

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Workforce Development &
 2 Tourism Subcommittee

3 Representative Robinson offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Present subsections (13) through (17) of section
 8 112.0455, Florida Statutes, are redesignated as subsections (14)
 9 through (18), respectively, a new subsection (13) is added to
 10 that section, and paragraph (b) of subsection (6) and paragraph
 11 (a) of present subsection (15) are amended, to read:

12 112.0455 Drug-Free Workplace Act.—

13 (6) NOTICE TO EMPLOYEES.—

14 (b) Prior to testing, all employees and job applicants for
 15 employment shall be given a written policy statement from the
 16 employer which contains:

Amendment No. 1

17 1. A general statement of the employer's policy on
18 employee drug use, which shall identify:

19 a. The types of testing an employee or job applicant may
20 be required to submit to, including reasonable suspicion or
21 other basis; and

22 b. The actions the employer may take against an employee
23 or job applicant on the basis of a positive confirmed drug test
24 result.

25 2. A statement advising the employee or job applicant of
26 the existence of this section.

27 3. A general statement concerning confidentiality.

28 4. Procedures for employees and job applicants to
29 confidentially report the use of prescription or nonprescription
30 medications both before and after being tested. Additionally,
31 employees and job applicants shall receive notice of the most
32 common medications by brand name or common name, as applicable,
33 as well as by chemical name, which may alter or affect a drug
34 test. A list of such medications shall be developed by the
35 Agency for Health Care Administration.

36 5. The consequences of refusing to submit to a drug test.

37 6. Names, addresses, and telephone numbers of employee
38 assistance programs and local alcohol and drug rehabilitation
39 programs.

40 7. A statement that an employee or job applicant who
41 receives a positive confirmed drug test result may contest or

Amendment No. 1

42 explain the result to the employer within 5 working days after
43 written notification of the positive test result. If an employee
44 or job applicant's explanation or challenge is unsatisfactory to
45 the employer, the person may contest the drug test result as
46 provided by subsections (15) ~~(14)~~ and (16) ~~(15)~~.

47 8. A statement informing the employee or job applicant of
48 his or her responsibility to notify the laboratory of any
49 administrative or civil actions brought pursuant to this
50 section.

51 9. A list of all drugs for which the employer will test,
52 described by brand names or common names, as applicable, as well
53 as by chemical names.

54 10. A statement regarding any applicable collective
55 bargaining agreement or contract and the right to appeal to the
56 Public Employees Relations Commission.

57 11. A statement notifying employees and job applicants of
58 their right to consult the testing laboratory for technical
59 information regarding prescription and nonprescription
60 medication.

61 (13) DRUG-TESTING STANDARDS; SAMPLE VALIDITY
62 PRESCREENING.—Before a drug-testing facility licensed under part
63 II of chapter 408 may perform any drug-screening test on a urine
64 specimen collected in this state, prescreening tests must be
65 performed to determine the validity of the specimen. The
66 prescreening tests must be capable of detecting, or detecting

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Amendment No. 1

67 and defeating, novel or emerging urine drug-testing subversion
68 technologies as described in this subsection.

69 (a) The drug-testing facility shall use urine sample
70 validity screening tests that meet all of the following
71 criteria:

72 1. A urine sample validity screening test for creatinine
73 must use a 20 mg/dL cutoff concentration and must have minimal
74 interferences from bilirubin and blood in the urine. The urine
75 sample validity screening test must be able to discriminate
76 between a creatinine level from an unadulterated urine sample
77 and a creatinine level arising from overhydration or creatine or
78 protein loading.

79 2. A urine sample validity screening test for oxidants
80 must be able to detect the presence or effects of oxidant
81 adulterants up to 6 days after sample collection, under the
82 sample storage conditions outlined in the laboratory standards
83 guideline adopted by rule by the Agency for Health Care
84 Administration, and after any sample transport that is routinely
85 involved.

86 3. Urine sample validity screening tests must be able to
87 detect synthetic or freeze-dried urine substituted for the
88 donor's urine for drug testing.

