



Origination 07/1990
Last Reviewed 08/2026
Effective 08/2026
Last Revised 08/2026
Next Review 08/2029

Area HR-
Employee
Health
Applicability ~System-
Wide

Drug & Alcohol-Free Workplace and Testing

PURPOSE STATEMENT

This policy establishes Broward Health's commitment to maintaining a drug-free and alcohol-free workplace. Broward Health enforces a zero-tolerance standard for illegal drug use and prohibits alcohol use in any circumstance that may affect the safety, well-being, or performance of employees, patients, or the organization's operations.

DEFINITIONS

Adulterated Specimen: A test sample that has been altered, substituted, diluted, or otherwise tampered with to interfere with accurate drug or alcohol testing results.

Alcohol: Ethyl alcohol (ethanol) or any intoxicating beverage, including but not limited to beer, wine, spirits, or any product containing alcohol that may impair performance or behavior.

Controlled Substances: Drugs or chemical substances listed under federal or Florida law that are regulated due to potential for abuse or dependency, including illegal drugs and certain prescription medications when used without a valid prescription or outside prescribed parameters.

Drug Testing: The process of analyzing biological specimens (such as urine, blood, or saliva) to detect the presence of drugs, alcohol, or their metabolites.

Employee Assistance Program (EAP): A confidential support service providing counseling, referral, and assistance for employees experiencing personal, behavioral health, or substance use concerns.

Illegal Drugs: Controlled substances that are unlawfully possessed, used, distributed, manufactured, or sold under federal or state law, including marijuana regardless of state legalization status.

Intervention Project for Nurses (IPN): A confidential program authorized by the State of Florida to

support licensed **nurses** experiencing substance use, mental health, or physical impairments that may affect their ability to practice safely. Participation may be voluntary or required as part of licensure or disciplinary processes. Substance use disorders; Mental health conditions: Physical conditions that may impair safe practice. Its purpose is to protect patients while helping nurses obtain treatment and, when appropriate, return to practice safely. For additional information, refer to the official PRN resource link.

Medical Review Officer (MRO): A licensed physician responsible for reviewing and interpreting laboratory drug test results, evaluating medical explanations for positive results, and ensuring accuracy and confidentiality of testing outcomes.

Mandatory Testing Position: A job classification that requires drug and alcohol testing due to safety-sensitive responsibilities or duties where impairment could result in harm to individuals, property, or operations, as defined in this policy.

Reasonable Suspicion: A belief based on specific, objective, and articulable facts, and reasonable inferences from those facts, that an employee is under the influence of drugs or alcohol or in violation of this policy.

Special Risk Position: A position requiring certification under Chapter 633 (Fire Prevention and Control) or Chapter 943 (Law Enforcement) of the Florida Statutes.

Safety-Sensitive Position: A role in which impairment due to drugs or alcohol could result in significant risk of injury, death, or harm to patients, employees, or the public.

Tampering: Any attempt to alter, interfere with, or falsify a drug or alcohol test sample or testing process, including substitution, dilution, or contamination of a specimen.

Follow-Up Testing: Unannounced drug and/or alcohol testing required for employees who have completed or are participating in a substance abuse treatment or rehabilitation program.

Workplace Impairment: Any observable or measurable condition that negatively affects an employee's ability to safely and effectively perform essential job functions due to alcohol, drugs, controlled substances, prescription medications, or other impairing substances.

Positive Drug Test: A confirmed laboratory test result indicating the presence of drugs, alcohol, or metabolites above established cutoff levels, as verified by a Medical Review Officer.

Prescription Medication (Legal Use): Medications lawfully prescribed by a licensed healthcare provider and used in accordance with the prescribed dosage, frequency, and purpose.

Professionals Resource Network (PRN): A confidential program authorized in the State of Florida that provides support, monitoring, and advocacy for **physicians and other licensed healthcare professionals**, including but not limited too: Physician Assistants, Pharmacy Technicians, Dentists, Dietitians, Clinical Laboratory Professionals, Social Workers, Dental Assistants, EMTs and Paramedics, Mental Health Technicians, Occupational Therapists, Physical Therapists, Speech-Language Pathologists, and Registered Respiratory Therapists, who may be experiencing substance use, mental health, or other impairing conditions that could affect their ability to practice safely. For a complete list of covered professions and additional program information, refer to the official PRN resource link.

