

THE RAPIDLY CHANGING FACE OF SUBSTANCE ABUSE

A Defining Moment for Employers

Presented By
Christine Clearwater, President
Drug-Free Solutions Group, LLC
In Partnership With
Captive Resources, LLC

WHAT IS THE GOAL FOR TODAY?

TO UNDERSTAND & WHAT YOU CAN DO ABOUT:

1. THE BIG PICTURE;
2. MARIJUANA;
3. SYNTHETIC DRUGS;
4. PRESCRIPTION DRUGS; AND
5. ENSURING A SOUND DEFENSIBLE PROGRAM.

AS OF 2011

**LEADING CAUSE
OF ACCIDENTAL
DEATH**

DRUGS

AS OF 2010-2013

**FATAL CAR
CRASHES
INVOLVING POT
IN COLORADO**

**300%
INCREASE**

AS OF 2012

**1 PERSON
DIES EVERY
10 MINUTES**

DRUG ABUSE

BETWEEN 2000 & 2013

**PRESCRIPTION
DRUG ABUSE**

UP 500%

2013

ER DRUG OVERDOSES

3.1 M

UNINTENTIONAL
OVERDOSES

82%

RXs OVERDOSES

60%

PAINKILLERS

71%

2013

HIGH SCHOOL SENIORS THAT
ADMIT TO ABUSING RXs

1 OUT OF 10

RXs NOT PRESCRIBED BY A
PHARMACIST

71%

CDC CLASSIFICATION OF RXs
ABUSE

EPIDEMIC



KEY APPROACH IS . . .

Not A Moral Or Ethical Issue ~
It's A Business Decision !



Legalization



STATUS OF MARIJUANA LAWS (3/1/15)

Arizona

Alaska *

California

Colorado *

Connecticut

Delaware

District of Columbia *

Hawaii

Illinois

Maine

Maryland

Massachusetts

Michigan

Minnesota

Montana

Nevada

New Hampshire

New Jersey

New Mexico

New York

Oregon *

Rhode Island

Vermont

Virginia

Washington *

ALTERNATIVES TO MEDICINAL MARIJUANA?

YES: There are FDA approved and prescribed man-made drugs on the market that either are taken directly from the plant or are synthetic versions - all that mimic THC. These THC compounds include:

Nabilone/Cesamet (1985) Dronabinol/Marinol (1999)
Cannabinor (2006) Sativex (2011)
Dexanabinol (2013)

STUDIES: Cancer Epilepsy Glaucoma
HIV / AIDS Multiple Sclerosis (MS)

IS MARIJUANA THE SAME AS ALCOHOL?

ALCOHOL: Ethanol - eliminated from the body within hours

MARIJUANA: 400+ chemicals - can stay in the body for weeks &

DEA: Federal government classifies marijuana as a
Schedule I Controlled Substance

WHAT ARE SOME OF THE EFFECTS?

SHORT-TERM effects of marijuana

- Sensory distortion (sights, sounds, time, touch)
- Depth perception & impaired driving and other psychomotor skills
- Poor coordination - loss of motor coordination
- Lowered reaction time

LONG-TERM effects of marijuana

- Reduced resistance to illness (colds, bronchitis, etc.)
- Reduced ability to learn, retain information & understand things clearly
- Apathy & lack of motivation
- Personality & mood changes / psychosis
- Addiction

WHAT ARE WE SURE OF?

A MARIJUANA USER:

- Affects safety (operate machinery, drive, & make sound decisions)
- Puts themselves, co-workers, company, family, general public & community at risk
- It is addictive



STATUS OF WORKPLACE MEDICAL MARIJUANA?

Prohibit ?

Most state laws do not require employers to accommodate medical use of marijuana including use, possession or being under the influence and disciplining accordingly
(Exceptions: CT HI RI ME & VT)

ADA ?

Does not cover “current use” of by applicant or employee – therefore not a “qualified individual” with a disability.

W.C. Claim ?

Most states will not pay an injured worker who was under the influence of marijuana at the time of the accident.
(CO MI MT & VT have statutes or regulations specifically stating insurers don't have to pay for a WC claim)

Prescription ?

Most state health insurance programs will not pay for medical marijuana

CASE LAW - continued

In Summary:

In general, state medical marijuana laws do not restrict private-sector employers from prohibiting marijuana use, drug testing for it & disciplining for it as a policy violation.

NOTE: Most states have case law stating companies could be held liable if it fails "a duty to prevent foreseeable injury".

WHAT ARE SYNTHETIC DRUGS?

SYNTHETIC DRUGS:

Plant substances in packets coated with toxic chemicals targeting receptors *simulating the same effects* as THC, coke, meth, ecstasy, LSD, etc. at a much higher potency.



