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**ORANGE COUNTY SOCIAL SERVICES AGENCY  
CFS OPERATIONS MANUAL**

**Effective Date:** July 1, 2008  
**Revised:** September 22, 2008

**Number:** G-0320-D

## **PDU DISPATCH**

### **Attorney Notification of Drug Test Results**

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**Purpose** To provide guidelines for use of the *Attorney Notification of Drug Test Results (F063-25-548)* form.

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**Background** This is a revision of PDU Dispatch “Court Notification of Drug Test Results” (G-0320-D). The title of this PDU Dispatch has been changed to “Attorney Notification of Drug Test Results.” The court report form previously titled *Court Notification of Drug Test Results* has been revised and is now called *Attorney Notification of Drug Test Results*.

As of July 1, 2008 social workers have been required to notify the bench officers of the Orange County Juvenile Court when a parent or legal guardian of a dependent child with a Family Reunification (FR) or Family Maintenance (FM) case plan missed a required drug test or tested positive.

**Effective September 22, 2008**, this notification will be provided instead to all attorneys of record who will, in turn, notify the Court if a hearing is required. Notification requirements have also changed and will now be provided only when a child has unmonitored contact with the parent testing positive or missing a required test.

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**Definitions**

- A. **Positive Drug Test**  
For the purposes of this policy, a drug test is considered positive when:

1. Any type of drug test indicates the presence of illegal drugs or alcohol.
  2. Any type of drug test indicates the presence of prescription drugs:
    - Not prescribed for the person testing
    - In excess of the amount prescribed by any one doctor for the person testing
  3. A urine drug test sample is:
    - adulterated
    - diluted
    - insufficient for testing
  4. A required drug test has been missed.
  5. A drug test patch has been reported as compromised.
- B. **Division Drug Test Liaison—Health Care Agency (HCA)**  
An SSA staff member who serves as a single point of contact for HCA to report drug tests that are considered positive and disseminates that information to the assigned social worker and supervisor.
- C. **Division Drug Test Liaison—MEDTOX**  
An SSA staff member that has been cleared to access “Sensitive Cases” will access the MEDTOX website each business day and provide information on all drug test results to the assigned social worker and supervisor of each client listed.
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## **POLICY**

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### **Use of Support Staff to Collect Drug Test Results**

The responsibility for collecting and providing drug testing information to the assigned social worker may be assumed by the following support staff:

- Division Drug Test Liaison—Health Care Agency (HCA)
- Division Drug Test Liaison—MEDTOX

**Review of Drug Test Results**

The assigned social worker is responsible for ensuring that:

- All drug test results are reviewed as soon as they are received
- Information regarding drug test results is collected weekly from any providers who do not provide regular reports to the Social Services Agency (SSA)
- Drug test results are monitored to determine if any required drug tests have been missed, if that information is not provided regularly by the testing facility

**Circumstances Requiring Attorney Notification**

Notification of a positive or missed test will be provided to all attorneys of record for any parent or legal guardian who has unmonitored contact with their child and is required to drug test. Circumstances requiring notification include when a parent/guardian:

- Has custody of a child under an FM case plan
- Has unmonitored visits under an FR or Permanent Placement (PP) case plan
- Is involved in a trial visit
- Is under a Court Return Intensive Supervision Program (CRISP) agreement

**Recipients of Notification**

When the assigned social worker receives information that a missed or positive drug test has occurred, in a circumstance in which notification is required, all attorneys of record must be informed. The *Attorney Notification of Drug Test Results* form must be submitted **no later than 10 business days after receiving information of a positive, missed drug test result.** See the Procedure section of this policy for information on submitting the notification.

**Note:** The assigned social worker must provide all attorneys of record who do not have mail boxes at the Lamoreaux Justice Center with notification by certified mail.

**Drug Court Clients**

Drug test results for parents/guardians participating in the Drug Court Program will continue to be reported according to the Drug Court protocol and are not subject to the drug test reporting process in this Dispatch.

**Notification Requirements on Samples That Will Not be Tested**

Occasionally a specimen will be rejected for drug testing due to circumstances beyond the clients' control. The following anomalies do not require submission of an *Attorney Notification of Drug Test Results*:

- Custody and Control form received without specimen
- Tamper Evident Seal Not Present
- Tamper Evident Seal Not Intact
- Tamper Evident Seal Broken in Transit – no apparent leakage
- Tamper Evident Seal Broken in Transit – apparent leakage
- Unable to properly identify specimen – identification omitted on specimen
- Immunoassay interference (not an adulterated test)

**Documenting Drug Test Results**

The assigned social worker must document all information obtained or received about drug test results in the Contact notebook of the child's case in CWS/CMS.

In addition, the assigned social worker must continue to provide information regarding the parent/guardian's drug tests in the court report written for each status review as well as at any other time when ordered by the Court to do so.

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**REQUIRED FORMS**

**Online Forms**

Required forms listed below may be printed out and completed, or completed online, and may be accessed by clicking on the link provided.

