

Why Oral Fluid Drug Testing?

By Bill Current
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Meet the Presenter



Bill Current

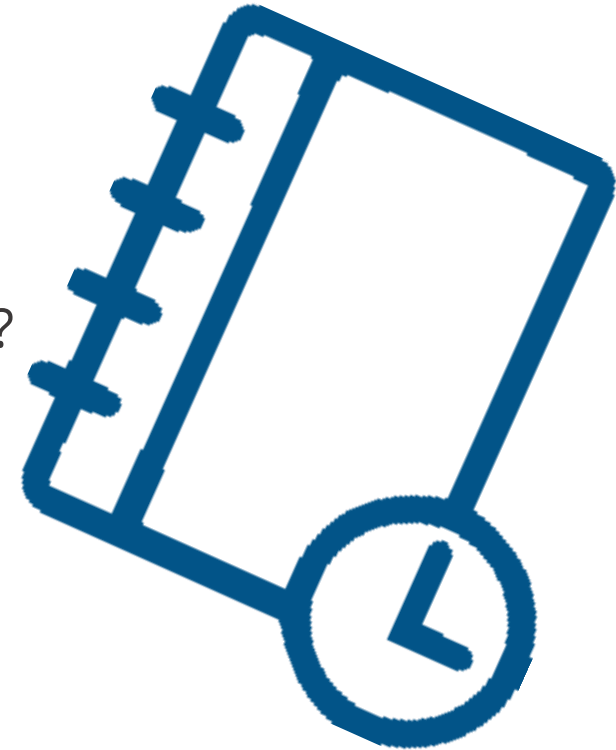
Bill Current is the author of “Why Drug Testing: Updated and Expanded for 2020,” as well as 9 other books on substance-related issues.

He founded the Current Consulting Group in 1998 and it has become the number one recognized brand name in compliance and business development consulting in the drug testing industry.

Bill created **Current Compliance**, the only up-to-date and comprehensive on-line subscription database on all state laws related to workplace drug testing, including marijuana and workers’ compensation laws.

Agenda

- Current state of marijuana use in the workplace
- The latest reports about marijuana impairment
- SAMHSA's Oral Fluid Guidelines and DOT'S NPRM
- Oral fluid testing versus urine testing, including lab and POCT methods
- What can employers do to implement oral fluid testing?
- The Future of Drug Testing and how to measure drug testing ROI



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Current State of Marijuana Use

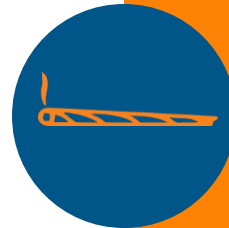


- **Marijuana use is up**
- **Fear of harm is down**
- **First-time users in the millions**

<https://www.samhsa.gov/data/>



Marijuana use among adults aged 26 or older **increased** from **7.0%** in 2002 to **17.6%** in 2021.



Perceived great risk of harm from smoking marijuana weekly **declined** among those aged 12 or older from **36.3%** in 2015 to **26.5%** in 2021.



“Among people aged 12 or older in 2021, 2.6 million people initiated marijuana use in the past year.”

