



Illinois Department of Corrections

Administrative Directive

Number: 03.02.201	Title: Drug Testing for Applicants	Effective: 9/1/2024
-----------------------------	--	-------------------------------

Authorized by:	<i>[Original Authorized Copy on File]</i> Latoya Hughes Acting Director
Supersedes:	03.02.201 effective 3/1/2022

Authority: 720 ILCS 550/3 and 570/100 et seq. 730 ILCS 5/3-2-2 and 5/3-7-4 820 ILCS 55/5	Related ACA Standards: 5-ACI-1A-07, 10, 12 – 14, 5-ACI-1C-01, 02, 16, 20, 23, 5-ACI-1D-01, 03, 11, 5-ACI-2F-01, 03
Referenced Policies: 03.02.105, 03.02.205	Referenced Forms: DOC 0032 – Request for Background Investigation DOC 0035 – Background Investigation Release and Consent DOC 0258 – Applicant or Volunteer Drug Screening Log DOC 0434 – Incident Report DOC 0529 – Applicant Testing Collection

I. POLICY

The Department shall test all applicants for the use of illegal drugs prior to employment. Any applicant, including contractual personnel, employees of contractors, vendors, interns and volunteers, found to have a positive drug finding shall not be eligible for employment or future consideration for employment by the Department.

II. PROCEDURE

A. Purpose

The purpose of this directive is to establish a written procedure for drug testing of applicants.

B. Applicability

This directive is applicable to all correctional facilities, offices, programs and parole services within the Department.

C. Facility Reviews

A Drug Screening Unit review of this directive shall be conducted at least annually. The review shall include an inspection and evaluation of laboratory testing services and procedures.

D. Designees

Individuals specified in this directive may delegate stated responsibilities to another person or persons unless otherwise directed.

E. Definitions

Applicant – any person applying for employment with the Department. For the purposes of this directive, shall include contractual personnel, employees of contractors, vendors, interns, and volunteers applying to work at correctional facilities or divisions on a regular, on-going basis.

Collector – medical personnel or an individual designated by the Chief Administrator or above who has been trained on collection procedures.

	Illinois Department of Corrections Administrative Directive	Page 2 of 5
Number: 03.02.201	Title: Drug Testing for Applicants	Effective: 9/1/2024

Drug – those substances identified in 720 ILCS 550/3 and 570/100 et seq.

Medical Review Officer – a licensed physician who has knowledge of substance abuse disorders and who is qualified to interpret and evaluate an individual's confirmed positive test result.

Outer garment – for the purpose of this directive shall mean any article of clothing not identified as essential to an individual's attire and that may conceal items or substances that could be used to tamper with or adulterate the urine specimen and shall include, but not be limited to, jackets, coats, hats, etc.

F. General Provisions

1. The laboratory selected to conduct the analysis must demonstrate technical expertise and proficiency in toxicology testing and be certified by the Substance Abuse and Mental Health Services Administration (SAMHSA).
2. Applicants for positions that require a commercial driver's license (CDL) and authorization to operate a commercial motor vehicle in interstate or intrastate commerce shall undergo pre-employment testing in accordance with this Administrative Directive. Once employed in this position, the employee shall be subject to subsequent testing and discipline in accordance with Administrative Directive 03.02.205.
3. Employment testing results shall follow 820 ILCS 55/5 guidelines and procedures.
4. Applicants shall only be submitted for pre-employment testing once a Request for Background Investigation, DOC 0032 is received and approved as eligible for hire or service.
5. Refusal to submit to a drug test, attempts to tamper with or adulterate the specimen, or positive test results that cannot be justified shall be considered a positive finding. Where a positive finding cannot be justified, applicants will not be eligible for employment or future consideration for employment by the Department.
6. Drug testing documents and test results shall be maintained in a confidential manner.
7. The use of unauthorized drugs by an employee, regardless of position held, is prohibited.

G. Applicant Testing

1. Prior to testing, an Applicant or Volunteer Drug Screening Log, DOC 0258, shall be completed and submitted to the Drug Screening Unit for vetting in the data system.
 - a. If approved, the Drug Screening Unit shall notify the sender in a written response of the "approved to test".
 - b. If there is a problem which disqualifies an applicant from testing, the Drug Screening Unit Manager shall advise the submitting facility or division of the issue.
2. All applicants shall be required to sign a Background Investigation Release and Consent, DOC 0035, at the time of testing.
3. All applicants shall be required to provide a urine specimen.
4. All applicants, excluding Correctional Officer Trainee and Correctional Treatment Officer Trainee applicants, shall normally be scheduled for drug tests within two business days but not to exceed three business days after a background investigation has cleared. Within five business days, an

	Illinois Department of Corrections Administrative Directive	Page 3 of 5
Number: 03.02.201	Title: Drug Testing for Applicants	Effective: 9/1/2024

applicant shall be scheduled to report for testing at a predesignated location.

