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Medical

OSAN AB DRUG TESTING PROGRAM (PA)

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This instruction implements AFD 44-1, *Medical Operations*, and prescribes the organization, operation, and areas of responsibility in accordance with AFI 44-120, *Air Force Drug Testing Program*, establishing and explaining the Osan Air Base (AB) Drug Testing Program (DTP). It outlines and assigns responsibilities, procedures, and duties for implementation and control of the drug-testing program at Osan AB and defines who will be trusted agents for the DTP. All active duty military members assigned to Osan AB are responsible for participating in this program and have a duty to abide by the rules and procedures contained in this instruction. Failure to perform the duties imposed by this instruction constitutes a violation of Article 92, *Uniform Code of Military Justice (UCMJ)*. References: AFI 37-132, and AFI 44-120.

This instruction is affected by the Privacy Act of 1974. Each form subject to the provisions of AFI 37-132, Air Force Privacy Act Program (PA), and required by this instruction, contains a Privacy Act Statement, either incorporated in the body of the form or in a separate statement accompanying it. The authorities to collect personal information and maintain systems of records listed in this instruction are 10 U.S.C. 8012 and 42 U.S.C. 290 ee-3.

SUMMARY OF REVISIONS

Deletion of discussion regarding who is responsible for providing observers (Para 4.). Changes in terminology and Certifying Official. A bar() indicates revision from the previous edition.

1. General Purpose/Policies:

1.1. All military personnel assigned or attached to Osan AB, including geographically separated units (GSU), will be subject to the Drug Testing Program (DTP) on a regular basis. There will be no blanket exemptions. Therefore, individual(s) who cannot provide a specimen because of mission requirements will be monitored by their commander, first sergeant, and/or trusted agents. Once the member is available for testing, they will be contacted, given their copy of the notification letter, and directed to report

to the testing site. Members may not be excluded from providing a sample solely on the basis of shift work. NOTE: If the completion of those duties extends past the designated hours of the urinalysis testing, the commander or other trusted agent must NOT notify the member until the next random urinalysis testing takes place. Upon notification, the member selected for the random urinalysis has, from the time of notification, no more than two hours to report to the designated testing site to provide the sample. When the member is notified that the test site will close before their 2-hour reporting period expires, they must report to the test site before it closes. After reporting to the designated area to provide a urine sample, no member may leave that immediate area until a satisfactory sample is collected.

1.2. Samples may be collected at the discretion of the Demand Reduction Program Manager (DRPM) with approval by the 51 FW/CC. Disciplinary action should be considered, after consultation with the legal office, for members who do not present themselves within two hours after being notified, or who leave the testing area prior to providing a sample.

2. Terms:

2.1. Trusted Agents. The 51 MDG staff with direct involvement in the program, Staff Judge Advocate (51 FW/JA) or their designee, unit commanders, first sergeants, and other selected personnel (holding the rank of E-4 or above) designated by commanders to assist in notifying selected members.

2.2. Monitors. Individuals who collect the samples from the members and ensure proper procedure for chain of custody. These may include laboratory personnel and other individuals appointed by the DRPM and/or Life Skills Support Flight Commander.

2.3. Observer. The individual who escorts the member and directly observes the urine leaving the member's body and into the container. These members must be in the rank of SSgt (E-5) or above, must be of the same sex, and must sign the observer responsibility letter prior to observing.

3. Responsibilities:

3.1. The 51 MDG/CC will:

3.1.1. Provide supervision, support, and guidance to the DRPM, 51 MDOS/SGOH (Life Skills Support Flight).

3.1.2. Assign the DRPM as the office of primary responsibility for the military and civilian drug-testing program,

3.2. The Demand Reduction Program Manager will:

3.2.1. Set allocations for the number of specimens to be collected and number of testing days at Osan AB each month based on quotas set by HQ PACAF/SG.

3.2.2. Generate lists of personnel to be tested using rosters provided by the Military Personnel Flight and the Air Force Drug Testing Program software.

3.2.3. Conduct specimen collection on each regular duty day and as requested by the squadron, group, or wing commander(s) (e.g., unit sweeps).

3.2.4. Ensure an adequate number of monitors and observers are available for collection of specimens.

3.2.5. Notify Air Force Office of Special Investigation (AFOSI), 51 FW/JA, and unit commanders of Medical Review Officer (MRO) verified positive urinalysis results. The DRPM will notify AFOSI prior to notification of the unit to allow questioning of the member who tests positive. The AFOSI will notify the positive member's commander prior to questioning.