<b>Form Name</b>	<b>Form Number</b>
<a href="#">Attorney Notification of Drug Test Results</a>	F063-25-548
<a href="#">Positive/Missed Drug Test Results Notification—MEDTOX</a>	F063-25-540
<a href="#">Positive/Missed Drug Test Results Notification—HCA</a>	F063-25-553

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## PROCEDURE

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**Required Actions—MEDTOX Liaison** The following actions must be completed by the Division Drug Test Liaison—MEDTOX.

<u>Staff Responsible</u>	<u>Step</u>	<u>Required Action</u>
<b>Division Drug Test Liaison—MEDTOX</b>	1.	Review Orange County account on MEDTOX website each business day for posted drug test results and daily “no show” list.
	2.	Print out all posted drug test results each business day; batch by program and distribute by “pony mail.” Pony envelopes for each program must be deposited in the Central Mail Room for distribution.
	3.	Send one <i>Positive/Missed Drug Test Results Notification—MEDTOX (F063-25-540)</i> form by email each business day to the assigned social worker (ASW) for <u>each</u> client identified on the MEDTOX website as having a positive test result.
	4.	Send one <i>Positive/Missed Drug Test Results Notification—MEDTOX</i> form by email each business day to the ASW containing the names of <u>all</u> of that worker’s clients whose names appear on the “No Show Notification” list.
	5.	Copy the Supervisor (SSSS) of the ASW on all emails containing <i>Positive/Missed Drug Test Results Notification—MEDTOX</i> .
	6.	Respond to an “Out of Office” notification for the ASW indicating that they are out of the office for the next four or more business days by either: <ul style="list-style-type: none"> <li>• Sending a copy of email to contact person specified on the ASW’s “Out of Office Assistant” that follow-up action is required on <i>Positive/Missed Drug Test Results Notification—MEDTOX</i></li> </ul> <p style="text-align: center;"><b>OR</b></p>

- Checking “Out of Office Assistant” responses received from the SSSS during the previous 10 days (if any) to verify that the SSSS will be in the office during the ASW’s absence

**OR**

- Sending a copy of email to Officer of the Day (OD) when no contact person is specified on “Out of Office Assistants” and both the ASW and SSSS have provided return messages on their “Out of Office Assistants” indicating that they will be out of the office for the next four or more business days. Tell the OD that follow-up action is required on *Positive/Missed Drug Test Results Notification—MEDTOX*. **Note:** Contact Reception or the Program Manager’s Secretary to obtain the name of person serving as OD that day.

7. Send all test results to archives section of MEDTOX website after reviewing and printing out results.

**Required Actions—HCA Liaison** The following actions must be completed by the Division Drug Test Liaison—Health Care Agency (HCA).

<u>Staff Responsible</u>	<u>Step</u>	<u>Required Action</u>
<b>Division Drug Test Liaison—HCA</b>	1.	Monitor specified fax machine regularly each business day for information from HCA regarding positive and missed drug tests.
	2.	Locate name of client named on faxed drug test information in CWS/CMS to determine name of assigned social worker (ASW).
	3.	Email <i>Positive/Missed Drug Test Results Notification—HCA (F063-25-553)</i> to: <ul style="list-style-type: none"> <li>• ASW</li> <li>• Supervisor (SSSS) of ASW</li> </ul>
	4.	Respond to an “Out of Office” notification for the ASW indicating that they are out of the office for the next four or more business days by either:

- Sending a copy of email to contact person specified on the ASW’s “Out of Office Assistant” that follow-up action is required on *Positive/Missed Drug Test Results Notification—MEDTOX*

**OR**

- Checking “Out of Office Assistant” responses received from the SSSS during the previous 10 days (if any) to verify that the SSSS will be in the office during the ASW’s absence

**OR**

- Sending a copy of email to Officer of the Day (OD) when no contact person is specified on “Out of Office Assistants” and both the ASW and SSSS have provided return messages on their “Out of Office Assistant” indicating that they will be out of the office for the next four or more business days. Tell the OD that follow-up action is required on *Positive/Missed Drug Test Results Notification—MEDTOX*. **Note:** Contact Reception or the Program Manager’s Secretary to obtain the name of person serving as OD that day.

5. Print out all faxed drug test results each business day and distribute by “pony mail.” Pony envelopes addressed to assigned social worker (ASW) must be deposited in the Central Mail Room for distribution.

<b>Required Actions— OD or SW designee</b>	The following actions must be completed by Officer of the Day (OD) in each program upon receiving email from either MEDTOX or Health Care Agency (HCA) Drug Test Liaison that drug test results considered positive have been received and that Assigned Social Worker (ASW) and Supervisor (SSSS) will not be back in the office for <u>four</u> or more business days:	
<b>Staff Responsible</b>	<b>Step</b>	<b>Required Action</b>

**Officer of the  
Day (OD)**

1. Monitor personal Outlook Inbox for:
  - *Positive/Missed Drug Test Results Notification—HCA (F063-25-553)*
  - *Positive/Missed Drug Test Results Notification—MEDTOX (F063-25-540)*

2. Determine whether ASW or SSSS will be returning to the office in time to prepare and send the *Attorney Notification of Drug Test Results (F063-25-548)*:
  - *If either one of them will return to the office by the seventh business day following the receipt of the original email, no further action is needed*
  - *If neither one of them will return to the office by the seventh business day, go on to steps #3–4 below*
3. Talk with the back-up SSSS for the ASW to determine who will complete *Attorney Notification of Drug Test Results* if neither the ASW nor SSSS will return to the office in time to prepare the report. The person designated to prepare the report will use the information available about the client and follow the procedure in the “Required Actions—Notifying Attorneys” procedure section below.
4. Notify ASW and SSSS by whom *Attorney Notification of Drug Test Results* will be completed. Cc the back-up supervisor.

