



Hair Testing.

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Introduction

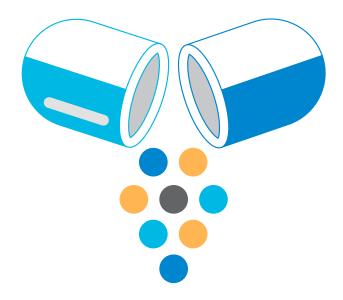
There's been a lot of buzz about hair testing and its implications for the motor carrier industry. Hailed as a more effective method of detecting patterns of drug use, some large trucking companies are already utilizing hair testing as part of their drug-free workplace programs.

The federal government seems to agree, as the FAST ACT transportation bill signed into law in December 2015 will allow for hair follicle testing as a DOT-approved testing method in the near future. Before you can start swapping out urinalysis for hair testing, however, the Department of Health and Human Services must establish their federal testing guidelines. Per the FAST Act, these guidelines must be completed in 2016.

"The number one reason [small business owners] can't hire enough workers is they can't find enough people to pass a drug test."

Georgia Governor Nathan Deal, as quoted in a May 17, 2016 New York Times article, titled "Hiring Hurdles:
 Finding Workers Who Can Pass a Drug Test"





Who Will Hair Testing Affect?

If you're currently enrolled in a random drug and alcohol program, you could be asked to go for a hair follicle drug test in the future. This must include drivers who:

- Drive a vehicle with a Gross Vehicle Weight Rating (GVWR) or Gross Combination Weight Rating (GCWR) of 26,001+ pounds
- Transport at least 16 passengers
- Transport hazardous materials and require placarding

In addition, drivers may need to submit to hair testing as part of a drug-free workplace program – even if they don't meet the above requirements.



The Current Testing Method

Urinalysis has been the one, go-to method of performing DOT-required drug tests since the federal drug and alcohol testing regulations were established over two decades ago. Not only is urinalysis fast and easy to perform, but it's also effective in detecting a wide range of illicit substances.

Where urinalysis falls flat, however, is in its ability to detect patterns of long-term drug abuse. Because most drugs exit the body quickly, a urine test can typically only detect whether a person has used drugs within the past two or three days. This can make it fairly easy for a casual drug user to stay clean in preparation for a test if they have a few days' notice. Although highly accurate, and not likely a significant problem, another potential issue with urinalysis is the ability of some drug users to "beat the system:"

- Tests can be adulterated to produce a false negative
- Most collections are not directly observed by a collector
- Donors can smuggle clean specimens into a collection site to substitute for their own

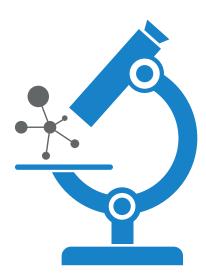


An Overview of Hair Follicle Testing

As more trucking companies look to reduce drug use among their drivers, hair follicle testing is becoming an increasingly popular way of screening candidates. The reason, is that unlike urinalysis, which shows only two to three days of drug use, hair testing typically goes back a full 90 days. This provides a clearer picture of a driver's drug history and can allow companies to make more informed decisions about who they allow behind the wheel.

How Drugs are Detected

As the body breaks down drugs in the bloodstream, it produces something called metabolites. Metabolites are essentially a genetic record of the person's drug use, providing clear evidence of the drugs they've ingested. These metabolites are absorbed from the blood into the hair follicles where it is passed into the growing hair strands. They remain in the hair until it's cut, providing detectable evidence of drug use long after the substances have left the body.





Collection Method

To perform a standard hair follicle drug test, the hair is cut as close to the roots as possible – typically from the back of the head in a place where it's not readily noticeable. Approximately 90-120 strands are needed for the test.

If the person doesn't have enough hair on their head, or the hair isn't long enough, the hair can be cut from elsewhere on the body. In general, hair can be taken from anywhere as long as it's at least an inch-and-a-half long. Common locations include the chest, armpit and leg.

Even if the hair is longer than needed, typically only the first inch and a half from the root is tested. Although each person's hair grows at a different rate, this provides about a 90-day history of past drug use. Because body hair grows at a much slower rate, samples taken from other parts of the body may show up to 12 months of drug use.

The Testing Process

Once the hair is collected and cut to the appropriate length, it will be washed thoroughly to remove any external contaminates. Once clean, the hair can be tested for drug exposure and metabolites.

