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July 9, 2004

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Drug Testing Division
Division of Workplace Programs
CSAP
5600 Fishers Lane Rockwall II
Ste 815
Rockville MD 20857

Ref. FR Doc 04-7984

Sent via email and USPS

Dear Dr. Vogl:

The purpose of this letter is to respond to proposed changes in the Mandatory Guidelines for Federal Workplace Drug Testing Programs.

ShortStop, LLC is a company that has provided collection site management services to a variety of companies throughout the United States for the last ten years. The company deals with over 11,000 collection sites, 4,000 of them on a regular basis. The comments in this letter are based upon years of experience of dealing with specimen Collection issues.

Listed below are concerns that have been identified in the proposed revisions.

Hair Testing

The regulations limit sample collection to head hair only. This severely limits the effectiveness of this important testing strategy. The rules should allow for specimen testing of hair from elsewhere on the body as long as the proper collection procedure is utilized. The "look back" opportunity of hair testing is a significant advantage of this testing methodology that should be maximized.

Collector Training

Throughout the regulations reference is made to "collector training." Specific reference is made to Section 12.16.

There is no reference to standardized training, or methods of documentation that will be considered acceptable for achieving such training. Section 4.4 sets forth a requirement that an organization (e.g. self-employed individual, third party administrator that provides a collection service, or Federal agency employing it's own collectors) must maintain a

copy of the records that document the collector's training. Additional clarification is needed.

The rules do not appear to standardize the documentation that is necessary to provide assurance of training success or specific training curricula. One can only imagine the variation that will exist in documentation strategies and styles ranging from well documented personnel records to hand scribbled notes on the back of used envelopes.

The issue of collector training is critical to the success of any drug testing effort and strategy. The Department is urged to give more thought to standardizing the effort to reduce the wide variation that exists in the field.

The Department is concerned in section 16.3 with omissions and discrepancies that occur on the Federal CCF. Further in the document, it is stated, "the Department believes that requiring collectors to be trained and certified will significantly reduce the occurrence of such errors..."

What certification is the Department referring to? ShortStop, LLC is unaware of any certifying agency for specimen collectors. Furthermore, it is this company's position that certification and training is only part of the solution.

The Department must utilize "root cause analysis" to find out why the errors, omissions and discrepancies occur. Quality improvement theory would strongly suggest that variation within the system is likely the root cause of many of the problems identified, not training or lack of certification.

Collection Procedure

ShortStop LLC supports strategies to standardize and reduce variance in the collection process. Therefore the company supports the strategy of sections 8.2, 8.3, 8.4, and 8.5 that clarifies collection procedures for each type of collection. Split specimen collection for all specimens is supported as a strategy to reduce variation.

Section 8.6 appears to be impossible due to budgetary constraints and a lack of established inspection criteria.

As an alternative to the inspection process, ShortStop LLC proposes that Agency inspectors posing as applicants and/or employees visit randomly selected collection facilities for specimen collection. Evaluation of these so-called "mock" collections could be used to determine a collection facility's readiness and provide important quality assurance data.

ShortStop LLC supports revisions to the rules governing specimen collection and drug testing that are designed to simplify and reduce variation in the process. Data collection and analysis are critical tools of this improvement strategy. ShortStop, LLC urges the

Department to develop analytical tools that will lead to meaningful change and system reform that will reduce and ultimately eliminate system variation in the specimen collection and testing process.

Sincerely,

Thomas D. Arndt
President
ShortStop, LLC