



Pennsylvania Hospital
& Surgery Center of
Pennsylvania Hospital

ADMINISTRATIVE POLICY MANUAL

Page 1

Effective: 1008

**SUBJECT: IDENTIFICATION AND TREATMENT OF IMPAIRED
EMPLOYEE**

POLICY NUMBER: HR23

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Attachment(s):
[Appendix A](#)
[Appendix B](#)
[Appendix C](#)
[Appendix D](#)
[Appendix E](#)

Related Policies:

POLICY

For purposes of this policy, Pennsylvania Hospital includes all off campus licensed facilities, including, but not limited to, the Surgery Center of Pennsylvania Hospital ("Hospital").

Pennsylvania Hospital (the "Hospital") is committed to establishing and maintaining a safe and healthy environment for employees, patients, and visitors. The Hospital accordingly prohibits drug or alcohol use in the workplace. The Hospital will also help employees identify chemical and alcohol dependency, and assist them in seeking treatment and facilitate workplace re-entry when appropriate.

PROCEDURE

A. USE, POSSESSION, THEFT, PURCHASE OR SALE OF DRUGS OR ALCOHOL

1. Alcohol

Under no circumstance may an employee be under the influence of alcohol before starting work, during working hours, or while on UPHS property except at an administration approved function. Possession of alcohol while performing Pennsylvania Hospital business is prohibited.

2. Illegal Drugs

Consistent with existing state and federal laws, the use, sale, purchase transfer or possession of an illegal drug by an employee is prohibited. The presence of a detectable amount of an illegal drug or possession of an illegal drug by an employee while in the course of employment or while on UPHS premises are prohibited.

3. Prescription and Over the Counter Medications

An employee is required to notify the appropriate Supervisor or Service Director when he or she comes to work on, or consumes during work hours, medication that may adversely affect the employee's ability to perform job functions, or may compromise the safety of the employee or patient (e.g., drowsiness, memory alterations).

4. Drug Diversion

Consistent with existing state and federal laws and this policy, diversion of drugs, record falsification, theft of controlled substances, and drug substitution are prohibited and may result in disciplinary action up to and including termination. The determination of whether a report shall be made to the appropriate licensing and credentialing agency will be made on a case-by-case basis.

Pennsylvania Hospital & Surgery Center of Pennsylvania Hospital ADMINISTRATIVE POLICY MANUAL	Page 2 Effective: 1008
SUBJECT: IDENTIFICATION AND TREATMENT OF IMPAIRED EMPLOYEE POLICY NUMBER: HR23	

When drug diversion is suspected, the Service Director will conduct an investigation and/or review the evidence. The investigation may include, but is not limited to, collecting handwritten records by the employee, medication dispensing reports as well as identifying other circumstantial evidence that may reveal diversion.

Drug diversion by any employee licensed by the State of Pennsylvania will be reported to the appropriate case manager at the state's Voluntary Recovery Program.

B. PROCEDURE FOR REQUESTING TOXICOLOGY SCREENING

1. Management Request

- a) If a Supervisor or Service Director reasonably believes that an employee is impaired due to drug or alcohol use, then the Supervisor or Service Director will escort the employee to the Employee Health Clinic during business hours. The Employee Health Clinic should be notified in advance that an employee is being referred.
- b) The employee will be asked to sign an "Agreement to Submit to Toxicology Screen," after which a toxicology screen will be performed. The employee will not return to work. The employee will be placed in a private location for evaluation, registration and triage, and the appropriate patient confidentiality policies must be followed.
- c) Force should not be used at any time to obtain consent. If the employee refuses to consent, however, or in any way fails to cooperate with the testing procedure, the employee shall be subject to disciplinary action, up to and including termination. Security may also be called if assistance is required.
- d) In any case the employee will be assumed to be impaired and a Service Director or Supervisor will make arrangements for safe transportation home.
- e) The results of the toxicology screen will be reported to the employee's manager and to a Human Resources Specialist.
- f) After Hours and Closings: when the Employee Health Clinic is closed the Supervisor or Service Director is to notify the Patient Care Coordinator and escort the employee to the Patient Care Coordinator Office on 2 Cathcart. A toxicology screen will be requested at that time, and procedures set forth above under this section C.1 and all appropriate patient confidentiality policies will be followed.