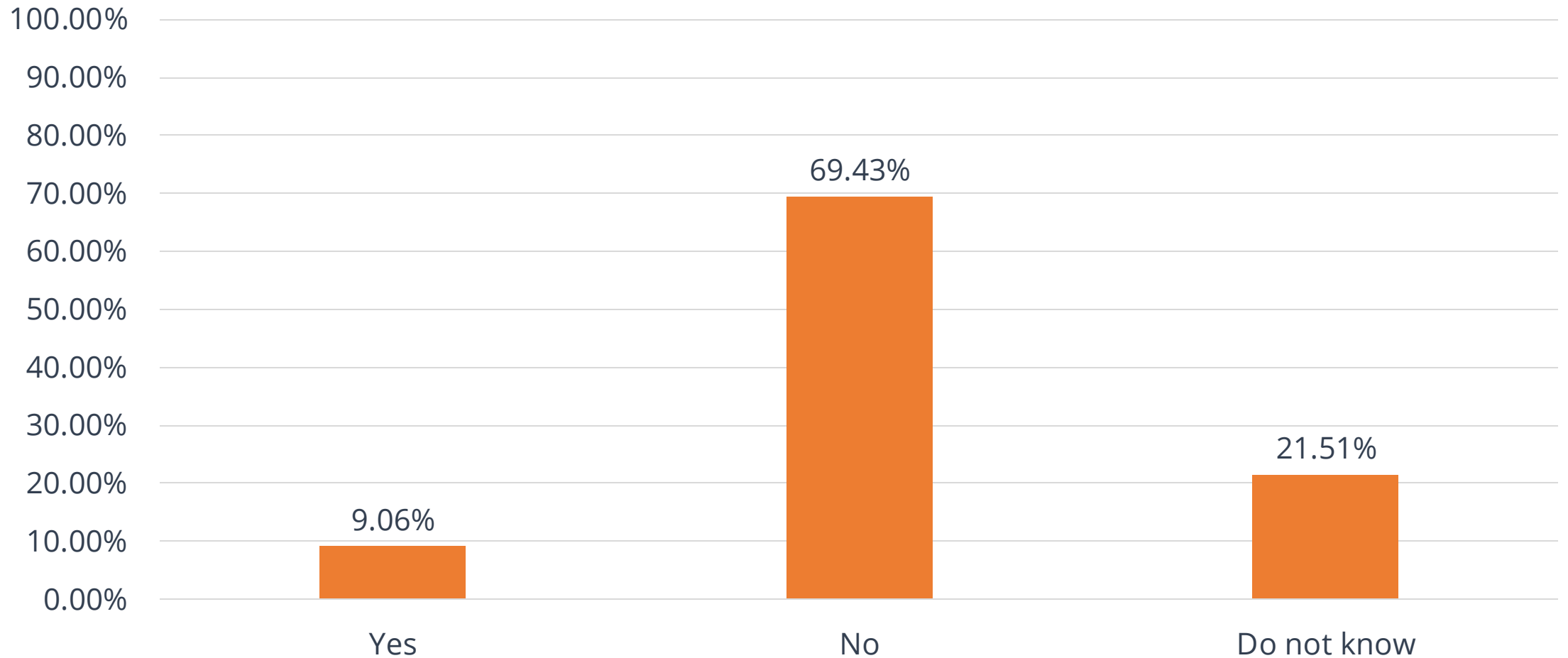
From Quest's Drug Testing Index (DTI)