SYNTHETIC DRUGS - continued

There are dozens of products today sold as herbal smoking blends, legal bud, herbal smoke, marijuana alternatives, fake weed or herbal buds & include:

K2 Spice Gold
Spice
Spice Diamond
Yucatan Fire
Solar Flare
K2 Summit
Genie
PEP Spice
Fire n" Ice
Bliss
Black Mamba
Bombay Blue
Zombie World
Bad-to-the-

Bone
Blaze
Dark Night
Earthquake
Berry Blend
The Moon
G-Force
K2 Blonde
K2 Standard
Blueberry Haze
Dank
Demon Passion Smoke
Hawaiian Hybrid
Magma

Ninja
Ono Budz
Panama Red Ball
Puff Sativah Herbal
Smoke
Skunk
Ultra Chronic
Voodoo Spic
Aroma

OTHER DRUGS?

COCAINE:

METHAMPHETAMINE:

ALCOHOL:

HEROIN:

ECSTASY:

LSD:

PRESCRIPTIONS:



WHO ARE THE USERS?

These drugs are used by people ...

rich or poor, from big cities

or small towns, of any race or creed.

WHAT PRICE DO YOU PAY?

DIRECT COSTS:

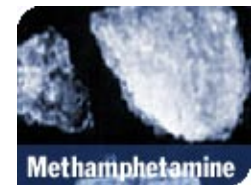
- Absenteeism
- Productivity
- Pilferage
- Accidents
- Medical Benefits
- Violence/Sexual Assaults
- Workers Comp Claim
- Unemployment Comp Claim
- Turnover
- Morale
- Major Law Suit
- Potential for Litigation



WHAT ARE THE COMPONENTS OF A SOUND PROGRAM?

5 PROGRAM OBJECTIVES TO REACH:

1. Policy and procedures
2. Education for employees (some states mandatory)
3. Training for managers (some states mandatory)
4. Drug and alcohol testing
5. Access to support



KEY RULES TO SET?

- USE / POSSESSION:** (Alcohol, Illegal & Illegally Used Drugs, Paraphernalia)
- UNDER THE INFLUENCE:** (Alcohol, Illegal Drugs, Illegally Used Drug)
- ALCOHOL:** (When Where How Much Is Permitted to Consume/Store)
- PRESCRIPTION DRUGS:** (Procedures/Safety-sensitive List/Consequences)
- REFUSAL TO BE TESTED:** (Detail/Consequences)
- CONVICTION / ARREST:** (On & Off Company Time)
- DRUG / ALCOHOL TESTING:** (When Definitions & Procedures)
- CONSEQUENCES:** (Have Options)
- REFERRAL PROCEDURES:** (Especially For Reasonable Suspicion & Post-Accident)
- STATE AMENDMENTS:** (Needed For Each State Company Operates In)

WHEN MAY A TEST TAKE PLACE?

SAMPLE OF TESTING OPTIONS:

1. Pre-employment drug test *
2. New-hire evaluation period drug test
3. Reasonable suspicion drug and alcohol test *
4. Post-accident drug and alcohol test *
5. Return after lay-off drug testing (Return to duty) *
6. Random drug testing *
7. Client required drug and/or alcohol test
8. Follow-up drug and/or alcohol test *

* *DOT employers must have separate policy & procedures from their non-regulated policy & procedures.*

WHAT TESTING TECHNOLOGY OPTIONS ARE THERE?

TESTING COLLECTION & TESTING PROTOCOLS

DRUG OPTIONS:	Urine - Oral Fluids – Hair
ALCOHOL OPTIONS:	Breath - Oral Fluids – Blood
COLLECTION SITE:	Off Site and/or On Site
OFF SITE FACILITIES:	Certified
LABORATORY:	Certified
TAMPERING:	Adulterated – Substituted - Diluted

SAMPLE COST OF TESTING

COMPANY OF 100 EMPLOYEES:

<i>Type Test</i>	<i># of Tests</i>	
Pre-employment	20	(20% turnover)
New Hire Evaluation	20	
Reasonable Suspicion	5	(drugs and alcohol)
Post-accident	10	(drugs and alcohol)
Random	35	(35% rate)
Follow-up	0	

105 tests at \$30 / \$44 per test = \$3,150 / \$4,620

ACHIEVE TODAY'S GOALS?

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WHO BENEFITS WITH A SOUND PROGRAM?

- You
- Nonusers
- Users
- Company
- Vendors and suppliers
- Customers and clients
- Community
- General public
- Improved Risk Control Assessment



YOUR CHOICE NOW !

**A DEFINING
MOMENT
FOR
YOU**

4 STEPS IMPORTANT TO TAKE

1. Review & update your policy to ensure it is comprehensive & defensible
2. Have a policy with specific rules & procedures on marijuana, synthetic drugs & RXs
3. Know the state & case laws for all states your company operates in
4. Comply with federal regulations as it relates to marijuana & synthetic drugs

DSG SERVICES

1. Policy & Procedures (non-regulated & regulated)
2. Legal Review (all 50 States & Canada & Mexico)
3. Employee Education / Manager Training
4. Program Audits / Policy Reviews
5. Speeches / Workshops / Webcasts
6. Drug & Alcohol Testing Coordination

DSG Will Provide A Courtesy Policy Review

561-266-5111 christine@drugfreeatwork.com