

Comprehensive Nursing Services, Inc.
Drug and Alcohol Free Workplace Policy

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Purpose and Goal

Comprehensive Nursing Services, Inc. is committed to protecting the safety, health and well-being of all employees and other individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to our goals. We have established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment.

This organization encourages employees to voluntarily seek help with drug and alcohol problems.

Covered Workers

Any individual who conducts business for the organization, is applying for a position or is conducting business on the organization's property is covered by our drug-free workplace policy. Our policy includes but is not limited to executive management, supervisors, full-time employees, part-time employees, off-site employees, contractors and applicants.

Applicability

Our drug-free workplace is intended to apply whenever anyone is representing or conducting business for the organization. Therefore, this policy applies during all working hours, whenever conducting business or representing the organization, while on call, paid stand-by and while on organization property.

Prohibited Behavior

It is a violation of our drug-free workplace policy to use, possess, sell, trade and/or offer for sale alcohol, illegal drugs or intoxicants. Prescription and over the counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking a prescribed or over the counter medication will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of his/her job. If the use of a medication could compromise the safety of the employee, patients and their families of the public, it is the employee's responsibility to avoid unsafe workplace practices. The illegal or unauthorized use of the prescription drugs is prohibited. It is a violation of our drug-free workplace policy to intentionally misuse and/or abuse prescription medications. Appropriate disciplinary action will be taken if job performance deterioration and/or other accidents occur.

Notification of Convictions

Any employee who is convicted of a criminal drug violation is the workplace must notify the organization in writing within five (5) calendar days of the conviction. The organization will take appropriate action within thirty (30) days of notification.

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Drug Testing

In accordance with Maryland Law (see Md. Health-Gen. Code Ann. §17-214) it is the company's policy:

- A. To use only State/NIDA certified laboratories for its job related drug testing
- B. To inform the person tested, at the person's request, the name and address of the laboratory that will test the specimen
- C. To provide any person who has tested positive and whose test results have been confirmed with the following information within 30 days of the date that the test was performed:
 1. A copy of the laboratory test including the test results
 2. A copy of this written policy on the use and abuse of controlled dangerous substances
 3. If applicable, written notice of the Company's intent to take disciplinary action, terminate employment or change the conditions or continued employment; and
 4. A statement or copy of the following provisions of Maryland Law permitting an employee to request independent testing of the same sample for verification of the test result:

"Md. Health Gen. Code Ann. §17-214(e)(1). A person who is required to submit to job related testing, under the subsection (b) or (c) of the section, may request independent testing of the same specimen for verification of the test results by a laboratory that:

- i. Holds a permit under this subtitle; or
- ii. If located outside of the State, is certified or otherwise approved under subsection (f) of this section

(2) the person shall pay the cost of the independent test conducted under this subsection."

All drug testing information will be maintained in separate confidential records.

Each employee, as a condition of employment, will be required to participate in post-accident and reasonable suspicion testing upon selection or request of management. The testing may also be requested following any neglectful or careless action resulting in patient injury.

Reasonable suspicion may be based upon, among other things:

- ❖ Observable phenomena such as direct observation of drug use or possession and/or the physical symptoms of being under the influence of a drug or alcohol.
- ❖ A pattern of abnormal conduct or erratic behavior
- ❖ Arrest or conviction for a drug related offense.
- ❖ Information provided by reliable and credible sources
- ❖ Medications missing from a patient's home
- ❖ Under other circumstances which, in the Company's opinion, suggest that such screening is job-related and consistent with business necessity.

Post-accident testing will be completed within 24 hours or as soon as medically possible following injury. Testing may be performed at the facility or physician's office at the time the employee seeks treatment, or at a clinic recommended by CNS. Workers' Compensation benefits may be denied to an employee whose personal injury is caused primarily by the use of a controlled substance that is not prescribed by a physician.

