



27 July 2009

Medical

DRUG ABUSE TESTING PROGRAM

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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Supersedes AFI 44-120/CA ANG Supplement 1
1 September 1998

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Reference:

12 May 2005 Memorandum For the Adjutants General of All The States, "Implementing Instructions for the National Guard Substance Abuse Program Realignment" will be the primary reference for the California Air National Guard Drug Abuse Testing Program. AFI 44-120 will be a secondary reference, for areas not addressed by this memorandum.

AFI 44-120, 1 July 2000 is supplemented as follows:

4.7.2.1 Per NGB-J3-CD 12 May 05 Memorandum for The Adjutants General of All States, each Wing will appoint a Demand Reduction Program Manager (DRPM) to oversee the Wing's Substance Abuse program and the DRPM serves as the Wing's OPR for the drug testing program.

4.7.2.1.1 (added) Each Wing Commander will appoint in writing a Demand Reduction Program Manager.

4.7.4.10 The full-time Health Services Manager (HSM) after coordination by the Medical Review Officer, ensures timely notification, verbally and in writing, to the individual's appropriate Wing or Group Commander, Wing Staff Judge Advocate, Director of Personnel, and the individual's unit/detachment commander of all drug positive results, and samples determined by the drug testing laboratory to be either adulterated or not consistent with human urine.

4.7.7.5 The full-time Health Services Manager (HSM) will be responsible for notifying the medical testing laboratory when a positive specimen needs to be retained, in lieu of the Staff Judge Advocate who is a traditional guardsman available on UTAs only.

4.7.10 (Added) Health Services Manager (HSM) Upon receipt of the DD Form 2624 from the drug testing laboratory, will immediately forward a letter of notification to the individual's unit/detachment commander using the letter format in Attachment 2. Information copies will be sent to the Social Actions Officer, the Staff Judge Advocate, and the State Executive Support Staff Officer (HQ CA ANG/DS). A sealed inner envelope with "to be opened by addressee only" clearly printed on the envelope will be used for all notifications. The unit commander will notify the member of the drug positive results by the end of the next UTA or within 30 days whichever is sooner. (See Attachment 2 Sample Letter Of Notification of Drug Positive Results).

7.13. Due to drug testing being completed on weekend UTAs, unit mail room personnel are authorized to sign the DD Form 2624, and accept the sealed urine specimen box for safekeeping in a secure area until mailed the next duty day.

DENNIS G. LUCAS
Major General, CA ANG
Commander

Attachments:

1. NGB-J3-CD Implementing Instructions dtd 12 May 05
2. Sample Ltr of Notification of Drug Positive Results



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
NATIONAL GUARD BUREAU
1411 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202-3231

NGB-J3-CD

12 May 05

MEMORANDUM FOR THE ADJUTANTS GENERAL OF ALL THE STATES, PUERTO RICO, THE U.S. VIRGIN ISLANDS, GUAM, AND THE COMMANDING GENERAL OF THE DISTRICT OF COLUMBIA

SUBJECT: Implementing Instructions for National Guard Substance Abuse Program Realignment

1. The National Guard remains committed to maintaining a drug-free force. In order to better serve our soldiers and airmen and to improve our internal drug demand reduction efforts, we are combining the Army and Air National Guard Substance Abuse Prevention Programs. The new joint Substance Abuse (SA) program will have responsibility over all aspects of the National Guard's substance abuse prevention efforts to include anti-drug education and drug testing.
2. With this change, all previous ANG Surgeon General and ANG Military Equal Opportunity drug testing-related responsibilities are assigned to the National Guard Substance Abuse Office, NGB J3-CDTT. Additionally, each state, territory, and the District of Columbia will create a Joint Substance Abuse Prevention Office to serve the needs of both the Army and Air National Guard.
3. NGB J3-CDTT will publish interim policy, procedures and requirements concerning the joint SA program. However, the Adjutants General and their subordinate commanders have discretion relating to implementation of this program within the guidance set forth by the National Guard Bureau.
4. Furthermore, since 1 October 2004, all Army and Air National Guard Substance Abuse Prevention urinalysis drug testing will be performed at Tripler Forensic Toxicology Drug Testing Laboratory. Air Force Instruction 44-120, Drug Abuse Testing Program, remains the governing authority for the ANG drug testing program, except with regard to provisions related to the Air Force Drug Testing Laboratory (AFDTL). Variances between Air Force and Army procedures for collection and shipment of specimens affecting chain of custody and discrepancies shall be resolved in favor of procedures employed by the Army at the Tripler FTDL.
5. The attachment to this memorandum contains the implementing instructions for this transition and constitutes NGB policy. NGB J3-CDTT will provide additional implementing instructions as necessary. These interim publications will be incorporated into the new NGR 600-85.

