



West Virginia School of Osteopathic Medicine

Drug Awareness and Prevention Program

2013-2014

Purpose

The West Virginia School of Osteopathic Medicine recognizes the importance of a safe, healthy, and efficient work and educational environment. Being under the influence of any illegal drug or alcohol on campus or at institution sponsored functions poses serious risks to a person's health and safety, and jeopardizes the public trust that has been placed in the institution. In recognition of the serious effects of alcohol and drug abuse on the safety, health, and performance of individuals, this program provides standards of conduct and clearly prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on the property of the institution. This program will meet legal requirements to provide a "drug-free workplace".

WVSOM recognizes its students and employees as adults and expects them to obey all applicable laws and to take personal responsibility for their conduct. This program applies to the entire college community, including faculty, staff, administrators, students, contractors, subcontractors, volunteers, service providers, and visitors.

General Information

Substance abuse and drug dependency are problems of significant proportions in our society today. They are the leading causes of preventable illness, disability and death in the United States. Alcohol/chemical dependency is a disease that affects not only individuals but every component of the family, the workplace, and the community. Chemical abuse not only includes alcohol and illegal drugs, but also prescription drugs such as tranquilizers, pain medications, sleeping pills, etc.

Drug Abuse in the Workplace

Drugs and alcohol in the workplace have serious implications on overall costs, quality of performance, efficiency, and productivity. Drugs can make an individual feel able to handle tasks that are too difficult or too dangerous for him/her. Drugs may make the individual careless and likely to forget important safety steps which result in increased occurrences of accidents. Drugs can lead to increased absences and tardiness, negatively impacting the workloads of other employees. Drugs can lead to crime on the job, including theft of employee personal belongings or institutional equipment. Abuse of drugs can also lead to major errors in the work performed by the individuals.

Drug Abuse in the Classroom

Drug and alcohol abuse by students can result in ineffective learning, disruptive behaviors, class failures and ultimately suspension or dismissal from school. In addition, those students can be referred for criminal prosecution. Our students particularly, must be made aware of the significant problem of impaired physicians and their impact on the health and safety of patients.

Individual Health Risks

Persons who suffer from chemical dependency are victims of a progressive, fatal disease. Alcohol addiction affects people of all ages, economic levels, and races. The National Institute on Drug Abuse reports that ninety-seven percent of chemically dependent individuals have responsible jobs, a home, and a family.

Alcoholism and other drug dependencies are diseases with identifiable symptoms. These symptoms may include changes in alcohol/drug tolerance, blackouts, memory loss, denial, mood swings, behavior changes, and loss of control. The disease impairs the person economically, socially, physically, psychologically, and spiritually; relationships suffer, work performance is compromised, and depression often occurs.

Alcoholism is a disorder that has profound psychological and physiological patterns:

1) Regular daily intoxication, 2) drinking large amounts of alcohol at specific times, and 3) periods of sobriety interspersed with periods of heavy drinking. The course of the disorder is progressive and physical dependence may develop. If this happens, serious symptoms, sometimes life-threatening, can develop if alcohol is withdrawn. Short term effects of alcohol abuse can include depression, gastritis and liver disease. Chronic alcohol abuse can produce irreversible changes, including dementia, sexual impotence, cirrhosis of the liver and heart disease. Death can occur either as a complication of one of these chronic problems, or acutely secondary to alcohol intoxication by poisoning or aspiration.

Impact on Family/Friends

Families are gravely affected by a chemically abusing member. Some of the effects on the family may include: feelings of insecurity, guilt, fear, isolation, anger, and resentment. As the chemically dependent person's disease progresses, the effects on the family worsen, jobs and homes may be lost, the person may turn to criminal activities to support the addiction, and families often disintegrate. Domestic violence is common under these circumstances.

As a direct physiological consequence, the infants of alcohol and drug abusing mothers often have low birth weights and may suffer from malformations and a variety of developmental problems. Children are often the most vulnerable to the effects of chemical dependency. Growing up in families where their developmental needs are not met, children may face a variety of problems including low self-esteem, inability to trust others, teenage pregnancies, and very high risks for chemical abuse and dependency of their own.

Chemical dependency is treatable. With an understanding of the disease and its impacts, family members and friends can take steps to help reduce enabling behaviors. The family's intervention with the user and his or her problem is an essential step which encourages the abuser to seek treatment. Support groups for family members as well as family therapy can provide needed assistance to families as they grapple with the destructive effects of the user's addiction.

For students, assistance and information concerning substance abuse and its treatment may be obtained from the Licensed Learning Specialist/Student Counselor's offices.

A current list of comprehensive treatment programs for employees is available online at <http://www.treatment-centers.net/treatment-directory/west-virginia.html>. These programs are designed for specific individuals or groups, including men, women, mothers, and children/adolescents. Many of the program facilities are residential and include both detoxification and continuing treatment.