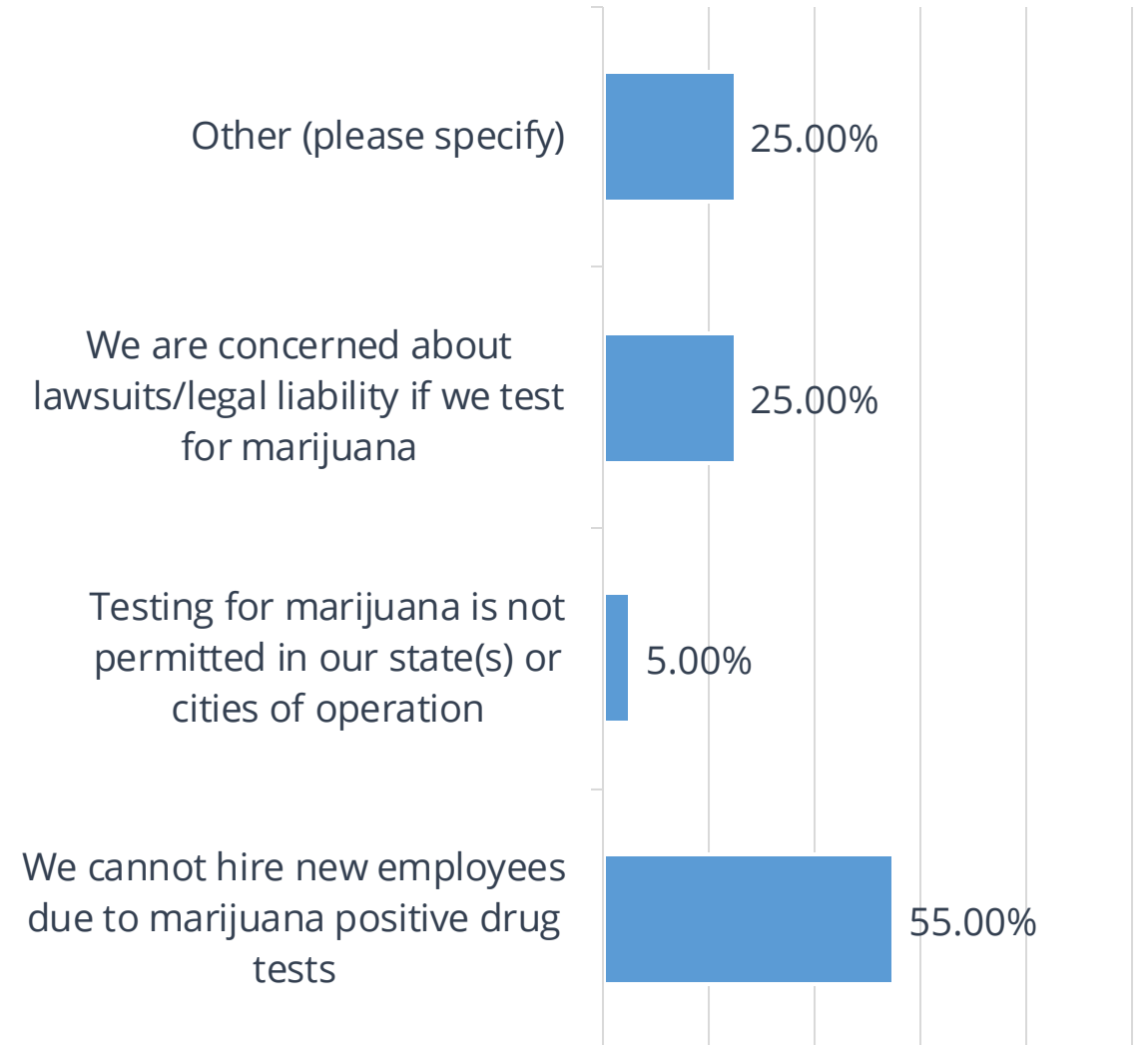
- “Positivity rates for **marijuana** in the general U.S. workforce, based on more than 6 million urine tests, continued an upward climb, **increasing 8.3%** (3.6% in 2020 versus 3.9% in 2021)...”
 - **“The highest positivity rate ever reported in the DTI.”**
- **“Over five years**, positivity for marijuana in the general U.S. workforce **increased 50%** (2.6% in 2017 versus 3.9% in 2021).”
- Marijuana positivity particularly surged in **states with legal recreational laws 118.2% from 2012-2020.**
- “The **overall positivity rate** in the combined U.S. workforce, based on nearly nine million urine drug tests collected between January and December 2021, was **up in 2021 to 4.6%** compared to 4.4% in 2020 and **up 31.4 percent** from the all-time low of 3.5% **just 10 years ago** (2010-2012).”

Source: Quest Diagnostics Drug Testing Index

CCG Survey: Considering removing marijuana from your drug-test panel?

