

DRUG AND ALCOHOL POLICY

POLICY:

The purpose of this Drug and Alcohol Policy is to outline Geisinger Health System standards and procedures for dealing with Alcohol and Drug use or abuse by employees, Applicants Conditionally Offered Employment and Contractors.

PURPOSE AND SCOPE:

1. Alcohol and Drug use or abuse may adversely affect the quality of the services provided, pose safety and health risks to Geisinger Health System Employees, patients, and others, have a negative impact on work efficiency and result in injury or loss of life, equipment and/or property.
2. In order to serve our patients, and provide a safe, healthful and efficient work environment, Geisinger Health System requires its employees to report for work fit to perform their jobs. Therefore, all prospective employees, clinical or non-clinical, clinical contracted staff, residents, volunteers, locum tenens and students applying to Geisinger Health System must successfully complete a pre-employment drug-screening test, per applicable Pennsylvania State law.
3. Geisinger Health System recognizes that it may contract independently with organizations or persons that may impact patient care. In order to serve our patients, and provide a safe, healthful and efficient work environment, Geisinger Health System requires its contractors and their agents, subcontractors and employees to be free from the influence or impairment of drugs and/or alcohol, per applicable Pennsylvania State law.
4. To this end, Geisinger Health System has established the following policies and procedures dealing with Alcohol and Drug use or abuse by employees, Applicants Conditionally Offered Employment and contractors.

PERSONS AFFECTED:

All employees, All regions, Contractors, Applicants Conditionally Offered Employment with Geisinger Health System.

DEFINITIONS:

1. **"Alcohol"** means beer, wine and all forms of distilled liquor containing ethyl alcohol. References to use or possession of alcohol include use or possession of any beverage, mixture or preparation containing ethyl alcohol.
2. **"Applicant Conditionally Offered Employment"** means someone who has applied for a position with a Geisinger entity and who has received a conditional offer of employment contingent upon, among other things, successful completion of a pre-employment negative drug test.
3. **"Designated Laboratory"** means an available laboratory operated by one of the separate legal entities of the Geisinger Health System Foundation, i.e. Geisinger Medical Center, Geisinger Wyoming Valley Medical Center, or if such utilization is not practicable, a laboratory that is certified and/or accredited to perform such testing.
4. **"Drug"** means any substance (other than Alcohol) that has known mind or function-altering effects on a human subject, specifically including psychoactive substances and including, but not limited to, substances prohibited or controlled by Commonwealth or federal controlled substance laws. Testing for a Drug may involve testing for a metabolite of a Drug.

5. **"Drug Paraphernalia"** means all equipment, products and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing a Drug into the human body, including, but not limited to all equipment prohibited or controlled by Commonwealth or federal controlled substance laws.
6. **"Geisinger Health System"** refers to the system of health care comprised of the separate legal corporate parent, Geisinger Health System Foundation, and all of its separate legal corporate entities.
7. **"Geisinger Health System Authorized Party"** means the individual(s) in each Geisinger Health System region authorized to order Drug and Alcohol testing in regards to employees and contractors who appear to be under the influence of Drugs and/or Alcohol.
8. **"Geisinger Health System Contractor"** means any individual or organization who contracts with Geisinger Health System. For purposes of this policy, the term Geisinger Health System Contractor shall include all agents, subcontractors and employees of the Geisinger Health System Contractor. The qualification for the applicability of this policy to a Geisinger Health System Contractor is that the Geisinger Health System Contractor is covered by this Policy only while (i) on Geisinger Health System Premises; or (ii) providing a clinical service for or on behalf of Geisinger Health System.
9. **"Geisinger Health System Employee"** means any individual who uses Geisinger Health System facilities or resources to perform work, including but not limited to salary and wage earners, students, fellows, residents, staff physicians, consultants, and compensated researchers.
10. **"Geisinger Health System Premises"** means all Geisinger Health System owned or leased real estate, including but not limited to the Geisinger Medical Center, Geisinger Clinic sites, Geisinger Health System Wyoming Valley Medical Center, Geisinger Holy Spirit, Geisinger Bloomsburg Hospital, Geisinger Lewistown Hospital, Geisinger Community Medical Center, Marworth, International Shared Services, Inc. corporate and business offices, and all Geisinger Health System owned or leased vehicles.
11. **"Policy"** means this Drug and Alcohol Policy.
12. **"Possess"** means to have on one's person or in one's personal effects or under one's control.
13. **"Successful completion"** of a drug-screening test means the test results of the Applicant Conditionally Offered Employment are negative (i.e. no presence of drugs without a confirmed prescription) and the test was taken within four (4) calendar days after the receipt of the conditional offer of employment.
14. **"Under the influence"** or **"impaired"** means that an employee or contractor is affected by a Drug or Alcohol or the combination of a Drug and Alcohol. The symptoms of influence and/or impairment are not confined to those consistent with misbehavior, nor to obvious impairment or physical or mental ability such as slurred speech or difficulty in maintaining balance. A determination of use, influence and/or impairment can be established by a professional opinion, urine, blood or any other commonly used scientific valid tests, and in some cases by a lay person's opinion. A Geisinger Health System EMPLOYEE OR CONTRACTOR WILL BE PRESUMED TO BE IMPAIRED AND IN VIOLATION OF THIS POLICY WHENEVER THE PRESENCE OF DRUGS OR ALCOHOL IN ANY AMOUNT WHATSOEVER IS DETECTED IN A SUBSTANCE ABUSE TEST ADMINISTERED UNDER THE TERMS OF THIS POLICY.

