



31.13 Drug Screening for Individuals Receiving Services from DCS	
Application: To All Department of Children's Services Employees	
Authority: Tennessee Code Annotated §§37-5-105 (3); 37-5-106; 37-1-406; 63-1-152; 42 U.S.C. § 290dd-2 and 42 CFR Subchapter A Part 2; Rules: 0250-07-02.01;0250-07-02.02; 025007-02.03; 0250-07-02.04	Standards: COA: PA-CR 1-2; PA-CFS 6.04; PA-CFS 9.04; PA-CFS 10.02; PA-CFS 17.02; PA-JJCM 4.02
Commissioner:	Date:
Original Effective Date: Current Effective Date: 09/15/23	Supersedes: None Last Review Date: 09/15/23

Glossary:

- ◆ Individual
 - Person receiving or participating in non-custodial (in-home) and/or custodial services.
- ◆ Chain of Custody
 - Chain of Custody is the action of documenting the collection, management and storage of a specimen from the moment a donor provides the specimen to the final destination of the specimen and the review and reporting of the final test result.
- ◆ Confirmatory Screening
 - A second analytical procedure to identify the presence of alcohol or a specific drug or its metabolites in a specimen.
- ◆ Reasonable Suspicion
 - A belief based on specific, objective, articulable facts and the reasonable inferences that may be drawn from those facts, or knowledge sufficient under the circumstances to cause an ordinary prudent and cautious person to believe.
- ◆ Drug Testing
 - A technical analysis of a biological specimen, for example, urine, hair, blood, breath, sweat, and/or oral fluid/saliva, to determine the presence or absence of specified parent drugs or their metabolites.
- ◆ Adulteration
 - Render (something) poorer in quality by adding another substance (e.g., adding water or a chemical to the specimen; tampering.
- ◆ Substance Use Assessment
 - A preliminary systematic procedure to evaluate the likelihood that an individual is abusing substances or has substance use disorder. Screening identifies whether or not formal assessment by a licensed behavioral health clinician is necessary. Screening is intended to identify people at risk for or actually experiencing harm associated with the use of alcohol and/or drugs. Anyone can administer a screen with appropriate training.
- ◆ Drug Screening
 - One tool to facilitate decision-making with families. Drug screening refers to the use of various biologic sources to identify the presence of one or more drugs of use (e.g. urine, saliva, hair, meconium).
- ◆ Indirect Observation
 - Presence in the immediate area balancing the need for privacy with prudent measures for prevention of adulteration or substitution of samples.
- ◆ Direct Observation
 - Visualization of the urine stream leaving the body and entering the screen cup.
- ◆ Drug Testing

- A technical analysis of a biological specimen, for example: urine, hair, blood, breath, sweat, and/or oral fluid/saliva, to determine the presence or absence of specified parent drugs or their metabolites.

Policy Statement:

The Department of Children's Services is committed to promoting the safety and well-being of all children and families served by the Department. The Department utilizes drug screening as one tool, among many, to identify and assess the needs of the family and assure the safety of children. Using reasonable suspicion drug screening as a part of a comprehensive family assessment, the Department, when possible, is able to implement risk-reducing services which may improve the safety and well-being of those children and families served by the Department.

Purpose:

To provide for how and when an individual receiving or participating in non-custodial or custodial DCS services or cases should be drug screened; to identify the type of drug test available; to recognize indications for use; to set out procedures to follow when administering drug tests; and to implement decisions that promote safety and appropriate provision of service.

Procedures:**A. Reasonable Suspicion**

1. DCS employees may request a drug screen from an individual when reasonable suspicion of alcohol abuse, illegal drug use, or abuse of legal drugs exists. Examples of reasonable suspicion include, but are not limited to:
 - a) A DCS employee witnesses observable behavior such as direct observation of drug use or alcohol abuse, possession of a drug or underage possession of alcohol, or the physical symptoms of being under the influence of a drug or alcohol;
 - b) The individual exhibits a pattern of abnormal conduct or erratic behavior;
 - c) The individual is a suspect or has been convicted in a criminal investigation involving drug possession, drug use, drug distribution/trafficking, or alcohol abuse or has been recently arrested for a drug related charge or charge involving the abuse of alcohol;
 - d) A DCS employee learns information indicating the individual may have tampered with a drug or alcohol screen on an open or recent case;
 - e) DCS has received a recent allegation or has a current allegation naming the current or proposed individual as the alleged perpetrator of drug-exposed child;

- f) The individual has drug paraphernalia in his or her possession or in the home;
- g) A DCS employee has reason to believe that the individual is enabling drug use or alcohol abuse;
- h) The individual's social media contains evidence suggestive of alcohol abuse or drug use (e.g. pictures of individuals appearing intoxicated); or
- i) A DCS employee receives information, from a reliable and credible source or that is independently corroborated, that the individual is using drugs or abusing alcohol or that any of the above-listed factors exist.

