
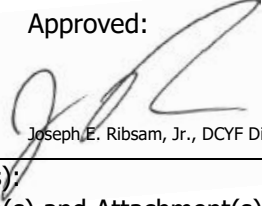


1340 DRUG AND ALCOHOL TESTING	
Chapter: Juvenile Justice Field Services	Section: Youth Supervision
	New Hampshire Division for Children, Youth and Families Policy Manual Policy Directive: 18-28 Effective Date: September 2018 Scheduled Review Date:
Related Statute(s): RSA 318-B , 169-A , 169-B , 169-D and 170-G . Related Admin Rule(s): He-C 6348 Related Federal Regulation(s): Interstate Commission for Juveniles Rule 5-101	Approved:  Joseph E. Ribsam, Jr., DCYF Director Related Form(s): Bridges' Screen(s) and Attachment(s):

The Division for Children, Youth and Families is committed to professionalism in its delivery of Juvenile Probation and Parole Services. DCYF recognizes that while responsibility to promote the safety of youth, the community, and JJS staff is paramount, everyone deserves to be treated with courtesy and respect. Proactive drug and alcohol testing is an essential supervision tool. It is imperative to identify and respond with appropriate interventions to any substance abuse by the youth under the supervision of Juvenile Justice.

Purpose

This policy establishes the procedure for drug and alcohol testing.

Definitions

- "DCYF"** or the **"Division"** means the Department of Health and Human Services' Division for Children, Youth and Families.
- "JPPO"** or **"Juvenile Probation and Parole Officer"** means an employee of DCYF who is authorized by the Division to perform functions of the job classification Juvenile Probation and Parole Officer.
- "JPPS"** or **"Juvenile Probation and Parole Supervisor"** means the job classification of a person with the powers and authority granted under RSA 170-G:16, employed to perform supervisory-level Juvenile Probation and Parole functions under the supervision of a Juvenile Justice Services Field Administrator.

Policy

- I. Drug and alcohol testing should only be administered by JPPOs and JPPSs who have successfully completed all requisite training.
- II. Specimen collection should be conducted in a private and controlled environment whenever possible. JPPOs will exercise discretion based on safety, security, and privacy issues.
 - A. JPPO/JPPSs will utilize the state-issued instant drug test cups.
 - B. Urine samples may be sent to the lab after conducting an instant drug test.
- III. JPPOs/JPPSs will collect specimens as follows:

- A. Any trained JPPO/JPPS may administer an instant drug test.
- B. If a collection needs to be observed, only a same sex JPPO may witness a urine collection.
- C. The JPPO must wear state-issued gloves provided for drug screening throughout the collection process.
- D. The JPPO may search the youth and the area where the specimen will be collected prior to administering the instant drug test. The JPPO/JPPS may utilize a urine tablet to deter tampering with specimen collection.
- E. The JPPO/JPPS must use professional discretion in determining whether or not to use an observed collection or unobserved collection.
- F. During an observed collection the JPPO/JPPS must:
 - 1. Position their self to confirm that the specimen collected is the youth's urine; and
 - 2. Follow the steps in section G below.
- G. The JPPO/JPPS will instruct youth to perform the following tasks during an unobserved collection:
 - 1. Urinate into the instant drug test cup;
 - 2. Do not flush the toilet or run the faucet;
 - 3. Close, tighten, and dry the instant drug test cup; and
 - 4. Return the instant drug test cup to the JPPO/JPPS to ensure the proper chain of custody for each specimen.
- H. JPPO/JPPSs are responsible for assuring that there is a sufficient sample to test when submitting to the lab (i.e. enough urine).
- I. The JPPO will double check that the instant drug test cup is closed tightly and await the results of the instant drug test.
 - 1. If the instant drug test is negative, the JPPO/JPPS shall have the youth dispose of the contents, secure the cap, and dispose of the used container in an appropriate receptacle. A negative or adulterated test sample should not be sent to the lab, unless approved by a JPPS.
 - 2. If the instant drug test is positive, the JPPO/JPPS:
 - (a) Fully completes the lab paperwork.
 - (1) The youth, along with the JPPO or JPPS, signs and dates the lab paperwork in the appropriate section, and
 - (2) The youth initials the label/tape.

