

**CHAPTER 9**  
**MEDICAL REVIEW OFFICER**  
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## CHAPTER 9

### MEDICAL REVIEW OFFICER

#### 1. MEDICAL REVIEW OFFICER.

a. Designation. The Department uses, through a contract with the California Department of Human Resources (CalLHR), one or more Medical Review Officers (MRO) who receive positive test results and evaluate them from a medical point of view. Each MRO must be a licensed physician.

b. Responsibilities. Upon receiving test results from the laboratory, the MRO shall:

(1) Review the results and determine if the standards and procedures required by the substance testing policy have been followed.

(2) Interview the affected employee to determine if factors (other than illegal substance use) may have caused the result. Employee participation in this interview is voluntary.

(3) Consider any assertions by the affected employee of irregularities in the sample collection and testing process.

(4) Provide a written explanation of the test results to the Commissioner or designee for review and consideration.

c. Employee Information. If the affected employee has additional information for the MRO to consider, it is the employee's responsibility to provide that information. Departmental supervisors will make reasonable efforts to assist the MRO in establishing necessary appointments with the affected employees. In most instances, this will be accomplished by telephone. If the employee cannot be reached, the MRO will proceed without an interview, relying upon information provided by the Department, the employee, and the contract laboratory. Since the employee has an opportunity to explain a positive test result, it is imperative that supervisors properly document their observations that formed the foundation for reasonable suspicion. This information may be necessary to refute a claim made by the employee to explain the test results.

d. Final Determination. It is the MRO who makes the final determination of the test result. This determination can only be made after all available information is considered. A positive laboratory result may not always be supported by the MRO. Test results confirmed positive by the MRO will be communicated to the Office of

Internal Affairs by telephone. Additionally, test results will be accessible (by the Department's substance testing coordinator) via the laboratory's website through a secure login.

e. Medical Conditions. It is possible that the urinalysis and/or discussions between the MRO and employee could result in the identification of some other medical condition not previously known to the Department and/or the employee. Some of these conditions could jeopardize the employee's continued employment, since the Department has a responsibility to ensure public safety. Should such a condition be revealed through the substance test, the employee may be directed to complete a fitness-for-duty examination. Additionally, tests for any other substances suspected (other than those listed in Chapter 7, *Testing Process and Standards*) must be approved by CalHR before the contract laboratory will perform the additional testing.