

DEPARTMENT:	Office of the Dean
POLICY NAME:	Student Controlled Substance Testing
POLICY NUMBER:	
OWNER:	Office of the Dean
EFFECTIVE DATE:	August 26, 2025

SCOPE

While enrolled at the Meritus School of Osteopathic Medicine (the "School" or "MSOM"), it is the student's responsibility to ensure that they are functioning free from the influence of alcohol, illicit drugs, or illegal substances. Any enrolled medical student engaged in the unlawful manufacture, distribution, dispensation, possession and/or use of a controlled substance,¹ or convicted for any drug-related or alcohol-related offense, will result in a report made to the designated School official for intervention and/or the possibility of disciplinary action.

PURPOSE

MSOM is committed to the highest level of educational activity and professional conduct throughout all programs. As such, the School is committed to maintaining a drug-free educational environment, in compliance with federal and state laws, for medical students and a safe clinical environment for patients.

This policy is established in compliance with the Drug-Free Schools and Communities Act of 1989 (20 U.S.C. § 1011i) as a condition of receiving federal financial assistance.

Throughout matriculation and the continuation of graduate medical education, enrolled students are required to demonstrate proficiencies in the School's technical standards. Technical standards ensure that enrolled students are committed not only to their education and desired profession, but the safety and care of others during clinical settings. Students must be free of alcohol and substance-related impairments and be able to show proficiency in all outlined technical standards in order to graduate with their medical degree.

Federal vs. State Law: The use of substances prohibited under federal law is strictly prohibited regardless of state law authorization. Marijuana remains a controlled substance under federal law despite legalization in Maryland. Medical marijuana authorization under Maryland law does not exempt students from this prohibition.

Affiliated institutions and clinics may require drug testing for anyone involved with patient care, including School students. Therefore, students must comply with all clinical site requirements, and use of federally prohibited substances may preclude participation in clinical training.

All accepted students are required to complete a controlled substance screening prior to matriculation and periodically thereafter, as determined by the School and in compliance with requirements of affiliated clinical training sites.

DEFINITIONS

Controlled Substance: A controlled substance is defined as any substance in schedules I through V of section 202 of the Controlled Substance Act (21 U.S.C. § 812). This categorization by federal legislation is understood by the School to supersede any state, county or municipal statutes which might be perceived to allow latitude for legal use.

PROCEDURES

Drug test results will remain separate from the academic record.

I. DRUG SCREENING PROCEDURES

- a. **Pre-Matriculation Screening:** Pre-admission screening will be performed by a qualified third-party agency designated by the School. The School currently utilizes Certiphi for this purpose.
- b. **Post-Matriculation Screening:** All screening after enrollment will be performed by Health@Work, a separate entity affiliated with Meritus Health, designated by the School.
- c. **MRO:** Any non-negative results will be evaluated by the designated agency's Medical Review Officer (MRO) in accordance with federal and state laws.
- d. **Required Screening Times:** The School shall have the right to request that an enrolled medical student participate in a drug screen (DS) and/or alcohol testing at the following times:
 - i. **Pre-matriculation screening** for all accepted students;
 - ii. **Clinical site requirements** - Progression into certain clinical settings;
 - iii. **Random screening** - Students may be subject to random or periodic screening during enrollment; and
 - iv. **Reasonable suspicion** - As defined below.
- e. **Reasonable Suspicion Testing:** For purposes of this policy, reasonable suspicion shall mean:
 - i. **Observable phenomena** - Direct observation of drug or alcohol use or possession and/or physical symptoms of being under the influence of drugs or alcohol;

- ii. Pattern of abnormal conduct** - Erratic behavior inconsistent with normal performance;
 - iii. Credible information** - Information provided by reliable and credible sources regarding alleged policy violations;
 - iv. Evidence tampering** - Newly discovered evidence that the student tampered with a previous drug test;
 - v. Substance diversion** - Unexplained controlled substances or alcohol missing or diverted from clinical or laboratory environment, if the student had reasonable access during the time of the event; and
 - vi. Circumstantial evidence** - Evidence of circumstances or information which may cause a reasonable person to conclude that a student has more likely than not engaged in conduct that violates this policy.
- f. Testing Procedures:** If enrolled medical students are requested to take a DS and/or alcohol test, they shall provide appropriate consent allowing the results of the DS, alcohol testing, and any additional screening to be released to the School's Progress Committee and any ad hoc Conduct Committee. The results disclosed to the School shall be limited to "pass" or "fail", where "pass" indicates no reasonable concern for an active problem and "fail" indicates the reasonable conclusion that an active problem is present.

Any enrolled medical student who does not participate in the drug screen process, or who refuses to submit the required consent, will not be permitted to participate in clinical activity.

All enrolled medical students shall be relieved from patient care and clinical service pending the results of a DS, alcohol testing, or other screening required for "reasonable suspicion."

- g. Non-Negative Drug Screen Results:** Any applicant or matriculated student who receives a non-negative result must respond promptly to all Agency/MRO inquiries within 72 hours of notification and provide documentation verifying the presence of a legitimate prescription. Acceptable documentation must include:
- i.** Verification from a licensed healthcare provider actively managing the student's care;
 - ii.** Confirmation/acknowledgment of a provider–patient relationship;
 - iii.** Details of the prescribed medication, dosage, and duration of treatment; and
 - iv.** Unsolicited letters submitted outside the review process will not be considered sufficient to clear a non-negative result.

