

POLICY III-E: CLIENT DRUG AND ALCOHOL SCREENING

10/2014

OVERVIEW

Drug and alcohol use are often contributing factors to child maltreatment. As such, there are times when drug and/or alcohol screening for clients is necessary to ensure appropriate interventions are provided to the family. However, drug and alcohol screening alone are neither treatment interventions nor child safety interventions. The use of drug and alcohol screens and the corresponding results are only one component in the assessment of child safety and risk as well as the strengths and protective capacities of families. It is also important to recognize that drug screens administered by DCFS staff are only presumptive screening tools. As such, only the results of a lab confirmed drug test (not a drug screen) can definitively confirm the presence of a specific drug.

The Division of Children and Family Services will conduct drug and alcohol screening of clients (e.g., parents, caretakers, youth) when appropriate during a child maltreatment investigation or during the course of any type of open DCFS case. It is considered appropriate to conduct a client drug or alcohol screen if DCFS staff has reasonable cause to suspect that a youth involved in a DCFS investigation or case is using drugs and/or alcohol or has reasonable cause to suspect a child's parents or caretakers are under the influence of drugs and/or alcohol to the point that their parenting abilities are negatively impacted. Reasonable cause to suspect may include past history of drug and/or alcohol abuse and/or observable client behavior indicating he or she may be under the influence of drugs or alcohol.

FREQUENCY AND LOCATION OF DRUG AND ALCOHOL SCREENS

DCFS may request random drug or alcohol screenings of a youth, parent, or caretaker for reasonable cause. DCFS will also conduct drug screens for clients as outlined in court orders, when applicable.

If a client is participating in a substance abuse treatment program that requires frequent random drug screening or has a probation or parole officer who conducts frequent random drug screens, then drug screens conducted by DCFS are not necessary (unless a court order specifies DCFS must administer drug screens rather than accepting drug screens from another qualified provider). The results from the drug screens conducted by the substance abuse treatment program, probation officer, or parole officer will suffice (see preceding court order exception) as long as the substance abuse treatment program, probation officer, parole officer, etc. provides the written results of the drug screens to DCFS in a timely manner. If results are not received from the substance abuse treatment program, probation officer, parole officer, etc. within court timeframes or as otherwise needed by DCFS, then at that point it will become necessary for DCFS to conduct an additional drug screen. DCFS will remain responsible for providing written drug screen results to the court regardless of the entity that conducts the screen.

Appropriate locations for drug and/or alcohol screenings for clients 13 and older may include, but are not limited to, the county office, client home, and court house, as appropriate. While DCFS staff may conduct drug or alcohol screens on teenagers when necessary, all children younger than 13 for whom a drug screen or test is needed will be referred to a physician or medical facility to have an appropriate screen or test completed (e.g., hair shaft test) at no cost to the client. If parental consent for a necessary drug screen or test on a minor is not granted, DCFS will obtain an order of investigation to conduct a drug screen or test for children and youth. For drug screens or tests for children who are less than 13 years of age, DCFS staff will accompany them to a qualified agency for the screen or test.

TYPES OF DRUG SCREENS UTILIZED BY THE DIVISION

DCFS staff will conduct only oral fluids and urine specimen drug screenings. Only drug and alcohol screens from the Division approved vendor will be used by DCFS staff. DCFS staff will only administer drug and alcohol screens according to training and procedures provided by the vendor.

Division staff will keep record of their completion of training and complete training updates as needed. An employee who has not completed the Division approved vendor drug screening training will neither administer a drug or alcohol screen to a client nor serve as a witness to drug or alcohol screen results (witnesses to drug screen results are only required when results of the drug screen are unclear and/or challenged by the client). While interns (stipend and non-stipend) may observe DCFS staff working with drug and alcohol screens, interns will never independently conduct drug or alcohol screens on clients nor will they serve as an official witness to drug or alcohol screen results.