There is some concern that exposure to second-hand marijuana smoke, for example, will lead to a positive test result - even if the individual didn't smoke the drug themselves. However, because hair tests look for the presence of metabolites, in addition to exposure, a positive test result couldn't be achieved through second-hand smoke alone. These metabolites are only produced when the drugs are present in the person's bloodstream.

What Drugs Can You Test For?

Hair follicle drug testing can accurately detect the following substances:

- Marijuana
- Cocaine
- Opiates
- Amphetamines
- Phencyclidine (PCP)
- Hydrocodone*
- Hydromorphone*
- Oxycodone*
- * While hair testing can detect these synthetic opiates, DOT testing may not require or allow these substances to be included on a mandated drug test.

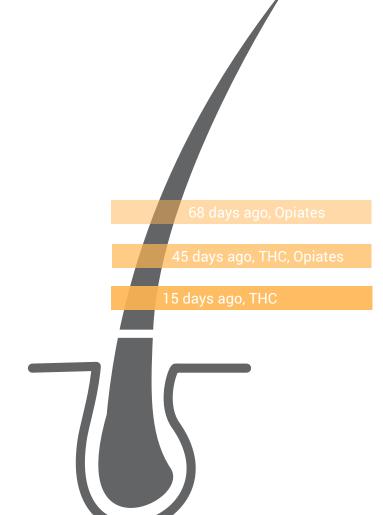


Important Considerations

Although hair follicle drug testing provides a much clearer picture of drug use, the process also comes with a few additional complications. For instance, how will testing be handled among drivers who don't have enough hair? Will it be considered a refusal to test? Or, what if an applicant has religious beliefs that prevent the cutting of hair?

Another consideration is damage to the hair due to bleaching, perming and other chemical processes. Although chemically-processed hair can still be tested accurately, if the hair is too damaged, some data suggests the results could be affected.

On the flip side, it is much more difficult to beat a hair follicle drug test and produce a false negative result. Over-the-counter adulterants designed to mask drug use in urine samples simply aren't effective for hair testing. And, because hair is cut under direct supervision, swapping out your hair with a "clean" sample isn't possible.





The Future of Hair Testing

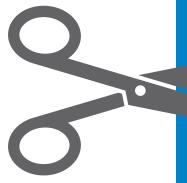
At some point in the next year, hair follicle drug testing will become a reality for those in the transportation industry. It's a move the American Trucking Associations will likely celebrate, as they've been pushing for the DOT to approve hair testing as an alternative to urinalysis based on the increased accuracy of the tests.

This change will come at the same time as the Drug and Alcohol Clearinghouse takes effect – creating even larger changes in the industry. Together, these federal changes will likely result in a larger number of positive drug test results – along with a central database where future employers can readily access the information.

With evidence suggesting that drug abuse among Americans is on the rise, many employers will find peace of mind in a testing method that provides increased accuracy and a more comprehensive look at their employees' history of drug use. For the employees who must pass these tests, it will become increasingly important for them to stay clean if they want to land a job or stay employed. In many instances, of course, this is much easier said than done.

The End of Urinalysis?

Because it takes five to 10 days for the metabolites to appear in a person's hair, hair testing is much more reliable in detecting long-term drug use. With that in mind, hair testing will be reserved for pre-employment and random drug testing, while urinalysis will still be required for reasonable suspicion and post-accident testing.



"Hair follicle testing, combined with the drug testing clearinghouse, will have a greater impact on truck capacity long term than electronic logging devices."

Thomas Albrecht,BB&T Capital Markets Transportation Analyst



The Pros and Cons for Employers

Having access to a reliable drug testing method that effectively detects patterns of long-term drug use will be a benefit to employers who can expect increased retention, better productivity and improved driver performance when hiring clean drivers. Of course, if they are to realize these benefits, they'll have to be able to find drivers who can pass the test.

As noted in a 2016 New York Times article, employers are having an increasingly difficult time finding qualified employees who can pass a drug test.

Improved testing methods such as hair testing are only partially to blame. The other factor, is an increase in the number of individuals struggling with addiction – particularly, marijuana, heroin and opioid drugs. Quest Diagnostics recently reported a second year increase in the number of American workers who have tested positive for illicit drugs. Prior to 2013, those numbers hadn't risen in a decade.

"There is a dramatic difference in positive rates: 0.36% of applicants tested positive with a urine test, while 3.67% of the same applicants tested positive using a hair test."

 Tom DiSalvi, Vice President of Safety and Loss Prevention for Schneider, as quoted in a June 2016 edition of Transport Topics



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About the Author

Scott Mogensen manages
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About Foley

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