3.2.6. Ensure all units employ a standard notification letter (attached) that provides for recording the time of notification and the time of reporting at the testing site. If the 2-hour time limit is exceeded, the unit commander or first sergeant will provide a written explanation to the Drug Testing Program Administrative Manager (DTPAM).

3.2.7. Monitor no-show statistics by squadron and report these results to 51 FW/JA on a daily basis.

3.3. DTPAM will:

3.3.1. Designated, in writing, by the 51 MDG/CC and is responsible for the proper collection of urine specimens.

3.3.2. Administer on-site collection and training.

3.3.3. Ensure urinalysis collection is accomplished according to AFI 44-120 and this instruction.

3.3.4. Ensure required materials are available for testing and chain of custody of the urine samples is maintained.

3.3.5. Provide training and written instructions for monitors and observers.

3.3.6. Notify the DRPM of personnel failing to show for testing within the required 2-hour time limit.

3.3.7. Inform the DRPM of MRO validated positive test results by close of business on the day the message is received.

3.3.8. Ensure that specimen collection log is annotated to reflect the time a specimen provider arrived at the testing site and the time they provided their specimen.

3.4. The 51 FW/JA will:

3.4.1. Inspect chain of custody procedures quarterly.

3.4.2. Advise commanders how to properly use urine testing and how to handle members who are no-shows.

3.5. Squadron Commanders will:

3.5.1. Designate, in writing, the first sergeant and no more than six other personnel to assist in receiving notification letters and to personally distribute them to the named individuals. The notifications will be made to CCs, CCFs, and Trusted Agents no earlier than two hours prior to the start of the random testing. Unit notifications will be accomplished by fax. Units may be notified by e-mail, but only if the e-mail is encrypted.

3.5.2. Unit commander-signed form letters with the name filled in by unit CCFs or Trusted Agents may be used to notify individuals they have been selected for testing.

3.5.3. Ensure selected members, regardless of work shift, test on the testing day and report to the testing site within two hours of notification. If the member is notified within less than two hours of

the end of the testing period, member must report immediately. Members must not show after the testing time is complete. If a member is notified after the testing site is closed, the unit is responsible for providing a same sex observer, E-5 or above, to escort the specimen provider to the designated testing site. Upon arrival at the designated testing site, the escort will be trained in the duties required of an observer.

3.5.4. Verify the status of those personnel who fail to test on the required test date (e.g., leave, TDY, crew rest, PCS). Members not available for testing during the assigned test period (TDY, leave, etc.) are to be notified upon return only if it is a day of urinalysis testing and the test site is open.

3.5.5. Units must establish and maintain an internal tracking system of personnel who were selected, but unavailable (e.g., leave, TDY, crew rest, etc.). Units will use their developed tracking system to ensure that selected members (who return to duty before the date provided to the DTPAM/DRPM) are notified and sent to the testing site upon their return to duty.

3.5.6. Ensure every effort is made to maintain the integrity of the program. There are no blanket exemptions from this mandated program. Only in the event of mission degradation must a member be excused. If other individuals can perform the duties of the selected member, every effort must be made to send the selected person to the assigned testing area at the appointed time.

4. Reasons For Not Participating In The Random Urinalysis Process:

4.1. Member has departed station. Fax the DRPM with the date of Permanent Change of Station.

4.2. Member is TDY. Regardless of the length of TDY, members who were selected for drug testing during their TDY are required to test immediately upon their return to duty at Osan AB. Annotate via fax the date the member is expected to return and be eligible to test.

4.3. Member is on leave. Individuals do not need to be recalled when on leave status. Regardless of the length of leave, members are required to provide a specimen immediately upon their return to duty at Osan AB. If the member's return to duty is on a day the testing site is closed, withhold notification until the designated collection points are open. Annotate via fax the date the member is expected to return and be eligible to test.

4.4. Member is on convalescent leave. Regardless of length of convalescent leave, the member is required to provide a sample upon return. If the member's return to duty is on a day the medical laboratory or testing site is closed, withhold notification until the designated collection points are open. Annotate via fax the date the member is expected to return and be eligible to test.

4.5. Member is on terminal leave. Member must actually be on terminal leave to be excused.

4.6. Member is placed on quarters by the 51 MDG. This must be designated in writing and the member is required to provide a sample at the first available testing date. Annotate via fax the date the member is expected to return and be eligible to test. However, if the member is notified first and then placed on quarters, every effort must be made to obtain a sample.

4.7. Member is on crew rest or is performing mission essential duties (such as flying). Annotate via fax the date the member is expected to be available to test.

4.8. Members who are on permissive TDY in conjunction with retirement, pre-separation, or job or residence searches, and who will not be returning to Osan AB for final out-processing, will be deemed

unavailable for testing. If member returns to Osan AB and is not accomplishing final out-processing, on the day of return all attempts must be made to notify member and have him/her report to the testing site to provide a specimen.

