing, or has used a controlled substance.
	—Negative return-to-duty test results (controlled substance and alcohol testing, as applicable)
	—Completion of follow-up testing.
Service Agent acting on behalf of Current Employer of CDL Driver	—An alcohol confirmation test with a concentration of 0.04 or higher. —Refusal to test (alcohol) as specified in §49 CFR 40.261 .
	—Refusal to test (drug) not requiring a determination by the MRO as specified in §49 CFR 40.191 .
	—Actual knowledge, as defined in §49 CFR 382.107 , that a driver has used alcohol on duty, used alcohol within four hours of coming on duty, used alcohol prior to post-accident testing, or has used a controlled substance.
	—Negative return-to-duty test results (controlled substance and alcohol testing, as applicable)
	—Completion of follow-up testing.
MRO	—Verified positive, adulterated, or substituted controlled substance test result.
	—Refusal to test (drug) requiring a determination by the MRO as specified in §49 CFR 40.191 .
SAP	—Identification of driver and date the initial assessment was initiated.
	—Successful completion of treatment and/or education and the determination of eligibility for return-to-duty testing.

Notice to drivers of entry, revision, removal or release of information [§382.707](#)

FMCSA must notify an employee of the following;

- When information concerning that employee has been added to, revised, or removed from the Clearinghouse.
- When information concerning that employee has been released from the Clearinghouse to an employer and specify the reason for the release.

Drivers' access to information in the Clearinghouse §382.709

A driver may review information in the Clearinghouse about himself or herself, except as otherwise restricted by law or regulation. An employee must register with the Clearinghouse.

Clearinghouse registration §382.711

Clearinghouse registration is required. Each employer, service agent, C/TPA, MRO and SAP must register with the Clearinghouse before accessing or reporting information in the Clearinghouse. **Humboldt State University** must verify the names of the person(s) authorized under this section annually. **Humboldt State University** must update any changes to this information within 10 days.

Duration, cancellation, and revocation of access §382.713

Term. Clearinghouse registration is valid for 5 years, unless cancelled or revoked.

Cancellation. FMCSA will cancel Clearinghouse registrations for anyone who has not queried or reported to the Clearinghouse for 2 years.

Revocation. FMCSA has the right to revoke the Clearinghouse registration of anyone who fails to comply with any of the prescribed rights and restrictions on access to the Clearinghouse, including but not limited to, submission of inaccurate or false information and misuse or misappropriation of access rights or protected information from the Clearinghouse and failure to maintain the requisite qualifications, certifications and/or training requirements as set forth in [§49 CFR Part 40](#).

Authorization to enter information into the Clearinghouse §382.715

C/TPAs. No C/TPA or other service agent may enter information into the Clearinghouse on **Humboldt State University** behalf unless **Humboldt State University** designates the C/TPA or other service agent.

SAPs. A driver must designate a SAP before that SAP can enter any information about the driver's return-to-duty process into the Clearinghouse.

Procedures for correcting information in the database §382.717

Petitions limited to inaccurately reported information. Petitioners may challenge only the accuracy of information reporting, not the accuracy of test results or refusals.

Petition. Any employee or authorized representative of the employee may submit a petition to the FMCSA contesting the accuracy of information in the Clearinghouse.



Submission of petition: The petitioner may submit his/her petition electronically through the Clearinghouse or in writing to: Federal Motor Carrier Safety Administration, Office of Enforcement and Compliance.

Notice of decision: Within 45 days of receiving a complete petition, FMCSA will inform the employee in writing of its decision to remove, retain, or correct the information in the database and provide the basis for the decision.

Subsequent notification to employers: When information is corrected or, FMCSA will notify any employer that accessed the incorrect information that a correction or removal was made.

Availability and removal of information §382.719

Once all of the conditions are met relating to the violation of a particular employees controlled substance or alcohol violation the information will no longer be available.

Unauthorized access or use prohibited §382.723

No person or entity may share, distribute, publish, or otherwise release any information in the Clearinghouse except as specifically authorized by law. No person may report inaccurate or misleading information to the Clearinghouse.

An employer's use of information received from the Clearinghouse is limited to determining whether a prohibition applies to an employee performing a safety-sensitive function with respect to a commercial motor vehicle.

