

Alcohol and Controlled Dangerous Substances – Job-Related Testing – Laboratories

FOR the purpose of requiring that the Department of Health and Mental Hygiene adopt regulations that require certain laboratories that conduct job-related alcohol or controlled dangerous substance testing to comply with certain federal standards established by the United States Department of Health and Human Services regarding threshold levels for positive testing; specifying that certain persons who are required to submit to certain job-related testing may request independent testing of the same urine or blood sample for certain purposes; making certain technical changes; and generally relating to laboratories that conduct job-related alcohol or controlled dangerous substance testing.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 17-214.1

Annotated Code of Maryland

(1990 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health – General

17-214.1.

(a) In this section the following words have the meanings indicated.

(1) “Alcohol or controlled dangerous substance testing” means a procedure used to determine whether or not a specimen contains a controlled dangerous substance or alcohol.

(2) “Certification” means the approval granted by the Department for a laboratory to engage in job-related alcohol or controlled dangerous substance testing.

(3) “Controlled dangerous substance” has the meaning stated in Article 27, § 277 of the Code.

(4) “Job-related” means any alcohol or controlled dangerous substance testing used by an employer for a legitimate business purpose.

(5) “Laboratory” means a facility or other entity that conducts job-related alcohol or controlled dangerous substance testing.

(b) An employer who requires any person to be tested for job-related reasons for the use or abuse of any controlled dangerous substance or alcohol shall:

(1) Have the specimen tested by a laboratory that:

(i) Holds a permit under this subtitle; or

(ii) Is located outside of the State and is certified or otherwise approved under subsection ~~(d)~~ (E) of this section; and