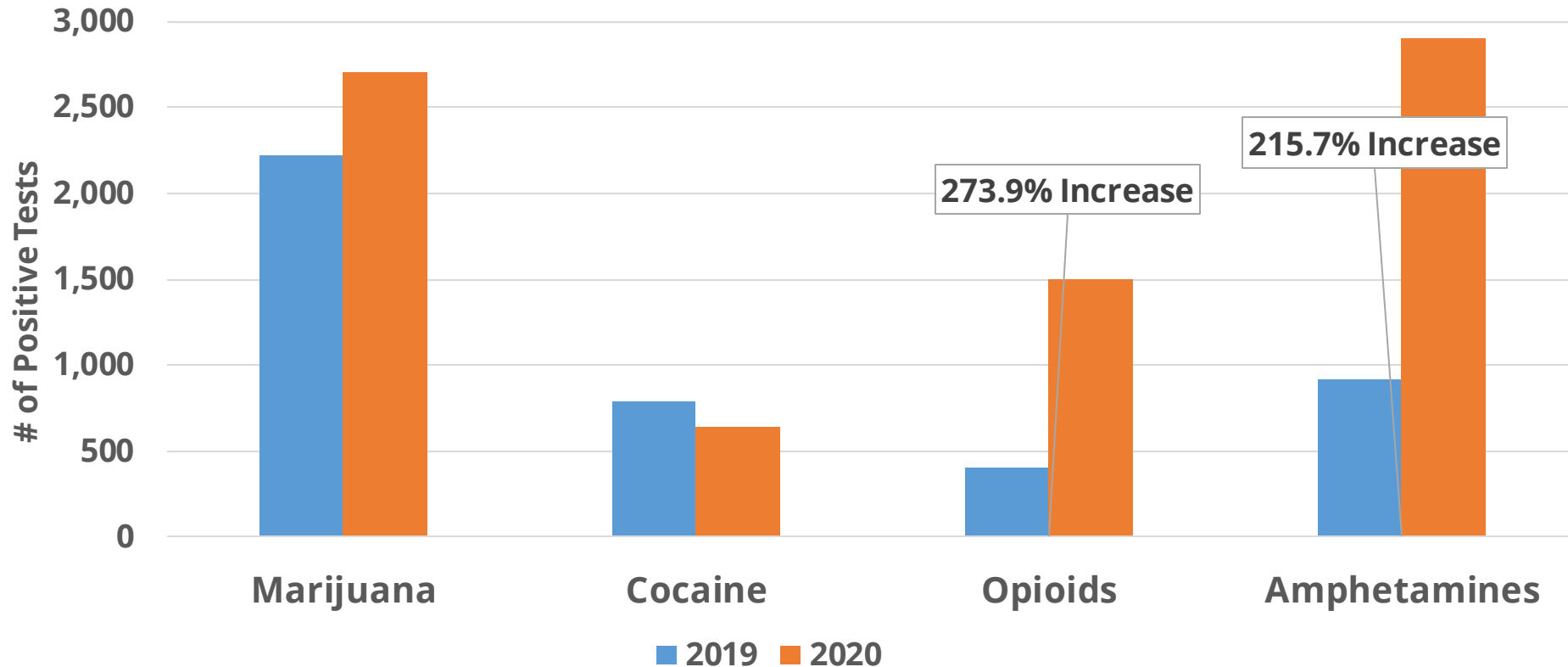


Why are you considering removing marijuana from your drug-test panel?



Source: 2022 CCG Employer Survey

It's not just about marijuana



Trends

- This is the first time we've seen amphetamines surpass marijuana in # of positive random drug tests
- Cocaine usage continues to drop as users switch to amphetamines...
 - but the drop off in Cocaine positives is just a fraction of new amphetamine and opioid positives
- Opioids were decreasing each year, but they have made a significant return during the pandemic

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Testing for Marijuana & the Truth About Impairment

Is It Legal to Drug Test Applicants and Employees for Marijuana?

- The good news is— **“Yes”**
- The key thing to look for in “legal” marijuana laws is any language about the workplace, including:
 - 1) employers **may not discriminate** against legal users of marijuana, especially those who are officially registered to use medical marijuana.
 - 2) individuals **may not use marijuana** or **be under its influence** while at work.
- Make it clear in your drug testing policy that the company is not legally obligated to allow employees to **bring marijuana to work**, to **use marijuana while on the job**, or to **be at work impaired** by or under the influence of pot.



Window of impairment

- Impairment is the period of time during which an individual suffers **diminished cognitive and psychomotor ability**.
- Can vary based on:



Drug use history



Frequency of use



Level of THC (for cannabis use) or other impairing substance



Method of use



Task performed

Impairment "Duration" for Most Commonly Abused Drugs

Drug	Window of effect and possible impairment
Cannabis (THC)	10 minutes to 10 hours with residual effects in specific behaviors up to 24 hours (such as complex divided attention tasks)
Cocaine	15 seconds to several days (late phase effects after binge use)
Methadone	10 minutes to 48 hours (chronic administration)
Methamphetamine	Seconds to 12 hours
Ecstasy (MDMA)	20 minutes to 24 hours, though confusion, depression and anxiety may last several weeks
Morphine/Heroin	45 seconds to 6 hours
Phencyclidine (PCP)	1 minute to 24 hours

