

I. PURPOSE

To define the procedure by which Legacy medical staff members and allied health professionals may be tested for intoxicants. The Legacy medical staffs are committed to provide an environment that protects patients from impairment of their care by our members due to substance abuse or other causes.

II. SCOPE

The policy applies to all members of medical staffs and the allied health professionals (“Practitioners”) of Legacy Emanuel Medical Center, Randall Children’s Hospital, Legacy Good Samaritan Medical Center, Legacy Mount Hood Medical Center, Legacy Meridian Park Medical Center, Legacy Silverton Medical Center and Legacy Salmon Creek Medical Center who are not employed by Legacy Health or its affiliates. Medical Staff Members who are Legacy employees are also covered by employee testing policies (See Legacy Health Policy #500.702, “Alcohol & Drug Free Workplace Policy”).

III. PRINCIPLES

The Legacy medical staffs recognize the necessity to establish a procedure through which Practitioners who behave in a manner consistent with intoxication can be tested for known intoxicants in a manner which respects the rights of the individual member while at the same time protecting our patients against impaired caregivers. This is termed “for cause testing.” Legacy Medical Staffs recognize that substance abuse and other impairments of a Practitioner’s professional activities are often best dealt with through supportive and therapeutic interventions. We support diversion from a primarily disciplinary path to a therapeutic and supportive approach whenever the behavior of the medical staff member in question shows that this may be productive. However, this does not lessen the need to carefully document any evidence of intoxication while on duty.

IV. ROLES AND RESPONSIBILITIES

The implementation, administration, and management of these procedures shall be the responsibility of the applicable Medical Staff Officers, the Chief Medical Officer, and Legacy Labs. For purposes of this policy and procedure, the Randall Chairperson is considered equivalent to a medical staff President. Concerns about possible intoxication may be raised by members of the medical staff, coworkers, other employees, patients, family members, or visitors.

V. VALID CAUSE

Valid causes for concern include the following:

1. Practitioner has sustained a work-related accident or injury which alone, or in combination with other observations listed below, might lead a reasonable observer to suspect intoxication of some kind.

2. Practitioner has been involved in a clinical incident which alone, or in combination with other observations listed below, might lead a reasonable observer to suspect intoxication of some kind.
3. Practitioner has otherwise unexplained difficulty with movements, balance, or coordination which alone, or in combination with other observations listed below, might lead a reasonable observer to suspect intoxication of some kind: (a) Loss of balance, (b) Stumbling, (c) Staggering, (d) Leaning on objects for support.
4. Practitioner's conduct, speech, content of speech, or slurring of words which, if not otherwise explained, justifies a reasonable concern about intoxication of some sort.
5. Physical appearance which, if not otherwise explained, justifies a reasonable concern about intoxication of some sort; e.g.: (a) Eyes red or glassy, (b) Pupillary changes (small-pinpoint or dilated), or (c) Unkempt.
6. Direct evidence of possible alcohol/drug use at work: (a) There is odor of alcohol on practitioner's breath, (b) Practitioner observed or discovered to be in possession of intoxicants or related paraphernalia on day of accident/injury, (c) Practitioner witnessed to be using alcohol or other intoxicants before or while on duty.
7. Practitioner appears to have impaired judgment, concentration or ability to attend to current patient care tasks.
8. Practitioner appears compromised and presents a hazard to patients, others, and/or self; or exhibits any pattern of behavior which justifies a reasonable concern about intoxication of any sort.

VI. GENERAL PROCEDURES

Any Legacy medical staff member or employee who is concerned about possible intoxication or other acute impairment of a medical staff member, or who is informed of such a concern, should immediately contact the Medical Staff Office and the Hospital President. The Medical Staff Office or Hospital President will immediately notify one or more of the Officers of the medical staff, and implement the process outlined in the attached Drug Testing Process:

VII. SCOPE AND INTENT OF TESTING

Testing will be performed for all known and commonly used intoxicants for which reliable testing is available. Although currently available lab tests often are considered "positive" for levels of intoxicants which are clinically insignificant, the Legacy medical staffs will interpret a test as "positive", for the purpose of assessing the cause of a specific incident, only when the test shows levels which it deems consistent with an intoxicating effect. Lower levels are of course significant for individuals who are already known to be in a diversion program for substance abuse, but otherwise will not in and of themselves be considered as evidence of acute or chronic impairment, nor used as the sole basis for medical staff disciplinary action. Positive screening tests may, however, be used to

justify temporary suspension of privileges even if they are not able to distinguish between remote use and current intoxication. Whenever possible, testing will be done according to protocols for proper chain of custody.

VIII. CONFIDENTIALITY

All Legacy employees and medical staff representatives involved in any of the procedures outlined in this policy shall maintain confidentiality to protect the privacy of the possibly impaired medical staff member. Documentation of reports of possible impairment and subsequent procedures will be treated as strictly confidential medical staff documents. Information shall be released to other individuals or entities only on a need-to-know basis and only with the approval of the President of the Medical Staff and/or the Medical Executive Committee.