<b>Required Actions— Notifying Attorneys</b>	The following actions must be completed to notify the Attorneys of record when positive/missed drug test results requiring court notification are received from either the MEDTOX or Health Care Agency (HCA) Drug Test Liaison, or secured independently by the assigned social worker (ASW).	
<b>Staff Responsible</b>	<b>Step</b>	<b>Required Action</b>
<b>ASW or Designee</b>	<b>1.</b>	<p>Print out all email notification of positive or missed tests received from MEDTOX or HCA Division Drug Test Liaison and file in child’s Service File on right hand side.</p> <p><b>Note:</b> Email notification of missed drug tests listed on the MEDTOX website will be created using the “mail merge” function:</p> <ul style="list-style-type: none"> <li>• Information on several different clients may be contained in one email. The email will not have attachments for each client. <u>Scroll to the bottom</u> of the email to see all of the clients listed</li> <li>• To save a specific client’s information electronically,</li> </ul>



highlight the portion of the email related to the client and paste it into a Word document. Save the document with other electronic information about the client

- To print a specific client's information, highlight the desired portion of the email and choose "selection" in the Page Range section of the print menu before printing

2. Retrieve test results from mail box and file in child's Service File on right hand side.
3. Contact any other drug test providers weekly (other than MEDTOX and HCA) who test clients on caseload to obtain test results.

**Note:** Maintain log of scheduled test dates for each parent/guardian to determine when/if a test has been missed for any drug test provider that does not provide "missed test" information each week.

4. Complete *Attorney Notification of Drug Test Results (F063-25-548)* online or by hand upon receiving/obtaining information from any of the above sources that a parent/guardian, for whom a report is required, has missed/positive drug test(s) and submit to all attorneys of record no later than 10 business days after receipt of information.

**Note:** Results of several tests or of more than one parent/guardian may be combined on the same form.

5. **Print two copies** of completed *Attorney Notification of Drug Test Results for each child*.

**Program IPT or  
SSSS/Designee**

6. Place a large manila envelope labeled "Court Notification of Drug Test Results" on the "court run" table each morning.

**ASW or  
Designee**

7. Place one completed *Attorney Notification of Drug Test Results* form for each child in the court run envelope labeled "Court Notification of Drug Test Results."

**Note:** Report must be hand carried to Court if not completed prior to the first court run of the 10<sup>th</sup> business day after receiving notification of test results.

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| Program IPT or SSSS/Designee | <p>8. Send copy of completed <i>Attorney Notification of Drug Test Results</i> report by <u>certified mail</u> no later than nine business days after receipt of missing/positive drug test information to any attorneys of record who do not have a mail box at Court. <b>Note:</b> Attorney’s addresses can be found on the California State Bar website <a href="http://members.calbar.ca.gov/search/member.aspx">http://members.calbar.ca.gov/search/member.aspx</a>.</p>  |
| ASW or Designee              | <p>9. Place filled envelope labeled “Court Notification of Drug Test Results” in the stack for pick-up by the courier prior to each court run. Replace with an empty envelope.</p> <p>10. File or arrange for filing of a completed copy of <i>Attorney Notification of Drug Test Results</i> form in each child’s legal file on the right hand side.</p> <p>11. Document test results in the child’s case in CWS/CMS in the contact notebook each time they are obtained or received.</p> <p>12. File or arrange for filing of copies of MEDTOX test results and emails from Division Drug Test Liaison—HCA in child’s Service File.</p> <p>13. Send email to “<u>CFS Drug Testing Inbox</u>” whenever test results or “no show” notifications reported on MEDTOX website have been misdirected, including:</p> <ul style="list-style-type: none"> <li>• Name of current ASW and program, if known</li> </ul> |

<b>Required Actions— Court Staff</b>	The following actions must be completed when <i>Attorney Notification of Drug Test Results (F063-25-548)</i> are received at Court.	
<b>Staff Responsible</b>	<b>Step</b>	<b>Required Action</b>
Court Officer Clerical Staff	1.	Log in all <i>Attorney Notification of Drug Test Results</i> in “Notification of Drug Test Results Log” on date received.
	2.	Make copies for each attorney checked on the second page of the report that have a mail box at Court.

3. Distribute a copy of *Attorney Notification of Drug Test Results* to the mail box of each attorney of record whose name is checked on the report.
4. Return empty “Attorney Notification of Drug Test” envelopes to sending program in return court run.