

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 [employee, contractor, or other] 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) of this section; and

(2) At the time of testing, at the [employee's] PERSON'S request, inform the [employee] PERSON of the name and address of the laboratory that will test the specimen.

(C) (1) AN EMPLOYER WHO REQUIRES ANY EMPLOYEE, CONTRACTOR, OR OTHER PERSON TO BE TESTED FOR JOB-RELATED REASONS FOR THE USE OR ABUSE OF ANY CONTROLLED DANGEROUS SUBSTANCE OR ALCOHOL AND WHO RECEIVES NOTICE THAT AN EMPLOYEE, CONTRACTOR, OR OTHER PERSON HAS TESTED POSITIVE FOR THE USE OR ABUSE OF ANY CONTROLLED DANGEROUS SUBSTANCE OR ALCOHOL SHALL, AFTER CONFIRMATION OF THE TEST RESULT, PROVIDE THE EMPLOYEE, CONTRACTOR, OR OTHER PERSON WITH:

(I) A COPY OF THE LABORATORY TEST INDICATING THE TEST RESULTS;