89 4. Urine sample validity screening tests must be validated
90 for the detection of all of the additional adulterant classes
91 represented by glutaraldehyde, salt, heavy metals, cationic

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Published On: 2/3/2020 3:41:57 PM

Amendment No. 1

92 detergents, protease, strong alkaline buffers, and strong acidic
93 buffers. The detection limits of these classes must be at a
94 sufficient level to detect a nonphysiologic sample or
95 interference with enzyme immunoassay drug screening tests.

96 (b) The drug-testing facility may use only urine sample
97 validity screening tests that have undergone validation studies
98 conducted by the manufacturer to document the product's
99 conformance to the requirements of this subsection.

100 (c) A drug-testing facility may rely on urine sample
101 validity screening tests to determine if confirmation testing is
102 required for any urine sample that has been deemed invalid for
103 drug screening.

104 (d) Urine specimens collected in this state may not be
105 sent for drug screening tests to a drug-testing facility located
106 outside of this state unless such drug-testing facility complies
107 with all requirements of this subsection.

108 (e) The Agency for Health Care Administration shall adopt
109 rules necessary for the implementation and enforcement of this
110 subsection.

111 (16)-(15) NONDISCIPLINE REMEDIES.-

112 (a) Any person alleging a violation of ~~the provisions of~~
113 this section, that is not remediable by the commission or an
114 arbitrator pursuant to subsection (15) ~~(14)~~, must institute a
115 civil action for injunctive relief or damages, or both, in a
116 court of competent jurisdiction within 180 days of the alleged

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Published On: 2/3/2020 3:41:57 PM

Amendment No. 1

117 violation, or be barred from obtaining the following relief.

118 Relief is limited to:

119 1. An order restraining the continued violation of this
120 section.

121 2. An award of the costs of litigation, expert witness
122 fees, reasonable attorney ~~attorney's~~ fees, and noneconomic
123 damages provided that damages shall be limited to the recovery
124 of damages directly resulting from injury or loss caused by each
125 violation of this section.

126 Section 2. Present subsections (9) through (15) of section
127 440.102, Florida Statutes, are redesignated as subsections (10)
128 through (16), respectively, a new subsection (9) is added to
129 that section, and paragraphs (c), (e), and (q) of subsection
130 (1), paragraph (a) of subsection (3), paragraphs (b) through
131 (h), (j), (k), and (l) of subsection (5), subsection (6),
132 paragraph (a) of subsection (7), and paragraphs (b) and (c) of
133 present subsection (9) of that section are amended, to read:

134 440.102 Drug-free workplace program requirements.—The
135 following provisions apply to a drug-free workplace program
136 implemented pursuant to law or to rules adopted by the Agency
137 for Health Care Administration:

138 (1) DEFINITIONS.—Except where the context otherwise
139 requires, as used in this act:

140 (c) "Drug" means any form of alcohol, as defined in s.
141 322.01(2), including a distilled spirit, wine, a malt beverage,

Amendment No. 1

142 or an intoxicating preparation; any controlled substance
143 identified under Schedule I, Schedule II, Schedule III, Schedule
144 IV, or Schedule V of s. 893.03; any controlled substance
145 identified under Schedule I, Schedule II, Schedule III, Schedule
146 IV, or Schedule V of the Controlled Substances Act, 21 U.S.C. s.
147 812(c) ~~liquor; an amphetamine; a cannabinoid; cocaine;~~
148 ~~phencyclidine (PCP); a hallucinogen; methaqualone; an opiate; a~~
149 ~~barbiturate; a benzodiazepine; a synthetic narcotic; a designer~~
150 ~~drug;~~ or a metabolite of any of the substances listed in this
151 paragraph. An employer may test an individual for any or all ~~of~~
152 such drugs.