No employer may divulge or permit any other person or entity to divulge any information from the Clearinghouse to any person or entity not directly involved in determining whether a prohibition applies to an employee performing a safety-sensitive function with respect to a commercial motor vehicle.

DISCIPLINARY ACTION AND PROCEDURES §49 CFR 382.111

Humboldt State University has the right and obligation to determine levels of discipline for their employees under this Policy.

The following are the disciplinary actions and procedures that **Humboldt State University** has adopted as their company policy:

An otherwise qualified applicant for a safety sensitive employee position whose controlled substance test results are negative will be considered qualified for the position offered.

Applicants with verified positive controlled substance test results will be considered medically unqualified and ineligible for the position.



An employee determined to have evidence of alcohol in his/her system of 0.01 but below 0.04g will be subject to prompt disciplinary action:

1. When an initial screening test for drugs is positive, a second, confirmatory test will automatically be performed. Confirmed positive controlled substance tests will be reported by the testing laboratory to the Medical Review Officer (MRO) for verification and contact with the donor.
2. If the donor is unable to provide a sufficient reason for the positive screening the MRO will "confirm" and report the test results out as positive, first to the donor then secondarily to **Humboldt State University's** designated employer representative.

Employees who have had a verified positive controlled substance test or a confirmed alcohol result of 0.04g or above will be immediately removed from their safety sensitive function position and referred to a Substance Abuse Professional for evaluation.

When an initial screening test for drugs is positive, a second, confirmatory test will automatically be performed. Confirmed positive controlled substance tests will be reported by the testing laboratory to the Medical Review Officer (MRO) for verification and contact with the donor. If the donor is unable to provide a sufficient reason for the positive screening the MRO will "confirm" and report the test results out as positive, first to the donor then secondarily to **Humboldt State University** Designated Employer Representative (DER).

RECORDKEEPING PROCEDURES §49 CFR Part 382.401

Compliance Associates, Inc. will maintain controlled substance and alcohol testing records, which will include but not be limited to employer chain of custody forms, controlled substance and/or alcohol test results, semi-annual reports and annual reports in a secure filing system. Copies will be made available to Humboldt State University and/or regulatory agencies within 48 hours of request for all consortium participants.

A driver is entitled, upon written request, to obtain copies of any records concerning his/her use of alcohol or controlled substances. Requests for such information shall be directed to the Humboldt State University.

Information regarding an individual's controlled substance test results or rehabilitation may be released only upon written consent of the individual, except:

Such information must be released to the Secretary of Transportation, DOT, State or Federal agency, or any State or local officials with regulatory authority over the employer or any of its drivers.

Such information may be disclosed in a lawsuit, grievance, or other proceeding initiated by or on behalf of the employer and arising from an alcohol test and/or verified positive controlled substance test or from your employer determination that the driver engaged in conduct prohibited by FMCSA regulations.



When requested by the National Transportation Safety Board as part of an accident investigation, Compliance Associates, Inc. will disclose information regarding post-accident alcohol and/or controlled substance testing.

The employer shall release information regarding an employee's records to a subsequent employer only upon receipt of a written request specifically authorizing release of the records to an identified person.

Reporting of results in a management information system §382.403

An employer shall prepare and maintain a summary of the results of its alcohol and controlled substances testing programs performed during the previous calendar year, when requested by the Secretary of Transportation, any DOT agency, or any State or local officials with regulatory authority over the employer or any of its employees.



RECORD RETENTION

Compliance Associates, Inc. along with **Humboldt State University** will maintain the following schedule of recordkeeping:

Negative and canceled controlled substance test records; records of alcohol test results less than 0.02.	1 year
Records related to the alcohol and controlled substances collection process.	2 years
Records related to the education and training of BAT's, STT's, and supervisors.	Indefinitely
Records related to the education and training of employers shall be maintained by the employer while the individual performs the functions which require the training and for two years after ceasing to perform those functions.	Indefinitely/ 2 years
Records of verified positive controlled substance test results; alcohol test results of 0.02 or greater; refusals to be tested for drugs and/or alcohol; SAP evaluations and referrals.	5 years
Records related to the administration of the alcohol and controlled substances testing program.	5 years
Documentation of EBT calibration.	5 years
Calendar year record of total number of employee's tested and the results of tests.	5 years
Clearinghouse record	5 years



GLOSSARY OF TERMS

§49 CFR Part 40.3

ACTUAL KNOWLEDGE: Actual knowledge by **Humboldt State University** that a safety sensitive employee has used alcohol or controlled substances based on the **Humboldt State University's** direct observation of the employee, information provided by the safety sensitive employee previous employer(s), a traffic citation for driving a CMV while under the influence of alcohol or controlled substances or an employee's admission of alcohol or controlled substance use.

