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|  <p style="text-align: center;"><b>DIVISION OF ADULT INSTITUTIONS</b></p> <p style="text-align: center;"><b>POLICY AND PROCEDURES</b></p> | <b>DAI Policy #:</b> 306.17.01   | <b>Page</b> 1 of 9                     |
|  | <b>Original Effective Date:</b><br>04/15/85                                | <b>New Effective Date:</b><br>08/20/24 |
|  | <b>Supersedes:</b> 306.17.01   | <b>Dated:</b> 03/20/23                 |
|  | <b>Administrator's Approval:</b> Sarah Cooper,<br>Administrator – 08/01/24 |  |
|  | <b>Required Posting or Restricted:</b>                                     |  |
| <input checked="" type="checkbox"/> <b>PIOC</b> <input checked="" type="checkbox"/> <b>All Staff</b> <input type="checkbox"/> <b>Restricted</b>  |  |  |
| <b>Chapter:</b> 306 Security   |  |  |
| <b>Subject:</b> PIOC Drug Testing  |  |  |

**POLICY**

The Division of Adult Institutions has zero tolerance for drug use. The Division of Adult Institutions shall perform drug testing of PIOC to protect the public and provide a drug free and safe environment for staff and PIOC.

**REFERENCES**

Federal Register, Vol. 59, No. 110, dated June 9, 1994 – Mandatory Guidelines for Federal Workplace Drug Testing Programs

Federal Register Vol. 63, No. 219, dated November 13, 1998 and Effective 12/01/1998 – Revised Mandatory Guidelines for Federal Workplace Drug Testing Programs Substance Abuse and Mental Health Administration (SAMHSA)

Criminal Justice Drug Testing Act May 1990

Wisconsin Administrative Code Ch. DOC 303 – Discipline

Wisconsin Administrative Code s. DOC 306.17(4) (a) – Search of inmates, Body Contents Search

Wisconsin Administrative Code s. DOC 306.21 – Use of test results as evidence at disciplinary hearings

DAI Policy 500.70.27 – Transgender Management and Care

**DEFINITIONS, ACRONYMS AND FORMS**

Advanced Care Provider (ACP) – Provider with prescriptive authority.

Adulteration – Urine substitution, ingestion of fluids or compounds for flushing out the system, diluting the sample, or interfering with the testing process (OR) direct addition of adulterants to the urine specimen itself.

Confirmation test – A test of the specimen performed, after an initial screening test of that specimen, by a gas chromatography/mass spectrometry (GC/MS) testing procedure or an equally rigorous scientific test.

DAI – Division of Adult Institutions

DOC – Department of Corrections

DOC-9 – Adult Conduct Report

DOC-106 – Urinalysis Confirmation Waiver

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|-----------------------------------|-------------------------------------|--------------------|
| <b>DAI Policy #:</b> 306.17.01    | <b>New Effective Date:</b> 08/20/24 | <b>Page</b> 2 of 9 |
| <b>Chapter:</b> 306 Security      |                                     |                    |
| <b>Subject:</b> PIOC Drug Testing |                                     |                    |

DOC-184 – Disbursement Request

DOC-1496 – Chain of Evidence (Urinalysis)

DOC-3001 – Off Site Service Request and Report

Northpointe Suite – Case management software application that houses the COMPAS assessment, case plans and UA information for PIOC.

On-Site Drug Screen – Testing procedure done at the facility to detect the presence or absence of alcohol, drugs or their metabolites in urine or saliva.

PIOC – Persons in Our Care

Transgender – A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth.

UA – Urinalysis

UA Draw – Department of Corrections' database for Urinalysis.

Urinalysis Coordinator – Designated supervisor overseeing the facility Urinalysis Program.

## **PROCEDURE**

### **I. Testing**

- A. The drug testing program shall include:
  1. Targeted testing.
  2. Random testing.
  3. Saturation testing.
  4. Testing for cause.
  5. Testing while in treatment.
- B. Selection of PIOC for testing in all categories shall be supported by appropriate documentation and shall not be based on the race, color, gender, age, national origin or the religion of PIOC.
- C. When non-random urinalysis testing of PIOC is requested, the Warden/designee shall authorize the drug test.
- D. Targeted testing  
PIOC may be identified for targeted testing under the following circumstances:
  1. Intake process.