Impairing Medication: Any prescription or over-the-counter medication that may affect alertness,

coordination, judgment, or safe job performance, including sedatives, opioids, or medications with warning labels regarding drowsiness or impairment.

Drug-Free Workplace: A workplace environment in which the use, possession, distribution, or presence of illegal drugs or unauthorized controlled substances is prohibited, and where employees are expected to be free from impairment while performing duties.

Zero Tolerance Policy: A workplace standard under which violations involving illegal drugs, impairment at work, or refusal/tampering with testing result in disciplinary action up to and including termination, consistent with applicable law and organizational policy.

Voya Financial Leave Management (refer to flyer attached): A third-party administrator engaged by Broward Health to manage employee leave of absence processes, including but not limited to FMLA, medical leaves, and other approved leaves of absence in accordance with organizational policy and applicable law.

POLICY STATEMENT

This policy has been implemented in accordance with Sections 440.101 and 440.102 of the Florida Statutes. A physician/patient relationship is not created between Broward Health (BH) and the prospective or current employee, or any person performing or evaluating the drug test, solely by the establishment, implementation, or administration of this drug testing program.

PROCEDURE

Prohibitions:

- A. **Illegal Controlled Substances.** Broward Health prohibits the use, distribution, possession, manufacture, cultivation, sale, or attempt to manufacture, sell, or distribute illegal controlled substances at any time, whether on or off duty, and whether on or off Broward Health property. Illegal controlled substances are defined by applicable state and federal laws. Be advised that marijuana, even if prescribed for a medical purpose and even if deemed lawful by some states for other purposes, remains an illegal controlled substance under federal law. As such, Broward Health strictly prohibits the use of marijuana for any purpose.
- B. **Alcohol Abuse.** Employees of Broward Health are prohibited from using or possessing alcohol while on duty; while on Broward Health premises; while driving a Broward Health vehicle; while operating a piece of Broward Health equipment; or while being transported in Broward Health vehicles at any time. In addition, employees are prohibited from reporting to work under the influence of alcohol and from otherwise using alcohol in a manner at any time which adversely affects or might adversely affect the interests or operations of Broward Health .

Mandatory Testing Position:

- **Mandatory testing position shall mean a job assignment that requires the employee to:**
 - A. **Carry a firearm;**
 - B. **Work closely with an employee who carries a firearm;**
 - C. **Perform life-threatening procedures;**
 - D. **Work with heavy or dangerous machinery;**

- E. **Work as a safety inspector;**
- F. **Work with children;**
- G. **Work with detainees in the correctional system;**
- H. **Work with confidential information or documents pertaining to criminal investigations;**
- I. **Work with controlled substances;**
- J. **Undergo an employee security background check pursuant to section 110.1127 of the Florida Statutes;**
- K. **Perform job assignments in which a momentary lapse in attention could result in injury or death to another person; or,**
- L. **Perform safety-sensitive job duties and responsibilities.**
- M. **Special Risk Position. Special risk position shall mean a position that is required to be filled by a person who is certified under:**
 - 1. **Chapter 633 of the Florida Statutes (Fire Prevention and Control); or,**
 - 2. **Chapter 943 of the Florida Statutes (Law Enforcement).**

Legal Use of Prescription and Non-Prescription Drugs:

The legal use of prescription and non-prescription drugs is often necessary. Unless used in accordance with a valid (not outdated) prescription from a medical professional or in accordance with accepted over-the-counter uses, Broward Health prohibits the use, distribution, possession, manufacture, cultivation, sale or attempt to sell or distribute prescription drugs. Employees are required to advise the Employee Health Department if he are taking prescription or non-prescription drugs which have the potential to adversely impact the employee's job performance or the employee's ability to work in a safe and efficient manner.