153 (e) "Drug test" or "test" means any chemical, biological,
154 or physical instrumental analysis administered~~7~~ by a laboratory
155 certified by the United States Department of Health and Human
156 Services or licensed by the Agency for Health Care
157 Administration~~7~~ for the purpose of determining the presence or
158 absence of a drug or its metabolites. In the case of testing for
159 the presence of alcohol, the test must be conducted in
160 accordance with the United States Department of Transportation
161 alcohol testing procedures authorized under 49 C.F.R. part 40,
162 subparts J through M.

163 (q) "Specimen" means tissue, hair, or a product of the
164 human body capable of revealing the presence of drugs or their
165 metabolites, as approved by the United States Food and Drug
166 Administration, ~~or~~ the Agency for Health Care Administration,

264657 - h1297-strike.docx

Published On: 2/3/2020 3:41:57 PM

Amendment No. 1

167 the United States Department of Health and Human Services, or
168 the United States Department of Transportation.

169 (3) NOTICE TO EMPLOYEES AND JOB APPLICANTS.—

170 (a) One time only, before ~~prior to~~ testing, an employer
171 shall give all employees and job applicants for employment a
172 written policy statement that ~~which~~ contains:

173 1. A general statement of the employer's policy on
174 employee drug use, which must identify:

175 a. The types of drug testing an employee or job applicant
176 may be required to submit to, including reasonable-suspicion
177 drug testing or drug testing conducted on any other basis.

178 b. The actions the employer may take against an employee
179 or job applicant on the basis of a positive confirmed drug test
180 result.

181 2. A statement advising the employee or job applicant of
182 the existence of this section.

183 3. A general statement concerning confidentiality.

184 4. Procedures for employees and job applicants to
185 confidentially report to a medical review officer the use of
186 prescription or nonprescription medications ~~to a medical review~~
187 ~~officer both before and after being tested.~~

188 5. A list of the most common medications, by brand name or
189 common name, as applicable, as well as by chemical name, which
190 may alter or affect a drug test. A list of such medications as

Amendment No. 1

191 developed by the Agency for Health Care Administration shall be
192 available to employers through the department.

193 6. The consequences of refusing to submit to a drug test.

194 7. A representative sampling of names, addresses, and
195 telephone numbers of employee assistance programs and local drug
196 rehabilitation programs.

197 8. A statement that an employee or job applicant who
198 receives a positive confirmed test result may contest or explain
199 the result to the medical review officer within 5 working days
200 after receiving written notification of the test result; that if
201 an employee's or job applicant's explanation or challenge is
202 unsatisfactory to the medical review officer, the medical review
203 officer shall report a positive test result back to the
204 employer; and that a person may contest the drug test result
205 pursuant to law or to rules adopted by the Agency for Health
206 Care Administration.

207 9. A statement informing the employee or job applicant of
208 his or her responsibility to notify the laboratory of any
209 administrative or civil action brought pursuant to this section.

210 10. A list of all drugs for which the employer will test,
211 described by ~~brand name or~~ common name, as applicable, as well
212 as by chemical name.

213 11. A statement regarding any applicable collective
214 bargaining agreement or contract and the right to appeal to the
215 Public Employees Relations Commission or applicable court.

264657 - h1297-strike.docx

Published On: 2/3/2020 3:41:57 PM

Amendment No. 1

216 12. A statement notifying employees and job applicants of
217 their right to consult with a medical review officer for
218 technical information regarding prescription or nonprescription
219 medication.

220 (5) PROCEDURES AND EMPLOYEE PROTECTION.—All specimen
221 collection and testing for drugs under this section shall be
222 performed in accordance with the following procedures:

223 (b) Specimen collection must be documented, and the
224 documentation procedures shall include ~~the~~:

225 ~~1.~~ labeling of specimen containers so as to reasonably
226 preclude the likelihood of erroneous identification of test
227 results. For saliva or breath alcohol testing, a specimen
228 container is not required if the specimen is not being
229 transported to a laboratory for analysis