|                                   |                                     |                    |
|-----------------------------------|-------------------------------------|--------------------|
| <b>DAI Policy #:</b> 306.17.01    | <b>New Effective Date:</b> 08/20/24 | <b>Page</b> 3 of 9 |
| <b>Chapter:</b> 306 Security      |                                     |                    |
| <b>Subject:</b> PIOC Drug Testing |                                     |                    |

2. Date of release.
  3. Return from temporary release under supervision.
  4. Identification of a drug use baseline.
  5. Work Release, Study Release, Project Crews, Community Service, Off-Site Placement or Activities and PIOC drivers.
- E. Random testing
1. PIOC shall be chosen by a computer-generated selection process (UA Draw) whereby selection personnel do not know the identity of PIOC.
  2. Random testing shall be conducted on no less than 3% of the population of each facility each week.
  3. The following are the only reasons PIOC may be excluded from the random listing:
    - a. Resides in the Infirmary.
    - b. Placed in the Restrictive Housing unit.
    - c. Out of the facility; e.g., Out to Court, Out to Hospital.
    - d. Resides in a contracted facility.
    - e. Has a verifiable medical condition preventing them from providing an adequate urine sample, such as in the case of PIOC on kidney dialysis.
- F. Saturation testing
1. When a high incidence of drug use or trafficking is suspected, an identified group (e.g., a housing unit, work crew) may all be tested.
  2. Authorization of the Warden/designee is required.
  3. Criteria for saturation testing may include, but is not be limited to:
    - a. A high percentage of positive results from the random testing program.
    - b. A high incidence of trafficking offenses.
    - c. A high incidence of conduct violations.
    - d. Intelligence information indicating saturation testing is appropriate.
- G. Testing for cause
- PIOC may be subject to testing for cause if a staff member, from direct observation or reliable sources, has reasonable grounds to believe PIOC have used, possess or are under the influence of intoxicating substances.
- H. Testing while in drug and/or alcohol treatment
1. Treatment participants shall remain subject to random, targeted, cause and saturation testing.
  2. Additionally, treatment participants shall be tested upon admission and discharge from treatment programs consistent with available resources.
  3. Consistent with law, all tests conducted under this subsection which have the potential to directly or indirectly affect the assessment, treatment plan or treatment programming of any participant shall be confirmed by a

|                                   |                                     |                    |
|-----------------------------------|-------------------------------------|--------------------|
| <b>DAI Policy #:</b> 306.17.01    | <b>New Effective Date:</b> 08/20/24 | <b>Page</b> 4 of 9 |
| <b>Chapter:</b> 306 Security      |                                     |                    |
| <b>Subject:</b> PIOC Drug Testing |                                     |                    |

certified laboratory before any decision affecting the participant's treatment programming is made.

- I. Each facility shall designate a urinalysis coordinator.
- J. Alternative drug testing methods
  1. The DOC may utilize drug-testing methods other than urinalysis, such as saliva and hair analysis, for those situations where:
    - a. Urine collection is not possible.
    - b. Another method is superior.
    - c. A pilot is being conducted.
  2. In all cases, staff shall be trained in the use of alternative drug testing methods before performing tests.

## **II. Obtaining Urine Specimens**

- A. Designated staff who have received training on proper specimen collection procedures shall follow universal precautions in the handling, storage and transportation of specimens.
- B. Staff shall use the on-site drug screen test for initial indication of the presence of alcohol and drugs in an PIOC urine.
- C. All specimens shall be processed along with the properly completed DOC-1496.
  1. All staff handling the specimen after the initial collection shall record in sequence all changes of possession of the urine (to include name, time, date and place).
  2. The number of staff handling the specimen shall be kept to a minimum.
- D. Observation of PIOC while providing the sample shall be conducted by a staff member of the same gender.
- E. It is recommended the specimen be PIOC first urine of the day.
- F. Check PIOC photo identification to verify identity, name and DOC number.
- G. Inform PIOC of the type of testing (random, cause, etc).
- H. Staff shall ask PIOC if he or she has taken any medication in the last 72 hours. PIOC shall record this information on the DOC-1496.
- I. Ensure PIOC thoroughly rinses his/her hands without soap.
- J. Inspect PIOC hands and fingernails for possible containments prior to providing the specimen.

|                                   |                                     |                    |
|-----------------------------------|-------------------------------------|--------------------|
| <b>DAI Policy #:</b> 306.17.01    | <b>New Effective Date:</b> 08/20/24 | <b>Page</b> 5 of 9 |
| <b>Chapter:</b> 306 Security      |                                     |                    |
| <b>Subject:</b> PIOC Drug Testing |                                     |                    |