ADULTERATED SPECIMEN: A specimen that contains a substance that is not expected to be present in human urine, or contains a substance expected to be present but is at a concentration so high that it is not consistent with human urine.

ALCOHOL SCREENING TEST: Analytic procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath or saliva specimen.

ALCOHOL CONCENTRATION (AC): The concentration of alcohol in a person's blood or breath. When expressed as a percentage it means grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

BAT: Breath Alcohol Technician: A person who instructs and assists employees in the alcohol testing process and operates an evidential breath testing device.

CANCELED TEST: A controlled substance or alcohol test that has a problem identified that cannot be or has not been corrected, or which under [Part 40](#) is required to be canceled. A canceled test is neither a positive nor a negative test.

CHAIN of CUSTODY: The procedure used to document the handling of the urine specimen from the time the employee gives the specimen to the collector until the specimen is destroyed. This procedure uses the Federal Controlled Substance Testing Custody and Control Form (CCF) as approved by the Office of Management and Budget

COMMERCIAL DRIVER'S LICENSE (CDL): A license issued by a State or other jurisdiction, in accordance with the standards contained in [49 CFR Part 383](#), to an individual which authorizes the individual to operate a class of a commercial motor vehicle.

COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE and ALCOHOL CLEARINGHOUSE: (*Clearinghouse*) means the FMCSA database that requires employers and service agents to report information to and to query regarding safety sensitive employees who are subject to the DOT controlled substance and alcohol testing regulations.



COMMERCIAL DRIVER'S LICENSE INFORMATION SYSTEM (CDLIS): The CDLIS established by FMCSA pursuant to section 12007 of the Commercial Motor Vehicle Safety Act of 1986.

CONFIRMED CONTROLLED SUBSTANCE TEST: A confirmation test result received by an MRO from a laboratory. Controlled substances mean those substances identified in [§40.85](#).

CONSORTIUM/THIRD-PARTY ADMINISTRATOR (C/TPA): A service agent that provides or coordinates the provision of a variety of controlled substance and alcohol testing services to employers C/TPA's typically perform administrative tasks concerning the operation of the employers' controlled substance and alcohol testing programs. This term includes, but is not limited to, groups of employers who join together to administer, as a single entity, the DOT controlled substance and alcohol testing programs fit its members. C/TPA's are not "employers" for the purposes of [Part 40](#).

CONTROLLED SUBSTANCE: Has the meaning such term has under 21 U.S.C. 802(6) and includes all substances listed on schedules I through V of 21 CFR 1308, (§§1308.11 through 1308.15) as they may be amended by the United States Department of Justice.

CONFIRMATORY CONTROLLED SUBSTANCE TEST: Confirmatory controlled substance test. A second analytical procedure performed on a different aliquot of the original specimen to identify and quantify the presence of a specific controlled substance or controlled substance metabolite.

DESIGNATED EMPLOYER REPRESENTATIVE (DER): An employee authorized by **Humboldt State University** to take immediate action(s) to remove employees from safety-sensitive duties and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the employer, consistent with the requirements of [Part 40](#). Service agents cannot act as DERs.

DILUTE SPECIMEN: A specimen with creatinine and specific gravity values that are lower than expected for human urine.

EMPLOYER: Employer means a person or entity employing one or more employees (including an individual who is self-employed) that is subject to DOT agency regulations requiring compliance with overall implementation of DOT controlled substance and alcohol program requirements, including individuals employed by the entity who take personnel actions resulting from violations of any applicable DOT agency regulations. Service agents are not employers for the purposes of this part. For purposes of controlled substance testing under this part, the term employee has the same meaning as the term "donor" as found on CCF and related guidance materials produced by the Department of Health and Human Services.



GVWR: Gross Vehicular Weight Rating: Size criterion for determining classification of a commercial motor vehicle under Federal regulations.

INITIAL CONTROLLED SUBSTANCE TEST: The first test used to differentiate a negative specimen from one that requires further testing for drugs or controlled substance metabolites.