- A. The **Employee Declaration of Use of Prescription or Non-Prescription Medication Form** must be completed prior to reporting to work when an employee is taking medication that may reasonably be expected to impair performance, safety, or judgment. Failure to disclose such use may result in disciplinary action, up to and including termination. Employees are responsible for providing appropriate documentation from the prescribing provider, upon request, regarding potential side effects or functional limitations associated with prescribed medications that may impact job performance or workplace safety. Where it is determined through an individualized assessment that medication use does not pose a direct threat to safety and does not impair the employee's ability to safely and effectively perform essential job functions, the employee may continue working. If medication use is determined to impair the employee's ability to safely or effectively perform essential job functions, Broward Health may engage in an interactive process consistent with applicable law to determine whether reasonable accommodations are available. This may include temporary reassignment to a non-safety-sensitive role, modification of duties, or placement on a leave of absence for the duration of treatment, as appropriate. Consistent with federal law, marijuana remains a controlled substance and is prohibited under Broward Health policy. Employees may not report to work under the influence of marijuana, possess marijuana on Broward Health property, or test positive for marijuana in violation of this policy, regardless of state law permitting medical or recreational use. Prescription and non-prescription medications must be maintained in their

original labeled containers when brought onto Broward Health property or used during working hours.

- B. Americans with Disabilities Act (ADA) Compliance and Accommodation (Legal Use of Prescription and Non-Prescription Drugs): Broward Health complies with the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act (as applicable), and all other applicable federal and state laws regarding disability accommodation. Nothing in this policy is intended to:
 - 1. Discriminate against qualified individuals with disabilities
 - 2. Prevent lawful medical treatment or prescribed medication use
 - 3. Limit Broward Health's obligation to provide reasonable accommodations unless such accommodation would create an undue hardship or pose a direct threat to the safety of the requesting employee or others.
- C. Employees who use legally prescribed medications that may affect job performance or safety will be evaluated on an individualized basis to determine potential reasonable accommodations. This may include, but is not limited to:
 - 1. Temporary reassignment
 - 2. Modified duties
 - 3. Leave of absence
 - 4. Fitness-for-duty evaluation
- D. However, Broward Health may restrict or remove an employee from safety-sensitive duties if medication use or impairment poses a direct threat to the employee, co-workers, patients, or the public that cannot be mitigated through reasonable accommodation.
- E. Use of medical marijuana may not be considered a reasonable accommodation under this policy due to its status as a controlled substance under federal law and its potential impact on *safety-sensitive* work. Broward Health will evaluate accommodation requests on a case-by-case basis in accordance with applicable law, operational needs, patient safety considerations, and evolving legal requirements. Under no circumstances may an employee report to work under the influence of marijuana or use marijuana at work.

Drug and Alcohol Testing:

- A. **Job Applicant Testing and Testing for Assignment to Special Risk/Mandatory Testing Position.** Applicants for employment in special-risk and/or mandatory testing positions are subject to pre-employment drug test as a prerequisite to employment with Broward Health .
- B. **Follow-up Testing.** Employees who enter into an employee assistance program or any similar rehabilitation program will be subject to drug and/or alcohol testing as a follow-up to such program. Follow-up testing will be conducted without advanced notice.
- C. **Reasonable Suspicion Testing.** An employee will be subject to drug and alcohol testing whenever reasonable suspicion exists to believe the employee is using drugs or alcohol in violation of this policy or otherwise engaging in conduct in violation of this policy. Reasonable suspicion shall be based on specific, objective and articulable facts and reasonable inferences drawn from those facts in light of experience. In making this determination, relevant factors may include, but are not limited to:

1. **Observable phenomena, such as direct observation of drug use or of physical symptoms or manifestations of being under the influence of a drug or alcohol;**
2. **Abnormal conduct, erratic behavior or a significant, unexplained deterioration in work performance;**
3. **A report of drug use, provided by a reliable source;**
4. **Evidence that an individual has tampered with a drug test during his or her employment with Broward Health;**
5. **Information that an employee has caused or contributed to an accident or injury while at work;**
6. **Evidence that an employee has negligently or recklessly operated a vehicle, equipment or machinery while at work;**
7. **Evidence that an employee has used, possessed, manufactured, cultivated, sold, solicited, or transferred drugs.**
8. **Evidence of drug diversion.**

Reasonable Suspicion Drug/Alcohol Testing (Non-BH Employees):

- i. This testing will be conducted by the contracting agency, and said agency will be responsible for all costs incurred. Drug and alcohol test results will be submitted by the agency to the BH contract manager. A positive drug/alcohol test will preclude the non-BH employee from participating in any contracts or agreements with Broward. It shall be the responsibility of each employee who observes or has knowledge of another employee in a condition that impairs his or her ability to perform his/her job duties, who presents a hazard to the safety and welfare of others, or who is otherwise in violation of this policy, to promptly report the fact to his/her immediate supervisor.