WVSOM, in providing this information, is not affiliated with these agencies. The institution cannot accept liability for any services, treatment, or counseling provided by these agencies or for any acts of misfeasance, nonfeasance, or malfeasance by same.

Policy Information

The West Virginia School of Osteopathic Medicine, as a public educational institution which receives federal and state funding, is required by federal and state statutes to develop and maintain a drug and alcohol policy for its students and employees. Institutional Policy is GA-08, *Drugs, Alcohol, Testing and Treatment*, can be found on the WVSOM web page at:

<http://www.wvsom.edu/AboutWVSOM/admin-policies>

Statutes

The WVSOM policy complies with the provisions in the following: the Anti-Drug Abuse Act of 1988, the Drug Free Workplace Act of 1988 (contained in the United States Code, Title 41, Chapter 10, Section 702, et seq.), the 1989 amendments to the Drug Free Schools and Community Act, as articulated in the Education Department General Administrative Regulations (EDGAR) 34 CFR part 86 (the Drug Free Schools and Campuses Regulations), the Drug Free Schools and Communities Act; and the Higher Education Opportunities Act of 2008.

Definitions and Provisions

“Alcoholic Beverages” means those beverages defined in the West Virginia Liquor Control Act, as may be amended from time to time, including beer, nonintoxicating beer, wine, spirits, and any other alcoholic liquors (see W. Va. Code § 60-1-5).

“Drug Test” means a test performed on a urine, blood, hair, saliva, or breath sample of an employee or student.

“Educational Activity” means, but is not limited to, any lecture or other educational exercise, laboratory, research facility, clinical rotation, examination, independent study or service project taking place on the WVSOM campus or at any affiliated facility, or when the employee or student is representing WVSOM either during or outside normal work, class, or clinic hours while in the capacity as a WVSOM employee or student. The term “Educational Activity” does not mean a social event, whether or not sponsored by WVSOM.

“Premises” means all property, facilities, buildings, structures, installations, educational settings or vehicles owned, operated, leased, or under the custody or control of WVSOM. When students are on rotation at affiliated facilities (including but not limited to Statewide Campus sites), those affiliated facilities and any housing facilities supplied at those facilities are included.

“Possession” means to have on one’s person or in one’s personal effects or otherwise under one’s care, custody or control.

“Prohibited Activity” means the manufacture, Possession, use, sale, trading, distribution, dispensation, receipt or transportation of a Prohibited Substance at any time and whether on or off campus; or being Under the Influence of a Prohibited Substance during an Educational Activity or at any time.

“Prohibited Substance” means any substance that an individual may not manufacture, have Possession of, use, sell, trade, distribute, dispense, receive or transport under the laws of the federal government; the state in which he or she is employed, resides, or is engaged in an approved course of study; or the State of West Virginia. The term also means prescription drugs obtained without authorization, or prescribed drugs and over-the-counter drugs not being used for their intended purposes. The term includes, but is not limited to, cocaine; illegal inhalants; “synthetic or designer” drugs; “look-alike” drugs; amphetamines, cannabinoids (marijuana and hashish), phencyclidine (PCP), and opioids; and any other drugs or other substances referenced in Schedules I through V of 21 C.F.R. Part 1308, as they may be amended from time to time. The term also includes alcohol to the extent that it causes an employee or student to have a blood alcohol concentration of 0.04 or greater during an Educational Activity, as determined by a Drug Test, unless the employee or student is present at an Educational Activity that applies a more stringent criterion.

“Under the Influence” means that condition wherein any of the body’s sensory, cognitive, or motor functions or capabilities are altered, impaired, diminished, or affected due to a Prohibited Substance. This term also includes a positive test presence of a Prohibited Substance within the body or bodily fluids, regardless of when or where it may have been consumed. With respect to the consumption of alcohol, being Under the Influence of alcohol means having a result of 0.04 or greater blood alcohol concentration during an Educational Activity, as determined by a Drug Test, unless the employee or student is present at an Educational Activity that applies a more stringent criterion.

“Valid Prescription” means a prescription that is legal under all applicable laws, issued to the person being tested by a licensed health care provider authorized to issue such prescription, used for its intended purpose, and used as prescribed.

The West Virginia School of Osteopathic Medicine will maintain a workplace free of the illegal use of drugs. The unlawful manufacture, distribution, sale, dispensing, possession, or use of illegal drugs, the abuse or improper use of prescribed drugs, and the use of alcohol on the WVSOM campus or as a part of any college sponsored function is prohibited. Reporting to work, class, or any college sponsored function under the influence of alcohol or illegal drugs is prohibited.

Legally prescribed medications taken properly are excluded from prohibition and permitted only to the extent that such medications do not adversely affect a person’s work ability, job performance, or the safety of others.