- K. PIOC shall be directed to remove any coat and roll up long sleeves to ensure PIOC is not hiding any objects that might adulterate the sample or containers that might hold an alternate urine sample.
- L. Perform a strip search prior to obtaining a sample on all cause, targeted and saturation tests. Perform a personal search “pat search” prior to obtaining a sample on all random tests.
- M. Staff shall prepare the on-site drug screen as follows:
1. Open the pouch and remove the cup. Document the identifying PIOC name/number on the cup lid.
  2. Hand the cup and lid to PIOC and allow him/her to visually inspect it.
  3. Instruct PIOC to fill the cup approximately 1/3 full. Staff shall observe the urine stream into the cup.
  4. Transgender PIOC shall be allowed to urinate into a cup sitting down, as long as the urine stream can be visually observed by a staff member.
  5. When PIOC has finished providing the specimen, have him/her place the lid on the cup and tighten.
    - a. Staff shall ensure the lid is tightened sufficiently.
    - b. PIOC shall initial and date the security seal.
    - c. Staff shall then place the security seal over the cup cap avoiding covering the test results and identifying information on the cup cap.
  6. Set the specimen cup on a flat surface. The test shall start once PIOC have finished providing the specimen. Test results shall be read as determined by each site.
  7. Staff shall read the temperature strip within 2-4 minutes of PIOC providing the specimen to verify the temperature of the specimen is within acceptable range (90-100 Fahrenheit).
    - a. Record urine temperature on DOC-1496.
    - b. If no temperature is visible, contact a supervisor if adulteration is suspected.
  8. Allow the test to run until the control line (reddish purple line next to the “C”) appears which generally takes 2-5 minutes.
    - a. Once the control line appears, the results may be interpreted.
    - b. If no control line appears after 10 minutes, the cup is considered defective.
    - c. It is acceptable to transfer the contents from the defective cup to a new cup and document on DOC-1496.
  9. Results are based on the presence or absence of a line next to each specific drug. Line intensity may vary between drugs. Any line, regardless of intensity, shall be interpreted as a negative test.
  10. A positive test is no line, totally devoid of color, next to a specific drug.

|                                   |                                     |                    |
|-----------------------------------|-------------------------------------|--------------------|
| <b>DAI Policy #:</b> 306.17.01    | <b>New Effective Date:</b> 08/20/24 | <b>Page</b> 6 of 9 |
| <b>Chapter:</b> 306 Security      |                                     |                    |
| <b>Subject:</b> PIOC Drug Testing |                                     |                    |

- N. Special accommodations may be made for PIOC with documented mental health conditions that prevent compliance with provisions for obtaining urine samples.
- O. If PIOC refuse to provide a specimen, the test is considered a refusal and PIOC shall receive a DOC-9.
- P. If PIOC are unable to provide specimen:
  - 1. Give no more than eight ounces of water per hour for no longer than two hours.
  - 2. If a specimen has not been provided after two hours, this shall be considered a refusal.

### **III. Processing Urine Specimens**

- A. Each facility may send out any specimen for additional testing as determined by the warden/designee.
- B. Negative cup results

Collection staff may dispose of negative specimens and containers after testing has been completed according to the following procedures unless the facility has requested additional testing of the specimen:

  - 1. The facility may request additional testing on any negative urine specimen. The initial negative specimen may have additional testing to verify the results. The negative cup shall be preserved and sent to a certified lab.
  - 2. If the facility does not request additional testing, the urine shall be emptied in a toilet receptacle.
  - 3. Plastic specimen containers shall be disposed of in a lined trash receptacle or a trash bag. The trash receptacle shall have a cover for cleanliness and hygiene.
  - 4. Trash bags containing drug testing specimen collection cups shall be tied securely and left in a trash receptacle for disposal after testing is complete.
  - 5. The collection area shall be cleaned thoroughly when all testing is complete.
  - 6. The collection staff shall wash their hands with soap and water after handling urine specimens.
  - 7. Specimen containers shall not be reused for another urine sample.
  - 8. DOC-1496 shall be completed.
  - 9. All negative results shall be recorded in the Northpointe Suite Drug Testing module.

|                                   |                                     |                    |
|-----------------------------------|-------------------------------------|--------------------|
| <b>DAI Policy #:</b> 306.17.01    | <b>New Effective Date:</b> 08/20/24 | <b>Page</b> 7 of 9 |
| <b>Chapter:</b> 306 Security      |                                     |                    |
| <b>Subject:</b> PIOC Drug Testing |                                     |                    |

