



FLORIDA DRUG-FREE WORKPLACE PROGRAM

1. STATEMENT OF POLICY

Revised 01/01/2020

As part of our commitment to safeguard the wellbeing of our employees and to provide a safe environment for everyone, Medic Air Systems, Inc. (here in after referred to as “Company”) has established a drug-free workplace policy.

The ultimate goal of this policy is to balance our respect for individual privacy with our need to keep a safe, productive, drug-free environment. We encourage those who use illegal drugs or abuse alcohol to seek help in overcoming their problem. Employees who do so will be able to retain their job positions in good standing.

While this company understands that employees and applicants under a physician’s care are required to use prescription drugs, abuse of prescribed medications will be dealt with in the same manner as the abuse of illegal substances.

All employees are given a one-time notice as of the date of hire that it is a violation of company policy for any employee to report to work under the influence of illegal drugs and/or to possess in his or her body, illegal drugs in any detectable amount. Employees are subject to drug testing under the standards of this policy which include but are not limited to; prior to hire, if reasonable suspicion is observed, and in the case of an accident.

a. Types of drug/alcohol testing required.

i. **Job applicant drug testing.** Company requires job applicants to submit to a drug/alcohol test and may use a refusal to submit to a drug/alcohol test or a positive confirmed drug/alcohol test as a basis for rejecting to hire a job applicant. A job applicant is a person who has applied for a position with Company and has been offered employment conditioned upon successfully passing a drug/alcohol test, and may have begun work pending the results of the drug/alcohol test.

ii. **Reasonable-suspicion drug testing.** Company requires an employee to submit to reasonable-suspicion drug testing. Reasonable-suspicion drug testing is drug testing based on a belief that an employee is using or has used drugs/alcohol in violation of the drug-free workplace policy. Reasonable suspicion may be drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon:

- A. Observable phenomena while at work, such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug.
- B. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
- C. A report of drug use, provided by a reliable and credible source.
- D. Evidence that an individual has tampered with a drug test during his or her employment with the current employer.
- E. *Information that an employee has caused, contributed to, or been involved in an accident while at work.*
- F. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on Company's premises or while operating Company's vehicle, machinery, or equipment.

iii. **Routine fitness-for-duty drug testing.** Company requires an employee to submit to a drug test if the test is conducted as part of a routinely scheduled employee fitness-for-duty medical examination that is part of the established policy or that is scheduled routinely for all members of an employment classification or group.

iv. **Follow-up drug testing.** If the employee in the course of employment enters an employee assistance program for drug/alcohol-related problems, or a drug/alcohol rehabilitation program, Company requires the employee to submit to a drug/alcohol test as a follow-up to the program, unless the employee voluntarily entered the program. In those cases, Company has the option to not require follow-up testing. If follow-up testing is required, it must be conducted at least once a month for a 3-month period after completion of the program. Advance notice of a follow-up testing date must not be given to the employee to be tested.

b. The actions that Company may take against an employee or job applicant on the basis of a positive confirmed drug/alcohol test result.

i. Positive Test - Denial of Florida workers' compensation benefits. Upon a positive confirmed drug/alcohol test result, Company will deny an employee workers' compensation medical or indemnity benefits under Florida Chapter 440.

ii. Refusal of Test - Denial of Florida workers' compensation benefits. If an injured employee refuses to submit to a drug/alcohol test, the employee forfeits eligibility for Florida workers' compensation medical and indemnity benefits.

iii. Positive Test – Termination of employment. Upon a positive confirmed drug/alcohol test result, Company may terminate the employee’s employment.

2. EXISTANCE OF 440.102

This policy is implemented pursuant to the drug-free workplace program requirements under Florida Statute 440.102 and Administrative Rule 59A-24 of the State of Florida Agency for Health Care Administration.

3. CONFIDENTIALITY

a. Except as otherwise provided in this section, all information, interviews, reports, statements, memoranda, and drug test results, written or otherwise, received or produced as a result of a drug-testing program are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution, and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings, except in accordance with this section or in determining compensability under Florida Chapter 440 (workers’ compensation).

b. Company, laboratories, medical review officers, employee assistance programs, drug rehabilitation programs, and their agents may not release any information concerning drug test results obtained pursuant to this section without a written consent form signed voluntarily by the person tested, unless such release is compelled by an administrative law judge, a hearing officer, or a court of competent jurisdiction pursuant to an appeal taken under this section or is deemed appropriate by a professional or occupational licensing board in a related disciplinary proceeding. The consent form must contain, at a minimum:

1. The name of the person who is authorized to obtain the information.
2. The purpose of the disclosure.
3. The precise information to be disclosed.
4. The duration of the consent.
5. The signature of the person authorizing release of the information.

c. Information on drug test results shall not be used in any criminal proceeding against the employee or job applicant. Information released contrary to this section is inadmissible as evidence in any such criminal proceeding.

d. This subsection does not prohibit Company, agent of Company, or laboratory conducting a drug test from having access to employee drug test information or using the information when consulting with legal counsel in connection with actions brought under, or related to this section, or when the information is relevant to its defense in a civil or administrative matter.