230 ~~2. A form for the employee or job applicant to provide any~~
231 ~~information he or she considers relevant to the test, including~~
232 ~~identification of currently or recently used prescription or~~
233 ~~nonprescription medication or other relevant medical~~
234 ~~information. The form must provide notice of the most common~~
235 ~~medications by brand name or common name, as applicable, as well~~
236 ~~as by chemical name, which may alter or affect a drug test. The~~
237 ~~providing of information shall not preclude the administration~~
238 ~~of the drug test, but shall be taken into account in~~
239 ~~interpreting any positive confirmed test result.~~

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Published On: 2/3/2020 3:41:57 PM

Amendment No. 1

240 (c) Specimen collection, storage, and transportation to a
241 laboratory ~~the testing site~~ shall be performed in a manner that
242 reasonably precludes contamination or adulteration of specimens.

243 (d) Each confirmation test conducted under this section,
244 not including the taking or collecting of a specimen to be
245 tested, shall be conducted by a licensed or certified laboratory
246 as described in subsection (10) ~~(9)~~.

247 (e) A specimen for a drug test may be taken or collected
248 by any person who meets the qualification standards for urine or
249 oral fluid specimen collection as specified by the United States
250 Department of Health and Human Services or the United States
251 Department of Transportation. For alcohol testing, a person must
252 meet the United States Department of Transportation standards
253 for a screening test technician or a breath alcohol technician.
254 A hair specimen may be collected and packaged by a person who
255 has been trained and certified by a drug-testing laboratory. A
256 person who directly supervises an employee subject to testing
257 may not serve as the specimen collector for that employee unless
258 there is no other qualified specimen collector available ~~of the~~
259 ~~following persons:~~

260 ~~1. A physician, a physician assistant, a registered~~
261 ~~professional nurse, a licensed practical nurse, or a nurse~~
262 ~~practitioner or a certified paramedic who is present at the~~
263 ~~scene of an accident for the purpose of rendering emergency~~
264 ~~medical service or treatment.~~

264657 - h1297-strike.docx

Published On: 2/3/2020 3:41:57 PM

Amendment No. 1

265 ~~2. A qualified person employed by a licensed or certified~~
266 ~~laboratory as described in subsection (9).~~

267 (f) A person who collects or takes a specimen for a drug
268 test shall collect an amount sufficient for two independent drug
269 tests, one to screen the specimen and one for confirmation of
270 the screening test results, at a laboratory as determined by the
271 Agency for Health Care Administration.

272 (g) Every specimen that produces a positive, confirmed
273 test result shall be preserved by the licensed or certified
274 laboratory that conducted the confirmation test for a period of
275 at least 1 year after the confirmation test was conducted ~~210~~
276 ~~days after the result of the test was mailed or otherwise~~
277 ~~delivered to the medical review officer.~~ However, if an employee
278 or job applicant undertakes an administrative or legal challenge
279 to the test result, the employee or job applicant shall notify
280 the laboratory and the sample shall be retained by the
281 laboratory until the case or administrative appeal is settled.
282 During the 60-day ~~180-day~~ period after written notification of a
283 positive test result, the employee or job applicant who has
284 provided the specimen shall be permitted by the employer to have
285 a portion of the specimen retested, at the employee's or job
286 applicant's expense, at another laboratory, licensed and
287 approved by the Agency for Health Care Administration, chosen by
288 the employee or job applicant. The second laboratory must test
289 the specimen at the limit of detection for the drug or analyte

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Published On: 2/3/2020 3:41:57 PM

Amendment No. 1

290 ~~confirmed by the original at equal or greater sensitivity for~~
291 ~~the drug in question as the first laboratory. If the drug or~~
292 ~~analyte is detected by the second laboratory, the result must be~~
293 ~~reported as reconfirmed positive.~~ The first laboratory that
294 performed the test for the employer is responsible for the
295 transfer of the portion of the specimen to be retested, and for
296 the integrity of the chain of custody during such transfer.

