



ADSAC OKC
Danielle Williams, M.Ed., LPC, LADC/MH, NCC, MAC, SAP
(405) 519-7471
info@adsacokc.com

SUBSTANCE ABUSE PROFESSIONAL (SAP) SERVICES

SAP Services and the Return-to-Duty Process

Overview

The Federal Department of Transportation (DOT) regulations mandate a Substance Abuse Professional (SAP) conducts a comprehensive assessment and clinical evaluation of employees that have violated DOT drug and alcohol testing regulations. This evaluation determines the level of assistance the needed to address issues related to alcohol use or prohibited drug use. The SAP provides referrals for education and/or treatment, along with a follow-up evaluation as part of the Return-to-Duty (RTD) Process. Employees must complete the SAP process returning to safety-sensitive duties following a violation of DOT drug and alcohol regulations.

The (RTD) Process is applicable to DOT-regulated employers and employees subject to DOT regulations of 49 CFR, including agencies like Federal Aviation Administration (FAA), Federal Motor Carriers Safety Administration (FMCSA), Federal Railroad Administration (FRA), Federal Transit Administration (FTA), Pipeline and Hazardous Materials Safety Administration (PHMSA) and United States Coast Guard (USCG). Additionally, other non-DOT employers and consortiums, such as the Defense Information Systems Agency (DISA), adhere to these guidelines and require the same RTD process.

The SAP's Role

The SAP's role is not to advocate for the employer or the employee but to protect the public safety by professional evaluating the employee. The SAP recommends appropriate education and/or treatment, follow-up tests, and aftercare. DOT-qualified SAP's meet the requirements of 49 CFR Part 40 and fully comply with DOT regulations.

Starting the Process

To schedule an appointment, the employer's Designated Employer Representative (DER) or the employee can use our client portal <https://adsacokc.janeapp.com/>, call our office at (405) 519-7471, or email info@adsacokc.com. Immediate availability inquires can be made if not found through the booking portal. Same-day and next-day availability for SAP evaluations are offered, with most employees scheduled within 48 hours. Leave a message if calling, as we are unable to answer during a session and do not return missed calls without a message.

It is important to have the following available when you contact us:

- Name and contact information for the employee
- Name and address of the employer where the violation occurred
- Name and contact information for the DER where the violation occurred
- DOT Administration (FAA, FMCSA, FRA, FTA, PHMSA, USCG)
- Date of violation
- Type of violation (positive test or refusal)
- Reason for test (pre-employment, random, post-accident, follow-up, RTD, Suspicion)
- Type of test (urine, drug or alcohol breath) and substance detected
- Previous violations

Cost

The SAP fee is due in full at the initial evaluation. It is \$450 if paid in cash, or by company check when an advanced payment arrangement is made by the employer. If paid by credit or debit card, the fee is \$475 which can be covered by either the employee or employer. The fee covers comprehensive SAP services as defined in 49 CFR Part 40.

Additional costs associated with the Return-to-Duty (RTD) process include the education/treatment program and the cost of urine drug tests that may be requested. Furthermore, supplementary fees will be incurred for missed appointments, late-cancellations, non-compliance letters, repeat evaluations and any services beyond those typically required.

Education/Treatment

The referral for education and/or treatment will align with the clinically evaluated needs of the employee. Various factors will be considered, including the employee's insurance coverage and ability to pay for care, the employer's treatment contracts and policies regarding leave availability for employees requiring assistance, and the availability of suitable treatment and education programs. The duration of education and/or treatment is determined during the initial evaluation and may range from education interventions to more extensive outpatient or inpatient treatment programs.

The recommendations can only be modified by the SAP, and any adjustments may be informed by new or additional information acquired during the completion of your recommendations. The SAP is prohibited from referring you their private practice or any organization in which they have a financial interest.

Follow-Evaluation

The evaluation of the employee prior to returning to safety-sensitive duties is crucial for the employer to assess the employee's success in meeting the requirements of the treatment plan. This assessment plays a pivotal role in the employer's decision to reinstate an employee to transportation safety-sensitive duties. The follow-up evaluation is clinically based and aims to provide the employer with a concise assessment of the employee's success in fulfilling treatment plan's requirements.

The employee's progress will be thoroughly reviewed through progress reports, discharge summaries, personal contact with treatment program professionals, and other relevant resources. The reports will cover the employee's progress, prognosis for success, and any other pertinent factors aiding in the evaluation. Attendance in the program is never the sole determining factor; rather, the level of participation and progress in addressing the drug or alcohol problem are crucial consideration.

Return-to-Duty (RTD)

If the employee is compliant, the employer will receive the final report and can schedule the employee for an RTD test. The employer must ensure that the employee obtains a negative RTD test before allowing them to return to safety-sensitive duties. Only the employer has the authority to order the RTD test and reinstate the employee to duty.

If the employee is non-compliant or does not complete the RTD process, both the employee and employer will receive written notification outlining the necessary steps to achieve compliance. This may involve additional costs for either the employee or employer.

If the employee is no longer employed, they must first find a prospective employer. The new employer is responsible for ensuring that the employee undergoes a negative RTD test before allowing them to resume safety-sensitive duties.

Return to Work and Follow-up Testing

After returning to safety-sensitive duties, the employee must participate in the follow-up testing plan, which can span between 12 and 60 months. DOT regulations mandate that this plan be communicated in writing directly to the employer's DER. DOT regulations prohibit the sharing of the follow-up testing plan with the employee. Aftercare treatment may also be recommended and continued after the employee returns to their safety-sensitive job duties. The responsibility for any costs associated with aftercare treatment lies with either the employee or the employer.