#04-7984
P.C. 8400143

From: "David Brill" <DBrill@DrugRisk.com>
To: <Wvogl@samhsa.gov>
Date: 7/12/04 3:20PM
Subject: Draft Federal Register FR Doc. 04-7984 Comments

Dear Mr. Vogl,

As an architect of Michelin North America's workplace hair testing program that was implemented after substantial documentation of the inability of urine testing to identify drug abuse, I had the pleasure to attend the first two sessions of the Hair Testing Work Group in San Antonio, Texas.

I'd like to offer the following comments on behalf of the Institute for Prevention of Substance Abuse.

Bias
A fair and impartial discussion of bias would compare data available for various drug testing technologies including urine, oral fluid, breath, hair and sweat.

* The body mass/gender bias of breath alcohol testing is strong and well documented. Given a 120-lb female and a 220-lb male ingesting identical amounts of alcohol, there is substantial medical literature indicating that a female is more likely to be subject to sanctions based on detectable cutoff than the typically heavier male.
* Urine tests of course have age bias. As renal function deteriorates with age, given identical doses of illicit drugs a baby boomer is likelier than a Gen Y individual to test positive with a standard urine cutoff.

The current section dealing with bias should be either deleted or appropriately revised.

Validity Testing
With each and every hair sample collection, the Collector can witnesses and specifically document that, prior to snipping the hair sample, it was witnessed to be directly attached to skin. This is not possible for most urine or oral fluid collections.

Compared to other drug testing matrices, hair testing has the advantage of superior specimen validity testing by the Collector. The Collector should be required to initial a box stating that the hair sample was witnessed to be directly attached to the skin prior to snipping.

Laboratory hair validity testing as currently suggested suffers from the following flaws:

* Microscopic and chemical testing of hair cannot reliably differentiate between human and animal hair
* The laboratory validity testing proposed is unnecessary, ineffective and not cost-beneficial

Collector witnessed and documented sample collection should replace laboratory validity testing.

Body Hair
Hair testing provides the only opportunity to test several months of recent drug use. No other matrix offers this capability, which is

extremely important for workplace drug testing. Otherwise, for every scheduled test, it is easily possible via mere brief abstinence to submit a sample that tests negative.

The important and effective tool of hair testing can easily be rendered irrelevant by head shaving or highly aesthetic hairdos if only head hair samples are admissible.

It is important to provide options for a level of certainty similar to the 3-month window provided by head hair testing. Two options to provide a similar level of certainty in the absence of a head hair sample include:

1. Provide employers to option to substitute 3 to 6 random urine or oral fluid drug tests within a 3-month period in which a hair test would have been used for applicant or random testing
2. Utilize body hair for which a known time window is established by prior snipping. Underarm hair is typically abundant and aesthetically of trivial concern for most sample donors unable to provide a head hair sample. If an applicant or randomly selected individual has insufficient head hair, a section of underarm or other body hair can be snipped close to the skin and documented. Three months later, a sample of NEW GROWTH hair from that documented site can be snipped and analyzed. This allows reasonable certainty of the time window covered by a body hair sample.

Thank you,

David Brill MD, MA, MPH
Institute for Prevention of Substance Abuse
12 Spring Street, Schuylerville, NY 12871
Tel 518.695.6390, Fax --6393