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MARINE SAFETY ADVISORY

Inspections and Compliance Directorate

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Safety Advisory 01-18

Expansion of Department of Transportation Drug Screening to Include Semi-Synthetic Opiates

This Marine Safety Advisory (MSA) is to ensure mariners, marine employers, and sponsoring organizations are informed of recent changes to the Department of Transportation (DOT) Drug Testing requirements that are found in 49 CFR Part 40. As the U.S. Coast Guard requires DOT 49 CFR Part 40 drug test per 46 CFR 4.06-20-(b) and 46 CFR 16.201(a), this MSA seeks to broadly communicate important changes effecting mariners, marine employers, and sponsoring organizations.

The DOT promulgated its final rule ([82 FR 52229](#)) amending the drug-testing program regulations to add hydrocodone, hydromorphone, oxycodone, and oxycodone (the most common prescription drugs of abuse) to the "Opioids" section of the drug-testing panel. Beginning January 1, 2018, in addition to the existing DOT drug testing panel that tests for marijuana, cocaine, amphetamines, phencyclidine (PCP), and opiates, mariners in safety-sensitive positions will also be tested for the four additional semi-synthetic opioids named above. Some common names for these semi-synthetic opioids include OxyContin®, Percodan®, Percocet®, Vicodin®, Lortab®, Norco®, Dilaudid®, Exalgo®.

If a mariner tests positive for any of the semi-synthetic opioid drugs after December 31, 2017, then as with any other drug test result that is confirmed by the laboratory, the Medical Review Officer (MRO) will conduct an interview with the mariner to determine if there is a legitimate medical explanation for the result. If the mariner has a valid prescription, it must be provided to the MRO, who will then determine if the prescription is valid. If a legitimate medical explanation is established, the MRO will report the result to the marine employer as a negative. If not, the MRO will report the result as positive.

When a marine employer or sponsoring organizations receives a positive drug test result from an MRO, the marine employer or sponsoring organizations is required by 46 CFR 16.201(b) to remove the mariner from performing regulated safety-sensitive duties and provide a list of qualified Substance Abuse Professionals (SAP) to the mariner. In accordance with 46 CFR 16.201(c), marine employers and sponsoring organizations are required to report positive test results of credentialed mariners to the U.S. Coast Guard.

For marine employers and sponsoring organizations there is no need to make any changes if their current drug testing policies that refer to adhering to "DOT 49 Part 40." However, if the marine employer or sponsoring organizations lists the sub-categories of drugs tested under the 5-panel are listed "Opiates (codeine, heroin, & morphine)" and/or "Amphetamines (amphetamine, methamphetamine, MDMA, MDA, MDEA), then the marine employers or sponsoring organizations needs to change "Opiates" to "Opioids (codeine, heroin, morphine, oxycodone, oxycodone, oxycodone, oxycodone, hydromorphone)" and "MDEA" will need to be removed from the list under Amphetamines. Likewise, if cut-off levels are listed in current policies, employers must update those cut-off levels. Again, employers may simply delete the cut-off levels completely and be in compliance if the DOT policy refers to adhering to "DOT 49 Part 40."

Mariners should also consult with their prescribing physician to discuss their safety-sensitive responsibilities in order to determine if continued use of these medications is appropriate. Mariners should ensure their prescribing physician knows what type of regulated, safety-sensitive work the mariner performs and discuss whether prescribed medications could impact transportation-related safety-sensitive work.

Mariners, marine employers, and sponsoring organizations may find additional information and guidance regarding these changes by DOT at: <https://www.transportation.gov/odapc/frpubs>.

This Safety Advisory was developed by the U.S. Coast Guard Office of Investigations and Casualty Analysis. Questions or comments should be sent to: DAPI@uscg.mil