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Dr. Vogel,

Per our conversation, following are the Court Services and Offender Supervision Agency comments on the Proposed Revisions to Mandatory Guidelines for Federal Workplace Drug Testing Programs dated April 13, 2004.

Section 1.5 What Do the Terms Used in the Guidelines Mean?

Federal Register states: Post-accident Test

Agency comment: The title should be consisted with HHS Model plan, which is

Unsafe, Illness or Unhealthy Practice Testing.

Federal Register states: Pre-employment Test. A specimen collected from a donor who is applying for a testing designated position

Agency comment: We drug test all applicants prior to being employed with the Agency. The definition should reflect donors applying for a position.

Section 2.4 How is Each Type of Specimen to Be Collected?

Federal Register states: Each type of specimen is to be collected as a split specimen as described in 2.5.

Agency comment: This statement is inconsistent with the Specimen Validity Testing guidelines, Section 2.2 (h) Split Specimens definition, which states that an Agency may, but is not required to use a split specimen method of collection.

Section 8.2 What Procedure Is Used To Collect a Head Hair Sample?

Federal Register states: (5) In the presence of the donor, the collector must clean scissors that will be used to cut the head hair with an alcohol wipe prior to obtaining a head hair sample.

Agency comment: Are there certain scissors that should be used for accurate cutting and should the scissors be disposable for sanitary reasons?

Section 8.3 What Procedure Is Used To Collect an Oral Fluid Specimen?

Federal Register states: (3) last sentence: If an item is found that appears to have been brought to the collection site with the intent to adulterate or if the item appears to be inadvertently brought to the collection site, the collector must secure the item and continue with the normal collection procedure.

Agency comments: How should the item be secured? Will an evidence kit be developed and issued to collection sites? If so, who will responsible for drafting requirements for an evidence kit? Will the secured item be processed accordingly per which HHS guidelines?

Section 8.5 What Procedure Is Used To Collect an Urine Specimen?

Federal Register states: (24) first sentence: Based on a reason to believe that the donor may adulterate or substitute the specimen to be provided, a higher level supervisor must review and concur in advance with any decision by a collector to obtain a specimen under direct observation.

Agency comment: Language should be added that a higher level supervisor of the collector and the agency representative must review and concur in advance.

Thank you.

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