RESPONSIBILITIES:

SUMMARY OF FOR CAUSE DRUG AND ALCOHOL TESTING PROCEDURE FOR EMPLOYEES OR CONTRACTORS AND RESPONSIBILITY OF GEISINGER HEALTH SYSTEM PERSONNEL:

Responsibility	Action
Geisinger Health System Employee	
	Observes Geisinger Health System Drug and Alcohol Policy. Performs assigned Geisinger Health System work free from the influence and/or impairment of Drugs and/or Alcohol. Reports to supervisor or his/her designee observations of any Geisinger Health System Employee/Contractor who reports to work or appears to be working while under the influence and/or impaired by Drugs and/or Alcohol.
Geisinger Health System Contractor	
	Observes Geisinger Health System Drug and Alcohol Policy and is not under the influence and/or impairment of Drugs and/or Alcohol while on Geisinger Health System Premises or while providing clinical services on behalf of Geisinger Health System.
Supervisor	
	Monitors Geisinger Health System Employees' performance. Upon receipt of a credible concern that a Geisinger Health System Employee who reports to work or appears to be working under the influence and/or impairment of Drugs and/or Alcohol, will observe and solicit second opinion from a Witness, while at all times ensuring and stressing confidentiality. For purposes of this section, "Witness" means a Geisinger Health System Employee of supervisory grade, or if not available, such other individual as the Geisinger Health System Authorized Party deems appropriate. Monitors Geisinger Health System Contractor's in the same manner.
Witness	
	Observes Geisinger Health System Employee in question and based upon facts and circumstances determines whether he/she has a credible concern that the employee has reported to work or is working under the influence and/or impairment of Drugs and/or Alcohol. Communicates determination to supervisor. At all times ensures confidentiality regarding such Drug and Alcohol incidents. Documents incident. Observes Geisinger

	Health System Contractor in question in the same manner.
Supervisor	
	If Witness confirms concern as credible that the Geisinger Health System Employee in question appears to have reported to work or is working under the influence and/or impairment of Drugs and/or Alcohol, solicits input from Geisinger Health System Authorized Party or his/her designee, while at all times ensuring and stressing confidentiality. Brings similar issues regarding Geisinger Health System Contractors to the attention of the Geisinger Health System Authorized Party or his/her designee in the same manner.
Geisinger Health System Authorized Party	
	<p>Through direct observations of Geisinger Health System Employee in question and/or discussion with Supervisor of behavior of Geisinger Health System Employee in question, based upon facts and circumstances determines whether he/she has a credible concern that the Geisinger Health System Employee has reported to work or is working under the influence and/or impairment of Drugs and/or Alcohol. Makes similar assessment with regard to a Geisinger Health System Contractor in question.</p> <p>Communicates and guides appropriate course of action to Supervisor. Assists Supervisor per step 7 below, as appropriate. At all times ensures confidentiality regarding such Drug and Alcohol incidents. Documents incident.</p> <p>With regard to Geisinger Health System Contractor, consults with Geisinger Health System Department of Legal Services and employing agency prior to initiating testing.</p>
Supervisor	
	If the Geisinger Health System Authorized Party has a credible concern the Geisinger Health System Employee in question has reported to work or is working under the influence and/or impairment of Drugs and/or Alcohol, the Supervisor advises employee (i) to submit to an Alcohol and/or Drug urine/blood test, and (ii) that failure to so submit will result in termination of employment and (iii) that his/her shift is over and the shift balance will be unpaid pending the outcome of the investigation (exceptions to suspension