297 (h) Within 5 working days after receipt of a positive
298 ~~verified confirmed~~ test result from the medical review officer,
299 an employer shall inform an employee or job applicant in writing
300 of such positive test result, the consequences of such result
301 ~~results~~, and the options available to the employee or job
302 applicant. The employer shall provide to the employee or job
303 applicant, upon request, a copy of the test results.

304 (j) ~~The employee's or job applicant's explanation or~~
305 ~~challenge of the positive test result is unsatisfactory to the~~
306 ~~employer, a written explanation as to why the employee's or job~~
307 ~~applicant's explanation is unsatisfactory, along with the report~~
308 ~~of positive result, shall be provided by the employer to the~~
309 ~~employee or job applicant; and All such documentation of a~~
310 positive test shall be kept confidential by the employer
311 pursuant to subsection (8) and shall be retained by the employer
312 for at least 1 year.

313 (k) An employer may not discharge, discipline, refuse to
314 hire, discriminate against, or request or require rehabilitation

264657 - h1297-strike.docx

Published On: 2/3/2020 3:41:57 PM

Amendment No. 1

315 of an employee or job applicant on the sole basis of a positive
316 test result that has not been reviewed and verified by a
317 ~~confirmation test and by~~ a medical review officer, except when a
318 confirmed positive breath alcohol test was conducted in
319 accordance with United States Department of Transportation
320 alcohol testing procedures.

321 (1) An employer that performs drug testing or specimen
322 collection shall use chain-of-custody procedures established by
323 the Agency for Health Care Administration, the United States
324 Department of Health and Human Services, or the United States
325 Department of Transportation to ensure proper recordkeeping,
326 handling, labeling, and identification of all specimens tested.

327 (6) CONFIRMATION TESTING.—

328 (a) ~~If an initial drug test is negative, the employer may~~
329 ~~in its sole discretion seek a confirmation test.~~

330 ~~(b) Only licensed or certified laboratories as described~~
331 ~~in subsection (9) may conduct confirmation drug tests.~~

332 (c) All laboratory positive initial tests on a urine, oral
333 fluid, blood, or hair specimen shall be confirmed using gas
334 chromatography/mass spectrometry (GC/MS) or an equivalent or
335 more accurate scientifically accepted method approved by the
336 United States Department of Health and Human Services or the
337 United States Department of Transportation ~~Agency for Health~~
338 ~~Care Administration or the United States Food and Drug~~

264657 - h1297-strike.docx

Published On: 2/3/2020 3:41:57 PM

Amendment No. 1

339 ~~Administration as such technology becomes available in a cost-~~
340 ~~effective form.~~

341 ~~(b)-(d)~~ If a ~~an initial~~ drug test of an employee or job
342 applicant is confirmed by the laboratory as positive, the
343 employer's medical review officer shall provide technical
344 assistance to the employer and to the employee or job applicant
345 for the purpose of interpreting the test result to determine
346 whether the result could have been caused by prescription or
347 nonprescription medication taken by the employee or job
348 applicant.

349 (c) For a breath alcohol test, an initial positive result
350 must be confirmed by a second breath specimen taken and tested
351 using an evidential breath testing device listed on the
352 conforming products list issued by the National Highway Traffic
353 Safety Administration and conducted in accordance with United
354 States Department of Transportation alcohol testing procedures
355 authorized under 49 C.F.R. part 40, subparts J through M.

356 (7) EMPLOYER PROTECTION.—

357 (a) An employee or job applicant whose drug test result is
358 confirmed or verified as positive in accordance with this
359 section shall not, by virtue of the result alone, be deemed to
360 have a "handicap" or "disability" as defined under federal,
361 state, or local handicap and disability discrimination laws.

362 (9) DRUG-TESTING STANDARDS; SAMPLE VALIDITY PRESCREENING.—
363 Before a drug-testing facility licensed under part II of chapter

Amendment No. 1

364 408 may perform any drug screening test on a urine specimen
365 collected in this state, prescreening tests must be performed to
366 determine the validity of the specimen. The prescreening tests
367 must be capable of detecting, or detecting and defeating, novel
368 or emerging urine drug-testing subversion technologies as
369 described in this subsection.