- (b) Confirms the label is affixed properly, seals the container with the tape provided, places the sample in the lab-issued specimen bag with the lab paperwork, and seals the specimen bag.
 - (c) If temporary storage is necessary, stores the instant drug test cup in a location that ensures the integrity of the specimen and chain of custody.
 - (d) Instant drug test cups must be mailed as required by the certified laboratory.
 - (e) At the discretion of the JPPO/JPPS, a positive sample does not have to be sent to the lab for confirmation.
- J. Any collection issue not covered in the above instructions will require a conversation/approval with the JPPS and Field Administrator prior to initiation of the drug screening process.
- K. All drug screens must be documented in Bridges, including if the youth refuses or cannot produce a sample.

Practice Guidance

Could I contract any infectious diseases by handling a specimen?

- All staff should be using universal precautions when handling a specimen. Different diseases are present at different levels in the various body fluids. For example, while HIV (Human Immunodeficiency Virus-the virus that leads to AIDS) is not at a significant enough level in the saliva to be contagious through saliva, hepatitis B can be passed through bites from the saliva of the carrier to the bloodstream of the person receiving the bite. Yet HIV is present in the breast milk of women with HIV but Hepatitis B is not passed through breast milk. Because it is difficult to keep track of which diseases are significantly present in which body fluids, it is best to practice infection control and avoid direct contact with all body fluids.
 - Key steps include: washing your hands with soap and warm water; using disposable gloves when in direct contact with body fluids; washing surface areas exposed to body fluids with a bleach solution; disposing of gloves and paper products used to clean up body fluids in individual, tightly sealed plastic bags; and washing laundry in hot soapy water as germs can stay on clothing until properly washed.
 - More information on universal precautions and infection control can be found through the World Health Organization at: http://www.who.int/csr/resources/publications/4EPR_AM2.pdf and the Centers for Disease Control and Prevention at <https://www.cdc.gov/infectioncontrol/basics/standard-precautions.html>.
- Any staff with a concern should consult with their medical professional for specific precautions that should be taken. DCYF nurses can provide information on universal precautions but cannot be consulted specific to individual staff due to confidentiality and medical practice ethics.

Can I do an observed collection by myself?

- Staff should utilize a second staff as witness of the observed collection process when available, however there are circumstances, due to staff capacity, geographic locations, and other factors that may not make this reasonable. Use professional judgement and consult with a supervisor if you think this will be a concern.

What should I do if a youth refuses or cannot produce a specimen?

- The next course of action should be on a case-by-case basis and may include consultation with the JPPS or field practice advisor (the assigned Division staff member providing mentoring).
- Any youth may be considered to be in violation. The JPPO may apply or request appropriate interventions based on the circumstances.

How does a positive result impact my case management?

- Any positive results must be addressed on a case-by-case basis.
- The JPPO/JPPS should discuss any positive results with the youth and family to determine the next appropriate course of action on the case.
- If a JPPO is uncertain how to proceed, the JPPO should review the circumstances with the JPPS.
- Interventions to consider may include, but not be limited to, an intensified level of supervision and frequency of drug and alcohol testing and/or submitting a written motion to the court for a Violation Hearing.

What do I do if I need to complete an observed drug test with a transgender youth?

- How to proceed is a discussion to be held with the youth, parent(s)/guardian(s), and the JPPS.

Can I provide drug testing for youth under my supervision through ICJ?

- JPPOs can and should administer the Division-issued instant drug tests to ICJ youth when requested to do so by the sending state, so long as it is Court ordered in the sending state, and completed following the procedures outlined above for the administration of the test.
 - If the instant drug test is negative, the materials should be disposed of as outlined above; or
 - If the instant drug test is positive, the JPPO must make a note of the positive result and the materials should be disposed of as outlined above.
- Requests for any other testing must be addressed by the Deputy Compact Administrator and are the responsibility of the Sending State.

Can I request drug testing for a youth being supervised in another state through the ICJ?

- Yes, a JPPO can request instant drug tests be administered and will need to provide the Court order to the receiving state.