	pending investigation outcome require HR approval). Documents incident.
Employee or Contractor	As applicable (i) complies or (ii) refuses to comply with Alcohol and/or Drug urine/blood test.
Supervisor	
	Partners with HR to take appropriate employment action up to and including termination. Partners with HR and legal to ensure proper notification to is made to required state agencies for licensed professionals and regulatory agencies as appropriate.
Geisinger Health System Management	
	As applicable, takes appropriate action up to and including termination of the contract with Geisinger Health System Contractor.

SUMMARY OF DRUG TESTING PROCESS FOR APPLICANTS CONDITIONALLY OFFERED EMPLOYMENT AND RESPONSIBILITY OF GEISINGER PERSONNEL:

Responsibility	Action
Management/Human Resources	Makes any offer of conditional employment contingent upon satisfactory completion of a negative drug-screening test as set forth herein.
Applicant Conditionally Offered Employment	Complies with drug-screening process within four (4) days of receipt of conditional offer of employment.
Human Resources	If test if negative, informs applicant and confirms details of employment. If test is positive, withdraws conditional offer of employment on behalf of the Geisinger Health System and informs applicant of re-application policy

EQUIPMENT/SUPPLIES:

N/A

PROCEDURE:

COVERAGE, CONSENT AND CONSEQUENCES:

1. All Geisinger Health System Employees and any Geisinger Health System Contractor who performs clinical services for or on behalf of Geisinger Health System or is otherwise on Geisinger Health System Premises shall be covered by this Policy and shall be deemed to have consented to testing as required by this Policy.

2. Any Geisinger Health System Employee who refuses to cooperate in the For-Cause Drug and/or Alcohol testing process described in this Policy shall be subject to immediate termination of employment.
3. Any Geisinger Health System Employee who violates this Policy's prohibition concerning Drug and/or Alcohol possession and/or use, in any manner whatsoever, shall be subject to disciplinary action, including termination for a first offense or any subsequent offense.
4. Any Geisinger Health System Contractor who refuses to cooperate in the Drug and/or Alcohol testing process described in this Policy or who violates this Policy's prohibition concerning Drug and/or Alcohol possession and/or use, in any manner whatsoever, shall be subject to contract termination or suspension of services, and/or removal from Geisinger Health System Premises.
5. Offers of employment shall be withdrawn for an Applicant Conditionally Offered Employment who does not successfully complete a drug-screening test (no presence of Drugs without valid prescription). This applies to all offers of employment where the employment begins after December 31, 2002.
6. Employees should contact their supervisor or Human Resources department with any questions regarding this policy.

ALCOHOL AND DRUG POSSESSION AND USE PROHIBITED:

1. *Prohibitions.*

1. No Geisinger Health System Employee may use, possess, transport, promote or sell Alcohol, or any Drug or Drug Paraphernalia while performing work for Geisinger Health System, while on Geisinger Health System Premises (which includes being in personal vehicles in Geisinger Health System parking lots), while representing Geisinger Health System on Geisinger Health System business off-site, or while operating their own personal vehicle while on Geisinger Health System business, unless specifically permitted under the *Alcohol and Drug Possession and use Prohibited: Exceptions (2)(A) Alcohol* Section below.
2. No Geisinger Health System Contractor may use, possess, transport, promote or sell Alcohol, any Drug or Drug Paraphernalia while performing clinical work for or on behalf of Geisinger Health System or while on Geisinger Health System Premises (which includes being in personal vehicles in Geisinger Health System parking lots).
3. No Geisinger Health System Employee may report for work, or remain on duty while:
 1. under the influence of or impaired by Alcohol; and/or
 2. under the influence of or impaired by any Drug.
4. No Geisinger Health System Contractor may provide clinical services to or on behalf of Geisinger Health System or be on Geisinger Health System Premises while:
 1. under the influence of or impaired by Alcohol; and/or
 2. under the influence of or impaired by any Drug.
5. No Applicant Conditionally Offered Employment, who fails to successfully completes the drug-screening test will be employed.

2. *Exceptions*

- A. *Alcohol.* The purchase of Alcohol with Geisinger Health System monies and the serving of alcohol at Geisinger Health System sponsored functions within or outside the Geisinger Health System Premises after normal business hours or the consumption of alcohol at a

Geisinger Health System sponsored activity or social event held within or outside Geisinger Health System Premises after normal business hours is not prohibited by the Policy if:

1. specifically and expressly permitted by Geisinger Health System Executive Management for reasons such as recruitment or business meals, receptions or other similar business related events, and
2. the consumption of such alcohol is not inconsistent with the safe and efficient performance of the Geisinger Health System Employee's duties.

B. *Prescribed and Over-the-Counter Drugs.* The use of prescribed or over-the-counter Drugs and/or Drug Paraphernalia, or possession incident to such use, is not prohibited by this Policy, if:

1. The Drug and/or Drug Paraphernalia has been legally obtained and is being used for the purpose for which it was prescribed or manufactured; *and*
2. The Drug is being used at the dosage prescribed or authorized; *and*
3. The use of the Drug and/or Drug Paraphernalia is not inconsistent with the safe and efficient performance of the Geisinger Health System Employee's duties or the safe and efficient provision of services by a Geisinger Health System Contractor. (See the *Reporting Requirements - Use of Prescription and/or Over-The-Counter Drugs* Section below for information concerning a Geisinger Health System Employee's obligation to report the use of prescription and over-the-counter Drugs).

C. *Transportation of Alcohol.* The transportation of Alcohol in an unopened untampered manufacturer's container is not prohibited by this Policy if:

1. The Alcohol container is placed in the individual Geisinger Health System Employee's or Geisinger Health System Contractor's personal vehicle upon receipt, or if not upon receipt, as soon as possible; and
2. The Alcohol container is kept wrapped while on Geisinger Health System Premises.
3. *Reasonable Judgment.* Geisinger Health System Employees are expected to use their discretion and exercise reasonable judgment in the consumption of Alcohol

or

use of prescribed or over-the-counter Drugs while traveling or during normal business hours when representing Geisinger Health System off-site at meetings or conferences for continuing education purposes. While not strictly on Geisinger Health System business, Geisinger Health System employees do represent Geisinger Health System and, in some cases, their presentation and demeanor may be the only experience outside individuals and entities may have with Geisinger Health System. Therefore, Geisinger Health System Employees may rely on the exceptions contained in subsection 2. above while traveling to and from and during normal business hours when attending such meetings provided the qualifications stated in the exceptions are met and the consumption of

Alcohol

or use of a prescribed or over-the-counter Drug is not inconsistent with the Geisinger Health System Employee's ability to travel in a safe and efficient manner.

FOR CAUSE DRUG AND/OR ALCOHOL TESTING:

1. In order to assure compliance with Geisinger Health System's prohibitions concerning Alcohol and Drug use and as a condition of employment, Geisinger Health System Employees and Geisinger Health System Contractors are required to cooperate in For Cause Drug and/or alcohol substance abuse testing procedures. Such tests may be administered upon credible concern of under the influence or impairment, (this may include situations on a case by case basis where HR is made aware of alleged drug/alcohol use and deems it as reasonable cause to test the employee) or after serious on the job accidents which result in (i) injury to a patient, Geisinger Health System Employee, or other person, or (ii) property damage in excess of Five Hundred Dollars (\$500). Blanket testing of groups of Geisinger Health System Employees may be administered upon credible concern of a drug diversion attempt where circumstances suggest that the Geisinger Health System Employees to be tested had access to mishandled or missing controlled substances.
2. Tests shall be accomplished through the use of a breathalyzer, analysis of urine and/or blood samples, or other clinically acceptable methods as determined by Geisinger Health System. A negative result on a breathalyzer does not require further testing. A positive result on a breathalyzer or salivary test must be confirmed by a blood alcohol test.
3. Prior to the testing or the collection of the urine and blood samples, the Geisinger Health System employee shall be notified in writing that the employee is being tested for the presence of Drugs and/or Alcohol. Where samples of blood or urine are used, Geisinger Health System requires the samples to be identified by number to insure confidentiality.
4. If the test performed by the Designated Laboratory of the samples is positive for any Drug, Drug metabolite(s) or Alcohol, the samples shall be tested a second time by other reliable methods.
5. Geisinger Health System, or the Medical Review Officer (MRO) will notify the Geisinger Health System Employee of the results of any test that is positive for any substance included in the procedure. In the case of a positive result, Geisinger Health System will provide the Geisinger Health System Employee with an opportunity to explain the presence of the identified substance prior to taking any disciplinary action. Test results will not be maintained in the Geisinger Health System Employee's personnel records, but rather in a separate file as designated by the individual Geisinger Health System entity.

DRUG TESTING FOR APPLICANTS CONDITIONALLY OFFERED EMPLOYMENT

In offering a position to a successful applicant, Human Resources will make the offer contingent upon successful completion of a drug-screening test (no presence of Drugs without a valid confirmed prescription). If an Applicant Conditionally Offered Employment does not successfully complete the drug-screening test within four calendar days, the employment offer will be withdrawn. The individual may re-apply, and may be considered for a subsequent position. If conditionally offered the subsequent position, a drug- screening test must be successfully completed.

CONTRACTOR SUBSTANCE ABUSE TESTS:

The provisions of the *Employee Substance Abuse Tests Section*, shall be applicable to Geisinger Health System Contractors, provided, however, that the Geisinger Health System Department of Legal Services be consulted prior to initiating testing and the employing agency in the event that the Geisinger Health System Contractor has their own policy regarding Drug and/or Alcohol testing.

REPORTING REQUIREMENTS - USE OF PRESCRIPTION AND/OR OVER-THE-COUNTER DRUGS:

1. Any Geisinger Health System Employee who is using a prescribed legal or over-the-counter Drug and who has been informed, has reason to believe or feels that the use of any such Drug may affect his or her ability to perform his or her job duties safely and/or efficiently is required to report such Drug use to his/her supervisor before reporting to work under the influence of such substance.
2. Any supervisor who has been informed by a Geisinger Health System Employee, or has reason to believe that a Geisinger Health System Employee is using a prescribed legal or over-the-counter Drug that may affect the individual Geisinger Health System Employee's ability to perform his or her job duties safely and/or efficiently shall report such information to the Geisinger Health System Authorized Party, who in turn shall consult with appropriate Geisinger Health System management, including legal counsel, the treating medical practitioner or a physician designated by Geisinger Health System.
3. In those circumstances where the use of a prescribed legal or over-the-counter Drug is inconsistent with the safe and efficient performance of duties, a Geisinger Health System Employee may be suspended or may be required to take medical leave, a leave of absence, or other action determined to be appropriate by Geisinger Health System management. Additionally the employee may be required to participate in an assessment to determine how the medication impacts performance of job duties. This assessment may include the employee's medical practitioner's review of the employee's job description, provision of documentation of the need for work restriction considerations and or that the employee not work until any restrictions are removed. In such circumstances the employee cannot be scheduled for further work until the medical practitioner provides clearance to return to work.

EMPLOYEE-AT-WILL:

Nothing in this policy is to be construed to create in any Geisinger Health System Employee any status other than as an employee-at-will.

GEISINGER HEALTH SYSTEM FOR CAUSE DRUG PROTOCOL GUIDELINE:

Each Geisinger Health System region shall have protocol for handling Drug and Alcohol incidents, which shall have the following general guidelines.

