

Medical Review Officer's Role in Federal Drug Screening

Revised federal drug testing rules require Medical Review Officers (MROs) to report safety concerns to an employer's designated representative. The prescribed process directs MROs to observe a five-work-day reporting pause for donors who are prescribed a medication that may adversely impact safety-sensitive work.

The following scenario helps illustrate the process:

1. A drug screen lab result shows oxycodone, a synthetic opioid with the potential to diminish safe work performance, in an employee's urine sample.
2. The MRO conducts an interview with the specimen donor to determine whether he or she has a legitimate prescription for a medication containing oxycodone.
3. If a valid prescription is not produced, the MRO reports a non-negative result to the employer.
4. If a prescription is valid, the MRO invites the employee to discuss stopping or changing the medication with his or her prescribing provider and immediately reports a negative test result to the employer:
 - If the employee declines the option to stop or change medication, the MRO reports a safety concern to the employer at that time.
 - If the employee agrees to discuss a medication change with the prescribing provider, the MRO must wait five business days to allow time for contact with the provider before reporting a safety concern.
 - If contact is not made after that time, the MRO reports the safety concern to the employer.
 - If contact from the provider is made within five business days and medication changes are agreed upon, the MRO may elect not to inform the employer of a safety concern.
 - If the provider contacts the MRO after five business days and reports an acceptable medication change, the MRO must inform the employer that the safety concern has been addressed.

MROs have the option to advise a donor to undergo a fitness-for-duty evaluation by a qualified clinician if medical history, test results, diagnosis and/or treatment create reasonable concerns about an employee's ability to safely perform essential job functions.

To learn more, refer to [WorkCare's Fact Sheet](#).

What is a Valid Prescription?

Under federal drug testing laws:

- An acceptable prescription is defined as legally consistent with the Controlled Substances Act.
- An MRO must review and take all reasonable and necessary steps to verify the authenticity of all medical records a donor provides.
- An MRO may contact the donor's physician or other relevant medical personnel for additional information.

Guidance around the length of time a prescription is allowed to be used is not provided. MROs are advised to continue using their best judgment in determining the length of time a prescription should be considered valid. An MRO may not question whether a physician should have originally prescribed the medication.