Note: DCS employees may request a drug screen from a household member when reasonable suspicion exists, and the household member is known or suspected to be a caregiver or has unsupervised access to the child.

2. DCS employees may request a drug screen to comply with a court order.
3. DCS employees generally do not request a drug screen when:
 - a) The individual is already being randomly drug screened within the context of probation or substance abuse treatment, and both of the following are present:
 - ◆ DCS has access to records of the individual's drug screens; and
 - ◆ There is no reasonable suspicion the individual has recently relapsed or tampered with the screen.
 - b) The individual is receiving inpatient care (e.g. hospital, substance abuse treatment provider), and both of the following are present:
 - ◆ Drug screens are provided as a part of the individual's care; and
 - ◆ DCS has access to records of the individual's drug screens.
 - c) If the Child Protective Services assessment or investigation revealed no evidence of substance abuse, and the case is preparing to close as "No Services Needed" or "Unsubstantiated".

Note: Nothing in this section prevents a DCS employee from conducting a drug screen if reasonable suspicion exists.

B. Administering Drug Screens to Adults

1. When reasonable suspicion or a court order requiring DCS to drug screen exists, a DCS employee will attempt to administer a drug screen as soon as possible or as required by the court order.
2. When administering any drug screen, a DCS employee:
 - ◆ Obtains consent for the drug screen, using form **CS-0831, Drug Screen Consent, Refusal and Results**.
 - ◆ If testing an individual with whom the DCS employee is not familiar, the employee attempts to verify the identity of the individual being tested by

requesting to see state-issued photo identification or other recognized identification.

- ◆ Asks the individual about their drug use, including history, frequency, types of substances, and methods of use. This allows the individual to self-disclose what the drug test results are likely to reveal. Employees further ask about medical conditions, prescriptions, and use of over-the-counter drugs.
- ◆ Follows all manufacturer instructions for the individual test being used.
- ◆ Follows universal precautions when handling all specimens, including wearing disposable gloves.
- ◆ Avoids administering a drug test to a caregiver in front of a child or youth whenever possible.
- ◆ Completes form ***CS-0831, Drug Screen Consent, Refusal and Results***.

3. When a DCS employee administers a urine drug screen (UDS), the employee additionally:

- ◆ Provides the individual with a non-reusable, sealed container for specimen collection;
- ◆ Examines specimen for signs of adulteration, as evidenced through evaluation of one or more of the following:
 - Temperature;
 - Color/appearance;
 - Nitrites;
 - Oxidants;
 - Specific Gravity;
 - pH level; and/or
 - Creatinine.
- ◆ Ensures that when directly or indirectly observing specimen collection for a urine drug screen, the following conditions exist:
 - The person consents to the specimen collection; or
 - A court order requires it.
- ◆ Follows a chain of custody collection method and submits a specimen for confirmatory screening when one of the following occur:
 - A drug screen will likely result in court action.
 - The individual submitting the specimen refutes the results in writing, as indicated on form ***CS-0831, Drug Screen Consent, Refusal and Results***.
 - A court order requires it.
 - A DCS supervisor (i.e. Team Leader or Team Coordinator) has reasonable suspicion to believe the drug screening process was adulterated or otherwise inaccurate.

Note: A DCS supervisor may choose not to seek confirmatory screening if the individual with a positive drug screen has provided a clear, detailed statement of their substance abuse, and the statement is consistent with the results of the urine drug screen.

- ◆ Takes the following additional precautions when screening in a **home environment:**
- ◆ Avoids administering a drug screen to a caregiver in front of a child/youth; and
- ◆ With appropriate consent, as documented on ***CS-0831, Drug Screen Consent, Refusal and Results***, assesses the environment where the drug screen is to be administered to help ensure no medications or adulterations are present.
- ◆ Takes the following additional precautions when screening at a DCS office or public location (e.g. court, police precinct):
 - Avoids administering a drug screen to a caregiver in front of a child/youth; and
 - Displays efforts to provide as much privacy as possible, by using a single restroom environment or a large restroom stall.