Reasonable Suspicion Testing for BH Employees:

- A. Supervisors who determine that reasonable suspicion exists to require an employee to submit to a drug and/or alcohol test are required to promptly document in writing the circumstances which formed the basis of the determination that reasonable suspicion existed to warrant the testing. Human Resources and/or Administrative authorization are **required** to proceed with the reasonable suspicion testing process.
- B. Per the Intervention Project for Nurses (IPN), certain observable patterns in behavior, performance, and communication may indicate possible impairment and warrant further assessment or intervention. These indicators should be evaluated as a **pattern of behavior over time, rather than isolated incidents.**

Common workplace behaviors that may be associated with potential impairment might include:

Performance and Cognitive Changes

- A. Frequent errors in judgment or clinical decision-making
- B. Difficulty following directions or completing routine tasks
- C. Memory lapses or inability to recall patient or work-related information

- D. Inaccurate, incomplete, or inconsistent documentation
- E. Reduced ability to prioritize or complete assigned responsibilities
- F. Decline in overall job performance despite coaching or corrective feedback

Behavioral and Interpersonal Changes

- A. Noticeable changes in mood, including irritability, agitation, or hostility
- B. Unusual defensiveness when questioned or provided feedback
- C. Social withdrawal or isolation from coworkers
- D. Inappropriate emotional responses or behavior inconsistent with circumstances
- E. Decline in professional boundaries or communication standards

Safety and Professional Conduct Concerns

- A. Increased risk-taking or unsafe clinical practices
- B. Lack of attention to patient safety protocols
- C. Patterns of absenteeism, tardiness, or unexplained absences
- D. Difficulty maintaining attention or alertness during work duties
- E. Failure to respond appropriately to workplace stressors or emergencies

These indicators are provided as examples to assist supervisors and peers in the early identification of potential concerns. When such **ongoing patterns are observed**, they should be documented objectively and addressed through appropriate supervisory channels, Human Resources, or Employee Health, consistent with this policy.

After-Hours / Weekend Process, During Working Hours Notification, and Reasonable Suspicion Standard:

When a reasonable suspicion situation occurs after hours or on weekends, the Administrator On Call (AOC), in coordination with the House Supervisor, must immediately contact the local Chief Human Resources Officer (CHRO). The CHRO will notify Employee Health of the situation on the next business day. If needed, the CHRO may also contact the Director or Manager of Employee Health outside of normal business hours to facilitate further guidance.

When the situation occurs during normal business hours, the CHRO must be notified immediately and engaged without delay in the review process.

All reasonable suspicion determinations must be based solely on specific, objective, and observable job-related behaviors. Determinations must be documented at the time of observation using the required **Observation Checklist (attached)** and must not be based on assumptions, speculation, or bias related to disability, medical conditions, or the lawful use of prescription medications.

Upon confirmation that reasonable suspicion criteria have been met, the local CHRO will place the employee on investigatory unpaid suspension pending drug and/or alcohol testing results and further Human Resources review, as appropriate.

All actions taken by supervisors, managers, or department leaders under this policy must be reviewed

and coordinated with Human Resources prior to implementation to ensure compliance with applicable federal, state, and local laws, as well as organizational policies and procedures. No action may be taken independently without HR consultation and authorization..

Random and/or Suspicionless Testing (High-Risk / Safety-Sensitive Positions)

Employees who occupy designated safety-sensitive, high-risk, or mandatory testing positions are subject to drug and alcohol testing on a random and/or suspicionless basis, in accordance with applicable law and organizational policy. Employees in these designated positions may also be required to participate in a fitness-for-duty evaluation when there is objective evidence suggesting potential impairment that could impact safe and effective job performance. This includes, but is not limited to, impairment related to substance use, medication side effects, or medical conditions.