LABORATORY: Any U.S. laboratory certified by Health and Human Services (HHS) under the National Laboratory Certification Program that meets the minimum standards of the HHS Mandatory Guidelines for Federal Workplace Controlled Substance Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by the Department of Transportation.

MOTOR VEHICLE: A vehicle, machine, tractor, trailer, or semi-trailer propelled or drawn by mechanical power used on highways, except that such term does not include a vehicle, machine, tractor, trailer, semi-trailer operated exclusively on a rail.

MRO: Medical Review Officer: The MRO is a licensed physician who is a Doctor of Medicine or osteopathy with knowledge of controlled substance abuse disorders, symptoms, treatment, and toxicology. The MRO is responsible for receiving and reviewing laboratory results generated by an employer's controlled substance testing program and evaluating medical explanation for certain controlled substance test results.

ODAPC: Office of Controlled substance and Alcohol Policy and Compliance: The office in the Office of the Secretary, DOT, that is responsible for coordinating controlled substance and alcohol testing program matters within the Department and providing information concerning the implementation of this part.

ON DUTY: Any time a employer is considered to be performing a safety sensitive function during any period in which he/she is actually performing, ready to perform, or immediately available to perform any safety sensitive functions.

PRIMARY SPECIMEN: In controlled substance testing, the urine specimen bottle that is opened and tested by a first laboratory to determine whether the employee has a controlled substance or controlled substance metabolite in his or her system; and for the purpose of validity testing.

RANDOM TESTING: Computerized random selection and testing for drugs and alcohol in which each person in the computer database has an equal chance of selection each time a selection occurs, in accordance with regulatory requirements.

REASONABLE SUSPICION: "*Reasonable suspicion*" means that an individual that has been trained in reasonable suspicion recognition has reason to believe that an employee may be impaired, intoxicated or under the influence of a controlled substance or alcohol.



REFUSAL TO SUBMIT: No driver shall refuse to submit to a post-accident alcohol or controlled substances test, a random alcohol or controlled substances test, a reasonable suspicion alcohol or controlled substances test, or a follow-up alcohol or controlled substances test. No employer shall permit a driver who refuses to submit to such tests to perform or continue to perform safety-sensitive functions.

SAFETY SENSITIVE FUNCTION: All time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work.

SAMHSA: Substance Abuse and Mental Health Services Administration: A division of the U.S. Department of Health and Human Services (DHHS) which is responsible that is responsible for certifying laboratories to perform medical federal workplace controlled substance testing.

SCHOOL BUS: A commercial vehicle used to transport pre-primary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. School bus does not include a bus used as a common carrier.

SERVICE AGENT: Any person or entity, other than an employee of the employer, who provides services to employers and/or employees in connection with DOT controlled substance and alcohol testing requirements. This includes, but is not limited to, collectors, BATs and STTs, laboratories, MROs, Substance Abuse Professionals, and C/TPAs.

SPLIT SPECIMEN COLLECTION: In controlled substance testing, a part of the urine specimen that is sent to a first laboratory and retained unopened, and which is transported to a second laboratory in the event that the employee requests that it be tested following a verified positive test of the primary specimen or a verified adulterated or substituted test result.

SUBSTANCE ABUSE PROFESSIONAL: A person who evaluates employees who have violated a DOT controlled substance and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing and aftercare.

SUBSTITUTED SPECIMEN: A specimen with creatinine and specific gravity values that are so diminished that they are not consistent with human urine.

TANK VEHICLE: Any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank that is either permanently or temporarily attached to the vehicle or the chassis.

QUALIFICATION TRAINING: The training required in order for a collector, BAT, MRO, SAP, or STT to be qualified to perform their functions in the DOT controlled substance and alcohol-testing program. Qualification training may be provided by any appropriate means (e.g., classroom instruction, Internet application, CD-ROM, video).





Certificate of Receipt Controlled Substances and Alcohol Policy

Certificate/Policy Revised January 1, 2018

I certify that I have received, read and understand the Drug and Alcohol Testing Policy adopted by **Humboldt State University** with the effective revision date of January 1, 2018. I have also received, read and understand the information and training I have been given concerning the effects of substance abuse on my health, work and personal life.