Note: For additional information and for drug testing children, see [**Work Aid: Drug Screening for Individuals Receiving Services from DCS.**](#)

4. After the result has been interpreted and form ***CS-0831, Drug Screen Consent, Refusal and Results*** is completed, the specimen and screening supplies may be discarded, barring any need to follow chain of custody collection methods detailed above in Section B.3.d.
5. If a subject of screening does not provide a specimen for a urine drug screen, the individual may be offered an opportunity to provide a saliva specimen through use of an oral swab drug screening kit. These kits must follow chain of custody collection methods and must be submitted to a laboratory for confirmatory results. For more information, follow the information contained in the drug screening kit, and see [**Work Aid: Drug Screening for Individuals Receiving Services from DCS.**](#) If a subject refuses a drug screen, document the refusal on form ***CS-0831, Drug Screen Consent, Refusal and Results.***

C. Drug Screening Thresholds

Drug screens used by the Department comply with accepted industry standards.

D. Confidentiality

DCS will follow state and federal law, regulations and DCS policies regarding the confidentiality of protected health information and substance abuse information. See DCS Policies [32.3, Use and Disclosure of Protected Health Information](#) and [14.16, Due Process Procedures and the Release of Information for Alleged Perpetrators of Child Abuse and Neglect](#).

E. Additional Considerations

1. For a majority of situations, drug screening with urine or saliva specimens is the most readily available and cost-effective method. Under some circumstances, such as suspicion of an individual tampering with drug screens or being evasive with efforts to drug screen, an alternative method of drug screening may be appropriate, including but not limited to the following specimens:
 - ◆ Hair follicle analysis;
 - ◆ Fingernail bed analysis;
 - ◆ Extended urine panel analysis; or
 - ◆ Medical review of drug screen.

Note: With the exception of urine drug screening and oral swab drug screening, drug testing must be pre-authorized by DCS Office of Finance and Budget through a Case Service Request (CSR).

2. If a court orders a specific type of drug screen, DCS will follow the court order. A CSR is completed to comply with the court order.
3. Urine and saliva specimens in need of confirmatory testing through laboratory analysis may be submitted to the laboratory. A CSR is completed within one (1) business day of the submission to the laboratory.

F. Usage of Opioid Antagonists

1. DCS Staff may be trained in the use of opioid antagonist for personal safety and/or use in the line of their duties.
2. DCS Staff who receive an opioid antagonist may administer it to a person if:
 - ◆ They have a good faith belief that the person is experiencing an opioid related drug overdose; and
 - ◆ They exercise reasonable care in administering the opioid antagonist.

Note: Refer to [Protocol for Administration of an Opioid Antagonist for Youth Suspected of a Drug Overdose](#) for more information on what to do during an overdose.

3. Any time DCS Staff suspect an overdose and/or administer an opioid antagonist, first responders are immediately notified by calling 911.
4. DCS Staff document any administration of an opioid antagonist involving a custodial child or in a YDC in the course of job duties in TFACTS and in an Incident Report (see DCS Policy [1.4, Incident Reporting](#)) and by notifying the DCS Director of Nursing and the Deputy Commissioner of Child Health.
 - ♦ For any other administration of an opioid antagonist in the course of their job duties, DCS Staff document in TFACTS and by notifying the DCS Director of Nursing and the Deputy Commissioner of Child Health.

Forms:

[CS-0479, Acknowledgement/Verification of Policy Review and Other Documents](#)

[CS-0831, Drug Screen Consent, Refusal and Results](#)

[CS-4250, Naloxone Log for Secure Storage](#)

[CS-4251, Naloxone Administration Record](#)

Collateral Documents:

[Protocol for Administration of an Opioid Antagonist for Youth Suspected of a Drug Overdose](#)

[Work Aid: Drug Screening for Individuals Receiving Services from DCS](#)

[1.4, Incident Reporting](#)

[14.16, Due Process Procedures and the Release of Information for Alleged Perpetrators of Child Abuse and Neglect](#)

[32.3, Use and Disclosure of Protected Health Information](#)