Fitness-for-duty evaluations will be conducted in a manner consistent with applicable federal and state laws, including disability accommodation requirements, and will focus solely on the employee's ability to safely perform essential job functions. Refusal to participate in required testing or fitness-for-duty evaluations may result in disciplinary action, up to and including termination of employment.

Other Lawful Testing:

Broward Health reserves the right to conduct any other lawful drug or alcohol testing. Employees subject to drug and alcohol testing requirements imposed by the Department of Transportation (DOT) for operators of Broward Health commercial motor vehicles must comply with this policy as well as the DOT-mandated Substance Abuse Policy for Commercial Motor Vehicle Operators. When safety-sensitive employees holding a **Commercial Driver's License (CDL)** are tested under this policy, the procedures outlined herein shall apply. When such employees are tested under the DOT-mandated policy, the procedures set forth in the DOT policy shall govern.

Drug Test Panel & Other Common Medications:

- **Employees will be subject to drug testing for the detection of the following illegal drugs/drug groups or alcohol, as well as others that may, from time to time, be declared illegal by state or federal law:**
 - Alcohol (including a distilled spirit, wine, malt beverage or other intoxicating liquor)
 - Amphetamines
 - Barbiturates
 - Benzodiazepines
 - Cannabinoids (marijuana)
 - Cocaine
 - Methadone
 - Methaqualone
 - Opiates/Opioids (heroin, morphine, codeine)
 - Phencyclidine (PCP)
 - Propoxyphene
 - Any other hallucinogen, synthetic narcotic, designer drug, or metabolite of any of the

substances listed above.

Common Medications Which Could Alter or Affect Test Results:

Certain prescription and non-prescription medications may alter or affect a drug or alcohol test. Employees and applicants that are subject to testing are obligated to report any prescription or non-prescription medication which could alter or affect test results to the independent Medical Review Officer ("MRO"). The MRO is Workforce QA, who can be reached at 2200 S. Main St. Ste 475, Salt Lake City UT 84115 or by phone at 801-503-3844. When onboarding is done through Karmacheck the MRO is Cynergy MRO who can be reached at 2600 Grand Blvd Suite 500, Kansas City, MO 64108 or by phone at 844-730-7996. Employees and applicants subject to testing have the right to confidentially consult with the MRO for additional or technical information regarding medications which may alter or affect test results. The most common medications which may alter or affect a test include, but are not limited to:

Drug	Medication Which May Alter or Affect Test
Alcohol	Liquid medications containing ethyl alcohol (ethanol). For example, many cough syrups, such as Vicks Nyquil, Comtrex, Listerine, contain alcohol
Cannabinoids	Marinol (Dronabinol, Tetrahydrocannabinol (THC))
Amphetamines	Obetrol, Biphedamine, Desoxyn, Dexedrine, Didrex, Ionamine, Fastine
Cocaine	Cocaine HCl topical solution (Roxanne)
Phencyclidine	Not legal by prescription
Methaqualone	Not legal by prescription
Opiates	Paregoric, Parepectolin, Donnagel PG, Morphine, Pectoral Syrup, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guaiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid (hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Tussi-organidin, etc.
Barbituates	Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebaral, Butabarbital, Butalbital, Phenrinin, Triad, etc.
Benzodiazepines	Activan, Azene, Clonopin, Dalmane, Diazepam, Halcion, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Paxipam, Restoril, Centrax
Methadone	Dolphine, Metadose
Propoxyphene	Davocet, Darvon N, Dolene, etc.

Test Results:

The following procedures will be followed if an employee or job applicant has a confirmed positive test result:

- i. An employee or applicant who receives a positive confirmed test result may contest or explain the result to the MRO (medical review officer) identified above **within five working days**. If the MRO determines that the employee's explanation is unsatisfactory, the MRO will report the positive test to Broward Health. The employee or applicant may contest a positive confirmed

test result pursuant to this policy, section 440.102 of the Florida Statutes, or other applicable law. If an employee or applicant seeks to contest the laboratory result, it is his or her responsibility to contact the laboratory to advise of any administrative or civil proceeding challenging the results and to request that the test sample be preserved.