Establishes a mechanism for approval consistent with this Policy of the serving of Alcohol at Geisinger Health System sponsored functions held within or outside the Geisinger Health System Premises or where Alcohol is purchased with Geisinger Health System monies as contemplated in the *Alcohol and Drug Possession and Use Prohibited: Exceptions (2)(A)(1)* Section of this Policy.

Geisinger Health System Employees having Drug and/or Alcohol use or abuse problems are encouraged to voluntarily seek assistance.

When a Geisinger Health System Employee has taken an Alcohol and/or Drug urine/blood test or has been advised that he/she may not continue his/her shift, the Geisinger Health System Employee will be asked to call friends or a family member to secure a ride home, and, as applicable, a place to wait for that ride.

Geisinger Health System management will make a reasonable effort to maintain confidentiality in the administrative handling of matters relating to Geisinger Health System Employee Drug and Alcohol testing.

Geisinger Health System will encourage the use of its Employee Assistance Program for Geisinger Health System Employees to obtain information on alcohol or substance abuse or if they are having problems with Drug and/or Alcohol use or abuse.

All such protocols or changes to established protocols shall be submitted by the Geisinger Health System region to the Geisinger Health System Operations Committee for approval prior to implementation to ensure system-wide coordination and consistency.

VIOLATIONS:

Employees will be responsible for any out-of-pocket expenses for counseling, additional testing, and/or treatment required as a result of a positive drug/alcohol test.

Geisinger Health System Employees who violate this policy will be subject to discipline up to and including termination.

COMMERCIAL DRIVERS LICENSE (CDL) DRIVERS:

CDL Drivers shall comply with the following regulations, in addition to the standard Geisinger Health System Drug and Alcohol policies. Where the company policy is more restrictive than federal regulations, company policy shall prevail.

- Federal regulations require you to submit to drug and alcohol testing.
- "Safety-sensitive" means any of those functions set forth in -395.2 On-Duty time, para 1-7, including but not limited to: pre-trip inspections; the loading of or supervising the loading of your vehicle; driving; or, ready to perform or immediately available to perform safety-sensitive operations as defined herein.
- "Refuse to submit" to a drug or alcohol test means that a driver fails to provide adequate breath for alcohol testing or fails to provide adequate urine for drug testing, or engages in conduct that clearly obstructs the testing process. Refusal to submit shall be considered a "positive" test result.
- You may be tested under DOT authority under the following circumstances: when chosen in random sampling (50% of drivers for drug testing, 10% of drivers for alcohol testing); pre-employment; reasonable suspicion; return-to-duty; follow-up (at least 6 tests in 12 months) and post-accident testing.
- The presence of alcohol shall be tested only by DOT-approved means in a private area. Drug tests shall be performed by urine collection pursuant to DOT regulation. Donors must remove coats and similar outer clothing. Purses may not be taken into the collection area. The donor may ask for a receipt. The donor must be afforded privacy when actually providing the specimen except under suspicious

circumstances. Water must not be used when in the collection area. After providing the specimen and delivering it to the collector, the specimen must be in the donor's sight at all times until the donor-initialed tamper-proof evidence seals are placed on the specimen containers.

- Drivers shall not consume alcohol within 4 hours of reporting to work or performing any safety-sensitive operation. Drivers must not consume alcohol following an accident up to 8 hours after the incident or until the employee undergoes a post-accident test, whichever occurs first.
- Per Geisinger policy, drivers with a (BAC) greater than .02, or a positive test result for marijuana, cocaine, PCP, amphetamines, opiates, or methylenedioxymethamphetamines (MDMA, aka Ecstasy) and are considered in violation of Company policy (or part 382 of DOT regulations), shall immediately cease all safety-sensitive operations. The employee shall not resume such operations until after having complied with all the requirements of a substance abuse specialist (SAP) including providing negative drug and/or alcohol return-to-duty test results.

Throughout this Policy the acronym "GHS" or the terms "System," "Geisinger" or "Geisinger Health System" shall refer to the entire Health Care System comprised of the Geisinger Health System Foundation (the "Foundation") as parent and all subsidiary corporate entities comprising the Health Care System.