#### C. Positive cup results

1. If a test result is positive and PIOC are claiming to be taking medication, which could alter their test results, the facility's Urinalysis Coordinator/designee shall contact the Health Services Unit to verify if PIOC are currently taking any medications.
2. The Health Services Unit shall compare the medications listed by PIOC on the DOC-1496 against those listed on PIOC medication orders and/or possible offsite procedures noted on DOC-3001 to verify if any additional medication was given that was not listed on the medication orders.
3. When a test result is positive, a DOC-9 shall be written and shall be accompanied by the DOC-1496 and a photocopy of the cup results.
4. Positive urine specimens shall be maintained for a minimum of 60 days or through the facility appeal process and kept in a secured refrigerator/freezer. Only authorized staff shall have access to the secured refrigerator(s) or freezer(s).
5. A key log or entry log to the area refrigerator shall be maintained. The log shall include the date and name of each person gaining access to the refrigerator or freezer.
6. A completed DOC-1496 shall accompany the sample until the disposal process is complete.
7. All positive results shall be recorded in the Northpointe Suite Drug Testing module.

#### D. Confirmation process

1. The request for a confirmation test shall be made prior to or at the time the DOC-9 is served.
2. If PIOC request a confirmation test, the initial positive sample shall be confirmed by a second test. PIOC shall complete a DOC-184 and sign a DOC-106 when requesting a confirmation test.
3. PIOC shall pay the cost of confirmation test when PIOC request such a test after an initial positive result.
  - a. If PIOC do not have the funds for the confirmation testing, the facility shall allow PIOC an overdraft on their account.
  - b. If the confirmation test is negative, the cost of the test shall be refunded.
  - c. If the confirmation test is inconclusive and/or suggests possible adulteration, the cost of the confirmation test may not be refunded.
  - d. Confirmation tests are required when PIOC test positive while in a treatment program, they are not responsible for any costs associated with the test.
4. The confirmation test shall be completed by a certified lab.
5. If a confirmation test is being requested, complete the contracted lab's form and follow the contracted lab's instructions for processing specimens.
6. If the confirmation test is negative, the DOC-9 shall be dismissed.

|                                   |                                     |                    |
|-----------------------------------|-------------------------------------|--------------------|
| <b>DAI Policy #:</b> 306.17.01    | <b>New Effective Date:</b> 08/20/24 | <b>Page</b> 8 of 9 |
| <b>Chapter:</b> 306 Security      |                                     |                    |
| <b>Subject:</b> PIOC Drug Testing |                                     |                    |

7. Confirmation test results shall be recorded in the Northpointe Suite Drug Testing module through the Abbott Labs-Northpointe Suite UA interface.
  - a. Facilities shall designate staff to review the UA error report to ensure the interface was successful.
  - b. If the interface failed, upon receipt of confirmation test results designated staff shall manually enter the confirmation test results in PIOC record in the Northpointe Suite Drug Testing module.

E. Adulteration process

1. PIOC shall submit an unadulterated specimen.
2. If a specimen is suspected of being adulterated a Shift Supervisor shall be contacted and briefed.
3. If it is determined PIOC adulterated their specimen, a DOC-9 may be written.

**IV. Recordkeeping**

- A. UA draw is used to generate the random list and DOC-1496s.
- B. The Northpointe Suite Drug Testing module is used to record all drug testing results performed on PIOC.
- C. Ensure all record disposal authorizations are followed.



**DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES**

|  |                                     |                    |
|--|-------------------------------------|--------------------|
| <b>Facility:</b> Name  |                                     |                    |
| <b>Original Effective Date:</b>  | <b>DAI Policy Number:</b> 306.17.01 | <b>Page</b> 9 of 9 |
| <b>New Effective Date:</b> 00/00/00  | <b>Supersedes Number:</b>           | <b>Dated:</b>      |
| <b>Chapter:</b> 306 Security   |                                     |                    |
| <b>Subject:</b> PIOC Drug Testing  |                                     |                    |
| <b>Will Implement</b> <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation |                                     |                    |
| <b>Warden's/Center Superintendent's Approval:</b>  |                                     |                    |

**REFERENCES**

**DEFINITIONS, ACRONYMS AND FORMS**

**FACILITY PROCEDURE**

- I.
  - A.
  - B.
    - 1.
    - 2.
      - a.
      - b.
    - 3.
  - C.

II.

III.

**RESPONSIBILITY**

I. Staff

II. PIOC

III. Other