- ii. Within 180 days of receiving written notification of a positive test result, an employee or applicant may, at his or her expense, have the positive sample retested at a different laboratory licensed and approved by the Agency for Health Care Administration.
- iii. Within five working days after receipt of a positive confirmed test result from the MRO, Broward Health or MRO will inform the employee or applicant in writing of the test result, the consequences of the test result and any options that Broward Health may elect to afford the employee or applicant in accordance with this policy. Within five working days after receiving notice of a positive confirmed test result from Broward Health, the employee or job applicant may submit information to Broward Health explaining or contesting the test result and explaining why the test result does not constitute a violation of this policy. If Broward Health determines that the explanation is unsatisfactory, Broward Health will provide a copy of the test result to the employee or applicant along with a written reason as to why the explanation was deemed unsatisfactory.

Consequences of a Positive Confirmed Test, Refusal to Submit to Testing or Tampering With a Test:

Employees who receive a confirmed positive drug or alcohol test while performing job duties, or who refuse to submit to required testing, are subject to termination of employment. Licensed professionals who test positive (e.g., those subject to monitoring programs such as IPN or PRN) will be advised of the requirement and importance of self-reporting the result to the appropriate regulatory or monitoring agency within 48 hours. Broward Health will also fulfill any mandatory reporting obligations in accordance with applicable laws and regulations.

- i. Testing positive and refusing to submit to test; may forfeit eligibility for workers' compensation medical and indemnity benefits and may forfeit entitlement to unemployment compensation.
- ii. A job applicant who has a positive confirmed test, or refuses to submit to a test will be ineligible for employment. An applicant in this scenario is ineligible for employment with BH for a period of 1 year and may be required to present proof of completion of a chemical dependency/substance abuse treatment and after care recommendations. They may also be subject to suspicionless drug testing for up to two years, including periodic meetings with the Employee Assistance Program (EAP) and Employee Health.
- iii. Nothing in this policy shall be construed to limit Broward Health's right to take disciplinary action, up to and including termination of employment, for violations of this policy. Grounds for disciplinary action include, but are not limited to: possession, use, diversion, sale, solicitation, or distribution of illegal drugs; a confirmed positive drug or alcohol test under this policy, including reasonable suspicion testing; refusal to submit to testing; tampering with a test specimen; or convictions or admissions of drug- or alcohol-related offenses. All disciplinary actions taken under this policy will be applied in a consistent and non-discriminatory manner and will comply with applicable federal and state laws, including but not limited to the Americans with Disabilities Act (ADA), Florida Statutes Chapter 440, and any other applicable laws or regulations.

- iv. An adulterated specimen or any attempt to tamper with the specimen shall constitute grounds for termination and permanent ineligibility for employment.

Confidentiality:

Absent written consent, all information, interviews, reports, statements, memorandum, and drug test results, written or otherwise, received or produced as a result of Broward Health's drug testing program are confidential and exempt from the provisions of Chapter 119 of the Florida Statutes (Public Records Law) and may not be used or disclosed except as otherwise provided by Section 440.102 of the Florida Statutes or other applicable law.

- **Consent Policy for Minors:**

- A. All prospective Broward Health employees who are minors will have a consent form signed by their parent or legal guardian prior to the employment placement and physical. Their verbal approval will not be accepted by phone and documented in chart.
- B. The purpose of the aforementioned paragraph is to protect the minor by obtaining consent from the parent or legal guardian.
- C. A positive result will be reported to the consenting parent or legal guardian.

Internal Employee Assistance Program (EAP)

Employees experiencing operational impairment or concerns related to drug or alcohol use **who wish to seek voluntary assistance prior to violating this policy** or being required to undergo testing are encouraged to contact the Employee Assistance Program (EAP) and the **Employee Health Office at (954) 473-7130**, and their local Chief Human Resources Officer (CHRO). Employees may utilize one of Broward Health's internal EAP resources or seek assistance through another qualified treatment provider of their choice.

Employees who voluntarily seek treatment for substance abuse prior to a workplace incident, reasonable suspicion determination, or policy violation should contact Voya at 833-973-1670. Employees should also refer to the Leave of Absence Policy for additional information regarding eligibility for leave benefits and available support resources. Voluntary requests for assistance will not prevent disciplinary action for violations of this policy that have already occurred. Broward Health encourages employees to seek help early to support recovery, workplace safety, and continued job performance..