370 (a) The drug-testing facility shall use urine sample
371 validity screening tests that meet all of the following
372 criteria:

373 1. A urine sample validity screening test for creatinine
374 must use a 20 mg/dL cutoff concentration and must have minimal
375 interferences from bilirubin and blood in the urine. The urine
376 sample validity screening test must be able to discriminate
377 between a creatinine level from an unadulterated urine sample
378 and a creatinine level arising from overhydration or creatine or
379 protein loading.

380 2. A urine sample validity screening test for oxidants
381 must be able to detect the presence or effects of oxidant
382 adulterants up to 6 days after sample collection, under the
383 sample storage conditions outlined in the laboratory standards
384 guideline adopted by rule by the Agency for Health Care
385 Administration, and after any sample transport that is routinely
386 involved.

Amendment No. 1

387 3. Urine sample validity screening tests must be able to
388 detect synthetic or freeze-dried urine substituted for the
389 donor's urine for drug testing.

390 4. Urine sample validity screening tests must be validated
391 for the detection of all of the additional adulterant classes
392 represented by glutaraldehyde, salt, heavy metals, cationic
393 detergents, protease, strong alkaline buffers, and strong acidic
394 buffers. The detection limits of these classes must be at a
395 sufficient level to detect a nonphysiologic sample or
396 interference with enzyme immunoassay drug-screening tests.

397 (b) The drug-testing facility may use only urine sample
398 validity screening tests that have undergone validation studies
399 conducted by the manufacturer to document the product's
400 conformance to the requirements of this subsection.

401 (c) A drug-testing facility may rely on urine sample
402 validity screening tests to determine if confirmation testing is
403 required for any urine sample that has been deemed invalid for
404 drug screening.

405 (d) Urine specimens collected in this state may not be
406 sent for drug-screening tests to a drug-testing facility located
407 outside of this state unless such drug-testing facility complies
408 with all requirements of this subsection.

409 (e) The Agency for Health Care Administration shall adopt
410 rules necessary for the implementation and enforcement of this
411 subsection.

264657 - h1297-strike.docx

Published On: 2/3/2020 3:41:57 PM

Amendment No. 1

412 (10) ~~(9)~~ DRUG-TESTING STANDARDS FOR LABORATORIES.—

413 (b) A laboratory may analyze initial or confirmation test
414 specimens only if:

415 1. The laboratory obtains a license under part II of
416 chapter 408 and s. 112.0455(18) ~~s. 112.0455(17)~~. Each applicant
417 for licensure and each licensee must comply with all
418 requirements of this section, part II of chapter 408, and
419 applicable rules.

420 2. The laboratory has written procedures to ensure the
421 chain of custody.

422 3. The laboratory follows proper quality control
423 procedures, including, but not limited to:

424 a. The use of internal quality controls, including the use
425 of samples of known concentrations which are used to check the
426 performance and calibration of testing equipment, and periodic
427 use of blind samples for overall accuracy.

428 b. An internal review and certification process for drug
429 test results, conducted by a person qualified to perform that
430 function in the testing laboratory.

431 c. Security measures implemented by the testing laboratory
432 to preclude adulteration of specimens and drug test results.

433 d. Other necessary and proper actions taken to ensure
434 reliable and accurate drug test results.

435 (c) A laboratory shall disclose to the medical review
436 officer a written positive confirmed test result report within 7

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Published On: 2/3/2020 3:41:57 PM

Amendment No. 1

437 working days after receipt of the sample. All laboratory reports
438 of a drug test result must, at a minimum, state:

439 1. The name and address of the laboratory that performed
440 the test and the positive identification of the person tested.

441 2. Positive results on confirmation tests only, or
442 negative results, as applicable.

443 3. A list of the drugs for which the drug analyses were
444 conducted.

445 4. The type of tests conducted for both initial tests and
446 confirmation tests and the minimum cutoff levels of the tests.