Written screening instructions provided by the Division approved vendor will be kept in a binder clearly identified as such in all county offices. County office personnel are responsible for maintaining all updates to the screening instructions that the Central Office Prevention and Support Unit provides to the field.

Court ordered (or otherwise deemed necessary) hair shaft tests, blood tests, or other drug screens that are not the standard DCFS oral fluids or urine specimen screens administered by Division staff will be handled on an individual basis. All requests for payment of hair shaft tests, blood tests, or other non-standard drug screens will be made via the Area Financial Coordinator or designee to the Central Office Financial Unit. Such tests and screens will be paid with a state procurement card or purchase order with prior approval from the Central Office Financial Unit.

CLIENT REFUSAL OF SCREENS

If not previously court ordered, parents or caretakers may decline participating in their own drug and/or alcohol screens. Any refusal must be documented in CHRIS. The drug and/or alcohol screen may not be pursued further without a court order. If the adult client refuses to submit to any court ordered drug or alcohol screen, the screen will be documented in CHRIS as a refusal, and the refusal will be disclosed to the court.

ACTIONS FOLLOWING SCREEN RESULTS

Regardless of the results of the drug screen, DCFS staff will verbally share the results of the screen with the client. DCFS staff will also record the results of the screen with the client via the CFS-150: Drug and Alcohol Screen Results form.

If drug and/or alcohol screen results are positive, DCFS must assess how the drug and/or alcohol usage is impacting the parent/caretaker's ability to effectively parent and ensure child safety prior to making decisions about the placement of the child, parent-child visits, and/or other case plan requirements. A positive drug or alcohol screen in and of itself will not result in the postponement and/or withholding of visits between a parent and child in DHS custody unless:

- A. The parent is under the influence of drugs and/or alcohol at the time of the scheduled visit and has observable behavior indicating impairment of parenting capacity; or,
- B. A court order specifies that a parent's positive screen will result in the withholding of parent-child visits.

CLIENT CHALLENGES TO DRUG OR ALCOHOL SCREEN RESULTS

For each Division administered drug screen that is positive, DCFS will pay for one lab test of that positive drug screen if it is challenged by the client. If the lab test confirms the presence of the drug(s), then DCFS will not pay for further testing of that positive screen and/or lab confirmation. However, if a consistent pattern of positive screens followed by client requests for lab confirmations of each screen that also return positive emerges, the Division will have the discretion, in consultation with other parties to the case, to cease paying for continued lab confirmation tests requested by the client.

If a client challenges the results of a Division administered drug or alcohol screen, the client may elect at his or her own expense to have another entity (e.g., hospital for drug and alcohol screens, local police station for alcohol screens only) conduct another drug and/or alcohol screen or test rather than DCFS sending the screen to the lab for testing (or if a specific screen is not). The Division will accept the results of urine or blood sample screens or tests from other qualified agencies as long as a DCFS employee is able to immediately accompany the

client to the qualified agency and provided the qualified agency conducting the screen gives results in writing to DCFS.

CONFIDENTIALITY OF DRUG AND ALCOHOL SCREEN RESULTS

All data, information, and results related to client drug and/or alcohol screens are confidential. Disclosure of information will only be to those individuals whose official business duties necessitate disclosure or as required by law. Breaches of confidentiality will constitute grounds for disciplinary action to include the possibility of job termination.

PROCEDURE III-E1: Administering Client Urine Specimen Drug Screens

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The DCFS employee will:

- A. Ask client to put away his or her purse, bag, jacket, etc. and ask client to empty all of his or her pockets.
- B. Observe, but not touch, each of the client's pockets to ensure they are empty. The only item the client may take into the restroom stall is the collection container.
- C. Escort the client to the restroom.
- D. Directly observe the clients wash their hands without soap.
- E. Give the client only the collection container. The client must not have access to the screen.
- F. Instruct the client to fill the cup to the marked line.
- G. Observe the client enter the restroom, close the door to give privacy to the client, but remain immediately outside the restroom.
 - 1) Do not directly observe the client in the process of urination unless court ordered to observe.
 - a) If court ordered to observe, the witness must be the same gender as the client.
- H. If the client has difficulty giving a specimen, have the client drink 8 ounces of water and wait up to two hours for the client to give a urine specimen. As such, do not attempt to conduct the drug screen if a minimum of three hours are not left in the workday.
- I. After the cup has been returned to the FSW or designee, visually examine the specimen.
 - 1) Suspicion of adulteration and/or dilution will be indicated by the PH screen and temperature gauge.
- J. Verbally share and explain the drug screen results to the client.
- K. Document the results via CFS-150: Drug and Alcohol Screen Results Form and gather all required signatures on the CFS-150: Drug and Alcohol Screen Results Form.
- L. If the client does not challenge the screening results:
 - 1) Return the specimen cup to the client after the specimen has been screened and the results documented.
 - 2) Ask client to dispose of the contents in the toilet or urinal, flush, and discard the container in the designated trash container.
 - 3) Place the top copy of the CFS-150: Drug and Alcohol Screen Results Form in the client record.
 - 4) Retain the middle copy for submission to court.
 - 5) Give the client the bottom copy of the completed CFS-150: Drug and Alcohol Screen Results Form.
 - 6) Scan and email the completed CFS-150: Drug and Alcohol Screen Results Form to all parties to the case.
 - 7) Document drug and alcohol screen results and any other relevant information associated with drug and alcohol screen results in CHRIS as applicable.
- M. If the client challenges the screening results, please refer to Procedure III-E2: Urine Specimen Drug Screen Challenges.

The DCFS Supervisor will:

- A. Ensure all staff administering and/or serving as witnesses to drug screen results have successfully completed the Division approved drug and alcohol vendor training.

- B. Conference with the FSW as needed regarding need for screening and any subsequent action steps.

PROCEDURE III-E2: Client Urine Specimen Drug Screen Challenges

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If urine specimen drug screen results are positive and the client challenges the result, the DCFS employee will:

- A. Inform the client that the specimen will be sent to the lab for drug testing confirmation.
 - 1) However, if DCFS staff initially conducted the drug screen at the client's home, the DCFS employee may offer to re-screen the client at the county office that same day and have another DCFS staff person serve as a witness to the results of the second screening.
- B. The chain of custody will be maintained throughout the entire challenge process.
- C. Complete the county specific vendor challenge form.
- D. Write the client specimen identification number found on the county's vendor challenge form/mailling strip on the CFS-150: Drug and Alcohol Screen Results Form (the client specimen identification number is the identifier used in the subject line of the email that the lab sends when emailing the FSW with the challenge results; this number is the only way to match the challenge results to the correct client so it is extremely important to record the client specimen identification number prior to mailing the challenge screen to the lab).
- E. Prepare the urine specimen for laboratory screening (lab will not process urine specimens that are received without proper identification).
 - 1) Notify the DCFS Prevention & Support Manager or designee that the collection will be sent for lab confirmation by faxing a copy of the Chain of Custody, prior to the urine specimen being sent to the lab.
 - 2) Check for leakage of the collection device prior to mailing/sending the specimen for confirmation screening.
 - 3) Use the supplied FedEx mailer envelopes to send the challenged, positive, urine specimens to the lab.
 - a) If samples taken on weekends or after FedEx facility closes during the week, refrigerate samples until they are delivered to FedEx facility for shipment.
 - 4) To access challenge results, contact the Area Financial Coordinator or designee for instructions on how to access the lab confirmation results via the internet.
 - 5) If challenge results are contested, documentation of the chain of custody of urine specimen shall be verified by affidavit of one person witnessing the procedure or extraction, packaging, and mailing of the samples and by one person signing for the samples at the location where the samples are subject to the testing procedure.
 - i. Submission of the affidavits, along with the submission of the screening results, shall be competent evidence to establish the chain of custody of those urine specimens.
 - ii. For a court ordered screening, a written report of the results may be prepared by the person conducting the screening, or by a person under whose supervision or direction the screen and analysis have been performed.
 - iii. This report must be certified by an affidavit subscribed and sworn to before a notary public.
 - iv. This report may be introduced in evidence without calling the person as a witness, unless a motion challenging the screening procedures or results has been filed within 30 days before the hearing and bond is posted in an amount sufficient to cover the costs of the person's appearance to testify.

