

## **Subpart G - Medical Review Officers and the Verification Process**

### **§ 40.167 How are MRO reports of drug results transmitted to the employer?**

As the MRO or C/TPA who transmits drug test results to the employer, you must comply with the following requirements:

- (a) You must report the results in a confidential manner.
- (b) You must transmit to the DER on the same day the MRO verifies the result or the next business day all verified positive test results, results requiring an immediate collection under direct observation, adulterated or substituted specimen results, and other refusals to test.
  - (1) Direct telephone contact with the DER is the preferred method of immediate reporting. Follow up your phone call with appropriate documentation (see §40.163).
  - (2) You are responsible for identifying yourself to the DER, and the DER must have a means to confirm your identification.
  - (3) The MRO's report that you transmit to the employer must contain all of the information required by §40.163 .
- (c) You must transmit the MRO's report(s) of verified tests to the DER so that the DER receives it within two days of verification by the MRO.
  - (1) You must fax, courier, mail, or electronically transmit a legible image or copy of either the signed or stamped and dated Copy 2 or the written report (see §40.163(b) and (c)).
  - (2) Negative results reported electronically (i.e., computer data file) do not require an image of Copy 2 or the written report.
- (d) In transmitting test results, you or the C/TPA and the employer must ensure the security of the transmission and limit access to any transmission, storage, or retrieval systems.
- (e) MRO reports are not subject to modification or change by anyone other than the MRO, as provided in §40.149(c).

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