The substances that will be tested are: Amphetamines, Cannabinoids (THC), Cocaine, Opiates, Phencyclidine (PCP), Alcohol, Barbiturates, Benzodiazepines, Methaqualone, Methadone and Propoxyphene.

Testing for the presence of alcohol will be conducted by analysis of breath.

Testing for the presence of metabolites of drugs will be conducted by the analysis of urine.

Any employee who test positive will be immediately removed from duty, referred to a substance abuse professional for assessment and recommendations, required to successfully complete recommended rehabilitation including continuing care, required to pass a Return-to-Duty test and sign a Return-to Work Agreement, subject to ongoing, unannounced, follow-up testing for a period of five years and terminated immediately if he/she tests positive a second time or violates the Return-to Work Agreement.

Any employee who tests positive will also be reported to the appropriate licensing board (i.e. Maryland Board of Nursing or Maryland Board of Physical Therapists).

An employee will be subject to the same consequences of a positive test if he/she refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, will not sign the required forms or refuses to cooperate in the testing process in such a way that prevents completion of the test.

Consequences

One of the goals of our drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy the consequences are serious.

In the case of applicants, if he or she violates the drug-free workplace policy, the offer of employment can be withdrawn. The applicant may not reapply.

A confirmed positive test (i.e. showing the presence of dangerous substances in the system) will result in discipline up to and including discharge. In the Company's sole discretion, the discipline may require the employee to undergo diagnosis or treatment for dangerous substance abuse. Refusal to participate in diagnosis or a treatment program, or non-compliance will result in immediate termination. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems.

Return-to Work Agreements

Following a violation of the drug-free workplace policy, an employee may be offered an opportunity to participate in rehabilitation. In such cases, the employee must sign and abide by the terms set forth in a Return-to-Work Agreement as a condition of continued employment.

Assistance

Comprehensive Nursing Services, Inc. recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, our drug-free workplace policy:

- Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help
- Ensures the availability of a current list of qualified community professionals.

Confidentiality

All information received by the organization through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

Share Responsibility

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol or other drugs.

In addition, employees are encouraged to:

1. Be concerned about working in a safe environment
2. Support fellow workers in seeking help
3. Report dangerous behavior to their supervisor

It is the supervisor's responsibility to:

1. Inform employees of the drug-free workplace policy.
2. Observe employee performance.
3. Investigate reports of dangerous practices
4. Document negative changes and problems in performance
5. Counsel employees as to expected performance improvement
6. Clearly state consequences of policy violations

Communication

Communicating our drug-free workplace policy to both supervisors and employees is critical to our success. To ensure all employees are aware of their role in supporting our drug-free workplace program:

- All employees will receive a written copy of the policy.
- The policy will be reviewed in orientation sessions with new employees.
- Employee education about the dangers of alcohol and drug use and the availability of help will be provided to all employees.
- Every supervisor will receive training to help him/her recognize and manage employees with alcohol and other drug problems.

Comprehensive Nursing Services, Inc.

DRUG AND ALCOHOL-FREE WORKPLACE CONSENT FORM

1. I hereby acknowledge receipt of Comprehensive Nursing Services, Inc.' Drug and Alcohol-Free Workplace Policy ("the Policy").
2. I understand the procedures outlined in the Policy, and I consent to submit to screening for dangerous substances under the conditions outlined in the Policy.
3. I authorize the release of any specimen and the results of any tests or examinations performed to the Company and any entity with whom it may choose to consult. I release the Company and its agents from any and all liability arising from the release or use consistent with applicable statutory requirements of the information derived from or contained in my test results.
4. I understand that the refusal to submit to any test as described by the Policy or refusal to authorize the release of the test results may result in the company's refusal to hire me, and/or disciplinary action up to and including termination.
5. I understand that Comprehensive Nursing Services, Inc. Drug and Alcohol-Free Workplace Policy does not constitute an express or implied contract of employment and that at all times I remain an employee at will.

Date

Employee Name (printed)

Employee signature