2. Employee Health Clinic

If an employee is being treated in the Employee Health Clinic for any reason or if an employee is not working but is being evaluated to return to work, and the provider observes that the employee may be impaired, the provider should document such observations and may require a toxicology screen, to which the employee will be asked to consent, in accordance with the above.

3. Self-Identification

Pennsylvania Hospital & Surgery Center of Pennsylvania Hospital ADMINISTRATIVE POLICY MANUAL	Page 3 Effective: 1008
SUBJECT: IDENTIFICATION AND TREATMENT OF IMPAIRED EMPLOYEE POLICY NUMBER: HR23	

Self-identification is the voluntary disclosure to a Supervisor or Service Director of alcohol or drug use, abuse, or dependency when the employee is not currently under suspicion of or under investigation for possible violation of this or any other policy or of any law, rule, or regulation. Any employee who discloses alcohol or drug use, abuse, or dependency after coming under suspicion or investigation for possible violation will not be considered to have properly self-identified.

The Supervisor or Service Director may require a toxicology screen in accordance with subsection 1 above.

The Supervisor or Service Director also will refer the employee to the Employee Assistance Program (EAP), which referral shall be considered mandatory; i.e. the employee must accept the referral and treatment program outlined by EAP or be subject to discipline up to and including termination of employment. EAP will contact the Service Director within 48 hours to discuss compliance with the referral. Thereafter, the Service Director will be notified by the EAP regarding compliance with appointments. The employee may be eligible for leave of absence and will be subject to a Return to Work Agreement (see Appendix A and B).

C. TOXICOLOGY SCREENING/REPORTING

1. All toxicology tests will be processed under a confidential code to protect the identity of the employee.
2. The results of the toxicology screen will be reported to the Human Resource Specialist who will then communicate results to the Service Director.
3. In the event of a positive screen (defined as the presence of an illicit drug, alcohol, or a prescribed or over the counter medication that adversely affects the employee's ability to perform a job function), the Service Director or the Human Resource Specialist will contact the EAP immediately so that an appointment for the employee can be scheduled for the next working day.

D. INTERVENTION AND TREATMENT

1. Assessment

- a) In the event of a positive test result, the Service Director and a Human Resource Specialist will meet to discuss follow up and a return to work plan for the employee.
- b) Employees whose toxicology screens are positive shall be referred to the EAP, which referral shall be considered mandatory; i.e. the employee must accept the EAP referral and commit to the treatment program outlined by the EAP, and any failure to accept the referral and abide by the recommended treatment program shall be grounds for disciplinary action, up to and including termination of employment. All licensed employees who test positive will be reported to the appropriate case manager at the

<p style="text-align: center;">Pennsylvania Hospital & Surgery Center of Pennsylvania Hospital</p> <p style="text-align: center;">ADMINISTRATIVE POLICY MANUAL</p>	<p>Page 4</p> <p>Effective: 1008</p>
<p>SUBJECT: IDENTIFICATION AND TREATMENT OF IMPAIRED EMPLOYEE</p> <p>POLICY NUMBER: HR23</p>	

Pennsylvania Voluntary Recovery Program by a Human Resource Specialist. Employees in the Voluntary Recovery Program must be cleared by the state and the clearance must be documented in writing before they can return to work. A copy of the documentation must be sent to Employee Health.

2. Employee Benefits during Treatment

- a) Eligibility for leave for the purpose of treatment and/or rehabilitation shall be determined in accordance with applicable leave policy. Available paid time off must be used during any leave of absence necessitated by treatment.
- b) Verification of health insurance coverage, or questions regarding coverage, should be directed to the EAP Counselor in cases where employees need to be referred to an in-patient care facility.