4. REPORTING USE OF PRESCRIPTION OR NONPRESCRIPTION MEDICATIONS

- a. An employee or job applicant may confidentially report the use of prescription or nonprescription medications to a medical review officer, both before and after a drug/alcohol test, by contacting the medical review officer directly; Company will provide the contact information.

- b. Prescription or nonprescription medication is a drug or medication obtained with a prescription from an authorized health care provider or a medication that is authorized by federal or state law for general distribution and use without a prescription in the treatment of human diseases, ailments, or injuries.

- c. A medical review officer (MRO) is a licensed physician employed with or contracted with Company, who has knowledge of substance abuse disorders, laboratory testing procedures, and chain of custody collection procedures; who verifies positive, confirmed test results; and who has the necessary medical training to interpret and evaluate an employee's positive test result in relation to the employee's medical history or any other relevant biomedical information.

5. LIST OF COMMON MEDICATIONS THAT MAY AFFECT A DRUG/ALCOHOL TEST

The following is a list of the most common medications, which may alter or affect a drug test, and is not intended to be all-inclusive:

Alcohol	All liquid medications containing ethyl alcohol (ethanol). Please read the label for alcohol content. As an example, Vick's Nyquil is 25% (50 proof) ethyl alcohol, Comtrex is 20% (40 proof), Contact Severe Cold Formula Night Strength is 25% (50 proof) and Listerine is 26.9% (54 proof).
Amphetamines	Obetrol, Biphedamine, Desoxyn, Dexedrine, Didrex, Ionamine, Fastin.
Cannabinoids	Marinol (Dronabinol, THC).
Cocaine	Cocaine HCl topical solution (Roxanne).
Phencyclidine	Not legal by prescription.

Methaqualone	Not legal by prescription.
Opiates	Paragoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Asprin with Codeine, Robitussin AC, Guiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid (Hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Tussi-organidin, etc.
Barbiturates	Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebaral, Butabarbital, Butalbital, Phrenilin, Triad, Etc.
Benzodiazepines	Ativan, Azene, Clonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Berstran, Halcion, Paxipam, Restoril, Centrax.
Methadone	Dolophine, Metadose.
Propoxyphene	Darvocet, Darvon N, Dolene, etc.

6. CONSEQUENCES OF REFUSING DRUG/ALCOHOL TESTING

- a. Job applicant drug/alcohol testing. [Company] may refuse to hire a job applicant who refuses to submit to a drug/alcohol test.
- b. Employee drug/alcohol testing.
 - i. If an injured employee refuses to submit to a drug/alcohol test, the employee forfeits eligibility for Florida workers' compensation medical and indemnity benefits.
 - ii. If an injured employee refuses to submit to a drug/alcohol test, the employee may be terminated from employment with [Company].

7. DRUG REHABILITATION PROGRAMS

Although Company does *not* maintain an Employee Assistance Program (EAP), Company does have a list of local providers of drug and alcohol treatment and family services that an employee may access without Company's involvement.

It is the responsibility of an employee to seek assistance *before* alcohol and drug problems lead to disciplinary actions. Once a violation of this policy occurs, subsequently seeking

treatment on a voluntary basis will not necessarily lessen disciplinary action and may, in fact, have no bearing on the determination of disciplinary action.

A medical provider can give an appropriate assessment, evaluation and counseling and/or referral for treatment of drug and alcohol abuse. Employees may be granted leave with a conditional return to work, depending on successful completion of the agreed-upon treatment regimen, which may include follow-up testing.

The cost of seeking assistance will be the responsibility of the employee and is subject to provisions of Company's health insurance plan, if any. Please consult the provider for specifics concerning this issue.

8. CHALLENGES TO TEST RESULTS

a. An employee or job applicant who receives a positive confirmed test result may contest or explain the result to Company's designated medical review officer (MRO) within five (5) working days after receiving written notification of the test result. If an employee's or job applicant's explanation or challenge of the positive test is unsatisfactory to the MRO, the MRO shall report a positive test result back to the employer; and that a person may contest the drug test result according to the law/rules adopted by the Florida Agency for Health Care Administration.

b. The terms "confirmation test," "confirmed test," or "confirmed drug test" mean a second analytical procedure used to identify the presence of a specific drug or metabolite in a specimen, which test must be different in scientific principle from that of the initial test procedure and must be capable of providing requisite specificity, sensitivity, and quantitative accuracy.

c. Confirmation testing shall be done in accordance with the following:

- (i) If an initial drug test is negative, Company may in its sole discretion seek a confirmation test.
- (ii) Only licensed or certified laboratories may conduct confirmation drug tests.
- (iii) All positive initial tests shall be confirmed using gas chromatography/mass spectrometry (GC/MS) or an equivalent or more accurate scientifically accepted method approved by the Florida Agency for Health Care Administration or the United States Food and Drug Administration as such technology becomes available in a cost-effective form.
- (iv) If an initial drug test of an employee or job applicant is confirmed as positive, Company's designated medical review officer shall provide technical assistance to the Company and to the employee or job applicant for the purpose of interpreting

the test result to determine whether the result could have been caused by prescription or nonprescription medication taken by the employee or job applicant.

