



# TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER

## Operating Policy and Procedure

### HSC OP: 77.15, Working with Affiliated Entities - Student Drug Screenings

**PURPOSE:** Texas Tech University Health Sciences Center (TTUHSC) students enrolled in clinical programs are entrusted with the health, safety and welfare of patients. The safety and welfare of patients cared for by TTUHSC students is of primary concern in all TTUHSC clinical programs and its contracted affiliated entities that provide essential clinical experiences for TTUHSC students. Clinical rotations are an essential component of TTUHSC programs, and in conjunction with those clinical rotations, TTUHSC must also satisfy contractual obligations with those contracted affiliated entities, which may include student drug screening before commencement of clinical rotations.

**REVIEW:** This HSC OP will be reviewed by November 1 of each even-numbered year (ENY) by the Associate Provost for Student Affairs, Senior Associate General Counsel, Academic Affairs and Curriculum Committee, and Academics Council.

### POLICY/PROCEDURE:

#### 1. Defined Terms

**Student:** For purposes of this policy, the term “student” applies only to students enrolled in TTUHSC schools who are participating in clinical experiences and does not include residents in the School of Medicine or the School of Pharmacy.

**Affiliated entity:** For the purposes of this policy, the term “affiliated entity” is defined as a clinical organization and/or facility, such as a hospital, surgical center, outpatient clinic, diagnostic center, or other entity engaged in the direct provision of healthcare and related services. This specifically includes, but is not limited to, a healthcare entity sponsored and/or operated by TTUHSC.

**Medical review officer (MRO):** A licensed physician responsible for receiving laboratory results, who has knowledge of substance use disorders and has appropriate medical training to interpret and evaluate an individual's positive test results together with that individual's medical history and any other relevant biomedical information.

**Break in enrollment:** For the purposes of this policy, a break in enrollment shall be defined as not being enrolled for one full semester.

**Positive drug screen:** Any instance in which a drug screen report shows a positive result for one or more of the drugs included in the screen required by an affiliated entity.

**Drug Screen:** The collection and analysis of blood, urine, hair, or saliva to detect the presence of the chemicals and contaminants left behind in the body due to drug use.

#### 2. Background

TTUHSC enters into affiliation agreements with various affiliated entities in order to provide clinical experience opportunities for its students enrolled in TTUHSC clinical education programs.

Affiliated Entities may establish more stringent standards for students who wish to do a clinical rotation at the affiliated entity than those required by TTUHSC as part of its admission process. Affiliated Entities may require students, among other things, to undergo and satisfactorily pass additional background checks and/or drug screenings as a pre-requisite to participating in a clinical rotation at the Affiliated Entity.

Clinical rotations are an essential element in certain degree programs' curricula. Students who cannot participate in clinical rotations due to a positive drug screening may be unable to fulfill the requirements of a degree program.

3. **Clinical Placement**

Placements at affiliated entities for clinical rotations will be based on the learning objectives as defined by each program consistent with the learning objectives of each student. Determination of unacceptable results of a drug screening will be made by the affiliated entity. Any student placed with an affiliated entity that requires additional background checks and/or drug screens must discuss all available options with their School's Office of Student Affairs or their designee.

Affiliated entities may conduct their own drug screening. If the student fails the drug test and is consequently denied a clinical placement, he or she shall be subject to disciplinary action in accordance with the TTUHSC policies.

4. **Responsibility of the School**

With the Exception of the School of Medicine (SOM), the student's school shall:

- A. Notify the student of the requirements for any drug screen required by an affiliated entity, including the type(s) of drug screen required, associated deadlines, a list of approved drug screen testing vendors, and a completed authorization and consent form for signature by the student.
- B. Receive the student's drug screen test results, which shall be maintained in a secure and confidential file separate from the student's primary educational records.
- C. Notify and certify to the affiliated entities that all students have met their drug screening requirements prior to clinical rotations at their facilities.

5. **Responsibility of the Student**

The student shall:

- A. Pay for the cost of any and all drug screens required by an affiliated entity to which they may be assigned.
- B. Have the opportunity, but not be required, to disclose the use of any substances or prescription medications they believe may result in a positive drug screen. Students who wish to make such disclosures should contact their school's senior academic officer for student affairs or their designee.
- C. Complete the drug screen prior to the deadlines provided by the school and meet the guidelines of the affiliated entity. Failure to complete the drug test prior to the deadlines may result in an additional expense to the student, and/or delay in, or denial of, rotation at the affiliated entity.
- D. Use a drug screen vendor from the designated vendors provided to the student by their school and/or the affiliated entity. Results from a vendor not designated by the school and/or the affiliated entity will not be accepted and the student shall be required to have the drug screens conducted by an approved vendor.
- E. Sign a valid consent and authorization form consenting to the drug screen and authorizing the vendor to report the results to the person designated by the school to receive such results under this policy.