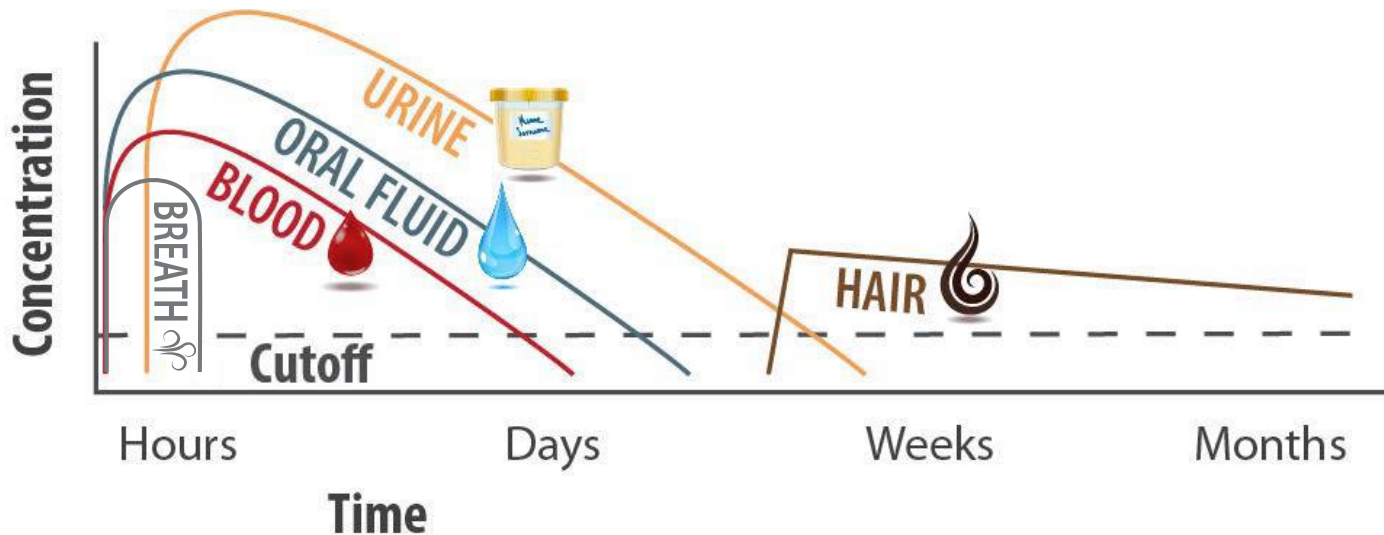
Sources: "Drugs and Human Performance Fact Sheets." The National Highway Traffic Safety Administration, April 2014.

<https://www.nhtsa.gov/sites/nhtsa.gov/files/809725-drugshumanperformfs.pdf>

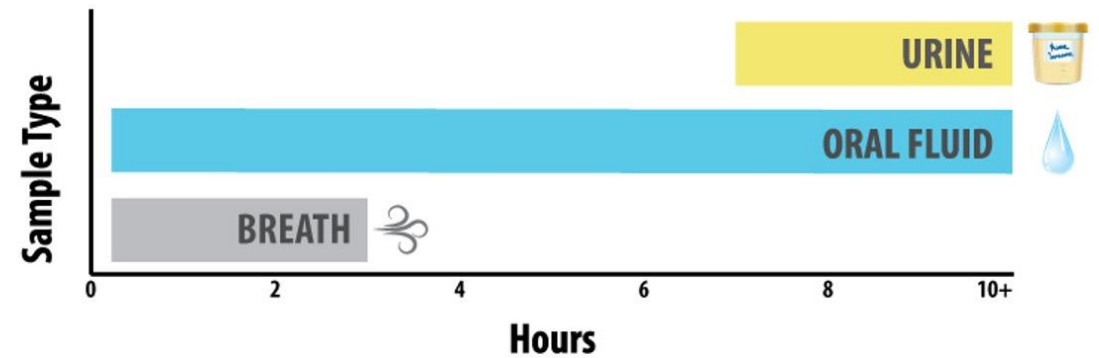
Report from the University of Sydney published in Neuroscience & Bio behavioral Reviews, analyzed 80 separate studies to determine when people would be impaired after cannabis use

Drug Detection Windows: Things to Know

- Oral fluids detect substances **almost immediately post-ingestion**, rather than a number of hours or days later as with many other testing specimens.
- **Drug detection** generally **begins** within **10-15 minutes** with oral fluid.



The Window of Impairment for Cannabis is 3-10 Hours



Why is the Window of Impairment Important?

