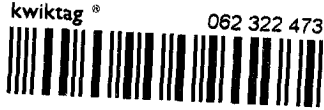


ENROLLMENT(S)



(5)

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 12-191

"Department of Human Services and Commission on Mental Health Services Mandatory Employee Drug and Alcohol Testing Temporary Amendment Act of 1998"

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 12-689, on first and second readings, July 7, 1998 and September 22, 1998, respectively. Following the signature of the Mayor on October 2, 1998, pursuant to Section 404(e) of "the Act", and was assigned Act No. 12-465 and published in the November 6, 1998, edition of the D.C. Register (Vol. 45 page 7832) and transmitted to Congress on January 25, 1999 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 12-191, effective March 26, 1999.



LINDA W CROPP
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

Feb. 2,3,4,8,9,10,11,12,22,23,24,25

Mar. 1,2,3,4,5,8,9,10,11,15,16,17,18,19,22,23,24,25

AN ACT

D.C. ACT 12-465

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 2, 1998

*Codification
District of
Columbia
Code
1999 Supp.*

To amend, on a temporary basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978, to establish a mandatory drug and alcohol testing policy for certain employees of the District of Columbia Department of Human Services and Commission on Mental Health Services, to ensure that care for residents at the District's secured and residential facilities for juveniles and persons with mental illness is provided in a safe and secure environment.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Department of Human Services and Commission on Mental Health Services Mandatory Employee Drug and Alcohol Testing Temporary Amendment Act of 1998".

Sec. 2. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-601.1 *et seq.*), is amended by adding a new title XX-B to read as follows:

"TITLE XX-B

"MANDATORY DRUG AND ALCOHOL TESTING OF CERTAIN EMPLOYEES OF THE DEPARTMENT OF HUMAN SERVICES AND THE COMMISSION ON MENTAL HEALTH SERVICES.

"Sec. 2021. Definitions.

"For the purposes of this title, the term:

"(1) "Applicant" means a person who has filed a written employment application form to work for the Department of Human Services or the Commission on Mental Health Services, or has been tentatively selected for employment by either the Department or CMHS, to work as a high potential risk employee.

"(2) "CMHS" means the Commission on Mental Health Services.

"(3) "Department" or "DHS" means the Department of Human Services.

**Note, New
Section
1-621.21**

"(4) "High Potential Risk employee" or "HPR employee" means any Department or CMHS employee who has resident care or custody responsibilities in secured facilities or who works within a residential facility.

"(5) "Post-accident employee" means any Department or CMHS employee who, while on duty, was involved in a vehicular or other type of accident resulting in personal injury or property damage, or both.

"(6) "Random testing" means drug or alcohol testing taken by Department or CMHS employees at an unspecified time for the purposes of determining whether or not any Department or CMHS employees have used drugs or alcohol and as a result are unable to satisfactorily perform their employment duties.

"(7) "Probable cause" means a belief by a supervisor that an employee is under the influence of an illegal substance or alcohol such that the employee's ability to perform his or her job is impaired.

"(8) "Probable cause referral" means a referral, based on probable cause, for testing by the Department or CMHS for drug or alcohol use.

"(9) "Residential facility" means a facility that provides a supervised, sheltered living environment for individuals who need such an environment because of their mental, familial, social, or other circumstances.

"(10) "Secured facility" means a hospital or institution, leased or owned, and operated by the District government that is equipped and qualified to provide in-resident or in-patient care to detained or committed youth or persons suffering with mental illness.

"Sec. 2022. Employee testing.

"(a) The following Department and CMHS employees shall be tested for drug and alcohol use:

"(1) An applicant for a position that would qualify the applicant as a HPR employee;

"(2) An employee who has had a probable cause referral;

"(3) A post-accident employee, as soon as reasonably possible after an accident;
and

"(4) A HPR employee.

"(b) Only HPR employees shall be subject to random testing.