- h. Failed Drug Screen Determination:** A failed DS result will occur when:

- i. The sample contains drugs and/or metabolites for which the contracted vendor concludes there is no legitimate explanation other than the use of a prohibited drug or alcohol;
- ii. The designated agency determines that specimens are invalid, adulterated, or fail to meet threshold as measured by the agency's standards for specimen validity testing;
- iii. An enrolled medical student refuses to submit to testing, fails to report to the designated area for testing, fails to provide a sample suitable for testing and/or attempts to alter or tamper with the specimen;
- iv. Alcohol testing (when conducted) reveals prohibited levels as defined by the testing agency; and
- v. Failure to respond to requests within 72 hours or to provide acceptable documentation as required by this policy.

i. Retesting Procedures:

- i. For urine specimens, students may request split sample analysis at a different certified laboratory within 72 hours of notification of a non-negative result;
- ii. For other specimen types, students may request retesting according to the designated agency's established procedures within 72 hours of notification;
- iii. Retesting costs will be paid by the student if the original non-negative result is confirmed, or by the School if the original result is overturned;
- iv. If retesting results are negative, the student will be immediately cleared and allowed to resume all academic and clinical activities, with no record of violation maintained;
- v. If retesting confirms the original non-negative result, the student may still provide acceptable documentation to clear the result as outlined in this policy. If unable to clear the non-negative result, it will be considered a failed drug screen.

j. Consequences of Failed Drug Screen:

- i. Revocation of admission for applicants prior to matriculation; and/or
- ii. Referral to the Student Progress Committee for matriculated students, which may result in probation, suspension, or dismissal.

k. Appeals and Due Process:

- i. Students have the right to appeal any adverse action taken under this policy in accordance with the School's Student Due Process Policy.

Appeals must be submitted within 30 days of written notification of the adverse action.

ii. Interim Status During Appeals: During the appeals process:

1. Students remain suspended from all clinical activities and patient care responsibilities;
2. Academic coursework may continue at the discretion of the designated school official; and
3. No permanent notation will be made in student records until appeals are exhausted.

II. LEGAL SANCTIONS AND HEALTH RISKS

a. Federal Legal Sanctions:

- i. Criminal Penalties:** Possession of marijuana under federal law may result in fines up to \$1,000 and imprisonment up to one year for first offense;
- ii. Federal Student Aid:** Drug convictions may result in loss of federal student aid eligibility; and
- iii. Professional Licensing:** Convictions may impact future medical licensing and DEA prescribing privileges.

b. Maryland State Legal Sanctions:

- i. Age Restrictions:** Illegal for individuals under 21; possession may result in fines and mandatory drug education;
- ii. Educational Settings:** Enhanced penalties may apply for violations on educational property; and
- iii. Professional Licensing:** May impact future medical licensing applications.

c. Health Risks:

- i. Cognitive Impairment:** Alcohol and drug use may affect learning, memory, and clinical judgment critical for patient care;
- ii. Physical Impairment:** May affect coordination, reaction time, and motor skills necessary for medical procedures;
- iii. Dependency Risk:** Potential for physical and psychological dependence on alcohol and controlled substances; and
- iv. Drug Interactions:** May interfere with prescription medications.

III. AVAILABLE RESOURCES

a. Counseling and Treatment Programs:

- i. MSOM Student Support Services: studentaffairs@msom.org
 - 1. *TimelyCare* 24/7 Virtual Counseling and Crisis Services
www.timelycare.com/msom
 - 2. Student Assistance Program (SAP): 301-766-7600
- ii. Meritus Crisis Center: <https://www.meritushealth.com/services/crisis-center> (walk-in Orange Entrance);
- iii. Maryland Department of Health Substance Abuse Services (**Crisis Hotline**): 1-800-422-0009
- iv. National Suicide Prevention Lifeline: 988
- v. SAMHSA National Helpline: 1-800-662-4357

b. Educational Resources:

- i. *TimelyCare* 24/7 Virtual Counseling and Crisis Services
www.timelycare.com/msom
- ii. NCADD-MD: 410-625-6482 <https://ncaddmaryland.org/>
- iii. SAMHSA Website: <https://www.samhsa.gov/substance-use/prevention/talk-they-hear-you/school-resources>
- iv. National Institute on Drug Abuse: <https://nida.nih.gov/>

IV. VOLUNTARY ASSISTANCE AND SELF-IDENTIFICATION

- a. **Encouragement to Seek Help:** Students are encouraged to voluntarily seek assistance from the designated school official when they have problems with alcohol or substance abuse before any violation of this policy occurs.
- b. **Benefits of Self-Identification:** Students who voluntarily self-identify substance abuse issues may be:
 - i. **Granted a leave of absence to secure treatment without prejudice to their academic standing;**
 - ii. **Connected with appropriate counseling and treatment resources; and**
 - iii. **Provided with a structured return-to-study plan upon completion of treatment.**
- c. **Confidentiality:** Self-identification discussions will be maintained confidentially to the extent permitted by law and institutional policy.

- d. Limitations:** Self-identification after a drug screen has been requested, scheduled, or completed will not excuse a policy violation. Students must seek voluntary assistance before any testing or disciplinary process has begun.
- e. Good Faith Participation:** Students who self-identify must demonstrate good faith participation in recommended evaluation and treatment programs as a condition of continued enrollment or readmission.

V. ANNUAL NOTIFICATION AND COMPLIANCE

This policy and associated information will be distributed annually in writing to all enrolled students and to new matriculating students upon enrollment. The policy will be reviewed biennially to assess effectiveness and ensure continued compliance with federal requirements.