5. Selection Process For Personnel Providing Samples: All active duty personnel assigned to the 51 FW and GSUs are subject to participate in the urinalysis process. Selected names are provided by the AFDTP computerized program.

6. Selection Criteria For Observers: Squadron commanders within the 51 MDG will be responsible for selecting observers from their units. The number of observers will be determined by the DTPAM or DRPM and each unit will be tasked accordingly. Personnel selected as observers must be the same sex as the member testing and be an E-5 or above. Observers must stay at the testing site until all same sex members have provided their specimen. Observers must not be:

- 6.1. Suspended from flying duties, PRP, or AFSC duties for reasons of incompetence or where mental capacity may be questionable.
- 6.2. Pending disciplinary or administrative action.
- 6.3. Previously tested positive for drug use or convicted by any court of a drug offense or any offense punishable by more than one year of confinement.
- 6.4. Previously found (in a judicial, nonjudicial, or administrative proceeding) to have committed any crime involving deliberate falsehood (including false official statements, forgery, false pass offenses, perjury, false swearing, larceny by false pretenses, fraudulent enlistment, fraud, impersonation, altering a public record, obstructing justice, or hoax).
- 6.5. Pending PCS assignment or retirement/separation within 45 days.
- 6.6. Identified as having an Unfavorable Information File (UIF) or being on the Control Roster.
- 6.7. Under any prescribed medication which impairs judgment and/or precludes military duties.
- 6.8. Selected to provide samples themselves during the random urinalysis testing.

7. Testing Procedures:

7.1. Observers will report to the drug testing site 10 minutes prior to the start of the random urinalysis testing. At this time either 51 FW/JA, DRPM, or the DTPAM will provide a briefing regarding their responsibilities.

7.2. Reporting for testing for routine inspection testing:

7.2.1. Personnel selected to be tested will be sent to the designated area defined in the notification letter within two hours of notification, but not later than the end of the inspection, whichever is sooner.

7.2.2. Members will report to the testing site with one copy of the notification letter and their military identification card (DD Form 2AF). In the event the member does not possess a DD Form 2AF, some valid form of picture identification with the member's social security number on it will suffice. There is no requirement to report in military uniform if the member is off-duty.

7.2.3. After members report to the testing site, they will not be permitted to leave the immediate area without an escort until providing a satisfactory urine sample. Water will be provided at all testing sites.

7.3. Reporting for testing for other than routine purposes:

7.3.1. Retest:

7.3.1.1. The following classes of military personnel will be ordered to report for retesting:

7.3.1.1.1. Personnel randomly selected for a urinalysis inspection test whose urine sample is reported by the drug-testing laboratory as positive for the presence of any illegal or non-prescribed drug.

7.3.1.1.2. Personnel randomly selected for a urinalysis inspection test whose urine sample is rejected because the drug-testing laboratory has determined the substance to be other than urine, or urine which has been adulterated or diluted with foreign substances.

7.3.1.2. Under the conditions specified in paragraphs above, the member will be ordered to undergo another urinalysis inspection test on the next available testing date. If the member is on leave or TDY at the time a MRO validated positive test result is received, the member must report for testing at the first testing opportunity after the member's return. This subsequent test will be considered a continuation of the original inspection. If the subsequent test results fall within the parameters of these paragraphs, the member will be required to test again and these retests will be repeated as explained above, until a negative result is received from the drug testing facility. As with the first retest, all subsequent retest conducted pursuant to this section will be considered continuations of the original random urinalysis inspection test. Evidence obtained may be used in administrative and/or disciplinary action under the UCMJ and may be used to refer a member to the Alcohol and Drug Abuse Prevention and Treatment Program (ADAPT).

7.3.2. Consensual. Consensual urinalysis occurs when the member voluntarily consents to a request to provide a urine sample for the detection of illegal substances. Commanders should always ask the member whether or not they will consent to a urinalysis prior to obtaining a probable cause (PC) or ordering a commander directed (CD) urinalysis. Members are subject to administrative and disciplinary action under the UCMJ for this type of urinalysis collection procedure. Again, 51 FW/JA should be consulted before taking any action. Also, an AF Form 1364, Consent for Search and Seizure, should accompany the member when reporting to the drug testing site with the observer.