Any person who violates Institutional Policy GA-08 is subject to administrative action, up to and including termination of employment or dismissal from WVSOM, respectively. Administrative action may include, but is not limited to, monitoring of the employee, requiring the employee to submit to additional Drug Tests, and requiring the employee to undergo a substance abuse treatment program approved by the Associate Vice President of Human Resources. The cost of any required additional Drug Tests or substance abuse treatment program shall be the responsibility of the employee and shall not in any way be borne by WVSOM.

An employee may be required to submit to Drug Test(s) if the employee has engaged in or based on reasonable suspicion is believed to have engaged in any Prohibited Activity. Reasonable suspicion shall be determined by the appropriate WVSOM administrator listed in Section 8.1.2 of the policy after an investigation of the facts and circumstances leading to the belief that the employee has engaged in a Prohibited Activity.

WVSOM strongly encourages employees and students that have problems with any Prohibited Substance to seek help through a private physician, mental health specialist, or WVSOM's Learning Specialists/Licensed Professional Counselors, as applicable. Any employee or student who voluntarily seeks treatment will receive help on a completely confidential basis, as long as he or she does not pose a risk of harm to self or others.

Criminal Sanctions

Federal Trafficking Penalties include substantial fines and imprisonment up to life. For the most recent and complete federal penalties information, visit the website of the U. S. Drug Enforcement Administration at www.dea.gov/agency/penalties.htm.

West Virginia Law provides penalties dependent upon the classification of the controlled substance, the particular activity, and whether multiple convictions are involved. West Virginia Code 60A-4-401 contains penalties for prohibited acts involving scheduled substances. For the most recent and complete West Virginia penalties, visit the website of the West Virginia Legislature at <http://www.legis.state.wv.us/>.

Responsibilities and Procedures

Supervisors and administrators are required to assume primary responsibility for the enforcement of this program and to take appropriate action.

As a condition of employment, school employees agree to abide by the terms of this policy and to notify the Associate Vice President of Human Resources or designee of any criminal drug or alcohol related conviction for violation of a criminal drug or alcohol statute occurring in the workplace no later than five (5) days after the conviction. All employees are required to sign a drug awareness certification form which will be kept in the personnel file.

After review of the reported incidents and determination of reporting requirements the appropriate administrator will notify the federal granting agency within ten (10) days after receiving notice of a conviction from an employee or otherwise receiving actual notice of the conviction.

The Director of Student Affairs is responsible for development and communication of a drug and alcohol awareness program for students, in compliance with the Drug Free Schools and Communities Act, which includes: annual distribution of this program or information contained herein to every student. The distribution may be accomplished by publication in electronic or printed format in the Student Handbook or online. The Department of Education recommends a biennial review be conducted in even-numbered years, focusing on the two preceding academic years. Records will be maintained for a period of three years after the year in which they were created. If any litigation, claim, negotiation, audit, review or other action has been started before

the expiration of the three-year period, the records will be retained until resolution of all issues or until the end of the regular three year period, whichever is later.

The Vice President for Finance and Facilities is responsible for ensuring that all contractors, sub-contractors, or volunteers for services paid by federal grants certify that they maintain a drug free workplace, and that they commit to and comply with the terms and conditions of this policy.

References

Liquor Control Act, Chapter 60, W. Va. Code.

12.2 West Virginia Uniform Controlled Substances Act, Chapter 60A, W. Va. Code.

12.3 Schedules of Controlled Substances, 21 C.F.R. § 1308 (Schedules I through V).

12.4 Drug-Free Workplace Act of 1988, 41 U.S.C. § 8101, *et seq.*

Southern West Virginia Community and Technical College Drug and Alcohol Policy

West Virginia School of Osteopathic Medicine Institutional Policy GA-08

“Drug and Alcohol Abuse Prevention” - Part 86 of Education Department General Administrative Regulations: <http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.pdf>



West Virginia School of Osteopathic Medicine Drug Awareness and Prevention Program Institutional Policy GA-08 Certification Form

As a WVSOM employee, whether permanent or temporary, I certify that I have received a copy of the West Virginia School of Osteopathic Medicine Institutional Policy GA-08, *Drugs, Alcohol, Testing and Treatment*, and a copy of the Drug Awareness and Prevention Program.

I agree to abide by the terms of these documents and I am aware that with any violations, I will be subject to disciplinary action, up to and including dismissal. I may also be required to submit to Drug Test(s) if I have engaged in, or based on reasonable suspicion is believed to have engaged in any Prohibited Activity. I may also be required to participate in a drug/alcohol-abuse assistance or drug/alcohol rehabilitation program at my cost.

In addition, I understand that under federal law and as a condition of employment, if I am convicted of any drug or alcohol related criminal offense for a violation occurring in the workplace, I must report this conviction to the Associate Vice President of Human Resources within five (5) days of the conviction.

Print Name: _____

Signature: _____

Date: _____

***Please return this completed form to the
Office of Human Resources***