Understanding the window of impairment for drugs helps employers:

- **Choose drug testing methods** best suited to their needs
- Understand when a **positive drug test** can **correlate** with the **window of impairment** for a specific drug
- Determine the importance of **recent-use testing**



How to Address Marijuana in the Workplace



- 1. Have a policy!**
2. Be clear... **marijuana use** in the workplace or while on the job will **not be tolerated**.
3. Be clear... employees **may not be impaired** by marijuana while on the job.
4. Comply with the laws that apply to you... don't **discriminate** against registered medical marijuana users.
5. Depending on applicable laws, **applicants who test positive** for marijuana may not be hired.
- 6. Don't let legal marijuana laws scare you away from drug testing.**

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Why Oral Fluid Drug Testing?

The Only Legitimate Drug Testing Methods



Urine
Testing

POCT
Urine
Testing

Hair
Testing

Lab-based
Oral Fluid
Testing

POCT
Oral Fluid
Testing

Endorsed by the Federal Government

Lab-based Urine Testing

- #1 testing method, required by DOT
- Federal lab-based urine testing guidelines for 30+ years
- Legal in all states

Lab-based Oral Fluid Testing

- Endorsed by SAMHSA in 2019
- DOT Notice of Proposed Rulemaking on Feb. 28, 2022
- Only government-approved recent-use detection testing method
- Already legal in 47+ states

Hair testing (soon?)

- Legal in most states
- SAMHSA Notice of Proposed Rulemaking in 2020



Comparing Testing Methods

	Urine	Oral Fluid	Hair	Blood
Lab-based or rapid-result (or POCT)	Both	Both	Lab only	Lab only
Window of Detection	3-4 days	Up to 12 hours for THC / 24-48 hours for other drugs	Up to 90 days	2-3 days
Recent-Use Detection	Lag time of several hours after initial usage	Within several minutes after usage of any drug	Lag time of 7-10 days after initial usage	Within several minutes after usage of any drug
Legal by States	Lab: 50 states POCT: where permitted	Lab: 47 states POCT: where permitted	Lab: Most states	Usually not permitted for workplace testing
SAMHSA Regs	Yes	Yes	Proposed	Only in very limited circumstances
Detection of Other Drugs	Virtually all drugs + alcohol	Virtually all drugs + alcohol	Virtually all drugs	Virtually all drugs + alcohol

Top 10 Advantages of Oral Fluid

1. Oral fluid testing **overcomes the “yuck” factor** often associated with urine testing
2. Oral fluid testing is **less invasive**
3. Oral fluid samples are **easy to collect**
4. Oral fluid collections are **fully observable**
5. Oral fluid samples are **virtually impossible to adulterate**

“The only guarantee of passing [an oral fluid] drug test is refraining from drug use during the detection period, 1-4 days prior to the test.”



Top 10 Advantages of Oral Fluid

6. Oral fluid samples can be used to test for virtually **any drug or its metabolite**
7. Oral fluid testing reveals **recent use**
8. Oral fluid testing is **union friendly**
9. Oral fluid testing eliminates cross **“gender” concerns** between collector and donor
10. Oral fluid testing can **save you money**



Oral fluid testing may be the best testing option to address **recent trends** in drug abuse. Why?



