

# DEPARTMENT OF ANESTHESIOLOGY



## **POLICY ON ALCOHOL AND DRUG USE**

**Date Reviewed: June 2012**

### **PURPOSE:**

To delineate appropriate action in the event that a member of the faculty, staff, or house staff exhibits behavior consistent with alcohol or drug use in the workplace.

### **POLICY:**

Vanderbilt University is a drug free workplace and adheres to the Drug Free Workplace Act of 1988 and the Drug Free Schools and Communities Act Amendments of 1989. Substance abuse (both drug and alcohol abuse) has been proved to be detrimental to an individual's health and may jeopardize safety in the workplace. Therefore, the unauthorized use or possession of alcohol, controlled substances, or the use or possession of illegal drugs is prohibited on VUMC (VUMC) premises or during VUMC-sponsored activities. In addition, this policy prohibits the unlawful manufacture, dispensing, or distribution of illicit drugs and alcohol by staff on VUMC premises, while conducting VUMC business off the premises, or as part of any VUMC-sponsored activities, including any activity with a federal grant. Faculty, staff, or house staff whose work performance or behavior suggests the influence of such drugs or intoxicants may be required to submit to drug or alcohol testing. Being unfit for work because of alcohol and/or illegal use or possession of controlled substances or any other violation of this policy may subject an individual to disciplinary action, in accordance with the University policies and procedures, up to and including termination of employment. Drug and alcohol testing is only one factor to be considered in making a determination regarding disciplinary action.

### **SPECIFIC INFORMATION:**

#### **A. DEFINITIONS**

1. "House Staff": All interns, house officers or clinical fellows.
2. "House Staff Supervisor": Program Director or designee.
3. "Faculty": All those who have faculty appointments in the School of Medicine and School of Nursing and receive compensation from Vanderbilt.
4. "Supervisor of Faculty": Dean or Departmental Chair.
5. "Supervisor of Staff": Division Head or Department Chair or their designee.
6. "EAP" - Work/Life Connections-EAP (Employee Assistance Program)
7. "PWP" - Physician Wellness Program of Work/Life Connections-EAP
8. "OHC" The Occupational Health Clinic.

#### **B. PROCEDURE**

1. When there is reason to believe that there is unauthorized use or possession of alcohol, controlled substances, or the use or possession of illegal drugs by a faculty, house staff, or staff member, or if such behavior or work performance by such individual(s) gives rise to performance related concerns that may indicate a need for drug and alcohol testing or some other action, the following procedure shall be used. The procedure also applies to other violations of the policies as stated above.

Some situations which might require this type of intervention are:

- Unusual behavior such as slurred speech or unusual energy levels for which an explanation is not apparent

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- Unusual drug administration procedures or documentation, including those as noted by a review from the Pharmacy staff
- Reports by co-workers of unauthorized drug and/or alcohol use or being under the influence on the job

2. When in the judgment of the supervisor, counseling is not an appropriate immediate intervention and the behavior or work performance of faculty house staff or staff member gives rise to performance related concerns which indicate a need for drug and/or alcohol testing, these procedures shall be followed:

a. The appropriate supervisor or responsible individual who is present should immediately relieve the individual of assigned responsibilities and advise the person of the performance related concern. If a staff member is involved, the supervisor may also consult with Employee Relations regarding appropriate action to be taken. If testing is to be done, the supervisor should take the faculty, house staff, or staff member to OHC between the hours of 7:30 a.m. and 5:30 p.m. If testing is needed after regular work hours, the supervisor shall call the Emergency Department (ED) triage nurse or attending physician prior to escorting the individual to ED. The impact of the problem on job performance, including interpersonal relationships affecting the workplace, should be carefully documented. The supervisor should provide the ED triage nurse with background information regarding the individual's behavior as well as telephone number for locating the supervisor, if necessary. The individual will be examined by an ED attending physician to determine the need for screening tests according to ED protocol. Every effort will be made to maintain the confidentiality of the individual's test results and status.

b. Refusal to be Tested: If faculty, house staff, or staff member refuses to be escorted or tested, the supervisor must act on the actions and evidence available (based on behavior and/or performance and all available information) and the individual should be placed on administrative leave or summary suspension as appropriate. After consultation with the appropriate department, the supervisor should initiate the appropriate step of disciplinary action, including termination, if warranted.

c. The supervisor should arrange safe transportation from the University Medical Center for the faculty/house staff, or staff member whose behavior results in "a" or "b" above.

d. Post-Test/Pending Results: Pending the test results, the faculty, house staff, or staff member should be placed on administrative leave/summary suspension by their supervisor.

e. The supervisor will receive test results from OHC and should take the following steps:

i. Staff: If a staff member is involved, the Employee Relations representative should also be consulted to determine the appropriate action to be taken. The Employee Relations representative will meet with the staff member and supervisor to discuss test results and disciplinary action, including termination, to be taken, if any, and/or expected performance changes.

ii. Faculty/House staff: If faculty or house staff is involved, the appropriate Chair, Program Director, or designee will discuss the test results with the OHC and others as indicated. Upon receiving this information, the Chair, Program

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Director, or designee should decide what action should be taken, i.e., initiation of disciplinary action, up to and including termination and/or referral to PWP of Work/Life Connections-EAP for evaluation and treatment recommendations.

iii. All bills for initial testing should be sent to Vanderbilt Occupational Health Clinic (OHC) for verification and payment.

### 3. Peer Assistance Programs/Work/Life Connections-EAP/Counseling

a. Vanderbilt University Medical Center (VUMC) faculty, staff, and house staff must also comply with any peer assistance program, licensing board, program or agency that requires disclosure. Requests for information from licensing boards, peer assistance groups, or other referral sources must be referred to Work/Life Connections-EAP.

b. VUMC faculty, house staff, or staff member may be referred or seek assistance for substance abuse counseling through the Work/Life Connections-EAP. It is the Supervisor's responsibility to refer a faculty, house staff, or staff member to Work/Life Connections-EAP for follow-up if:

i. Supervisor has knowledge of any faculty, house staff, or staff member who has or has had an alcohol or drug problem, or

ii. Faculty, house staff, or staff member has been through alcohol/drug treatment, but is not currently being followed by Work/Life Connections-EAP. In addition, if a supervisor learns that a staff member has had an alcohol or drug problem or has completed a treatment program, the supervisor should consult with Employee Relations to determine what actions, if any, should be taken.

c. VUMC faculty, house staff, or staff members who enroll in and successfully complete a treatment program approved by Work/Life Connections-EAP and who agree to a written set of standards developed by Work/Life Connections-EAP, may be eligible for continued employment or re-employment. Those who are required to enroll, but fail to enroll in such a program, or who fail to follow the treatment prescribed, or who fail to successfully complete the program, or who do not maintain the agreement standards developed by Work/Life Connections-EAP, may be terminated.

4. There is an affirmative duty for house officers and clinical fellows to notify the Associate Dean for GME of arrests, convictions, and the disposition of any outstanding charges after the initial background check for employment is completed. There is also an affirmative duty for house officers to report any adverse information resulting from subsequent criminal background checks obtained at any site during their employment as a resident or clinical fellow at Vanderbilt.

Failure by a resident or clinical fellow to disclose an arrest or a criminal conviction to the Associate Dean for GME within five days may result in corrective action, up to and including immediate dismissal from his or her training program. The facts and circumstances of each case will determine what, if any, action is taken, up to and including immediate dismissal, as appropriate.