Humboldt State University has initiated a program with Compliance Associates, Inc., a California Corporation acting as a Consortium/Third Party Administrator to assist **Humboldt State University** in complying with federal controlled substance and alcohol testing regulations for “safety sensitive function” positions as prescribed in [§49 CFR Part 382](#) of the Federal Motor Carrier Safety Regulations (FMCSA).

I understand that it is my responsibility to ask questions about anything I do not understand within this Policy. My questions should be directed **Humboldt State University’s** Designated Employer Representative (DER).

I also certify that I have thoroughly read, understand and agree with the terms set forth in the Drug and Alcohol Testing Policy adopted by **Humboldt State University**.

Employee Name (print)

Employee CDL Number

Employee Signature

Date



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The Myth of the High-Functioning Addict

Research shows . . .

"Drug abuse and addiction can affect almost every system in your body. You probably know that drugs affect feelings and moods, judgment, decision making, learning, and memory. But they can also cause or worsen other health problems—cancer; heart disease; lung disease; liver function; mental disorders; and infectious diseases such as HIV/AIDS, hepatitis, and tuberculosis. Some of these effects occur when drugs are used at high doses or after prolonged use, and some may occur after just one use."

—Nora Volkow, M.D., Director of NIDA

Drug abuse and alcohol misuse affects a person's judgement, performance and safety levels. Whether you realize it or not, each coworker of a drug abuser must deal with the unreliability, errors and potentially unsafe workplace created by the addict.

Regardless of the extent, addiction is a problematic force in the lives of the addicted and their social networks. Some will excuse or minimize their own behavior or the behavior of others by stating that the problem is not that serious because they're still able to perform their daily duties, e.g., go to work.

Those who suffer from addiction are commonly stereotyped as people who have problems at home, generate low income, and who typically do nothing outside of drinking and using drugs. Typical "addicts" are often assumed to be angry and violent, or heavily drowsy and sedated at any given time. In reality, addiction affects each person differently — including those who are intelligent, physically active, and have successful careers.

Someone who is still performing at a sufficient level while addicted to one or more drugs is labeled a "*high-functioning addict*." High-functioning addicts are not a lost cause, as with anyone addicted to drugs and or alcohol, some understanding and knowledge, and the support of loved ones can identify the problem signs and intervene before a drug problem grows so powerful that it takes control of or ends the user's life.

I'm not a high functioning addict....I'm medicated and motivated!

With a high-functioning addict, you can toss aside the archetypal image of an "addict." You won't find these people pushing shopping carts up and down the sidewalks of your community. In fact, the addict will work overtime to keep up appearances and hold down their jobs.

The high-functioning addict can often display limited functional impairment. They will be able to perform well at work, home, and school with typical conflicts and financial challenges. The high-functioning addict may convince themselves or others that their substance use is not problematic. They may provide examples of others that use greater quantities or with higher frequencies than themselves to maintain their sober image.

The high functioning addict may be to work on time however secretly battling a demon silently and alone. Unfortunately, the “high-functioning” part comes at a great price and a considerable amount of danger. Because functioning addicts are so good at masking their struggles and covering their tracks, friends and loved ones often aren’t aware of a problem... *until it's too late.*

Today's high-functioning addict can easily become tomorrow's nonfunctioning addict.

If high-functioning addicts truly exist, what separates them from the nonfunctioning addict? A relevant factor might be time. As addiction continues and progresses, the internal ability to function or the level of support from external sources will diminish. Many addicts will function relatively well for a time, but there is no indication someone can maintain a functional addiction indefinitely.

The factors that separate the functioning addict from the nonfunctioning addict include:

- Denial
- Family and/or social supports
- Employment
- Legal issues/illegal activity

Experts in the addiction recovery field are adamant that denial plays a significant part in why substance abuse continues to persist.

Denial is a powerful force in the life of a high-functioning addict. If someone is not willing or able to admit the power of addiction in their life, they may convince themselves that their problem is manageable.

They will look for justification to perpetuate their denial with statements like:

- I don't drink or use drugs every day.
- I only (smoke, snort, drink). I would never use needles.
- Nothing bad has ever happened from my use.
- I work hard, I play hard.

When addicts are in denial, they will be less interested in taking responsibility for their own actions, poor decisions, and unwanted feelings. Instead, they will blame others for the frustrations. These users may be able to convince their loved ones to deny or ignore the severity of the addiction as well.