Detects **recent use**



Covers the entire **window of impairment** from marijuana use



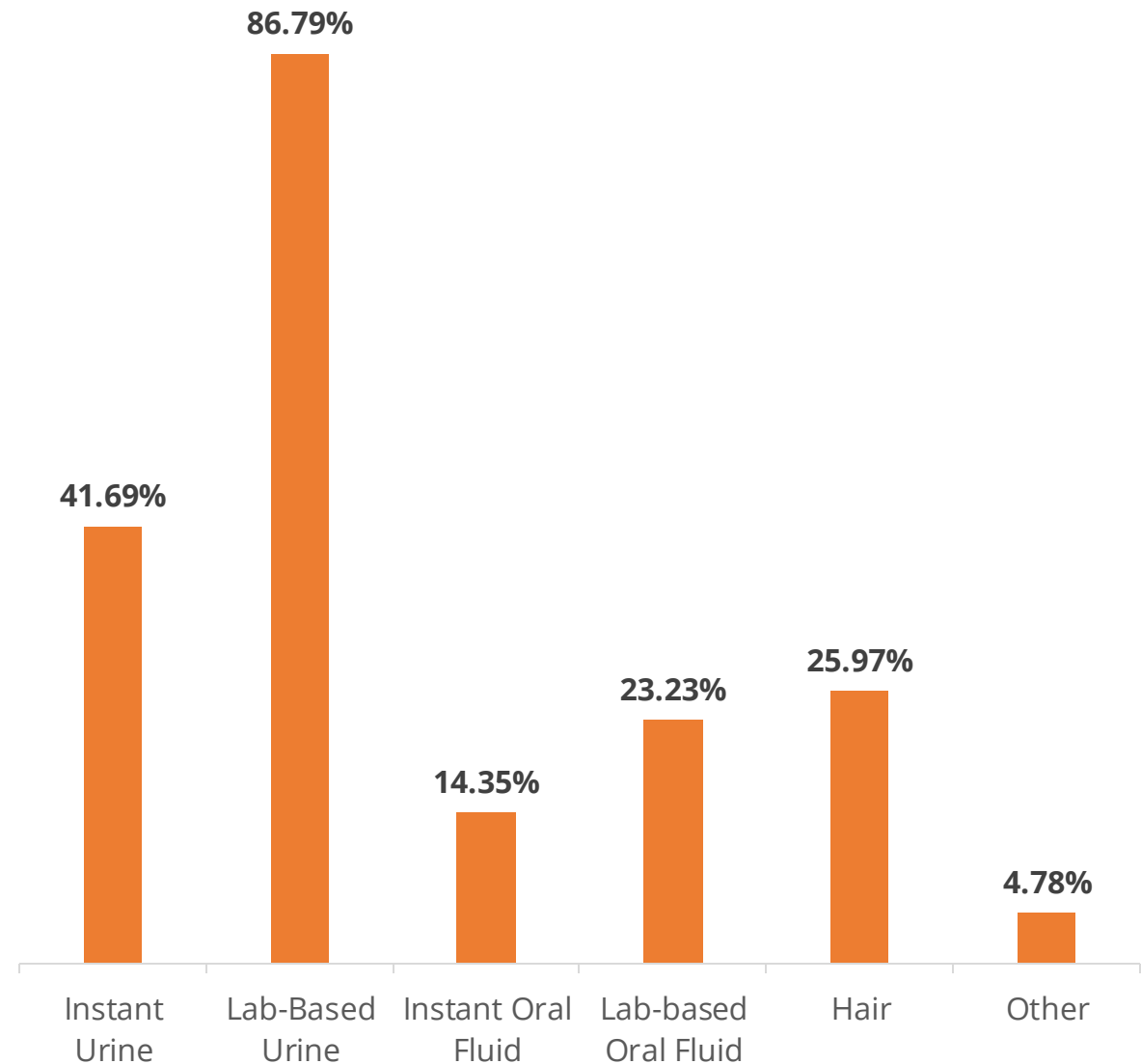
Easy to administer, including using telehealth or socially-distanced collections



Virtually **eliminates cheating** on drug tests

2022 Employer Drug Testing Survey results

What drug testing specimens do you use in your workplace?



Oral Fluid Gains Popularity

Drug testing providers are responding to the market and offering oral fluid testing:

- In 2022, **85.6%** of drug testing providers offered oral fluid testing.
- This is up from **73%** in 2021, and
- **63%** in 2020 and **36%** in 2019.
- The DOT NPRM and subsequent final guidelines will only serve to **increase** the number of providers who **offer oral fluid testing**.



Source: Current Consulting Group's 2022 Drug Testing Industry Survey

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SAMHSA's Oral Fluid Guidelines and DOT'S NPRM

SAMHSA Oral Fluid Drug Testing Guidelines

The long-awaited release of the Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines for lab-based oral fluid drug testing (**OFMG**) occurred on **October 24, 2019**. Why?

- **Enhanced Flexibility**— Employers can choose between urine or oral fluid; whichever specimen is best suited to the situation.
- **Enhanced Versatility**— Oral fluid collections can occur anytime, anywhere.
- **Decreased Invalid Tests**— Oral fluid collections are 100% observed, which substantially reduces the risks of substitution or adulteration.
- **Saves Time**— Oral fluid collections likely occur at or near the place of work, reducing the time needed away from work.
- **Versatility in Detection**— Oral fluid testing is capable of detecting drugs within minutes after usage.





“The scientific basis for the use of oral fluid as an alternative specimen for drug testing has now been broadly established and the advances in the use of oral fluid in detecting drugs have made it possible for this alternative specimen to be used in Federal programs with the same level of confidence that has been applied to the use of urine.”