## **6. Additional Responsibilities of Students in the School of Medicine and the Office of Institutional Health and Wellness**

- A. Students in the School of Medicine required to have drug screens for affiliate sites will need to coordinate with the school directly on what the sites specific requirements are.
- B. Once the student has obtained their results from the drug screen, the results are sent to the SOM coordinator in the TTUHSC Office of Institutional Health and Wellness.
- C. The coordinator will review all results, if results are:
  - i. Negative results - the coordinator will clear and create an attestation letter that will go to the student and/or the site directly.
  - ii. Positive results - the student will be required to submit a physicians note stating the diagnosis requiring the use of that medication, a prescription will not meet this need, it must be an actual diagnosis.
- D. If further review is needed based on positive results without a diagnosis, the student will be contacted for further follow-up.
- E. All record management for the SOM urine drug screens will be housed in the Office of Institutional Health and Wellness electronically on secured server.

## **7. Student Refusal to Consent to Drug Screen**

Any student who fails or refuses to consent to a drug screen required by an affiliated entity to which the student has been assigned by their school shall be subject to disciplinary action in accordance with the TTUHSC Student Handbook/Code of Professional and Academic Conduct, any pertinent school policies, and this institutional policy. Students may be unable to complete the degree/certificate program in which they are enrolled due to the inability to participate in required clinical experiences based on noncompliance with drug screening under this policy, and may be subject to dismissal on that basis.

## **8. Third Party Vendors**

TTUHSC may contract with third-party vendors for drug screenings required by clinical sites. Third-party vendors providing drug screening services must comply with university standards and protect student privacy.

- A. Vendors must comply with privacy laws, including FERPA and HIPAA.
- B. They must demonstrate robust data protection measures.
- C. Vendors will collect only necessary data, securely store and transmit it, and prevent unauthorized access.
- D. Data must not be shared with unauthorized third parties.
- E. Students will be informed about the drug screening process and data protection measures.
- F. Vendors must have policies for data retention and deletion.
- G. Immediate notification to the university is required in case of a data breach, with full cooperation in investigations.
- H. The university will audit vendors regularly to ensure compliance with privacy and security standards.

## **9. Period of Validity – Drug Screen Results**

Unless there is a break in enrollment, or unless otherwise required by an affiliated entity, drug screen test results shall generally be considered valid for the time the student is enrolled in a given degree and/or certificate program within the School.

Depending on the number of outside clinical rotations a student may participate in, students may be required to undergo drug screens more than once, depending on the requirements of each affiliated entity to which the student is assigned to meet their learning objectives.

## **10. Drug Screen Results**

- A. **Diluted Specimen** Should the vendor report that a drug screen specimen was diluted, precluding an accurate screen, the student will be required to complete a new drug screen.

**B. Negative Drug Screen Results.** The school that receives the student's drug screen test results may release negative drug screen test results to the student.

**C. Positive Drug Screen Results**

- i. Any student with a positive drug screen will not be placed at any clinical rotation, pending review and outcome of any appeal through the vendor.
- ii. The student has the right, at their expense, to request an independent review of any positive drug screen by an independent medical review officer provided by the vendor. There may be an additional charge if a review by the medical review officer is requested, and the student is responsible for all costs related to such reviews. If a student pursues a drug screen appeal, the independent medical review officer and vendors must be a SAMHSA accredited/licensed and conduct business in Texas.
- iii. Any appeal based on a positive drug screen is solely between the student, the medical review officer, and the vendor. The student's school will not become involved in the appeal of a positive drug screen.
- iv. If, after review by the independent medical review officer, there is no valid medical basis that would cause or contribute to the positive drug screen, the test results will stand.
- v. A student with a positive drug screen will be referred to the school's Office of Student Affairs for disciplinary action in accordance with school's policies and procedures.

**11. Confidentiality of Records**

Drug screen reports and all records pertaining to the results are considered confidential information with restricted access to the extent allowed by law. Faculty and staff who are designated to handle student drug screening reports have a legitimate educational interest in accessing the information contained in education and medical records.

**12. Re-admission**

Eligibility for re-admission to TTUHSC of any student who withdraws or is dismissed due to a positive drug screen without medical validation will only be eligible for re-admission to any TTUHSC program of study in accordance with the re-admission policies of the school(s) and program(s) to which they apply.

If accepted for re-admission, the student must, at their own expense, provide a negative drug test and satisfactory documentation of completion of any remedial action required by the school.

**13. Right to Change Policy**

TTUHSC reserves the right to change, modify, amend or rescind this policy in whole, or in part, at any time.