9. EMPLOYEE RESPONSIBILITY TO NOTIFY LABORATORY

An employee or job applicant is responsible for notifying the testing laboratory of any administrative or civil action brought pursuant to Florida Statute 440.102 (West 2015).

10. DRUGS THAT MAY BE TESTED

Company may test for any or all of the following drugs and alcohol:

- Alcohol
- Amphetamines
- Cannabinoids
- Cocaine
- Phencyclidine HCl
- Methaqualone HCl
- Opiates
- Barbiturates
- Benzodiazepines
- Synthetic Narcotic

11. COLLECTIVE BARGAINING AGREEMENTS

Company's employees are not subject to any collective bargaining agreement; however, if one becomes applicable, there may be a right to appeal actions taken by Company due to an employee's confirmed drug test or refusal to take a drug/alcohol test with the Public Employees Relations Commission or applicable court.

12. MEDICAL REVIEW OFFICER CONSULTATIONS

Employees and job applicants may consult with a medical review officer for technical information, regarding prescription or nonprescription medication.

Company's medical review officer contact information is as follows:

- Name: Dr David Nahin
- Address: 1111 Newton Street, Gretna LA 70100
- Telephone: (855) 253-5666
- Lab: Alere Diagnostic/Abbott Lab.

Drug-Free Workplace Program Acknowledgement

I hereby acknowledge that I have received and read Medic Air Systems, Inc.'s Florida Drug-Free Workplace Program, a summary of the drugs which may alter or affect a drug test and a list of local Employee Assistance Program providers or local drug and alcohol treatment programs. I have had an opportunity to have all aspects of this material fully explained. I also understand that I must abide by the Program as a condition of initial and/or continued employment, and any violation may result in disciplinary action up to and including termination.

I also understand that during my employment I may be required to submit to testing for the presence of drugs or alcohol in my body. I understand that submission to such testing is a condition of employment with Company, and disciplinary action up to and including termination may result if:

- 1) I refuse to consent to testing.
- 2) I refuse to execute all forms of consent and release of liability that are usually and reasonably associated with such examinations.
- 3) I refuse to authorize release of the test results to the company.
- 4) The tests establish a violation of [Company]'s Drug-Free Workplace Policy.
- 5) I otherwise violate the policy.

I understand that if I am injured in the course and scope of my employment and test positive or refuse to be tested, I forfeit my eligibility for medical and indemnity benefits under the Workers' Compensation Act upon exhaustion of the remedies provided in Florida Statute 440.102(5).

I further understand that this policy, along with a list of organizations and resources that can provide assistance for alcohol or drugs problems, is posted on the Company website www.medicairsystems.com; and I agree to review any changes to this policy that will be posted on the website should the Company notify via email.

I also recognize that the Drug-Free Workplace Policy and related documents are not intended to constitute a contract between Company and me.

The undersigned further states that he/she has read and understands the above acknowledgement and signs below of his/her own free will.

SIGNATURE

DATE

EMAIL

NATIONAL HOTLINE NUMBERS

Employee Assistance Program

The following organizations and resources provide free, confidential assistance to individuals who have, or know someone who has, a problem with alcohol or other drugs.

Substance Abuse Treatment Locator www.findtreatment.samhsa.gov.

Phone: 1-800-662-4357 / 1-800-662-9832 (Español) / 1-800-228-0427 (TDD)

This Substance Abuse and Mental Health Services Administration (SAMHSA) Web site and toll-free phone line help individuals locate drug and alcohol abuse treatment programs in their communities.

Other National Hotlines & National Assistance Groups:

Drug & Alcohol Abuse Hotline	1-800-252-6465
Drug Addiction Referral Hotline	1-800-758-5877
Alcoholics Anonymous	1-800-344-2666
Narcotics Anonymous	1-818-773-9999
AL-ANON Family Group Headquarters	1-800-356-9996
Child Help's - National Child Abuse Hot Line	1-800-422-4453
M.A.D.D.	1-800-438-6233
S.A.D.D.	1-508-481-3568
Families Anonymous	1-800-736-9805
Florida Alcohol and Drug Abuse Association	1-850-878-2196
National Runaway Switchboard	1-800-621-4000
National Institute on Drug Abuse (NIDA)	1-301-443-1124
National Suicide Prevention Lifeline	1-800-273-8255
National Council on Alcoholism & Drug Dependence Hopeline	1-800-622-2255
National Clearing House for Alcohol & Drug Information	1-800-729-6686

Employees may also speak with the company representative by contacting HR for help and information.