- **Broward Health Employee Assistance Program: 954-847-4327**

- *Other Helpful Numbers*

- Drug-Free Workplace Helpline: 1-800-Workplace (967-5752)

- Substance Abuse & Mental Health Svcs Admin. Helpline: 1-800-662-HELP(4357)

- Invention Project for Nurses (IPN): 800-840-2720

- Professional Resource Network (PRN): 800-888-8776 or 904-277-8004 (Physicians & Pharmacist)

- Employees employed in mandatory testing and/or who are in a special-risk position who enter EAP voluntarily, will be removed from their special-risk position and will need to contact the Leave Administration department and Matrix to request a possible leave of absence. An employee placed on leave may utilize his

or her accrued leave, if any; otherwise, the leave shall be unpaid.

REPORTING VIOLATIONS OF THE POLICY:

Duty to Report and Employee Disclosure

All employees share a responsibility to report known or suspected violations of this policy. Employees who become aware of conduct that may violate this policy must immediately report the matter to their supervisor, Human Resources, Employee Relations, or Compliance. Failure to report a known violation may result in disciplinary action, up to and including termination of employment.

Employees are also required to report any arrest, indictment, charge, conviction, plea, pretrial intervention, or other criminal allegation involving drugs or alcohol to their immediate supervisor and local Chief Human Resources Officer (CHRO) within twenty-four (24) hours of the event or notification, but no later than the employee's next scheduled workday after becoming aware of the matter. Failure to timely disclose such matters may result in disciplinary action, up to and including termination of employment.

Violations of this policy may also result in Broward Health reporting the employee and/or applicant to the appropriate state professional, occupational, or licensing board, as required or permitted by law.

Disclosure of an arrest, charge, or criminal allegation does not automatically disqualify an employee from continued employment. Each matter will be reviewed on a case-by-case basis, taking into consideration the nature of the offense, job-relatedness, patient safety, regulatory requirements, and operational needs.

Employees arrested for drug- or alcohol-related offenses will be placed on unpaid administrative leave pending review and investigation. The duration of unpaid administrative leave will be determined on a case-by-case basis. Placement on administrative leave does not guarantee reinstatement or continued employment. Employees convicted of drug- or alcohol-related criminal offenses during employment may be subject to disciplinary action, up to and including termination of employment, and may be deemed ineligible for rehire.

Workplace Testing and Investigations

Broward Health reserves the right to require drug and alcohol testing in accordance with applicable law and organizational policy, including but not limited to pre-employment, reasonable suspicion, post-accident, return-to-duty, and follow-up testing. Broward Health also reserves the right to conduct its own independent administrative investigation into any alleged violation of this policy, regardless of whether criminal charges are filed, prosecuted, dismissed, or result in conviction. If Broward Health determines that a violation of this policy has occurred, disciplinary action may be imposed, up to and including termination of employment, regardless of the outcome of any criminal or legal proceeding. Broward Health is not required to wait for the final disposition of any criminal or legal action before making employment decisions.

Broward Health remains committed to supporting employees while ensuring a safe and compliant workplace environment for patients, employees, and the communities it serves. This policy is intended to comply with all applicable federal and state laws and regulatory standards. In the event of any conflict between this policy and applicable law or regulation, the applicable law or regulation shall control.

RELATED POLICIES

[Leaves of Absence](#)

[Employee Assistance Program \(EAP\)](#)

REGULATIONS/STANDARDS

Section 440.101, Florida Statutes – Drug-Free Workplace Act

Section 440.102, Florida Statutes – Drug and Alcohol Testing of Employees

Section 381.986, Florida Statutes – Medical Marijuana Use Registry (regulates lawful use; does not require workplace accommodation for impairment)

Chapter 633, Florida Statutes – Fire Prevention and Control (Special Risk positions)

Chapter 943, Florida Statutes – Law Enforcement (Special Risk positions)

Controlled Substances Act (21 U.S.C. §812) – Classification of controlled substances, including marijuana as a Schedule I drug

Drug-Free Workplace Act of 1988 (41 U.S.C. §8101 et seq.) – Federal workplace drug-free requirements

Americans with Disabilities Act (ADA), 42 U.S.C. §12101 et seq. – Disability protections; excludes current illegal drug use