NGB-J3-CD

**SUBJECT: Implementing Instructions for National Guard Substance Abuse Program
Realignment**

6. Point of contact for this action is MAJ Jeff Washburn at DSN 327-5766,
703-607-5766, or sa@cdmail.ngb.army.mil.



H STEVEN BLUM
Lieutenant General, US Army
Chief, National Guard Bureau

Appendix

Effective 1 October 2004, the following changes in the National Guard Substance Abuse Prevention and Drug Testing Substance Abuse Programs are in effect:

1. NGB-J3-CDTT is the Office of Primary Responsibility (OPR) for all Air and Army National Guard SA issues.
2. NGB-ANG-SG is relieved of all responsibility relating to Air National Guard SA issues.
3. NGB-ANG-MEO is relieved of all responsibility relating to Air National Guard Substance Abuse Prevention and Drug Testing issues.
4. Each State's Joint Staff will create a Joint Substance Abuse Prevention Office to manage its Substance Abuse Prevention and Drug Testing program.
5. The Joint Substance Abuse Prevention Office will include, at a minimum, the following positions:
 - a. State Substance Abuse Prevention Officer (SSAPO)
 - b. Assistant State Substance Abuse Prevention Officer
 - c. At least one Substance Abuse Prevention Coordinator (SAPC) who will also serve as the state Drug Testing Program Administrative Manager (DTPAM)
6. Each State will create an Alcohol and Drug Abuse Council (ADIC) to oversee the State's SA programs.
7. Each MACOM will appoint an Alcohol and Drug Prevention Officer (ADCO) to oversee the MACOM's SA program.
8. Within each MACOM, each Unit will appoint a Unit Prevention Leader (UPL) to oversee the Unit's SA program and administer the Unit's drug testing urinalysis collections.
9. Each Wing will appoint a Demand Reduction Program Manager (DRPM) to oversee the Wing's SA program.
10. Each Wing will appoint as many Drug Testing Program Administrative Managers (DTPAM) as will be necessary to accomplish the drug testing urinalysis collections for the Wing.

11. Each Wing Commander will thoroughly evaluate his/her Wing and determine which office can most effectively manage its SA program. The Wing commander will then assign that office as the Wing's OPR for SA.
12. All National Guard SA program specimen testing will be consolidated at Tripler Forensic Toxicology Drug Testing Laboratory (FTDTL).
13. States will follow additional guidance received from NGB-J3-CDTT to further implement these changes.
14. NGR 600-85 will be the controlling regulation for all National Guard SA matters.
15. Detailed responsibilities for the offices and positions identified above are detailed in Annex 1.
16. An organizational chart showing the new State SA organization is at Annex 2.
17. *Tripler FTDTL address is at Annex 3.*
18. The point of contact for this action is MAJ Jeff Washburn at DSN 327-5766, 703-607-5766, or sa@cdmail.ngb.army.mil.

Annex 1

This Annex details responsibilities and policy to be used by the States in establishing a Joint National Guard Substance Abuse Prevention (NGSAP) Office. It lists program responsibilities for positions in addition to those identified in the Implementation Order which are, however, necessary for proper implementation of the NGSAP.

1. Adjutants General.

The Adjutants General will:

a. Provide program management and operational supervision of the NGSAP within their states.

b. Establish policies and standards that clearly state the National Guard's anti-drug policy and require all members of the National Guard to refrain from drug abuse.

c. Appoint, on orders, the following:

(1) State Substance Abuse Program Officer (SSAPO)

(2) Substance Abuse Program Coordinator (SAPC) to manage the state's NGSAP

(3) Medical Review Officer (MRO) to review drug positive reports

d. Direct the establishment of an Alcohol and Drug Interdiction Council (ADIC).

2. Personnel Officers (J-1).

Personnel Officers will:

a. Provide necessary personnel data to the NGSAP office to ensure that all members of the National Guard are properly included in the random selection program for drug testing.

b. Suspend Favorable Personnel Actions (flag) for personnel reported as positive (after the test is confirmed by a MRO if necessary) to prevent favorable personnel actions until the member is:

(1) Adjudicated and found not to have abused illegal substances, or

(2) Retained by the TAG upon completion of all required terms of suspension to include rehabilitation or

(3) Is separated from the National Guard.