DOT Issues NPRM for Oral Fluid Testing

Fast forward to... February 28, 2022. The Department of Transportation (DOT) issued a **Notice of Proposed Rulemaking** (NPRM) seeking comments on a proposal to **permit lab-based oral fluid testing** for DOT-regulated positions. Why?

- Combatting **adulteration/substitution**
- All collections are **directly observed**
- Potential **cost savings**
- **Quick and easy** specimen collections
- **Fewer** collection facility **requirements**
- Tighter **window of detection**
- **Recent-use detection**



Projected Transition Rate to Oral Fluid

- SAMHSA estimates that in the first year of implementation **7%** of the roughly 150,000 annual drug tests of **federal employees** will transition to oral fluid.
- About **25-30%** after four years.
- SAMHSA also estimates the same transition rate for the 6 million annual **DOT-mandated drug tests**—about **1.5 million** eventually transitioning to oral fluid.
- If 25-30% of the nearly 40 million annual non-mandated workplace drug tests transition to oral fluid, that would be at least **another 10 million or 16 million-plus** when combined with the DOT drug tests.



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Oral Fluid Drug Testing and ROI

Understanding When to Use Oral Fluid and Urine

If you're worried about....

- Detecting recent use
- Legal marijuana laws
- Privacy/gender concerns
- Adulteration/cheating
- Shy bladder
- Lost productivity
- Overall cost of drug testing

Then...

Oral fluid may be the answer!



Measuring Return on Investment

Lab-based Cost Factors	Urine	Oral Fluid
Price End-User Pays for Collection Only	\$15.00	\$0.00
Price End-User Pays for Lab Analysis* (or Bundled Price including collection, confirmation and MRO)	\$18.00	\$25.00
Confirmation Price Built Into the Lab Analysis Fee	\$0.00	\$0.00
MRO Fee (positive & negative)*	\$5.00	\$0.00
Price Paid by Customer for Lab-base Test	\$38.00	\$25.00

Other Soft-Dollar Costs

	Hourly Rate	Urine (1.50 hrs.)	Oral Fluid (0.25 hrs.)
Lost-Work Time (<u>Worker</u> Hourly Rate x Hour)	\$10.10	\$15.15	\$2.53
Lost-Work Time (Fringe Rate of 40% x Hour)	\$0.00	\$0.00	\$0.00
Lost Work Time (<u>Supervisor</u> Hourly Rate x hour)	\$24.00	\$36.00	\$6.00
Lost-Work Time (Fringe Rate 40% x Hour)	\$0.00	\$0.00	\$0.00
Total Cost of Lost Work Time		\$51.15	\$8.53

The Real Cost of a Drug Test is Revealed....

	Urine	Oral Fluid
Price Paid by Customer for Test	\$38.00	\$25.00
Total Cost of Lost Work Time	\$51.15	\$8.53
Actual Cost	\$89.15	\$33.53

Oral fluid savings **62.4%**

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Conclusion

Drug Testing is Here to Stay! Why?

1. Drug abusers hate drug testing
2. Most employees do not use drugs or abuse alcohol
3. Substance abusers are less safe than their non-using co-workers
4. Drug testing has never been more convenient
5. Drug testing is legal in every state
6. Drug testing is encouraged in many states
7. Drug abuse has increased dramatically since March 2020
8. Employers are still legally responsible for what their employees do while on the job
9. Testing for marijuana is legal in every state (even New York?)
10. New testing methods such as oral fluid testing make sample collections easier/more convenient



The Future of Drug Testing

We will see...

- More **oral fluid testing**
- More **on-site collections** using trained employees
- More point-of-collection testing utilizing **telehealth apps**
- More oral fluid drug testing in combination with **fitness for duty screening** systems that give employers everything they need to take adverse employment action in restrictive legal marijuana states
- **Less testing for marijuana**
- More testing for **opioids, amphetamines** and **psychotherapeutic** drugs



Questions?

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SAFElife toxicology products provide a wide range of tests and configurations to monitor drug use and/or misuse for a variety of settings. Oral saliva tests are used to detect substances within hours of use, while urine tests are used to detect substances within days of use.

Please visit <https://wondfousa.com/find-your-test/safelife/> for more information.

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