Occupational Safety and Health Act (OSHA), 29 U.S.C. §651 et seq. – Workplace safety requirements

Substance Abuse and Mental Health Services Administration (SAMHSA) – Certified laboratory testing standards and cutoff thresholds

Medical Review Officer (MRO) Standards of Practice – Interpretation and verification of test results

Clinical Laboratory Improvement Amendments (CLIA) – Laboratory quality and compliance standards

The Joint Commission (TJC) – Workplace safety and patient care environment standards

Centers for Medicare & Medicaid Services (CMS) Conditions of Participation – Workforce competency and patient safety requirements

Agency for Health Care Administration (AHCA), Florida – State healthcare facility regulatory requirements

Health Insurance Portability and Accountability Act (HIPAA) – Protection of medical information

Florida Public Records Law (Chapter 119, Florida Statutes) – Confidentiality exemptions for drug testing records under §440.102

REFERENCES

PRN: <https://flprn.org/>

IPN: <https://www.ipnfl.org/about/>

DOH: <https://www.floridahealth.gov/>

INTERPRETATION AND ADMINISTRATION

Employees or applicants with questions regarding any aspect of this policy should contact their local Chief Human Resources Officer (CHRO) or the Employee Health Department for clarification and guidance. Policy interpretation is overseen by the Employee Health Director, in collaboration with the Executive Director of HR Operations and the SVP/CHRO. Broward Health reserves the right to interpret, modify, amend, suspend, terminate, or reinstate this Plan, in whole or in part, at any time, subject to applicable laws, applicable Board approval requirements, and organizational needs.

LEGACY NUMBER/TITLE

HR-009-005

Attachments

- [!\[\]\(d055e740a24011074151377df88bf8de_img.jpg\) C Substance Abuse Testing Consent to Preform for Prospective and Current 5 17 24.docx](#)
- [!\[\]\(bd41e4ded8bc9f7822dec4e6c39801ba_img.jpg\) D-1 Management Referral Impaired Performance - Reasonable Suspicion Drug Testing 6 12 24.docx](#)
- [!\[\]\(9abadd8da856b8c30a90f8699372d5a7_img.jpg\) D-2 Post Accident Drug Test 5 17 24.docx](#)
- [!\[\]\(72248d629b65dfc3dab3a5d21ed3e2af_img.jpg\) D-3 Observation Check Lisa 5 17 24.docx](#)
- [!\[\]\(8729def1b55d42f94c7d42be3e368c01_img.jpg\) D-4 Reasonable Suspicion Drug Testing Employee Information \(1\) 6 12 24.docx](#)
- [!\[\]\(c4ec5b3adf6b09dea4d40dc97a2df580_img.jpg\) F BH Drug Testing List 5 7 26.docx](#)
- [!\[\]\(d10777cdada3063c66813646fb4e1f42_img.jpg\) Impaired Performance Examination Including Reasonable Suspicion Drug Testing - Program Flow 5 17 24.docx](#)
- [!\[\]\(8e066b970ada6d2d030fbf119365235c_img.jpg\) Notice Policy Statement to Employee and Job Applicants REV 5 7 26.docx](#)
- [!\[\]\(f4fda3513441bd7d000647a071d81de3_img.jpg\) VOYA Leave Administration Process Brochure.pdf](#)

Approval Signatures

Step Description	Approver	Date
SVP, Chief Human Resources Officer	Marcy Mills-Matthews: Senior Vice President, Chief Human	08/2026

	Resources Offic	
Quality Check	Samantha Amador: Policy Services Analyst	08/2026
Collaborators: Employee Health	Kristina Castro: Regional Manager, Employee Health	08/2026
Collaborators: Employee Health	Lisa Brown: Corporate Director, Employee Health	08/2026
Collaborators: Employee Health	Miguel Lopez Jr: Executive Director, Human Resources Operations	08/2026
SVP, Chief Human Resources Officer	Marcy Mills-Matthews: Senior Vice President, Chief Human Resources Offic	08/2026

Applicability

Broward Health, Broward Health Coral Springs, Broward Health GME, Broward Health Imperial Point, Broward Health LAB, Broward Health Medical Center & FSED, Broward Health North & FSED, Broward Health Physician Group, Broward Health Point, Broward Health Weston