

Guiding Principles for Drug Testing

Updated June 26, 2020

Guiding Principles for Drug Testing

The following guiding principles surround our effort to provide information related to our child welfare system requirements given the current public health emergency faced by our communities:

- Child safety is the top priority of the child welfare system.
- It is important to continue to follow court orders which require individuals to comply with drug testing.
- All drug testing will be observed to insure chain of custody requirements.

Guidance

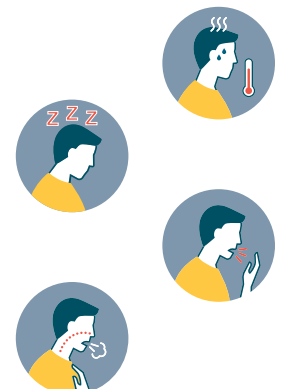
In an effort to limit the spread of COVID-19, on April 7, 2020 CFS provided instruction regarding court-ordered drug testing. At that time, CFS changed our methods of conducting drug testing to utilize tests that allow for social distancing to occur while maintaining court-ordered services. At that time, providers were instructed to discontinue the use of urine and oral swab drug testing and encouraged to develop methods for completing sweat patch tests for their individuals in order to minimize in-person contact between the staff and the individuals being tested.

As changes to Nebraska's Directed Health Measures are announced and most counties move into Phase 3 while the others move into Phase 2, many of the restrictions have been lifted. CFS will return to utilizing several methods of drug testing.

Drug-Testing Methods

It is critically important that provider staff and the families we serve are safe at all times. Providers are encouraged to continue to implement methods for completing drug testing for their individuals that minimize in-person contact between staff and the individual. However, CFS will resume making referrals for urine drug testing and oral swab drug testing in cases where tests are court-ordered or recommended by a treating substance use disorder provider when no other payment sources are available such as private insurance, Medicaid or private payment.

- Providers can resume the use of urine drug testing.
- Providers can resume the use of oral swab drug testing.
- Providers must use Personal Protective Equipment (PPE) to protect themselves and the individual being tested.
- Every effort must be made to maintain safety, including the use of gloves and masks by the provider staff who have direct contact with individuals during drug testing.
- Providers are instructed to follow all guidelines for the use, donning and doffing of Personal Protective Equipment (PPE) while interacting with individuals who are submitting to urine or oral swab drug-testing.
- All infection control protocols for maintaining personal safety should be practiced by staff. The Centers for Disease Control guidelines are available on the CDC website: <https://www.cdc.gov/coronavirus/2019-ncov/hcp/infection-control.html>



Prior to meeting with a client who will be tested, the provider staff will call the individual and ask the following questions:

- (1) Has anyone in the household attended large gatherings?
- (2) Has anyone in the household had contact with a person who has been confirmed to have COVID -19 or has had a presumptive positive test within the past 14 days?
- (3) Does anyone in the household currently have symptoms such as a fever, cough, shortness of breath or difficulty breathing, and/or any other respiratory illness?
- (4) Is any person in the household currently diagnosed with COVID-19 or under quarantine imposed by a medical professional?

If any person in the household is diagnosed with COVID-19 or is exhibiting symptoms, the provider staff should not enter the home. The provider staff must report this to CFS and CFS will work with DHHS Legal Services to determine whether a new court order is necessary, including whether a request will be made to modify the court order to authorize hair testing. Hair testing may be performed in certain situations after the individual has recovered from the COVID-19 episode.

**If a notice to the court and legal parties is needed to modify any drug-testing order, please work with DHHS Legal Services to ensure this occurs.