If the alcohol screen results are positive and the client challenges the results, the DCFS staff will:

- A. Inform the client he or she may immediately obtain a blood test from a qualified agency or immediately take a Breathalyzer test at the local police station.

Procedure III-E3: Administering Other Client Drug and Alcohol Screens

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The DCFS employee will:

- A. Refer to vendor information for screen (e.g., K2 strip, ALCO screen) collection procedures and interpreting results.
- B. Under normal circumstances, limit the entire screening process to 15 minutes.
- C. Verbally share and explain the drug screen results to the client.
- D. Document the results via CFS-150: Drug and Alcohol Screen Results Form and gather all required signatures on the CFS-150: Drug and Alcohol Screen Results Form.
- E. If the specimen screening results are positive and the client challenges the result:
 - 1) Prepare the oral fluids specimen for laboratory confirmation, if applicable, for that specific screen. Do not dispose of an oral fluids specimen that needs to be sent to the screening laboratory for confirmation testing.
 - a) Send the specimen to the lab per the vendor's instructions.
 - b) Access lab confirmation results (see Area Financial Coordinator for more information).
 - c) If challenge results are contested, documentation of the chain of custody of specimen shall be verified by affidavit of one person witnessing the procedure or extraction, packaging, and mailing of the samples and by one person signing for the samples at the location where the samples are subject to the testing procedure.
 - i. Submission of the affidavits, along with the submission of the screening results, shall be competent evidence to establish the chain of custody.
 - ii. For a court ordered screening, a written report of the results may be prepared by the person conducting the screening, or by a person under whose supervision or direction the screen and analysis have been performed.
 - iii. This report must be certified by an affidavit subscribed and sworn to before a notary public.
 - iv. This report may be introduced in evidence without calling the person as a witness, unless a motion challenging the screening procedures or results has been filed within 30 days before the hearing and bond is posted in an amount sufficient to cover the costs of the person's appearance to testify.
 - 2) If the oral fluid specimen is not able to have a laboratory confirmation and the client still wishes to challenge the result, immediately accompany the client to a qualified agency for confirmation testing provided the qualified agency will give results in writing to DCFS.
- F. If the client does not challenge the results of the screening:
 - 1) Return oral fluids screening kit to the client after the specimen has been tested and results documented.
 - 2) Ask client to discard the kit in the designated trash container.
 - 3) Observe client throwing away kit in designated trash container.

PROCEDURE III-E4: Maintenance and Re-ordering of Drug and Alcohol Screens

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The county office will:

- A. Store the drug screen kits at room temperature (do NOT leave drug screen kits in vehicles for storage purposes as this will impair the effectiveness of the drug kits).
- B. Maintain an adequate supply of drug screening materials, to include copies of drug screening information, at all times.
- C. Monitor closely the specimen collection supplies (county office supply stock will not fall below 15 kits).

- D. Drug screen kits past their expiration dates will NOT be used and will be disposed of immediately (expiration date will be clearly marked on each drug screen kit).
- E. Use new supplies only after current supplies are depleted.
- F. If the county has several kits nearing expiration, order new drug and/or alcohol screen kits as well as challenge kits directly from the DCFS approved vendor.
- G. Address questions pertaining to Chain of Custody Challenged screening to the Central Office Prevention and Support Unit.

The Central Office Prevention and Support Unit will:

- A. Respond to the county office regarding questions related to DCFS approved drug screen and challenge kits.
- B. Serve as a liaison between the county office and DCFS approved drug screen vendor as necessary.