3. Medical Review Officers (MRO).

The MRO determines if positive drug results reported by the FTDTL could have resulted from the legal use of prescription drugs for medical reasons and/or for drugs administered during surgical or dental procedures.

a. The MRO may be the State Surgeon (Army or Air) or other medical doctor within the State National Guard provided those appointed have been trained to perform MRO duties. States may have as many trained MROs as needed. Physician's assistants, pharmacists, and nurses will not be appointed as the MRO.

b. When a drug test has been reported positive by the FTDTL for a drug with a possible legitimate medical use as determined by USAMEDCOM, the unit commander will offer the member an opportunity (30 days from date of notification) to furnish medical evidence in the form of a medical prescription and/or statement from the member's physician or dentist documenting the drug prescribed or given, date of medical or dental procedure which required prescribed drugs, and the medical reason for its use. The documentation will be marked "Confidential" and will be forwarded through the SSAP Office to the MRO for evaluation.

c. If the member provides the necessary documentation within the allotted time, unfavorable action will not be initiated against the soldier identified until the MRO has rendered an evaluation. If the MRO verifies medically justified use he/she will promptly notify the state SAPC. The SSAPC will notify the unit commander and close the case file. If the MRO confirms illegal drug use he/she will promptly notify the state SAPC. The state SAPC will notify the unit commander, the State military personnel officer and the State security manager. The process for separating the service member will be initiated through the appropriate command channels. If the MRO is unable to make a determination without talking directly an Army Guard member, the state SAPC will schedule an appointment to allow the member to meet directly (in person or by telephone) with the MRO. In the case of an Air National Guardsman, the MRO may schedule an appointment with the member after consultation with the servicing SJA. MROs may interview the individual in question only after the member has been officially notified. The MRO may consult with toxicologists at the supporting FTDTL as necessary regarding the effects of any prescription medications or other substances on urinalysis drug test results.

4. Joint NGSAP Office.

Each state will create a Joint NGSAP Office to manage NGSAP, to include random selection of Guard Members, anti-drug education, urinalysis collection training, and data management and tracking of dispositions of positives.

5. State Substance Abuse Program Officers (SSAPO).

The SSAPO will:

a. Be appointed on orders and act as the Adjutant General's principal staff officer for the NGSAP matters.

b. Complete the National Guard SA Manager's Training Course.

c. Coordinate the State's NGSAP activities to include:

(1) Develop prevention training and education.

(2) Allocate State drug testing quotas.

(3) Develop, coordinate, and recommend NGSAP policies and procedures.

(4) Provide periodic program evaluation to the Adjutant General.

(5) Submit required reports to NGB-J3-CDTT.

(6) Be responsible for management and maintenance of all State NGSAP records and reports.

(7) Identify state certified and/or approved counseling/treatment agencies and ensure this information is made available to unit commanders for use in the referral process.

(8) Serve as a member of the ADIC.

(9) Provide continuous assessment of the alcohol and drug environment within the State's community that affects the National Guard.

(10) Supervise the daily activities of the State's SAPC.

(11) Prepare and implement State level Standard Operating Procedures/Operating Instructions SOP/OI IAW applicable regulations.

(12) Provide oversight of the state's NGSAP (Army and Air) SA funds.

6. Substance Abuse Program Coordinators (SAPC).

The SAPC will:

a. Be trained by completing the NG-SA Managers Training Course.

b. Perform day-to-day management of state's NGSAP (Army and Air) to include oversight and execution of SA funds.

c. Manage state's NGSAP automation programs.

d. Prepare random, 100%, and other test lists as necessary for use in conducting the state's urinalysis collections.

- e. Ensure the appropriate administrative or State Code of Military Justice action is taken on personnel who fail to report for testing without a valid reason basis and will be submitted to the lab for testing.
- f. Appoint Trusted Agents possessing unquestionable integrity and trustworthiness.
- g. Appoint local unit level DTPAMs as necessary.
- h. Appoint observers as necessary.
- i. Ensure that Operating Instructions (OI) are prepared and implemented IAW the State's OI.

10. Trusted Agents (ANG only).

Trusted Agents will:

- a. Be appointed by the commander.
- b. Receive and maintain rosters of individuals selected for urinalysis testing.
- c. Notify individuals selected for urinalysis testing no earlier than 2 hours prior to the selected collection time.
- d. Return the commander's notification letter back to the DRPM or DTPAM with annotations of those members notified, those not notified, those in leave status, TDY, or on quarters (with return dates), and those flying or on crew rest.

11. Subordinate Command Commanders (ARNG only).

Subordinate Commanders will appoint, on orders, Alcohol and Drug Coordinators (ADCOs) and as many Unit Prevention Leaders (UPL) as necessary to properly conduct the Command's drug testing in accordance with this regulation.