Family and social supports can play another role in maintaining the addict's status as high-functioning through enabling. Enabling occurs when someone close to the addicted person such as a spouse or family member begins to take on responsibility for the addict. Enabling can be intentional or unintentional.

An enabler will:

- Absorb the consequences that the addict would experience.
- Make excuses and lie to cover up the addict's behavior.
- Accept blame for the addict's actions.
- Experience emotional distress and frustration as a result of taking too much responsibility for the addict's behavior.

It's important to understand that enablers can exist in the workplace as well as at home. Bosses or coworkers may inadvertently enable addicted employees by picking up their slack, extending deadlines, and giving multiple "second chances."

Having steady **employment** encourages a person to believe they are not really addicted. They may think, "If I was addicted, there's no way I could hold down a job, so I must be fine." In many cases, the functioning addict can identify the value of the job, which makes it one of the last areas to suffer.

Jobs help to maintain:

- Financial stability to support use.
- Structure and consistency in the day.
- A sense of identity removed from addiction.
- Separation from home to reduce suspicions of family and friends.

Addiction is highly associated with **illegal activity**. Some people, though, can use for extended periods without encountering any problems with the law. If someone has never been pulled over for driving under the influence, possession of drugs, or attempting to purchase a substance they may believe they have done nothing wrong. While it is possible to be a functioning addict, the fact of the matter is that addiction will take a toll in at least some areas. Meanwhile, these people may have been forging prescriptions, drunk driving, or using illegal substances without thinking it is a problem.

The high-functioning addict may believe that it is only illegal if you get caught. Eventually, as the addiction gets more and more problematic, priorities will rearrange, and the addiction will come into the forefront, knocking everything else into the background. While some addicts rapidly spiral out of control, experiencing dramatic turmoil and upheaval in their lives, high functioning addicts tend to keep their problems well-hidden, sometimes for years.

Unfortunately, while they are managing to “keep it together,” high functioning addicts are less likely to seek treatment for their addictions and related problems. Addiction doesn’t happen overnight, it can take up to several months or years of substance abuse for someone to get caught up in the cycle of addiction.

There are six main stages of addiction:

- Initial use.
- Experimentation.
- Regular use.
- Dependence.
- Addiction itself.
- Recovery.

After initial use, those who eventually go on to become high-functioning addicts begin experimenting with drugs in social settings and may start using drugs and alcohol regularly to help them wind down after having taxing, busy days.

These regular behaviors can often lead to tolerance and physical dependence. Tolerance is when the brain and body adapt to regular drug use requiring a person to use higher amounts of drugs and alcohol to achieve the same effects. Physical dependence is when a person requires a certain number of drugs and alcohol to avoid experiencing withdrawal symptoms.

Addiction occurs when people become physically and psychologically dependent on drugs and/or alcohol and require these substances to fulfill cravings and the euphoria they can no longer achieve on their own, naturally.

**WE DON'T CHOOSE TO BE ADDICTED; WHAT WE CHOOSE
IS TO DENY OUR PAIN**

AFFECTS OF SUBSTANCE ABUSE

Drug use can have a wide range of short- and long-term, direct and indirect effects. These effects often depend on the specific drug or drugs used, how they are taken, how much is taken, the person's health, and other factors.

Short-term effects can range from changes in appetite, wakefulness, heart rate, blood pressure, and/or mood to heart attack, stroke, psychosis, overdose, and even death. Longer-term effects can include heart or lung disease, cancer, mental illness, HIV/AIDS, hepatitis, and others. Long-term drug use can also lead to addiction.

Not everyone who uses drugs will become addicted, but for some, drug use can change how certain brain circuits work. These brain changes interfere with how people experience normal pleasures in life such as food and sex, their ability to control their stress level, their decision-making, their ability to learn and remember, etc. These changes make it much more difficult for someone to stop taking the drug even when it's having negative effects on their life and they want to quit.

Chronic use of some drugs can lead to both short- and long-term changes in the brain, which can lead to mental health issues including paranoia, depression, anxiety, aggression, hallucinations, and other problems.

Many people who are addicted to drugs are also diagnosed with other mental disorders and vice versa. Compared with the general population, people addicted to drugs are roughly twice as likely to suffer from mood and anxiety disorders, with the reverse also true.

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