- a. Any exceptions past these timelines shall have approval from the Drug Screening Unit Manager.
 - b. Applicants need not be notified the request to report is for the purpose of conducting a drug test.
 - c. No prior notice shall be given to Correctional Officer Trainee or Correctional Treatment Officer Trainee applicants.
5. All applicants shall be notified they will be denied employment for one year from the date of incident for the following reasons:
- a. Refusal to sign the DOC 0035.
 - b. Failure to appear for a scheduled drug test or failure to call the testing facility or Drug Screening Unit prior to the scheduled date to reschedule another drug test except due to a verified emergency or other legitimate reason. The Department Drug Screening Unit Manager shall determine if the reason to reschedule is legitimate.
 - c. Failure to provide a urine specimen or adequate amount of urine within three hours unless medical documentation is presented, and the Medical Review Officer determines that a legitimate medical reason exists.
 - d. A positive finding, other than for cannabis, that cannot be justified.
 - e. Intentional and documented tempering with a urine specimen.
 - f. Failure to cooperate with any part of the testing process (refusing to empty pockets when directed by the collector, disrupting the collection process, or failing to wash hands after being directed to do so by the collector).
 - g. Failure to remain at the collection site until the collection is complete.
 - h. Bringing or introducing materials at the collection site for the purpose of adulterating, substituting or diluting a specimen or the use of a prosthetic or other device that could be used to interfere with the collection process.
 - i. Admitting to the collector or Medical Review Officer they have adulterated or substituted the specimen.
6. If there is a positive finding that cannot be justified by the Medical Review Officer:
- a. The Medical Review Officer shall notify the Department Drug Screening Unit Manager.
 - b. The Department Drug Screening Unit Manager shall notify the hiring facility verbally and in writing.
 - c. The Chief Administrator shall inform the applicant verbally that their consideration for employment has been denied or retracted and they shall not be eligible for consideration for employment by the Department for one year from the date of incident as noted in the written notice.
 - d. Once the applicant has been notified, the Chief Administrator shall email the Department Drug Screening Unit Manager confirming the notification, including date and time of notification in accordance with Administrative Directive 03.02.105.

	Illinois Department of Corrections Administrative Directive	Page 4 of 5
Number: 03.02.201	Title: Drug Testing for Applicants	Effective: 9/1/2024

- e. The Department Drug Screening Unit Manager shall send written notice that the applicant's consideration for employment has been denied or retracted and they shall not be eligible for consideration for employment by the Department for one year from the date of incident. In the event this is a second consecutive occurrence, the applicant shall not be eligible for future consideration for employment by the Department.

H. Drug Testing Procedure

All drug tests shall be performed by a Department approved SAMHSA certified laboratory that must screen the sample and confirm all positive samples for drugs. The above shall not preclude the use of authorized field tests for initial screening purposes.

1. The urine collection process shall be documented on the Applicant Testing Collection, DOC 0529.
2. Upon the arrival of the applicant at the collection site, the collector shall instruct the applicant to present photo identification. If an applicant does not have proper identification, the collector shall instruct the applicant to return immediately with proper identification. Failure to do so shall be considered a refusal. If the time needed to return will exceed 30 minutes, the Drug Screening Unit Manager shall be notified prior to approving and proof may be required of any additional time required.
3. The collector shall instruct the applicant to remove any unnecessary outer garments and remove all items from their pockets. All personal belongings except a wallet shall remain with outer garments.
4. Specimen collection shall occur in a private setting, free of any substances that may be used to contaminate the specimen. Direct observation by a collector of the same gender as the applicant shall only be done if there is reasonable cause to believe the candidate will tamper with the sample.
5. Applicants who are unable to provide a specimen when requested shall be given a reasonable time period, up to three hours, to provide the sample. To encourage urination, the applicant may be given up to eight ounces of water every 30 minutes, with the amount not to exceed 40 ounces. This information shall be recorded on the DOC 0529.
6. The specimen shall be given to the collector who shall examine the sample to determine that it is the appropriate color, clarity, temperature and volume.
 - a. If the sample meets the above criteria, the sample shall be immediately labeled and sealed.
 - b. If the sample does not meet the above criteria, the applicant shall be required to provide another specimen prior to leaving the specimen collection site and within the original three-hour time period provided in accordance with Paragraph II.H.5. Such action shall be documented on an Incident Report, DOC 0434.
7. Following the giving of the specimen, the applicant shall sign a Forensic Drug Testing Custody and Control form certifying that the urine in the bottle came from their body at the time of collection. Refusal to sign the statement shall be noted in the remarks section on the custody and control documentation by the collector.
8. Applicant drug test results shall normally be sent to the Department Drug Screening Unit Manager within 72 hours after the test. Upon receipt of the results:

	Illinois Department of Corrections Administrative Directive	Page 5 of 5
Number: 03.02.201	Title: Drug Testing for Applicants	Effective: 9/1/2024

- a. If the applicant's test results are negative, the Department Drug Screening Unit Manager shall notify the respective Chief Administrator.
 - b. If the laboratory suspects the applicant's specimen to be diluted such as the result of excess water intake and an accurate test cannot be performed, the applicant shall be notified that another specimen is required.
 - c. If the applicant's test results are positive, the Drug Screening Unit Manager shall notify the Medical Review Officer of the positive result by providing a copy of the lab test result.
 - (1) The Medical Review Officer shall contact the applicant within three business days to determine if there are legitimate medical explanations for the positive result, such as the use of legally prescribed medication and over the counter medications, and to obtain a release of information when necessary.
 - (2) If the Medical Review Officer is unable to make contact, they shall notify the Drug Screening Unit Manager who shall attempt to contact the applicant to facilitate contacting the Medical Review Officer.
 - (3) If the applicant does not respond to the Drug Screening Unit Manager within one business day of the last attempt to contact, the applicant shall be disqualified from future consideration of employment with the Department for a period of one year, a second consecutive incident will result in disqualification for a period of two years.
 - d. If the Medical Review Officer determines the positive results are due to a legitimate medical explanation, the drug test shall be reported to the Department Drug Screening Unit Manager as negative, and the respective Chief Administrator shall be notified in accordance with Paragraph II.H.8.a.
 - e. If the applicant's test results are positive and no alternative medical explanations were provided, the Department Drug Screening Unit Manager shall notify the respective Chief Administrator that the applicant is not eligible for hire in accordance with Paragraph II.G.5.
-