7.3.3. Probable Cause. The PC urinalysis testing must have the recommendation of the legal office. The designated Military Magistrate will, if deemed proper, authorize PC testing. Documentation must be annotated on AF Form 1364, Consent for Search and Seizure, and provided to the laboratory at the time of testing. If obtaining this documentation will unnecessarily delay the member from providing a sample, this documentation may be provided after the fact. Security Forces or AFOSI will be the observer of these individuals. Members of Security Forces or AFOSI are not required to be an E-5 or above to accomplish these duties. These members will, however, be briefed on proper collection procedures. Positive results from a PC urinalysis may be used in administrative and/or disciplinary actions under the UCMJ.

7.3.4. Commander Directed. The Commander Directed urinalysis may be used when there is insufficient evidence to constitute PC and the member refuses to consent to drug urinalysis. Commanders should contact the legal office for all Commander Directed urinalyses. Positive results from a Commander Directed urinalysis may be used only for administrative and not punitive actions. It is recommended that the first sergeant or commander (whichever is most appropriate) accompany the member as an observer. Evidence obtained through a Commander Directed urinalysis test may not be used for disciplinary action under the UCMJ. Such evidence may be used as a basis for discharge, but may not be considered to determine service characterization. Such evidence can be used for entry into the ADAPT Program.

7.3.5. Rehabilitation. Testing of individuals in the ADAPT program will be scheduled by the ADAPT NCOIC in conjunction with the DRPM. Test date and time will be documented in the member's case file. Evidence obtained as part of a member's participation in the ADAPT program may be used as a basis for discharge, but may not be considered to determine service characterization. Positive results may not be used to support disciplinary action under the UCMJ.

7.3.6. Unit Sweeps. Commanders must contact 51 FW/JA, 51 MDOS/SGOH, and the DRPM to coordinate a unit sweep. The DRPM will require a 10 duty day advance notification prior to conducting a base level unit sweep. When a GSU is requesting a sweep, the DRPM will require 30 calendar days advance notification. Observers for unit sweeps can be from the same organization, but those individuals to be exempted must be named on the unit sweep notification letter that is sent to the 51 FW/JA, 51 MDOS/SGOH, and DRPM. Unit provided observers must meet the criteria as outlined in paragraph 7., Selection Criteria for Observers.

7.3.7. Medical. Medical urinalysis for detection of drug use is primarily indicated in aiding the provider in medical treatment. A chain of custody form is normally not used and any drugs detected are reported as positive or negative. Positive results may be used in administrative and/or disciplinary action under the UCMJ. Such evidence can be used for entry into the ADAPT program.

7.4. Recording urinalysis testing results:

7.4.1. Positive results are first received via separate message from Brooks Laboratory. After aMRO validated positive result, AFOSI, 51 FW/JA, the individual commander, and the DRPM will be notified in writing. The affected member must not be notified of their positive results until the AFOSI has had an opportunity to question the individual. The AFOSI will coordinate with the member's commander prior to questioning.

7.4.2. Negative results will be kept on file in the 51 MDG's Demand Reduction office and will not be distributed to the units. Commanders, first sergeants, and individuals who need to know may obtain reproduced copies of negative test results from the Demand Reduction office.

8. Geographically Separated Units: CC, CCF, and/or Trusted Agents will, upon receipt of random urinalysis selection notification via e-mail or facsimile from Osan AB DRPM/DTPAM, notify selected indi-

viduals. Drug testing for Geographical Separated Units will be conducted at the established testing sites by the Demand Reduction staff as deemed appropriate.

WILLIAM L. HOLLAND, Brigadier General, USAF
Commander

Attachment 1

SAMPLE LETTER - COMMANDER'S ORDER

DATE

MEMORANDUM FOR (RANK, FIRST NAME, LAST NAME)

FROM: **/CC

SUBJECT: Order to Provide a Urine Specimen - Inspection Testing

1. You have been selected and are hereby ordered to provide a urine specimen for drug testing purposes. Compliance with this order requires that you:

a. Report to (building, room, time, and date for test)

b. Surrender your ID card upon arrival at the testing location and remain at the testing location until you have provided your urine specimen, your ID card has been returned to you, and you have been given permission to leave.

c. Be observed urinating directly into the bottle, or other receptacle, provided to you for collecting the urine specimen.

d. Avoid contaminating the specimen. Fill the bottle, or other receptacle provided to you, with a minimum of 30 milliliters of your urine.

2. Failure to comply with this order in any way may result in disciplinary action against you under the Uniform Code of Military Justice (UCMJ). You will acknowledge that you have read this order and understand it by signing below.

RICHARD J. ANYBODY, Col, USAF

Commander

1st Ind, (Rank, First Name, Last Name)

TO: **/CC

I have read and understand this order. I further understand that failure to comply with this order in any way may result in disciplinary action under the UCMJ.

Date/Time Notified:

(First Name, Last Name, Rank)