12. Subordinate Command Alcohol and Drug Control Officer (ADCO) (ARNG only).

The ADCO will:

- a. Be trained by the SSAPO/SAPC.
- b. Serve as the Subordinate Command's principal staff officer for substance abuse issues.
- c. Develop a prevention program for the commander.
- d. Provide prevention education to unit members.
- e. Provide periodic NGSAP evaluations to the commander.

- f. Provide required reports to higher headquarters.
- g. Prepare and implement MACOM level SOP IAW the State's SOP.

13. Commanders at brigade and battalion level (ARNG only).

Commanders will:

- a. Monitor the implementation of appropriate initiatives of the NGSAP by their subordinate units.
- b. Appoint an officer or non-commissioned officer (E-5 or above) on orders as the UPL who must be certified through required UPL training (Recommend a national background check be accomplished on all UPL candidates).
- c. Prepare and implement an SOP IAW MACOM SOP.

14. Commanders of companies, detachments, and equivalent units. (ARNG only)

Commanders will:

- a. Appoint an officer or non-commissioned officer (E-5 or above) on orders as the UPL who must be certified through required UPL training (recommend a national background check be accomplished on all UPL candidates).
- b. Implement a unit biochemical-testing program.
- c. Implement NGSAP prevent and education initiatives ensuring all soldiers receive a minimum of 4 hours of alcohol and other drug training per year.
- d. Ensure all newly assigned soldiers are briefed on NGSAPs policies and services.
- e. Maintain liaison with NGSAP personnel.
- f. Prepare and implement unit level SOP IAW the next higher headquarters SOP.

15. Unit Prevention Leaders (UPL) and Drug Testing Program Administrative Managers (DTPAM).

UPLs/DTPAMs will:

- a. Be appointed in writing by local unit commanders.
- b. Administer the substance abuse program.
- c. Maintain the unit's NGSAP records and reports, to include individual test records.
- d. Conduct proper collection procedures to include chain of custody and packaging.
- e. Advise and assist unit commanders in carrying out the responsibilities of the NGSAP, to include conducting unit drug testing.

- f. Be E-5 or above.

16. Observers

The observer will:

- a. Not be someone who is selected for testing in the same session as the one in which they are observing.

- b. Be an individual of unquestionable integrity, will be credible and, will:

- (1) Have no Unfavorable Information File.

- (2) Have no history of conviction by court-martial or civilian court, non-judicial punishment under Article 15, UCMJ, or letter of reprimand or similar administrative action for misconduct involving dishonesty, fraud, or drug abuse (including possession or distribution).

- (3) Have no pending action under the UCMJ or pending administrative action.

- (4) Not be within one year of either separation or retirement from the ANG or ARNG.

- (5) Be E-5 or above. In the ANG, the observer may be an E-4 only with JAG prior written approval.

- (6) Directly observe the urine leaving the member's body and entering the specimen bottle.

17. Alcohol and Drug Intervention Council (ADIC).

Each state will establish an ADIC.

- a. The ADIC will function in an advisory capacity to The Adjutant General.
- b. The ADIC will outline the state substance abuse prevention strategies and evaluate the program's effectiveness within the State.
- c. The ADIC will meet at least quarterly.
- d. The ADIC may be a separate council, or be a part of a broader council established to deal with safety and/or human resource matters.
- e. The ADIC will provide the TAG with an ongoing assessment of the drug and alcohol environment within the state National Guard.
- f. ADICs may also be established at MACOM and unit levels. If the state will implement MACOM or unit ADICs the State NGSAP SOP will contain guidance as to their composition, role and function.

g. Cross Functional Oversight Committees will fulfill the responsibilities of the ADIC at the Wing level, AFI 44-120 4.7.13.

Annex 3

National Guard SA Program urinalysis specimens will be shipped to:

**Tripler AMC
FTDTL
Bldg 40, 1 Jarrett White Road
Tripler AMC, Hawaii 96859-5000**

**SAMPLE LETTER, NOTIFICATION TO COMMANDER OF LABORATORY
POSITIVE URINE SPECIMEN**

MEMORANDUM FOR (Member's Unit/CC)

FROM: (Medical Squadron/HSM)

SUBJECT: Notification to Commander of Laboratory Positive Urine Specimen

1. The following individual from your squadron was tested in the Drug Abuse Testing Program on (Date). The individual was found to have a laboratory positive result for the substance indicated.

NAME	DATE	TEST #	TYPE TEST	SUBSTANCE
SSAN	TESTED			FOUND

2. In accordance with AFI 40-120/CA ANG Sup 1, the commander must notify the member of these drug positive results by te end of the next UTA or within 30 days whichever is sooner. CA ANGI 36-3209 provides information on notification procedures.

(NAME, RANK, CA ANG)
Health Service Manager

cc: MPF/DP
SL
SJA
HQ CA ANG/DS