447 ~~5. Any correlation between medication reported by the~~
448 ~~employee or job applicant pursuant to subparagraph (5)(b)2. and~~
449 ~~a positive confirmed drug test result.~~

450

451 A report must not disclose the presence or absence of any drug
452 other than a specific drug and its metabolites listed pursuant
453 to this section.

454 Section 3. Paragraph (b) of subsection (11) of section
455 443.101, Florida Statutes, is amended to read:

456 443.101 Disqualification for benefits.—An individual shall
457 be disqualified for benefits:

458 (11) If an individual is discharged from employment for
459 drug use as evidenced by a positive, confirmed drug test as
460 provided in paragraph (1)(d), or is rejected for offered
461 employment because of a positive, confirmed drug test as

Amendment No. 1

462 provided in paragraph (2)(c), test results and chain of custody
463 documentation provided to the employer by a licensed and
464 approved drug-testing laboratory is self-authenticating and
465 admissible in reemployment assistance hearings, and such
466 evidence creates a rebuttable presumption that the individual
467 used, or was using, controlled substances, subject to the
468 following conditions:

469 (b) Only laboratories licensed and approved as provided in
470 s. 440.102(10) ~~s. 440.102(9)~~, or as provided by equivalent or
471 more stringent licensing requirements established by federal law
472 or regulation may perform the drug tests.

473 Section 4. This act shall take effect July 1, 2020.

474

475

476

T I T L E A M E N D M E N T

477

Remove everything before the enacting clause and insert:

478

A bill to be entitled

479

An act relating to drug-free workplaces; amending s.

480

112.0455, F.S.; requiring licensed drug-testing

481

facilities to perform prescreening tests on urine

482

specimens to determine the specimens' validity;

483

specifying requirements for such tests; authorizing

484

such facilities to rely on such tests to determine if

485

confirmation testing is required; providing that urine

486

specimens may not be sent to an out-of-state facility

264657 - h1297-strike.docx

Published On: 2/3/2020 3:41:57 PM

Amendment No. 1

487 unless the facility complies with certain
488 requirements; authorizing the Agency for Health Care
489 Administration to adopt rules; conforming cross-
490 references; amending s. 440.102, F.S.; revising
491 definitions; revising information required in a
492 written policy statement provided to employees and job
493 applicants before drug testing; revising procedures
494 for specimen collection, testing, and preservation;
495 revising qualifications for persons who may take or
496 collect specimens for a drug test; revising
497 requirements and procedures for retesting specimens;
498 deleting and revising confidentiality requirements for
499 employers relating to certain information; revising
500 circumstances under which an employer may take certain
501 actions as to an employee or a job applicant on the
502 sole basis of certain positive test results; revising
503 standards for chain-of-custody procedures; revising
504 requirements and authorized actions relating to
505 confirmation testing; requiring licensed drug-testing
506 facilities to perform prescreening tests on urine
507 specimens to determine the specimens' validity;
508 specifying requirements for such tests; authorizing
509 such facilities to rely on such tests to determine if
510 confirmation testing is required; providing that urine
511 specimens may not be sent to an out-of-state facility

264657 - h1297-strike.docx

Published On: 2/3/2020 3:41:57 PM

Amendment No. 1

512 unless the facility complies with certain
513 requirements; authorizing the agency to adopt rules;
514 conforming provisions to changes made by the act;
515 amending s. 443.101, F.S.; conforming a cross-
516 reference; providing an effective date.

517
518 WHEREAS, the State of Florida has a profound interest in
519 the health and welfare of its citizens, and

520 WHEREAS, new and emerging drug-testing subversion
521 technologies represent a significant threat to the ability to
522 properly identify those suffering from addiction and drug abuse,
523 and

524 WHEREAS, the Legislature, therefore, seeks to require urine
525 sample validity testing, such that those persons being tested
526 can be properly and promptly identified for referral to drug
527 treatment programs and other health care services, NOW,
528 THEREFORE,

529