

**TENNESSEE MEDICAL LABORATORY BOARD**  
**POSITION STATEMENT REGARDING LABS WHICH CONDUCT**  
**EMPLOYMENT-RELATED URINE DRUG SCREENS**

**It is the position of the Tennessee Medical Laboratory Board that a laboratory which either 1) limits its testing exclusively to employment-related urine drug and/or alcohol screens or 2) devotes blocks of time to employment-related urine drug and/or alcohol screens, as such tests are defined below, is not a “medical laboratory” as defined by T.C.A. § 68-29-103(9) during, and only during, the periods of time that such employment-related urine drug and/or alcohol screens are being conducted and therefore is not required to be licensed by, and is not subject to the disciplinary authority of, the Medical Laboratory Board.**

For the purposes of this position statement, “employment-related drug and/or alcohol screens” are urine analyses that are performed at the request of an employer or prospective employer under any one or more of the following three circumstances:

1. Pre-employment drug screens when the purpose of the screening is to detect recent usage of drugs and/or alcohol prior to extending an offer of employment;
2. Drug screens performed when there is some suspicion that the employee is under the influence of drugs and/or alcohol in the workplace; and
3. Drug screens conducted as part of an employer’s random screening policy or as required of the employer by law, rule or regulation.

Such employment-related drug and/or alcohol screens are presumed to be conducted solely for the purpose of making *employment* decisions about the subject person. As such, employment-related drug and/or alcohol screens:

- Are not “performed to obtain information for diagnosis, prophylaxis, or treatment or where any examination, determination, or test is made on any sample used as a basis for health advice, or where any sample is collected for the purpose of transfusion or processing of blood or blood fractions, or for the training of medical laboratory personnel.” (Quoting T.C.A. § 68-29-103(9));

and they therefore

- Are not medical laboratory tests as described by T.C.A. § 68-29-121(a);

and they therefore

- Do not require a physician’s or other health related practitioner’s order.

*Adopted this the 10<sup>th</sup> day of July, 2008 by the Tennessee Medical Laboratory Board.*