E. RETURN TO WORK AND AFTERCARE

1. Employees who actively participate in and successfully complete a Recovery Program, as recommended by the EAP, will be eligible for reentry into the workplace. The Hospital may require certification from a treating physician prior to placement.
2. A reintegration meeting involving the employee, the immediate supervisor, EAP, the Service Director and the Human Resources Specialist will occur before the employee returns to work. The goal of the meeting is to review the objectives of the Return to Work Agreement and to ensure understanding by all parties of those objectives. The Service Director will be responsible for ensuring that the employee at all times adheres to the Return to Work Agreement.
3. Eligible employees will be required to sign and adhere to the provisions set forth in a Return to Work Agreement (See Examples in Appendix A and B).
4. Licensed employees may not work without the Voluntary Recovery Program case manager's written approval.
5. For Registered Nurses returning to the workplace the following restrictions apply:
 - a) may not practice nursing in any capacity that involves the administration of controlled substances for a period of at least six months following return to work as a nurse;
 - b) may not function as a supervisor;
 - c) may not function in a private practice setting or without supervision;
 - d) may not work in an intensive care unit, operating room, coronary care unit, or emergency department, or
 - e) may not function as an agency nurse.

Pennsylvania Hospital & Surgery Center of Pennsylvania Hospital ADMINISTRATIVE POLICY MANUAL	Page 5 Effective: 1008
SUBJECT: IDENTIFICATION AND TREATMENT OF IMPAIRED EMPLOYEE POLICY NUMBER: HR23	

6. Once the employee returns to work the employee shall provide the Voluntary Recovery Program, in writing within 72 hours notification of the following:
- a) Name and address of the supervisor responsible for Licensee's practice.
 - b) The names and addresses of the places at which Licensee will practice the profession and a description of Licensee's duties and responsibilities of such places of practice,
 - c) Any restrictions on Licensee's practice.

7. Employees shall have their Service Director submit to the Voluntary Recovery Program the following information in writing:
- a) Verification that the supervisor has received a copy of this Consent Agreement and Order and the Licensee understands the conditions of this probation;
 - b) An evaluation of Licensee's work performance on a 60-day or more frequent basis as requested by the Voluntary Recovery program.
 - c) Any suspected violation by Licensee of the probation.

F. RELAPSE MANAGEMENT

1. Licensed employees may be required to submit to toxicology screens at random or as instructed by the Voluntary Recovery Program. A positive result, or failure to consent, shall constitute violation of this policy and the Return to Work agreement resulting in discipline up to and including termination of employment.
2. When the employee is terminated, the EAP will be contacted by the Human Resource Specialist to facilitate any follow-up activities.
3. If the employee is participating in the Voluntary Recovery Program, the state will be notified of the employee's termination by the Human Resource Specialist.

G. DISCIPLINARY ACTION

1. Violation of any section of this policy may result in disciplinary action up to and including termination, even for the first offense.
2. If a licensed employee is already being investigated by the Voluntary Recovery Program, prior to positive test result occurring in connection with employment, the employee may be suspended without pay pending a decision from the Voluntary Recovery Program Unit II Disciplinary Monitoring Unit.

H. LAW ENFORCEMENT

Illegal use, sale, purchase, transfer, theft, or possession of any alcohol or drug may be referred by security to law enforcement, and licensing and credentialing agencies will be notified in accordance with law.

<p style="text-align: center;">Pennsylvania Hospital & Surgery Center of Pennsylvania Hospital</p> <p style="text-align: center;">ADMINISTRATIVE POLICY MANUAL</p>	<p>Page 6</p> <p>Effective: 1008</p>
<p>SUBJECT: IDENTIFICATION AND TREATMENT OF IMPAIRED EMPLOYEE</p> <p>POLICY NUMBER: HR23</p>	

I. PRIVACY AND CONFIDENTIALITY

For the sake of confidentiality, information concerning the application or any possible violation of this policy, or any report made under this policy, must not be shared with anyone not participating or consulting in any action taken under this policy and having a legitimate business reason to learn details concerning the same, except as may be required by law or legal process. No individual may be subject to discipline for having reported in good faith any violation of this policy, or for having participated in any investigation under this policy.

/s/Kathleen Kinslow
Executive Director

11/10/08
Date

Disclaimer: Any printed copy of this policy is only as current as of the date it was printed; it may not reflect subsequent revisions. Refer to the on-line version for most current policy.

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