"(c) Employees shall be given written notice, issued at least 30 days after the effective date of this title, that the Department and CMHS will implement a drug and alcohol testing program.

"(d) No employee may be tested for drug or alcohol use prior to receiving the notice required by subsection (c) of this section.

"(e) Conditions giving rise to "probable cause" must be observed and documented. Supervisors shall be trained in substance abuse recognition and shall receive a second opinion from another supervisor prior to making a probable cause referral.

ENROLLED ORIGINAL

"(f) An employee shall be given one opportunity to seek treatment following a positive test result.

"(g) The Department and CMHS shall procure a testing vendor and testing shall be implemented pursuant to this title.

"Sec. 2023. Testing methodology.

"(a) Testing shall be performed by an outside contractor. The contractor shall be a laboratory certified by the United States Department of Health and Human Services ("HHS") to perform job related drug and alcohol forensic testing.

"(b) For random testing, the contractor shall come on-site to the Department or CMHS institutions and shall collect urine specimens and split the samples.

"(c) The contractor shall perform enzyme-multiplied-immunoassay technique ("EMIT") testing on one sample and store the other sample. Any positive EMIT test shall then be confirmed by the contractor using gas chromatography/mass spectrometry ("GCMS") methodology.

"(d) Any Department or CMHS employee found to have a confirmed positive urinalysis shall be notified of the result. The employee may then authorize the stored sample to be sent to another HHS certified laboratory of his or her choice, at his or her expense, for secondary GCMS confirmation.

"(e) Probable cause and post-accident testing shall follow the same procedures set forth in subsections (a) through (d) of this section. In such cases, the employee shall be escorted by a supervisor to the contractor's test site for specimen collection or breathalyzer.

"(f) A breathalyzer shall be deemed positive by the Department's or CMHS's testing contractor if the contractor determines that 1 milliliter of the employee's breath (consisting of substantially alveolar air) contains .48 micrograms or more of alcohol.

"Sec. 2024. Motor vehicle operators.

"Any Department or CMHS employee who operates a motor vehicle in the District of Columbia shall be deemed to have given his or her consent, subject to conditions in this title, to the testing of the employee's urine or breath, for the purpose of determining drug or alcohol content, whenever a supervisor has probable cause or a police officer arrests such person for a violation of the law and has reasonable grounds to believe such person to have been operating or in physical control of a motor vehicle within the District while that person's breath contains .10 percent or more, by weight, of alcohol, or while under the influence of an intoxicating liquor or any drug or any combination thereof, or while the ability to operate a motor vehicle is impaired by the consumption of intoxicating liquor.

"Sec. 2025. Procedure and employee impact.

"(a) The drug and alcohol testing policy shall be issued in advance of program implementation to inform employees and allow them the opportunity to seek treatment. An employee shall be allowed only one opportunity to seek treatment following their first positive test result. Thereafter, any confirmed positive drug test, or positive breathalyzer test, or a

OFFICE OF THE BUDGET

FISCAL IMPACT STATEMENT

Bill Number:	Type: Emergency (<input type="checkbox"/>) Temporary (<input type="checkbox"/>) Permanent (<input type="checkbox"/>)	Date Reported:
--------------	--	----------------

Subject/Short Title: "Department of Human Services Employee Mandatory Drug and Alcohol Testing Temporary Act of 1998"

Part I. Summary of the Fiscal Estimates of the Bill

	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	(<input checked="" type="checkbox"/>)	(<input type="checkbox"/>)
a) It will affect local expenditures.	(<input checked="" type="checkbox"/>)	(<input type="checkbox"/>)
b) It will affect federal expenditures.	(<input type="checkbox"/>)	(<input checked="" type="checkbox"/>)
c) It will affect private/other expenditures.	(<input type="checkbox"/>)	(<input checked="" type="checkbox"/>)
d) It will affect intra-District expenditures.	(<input type="checkbox"/>)	(<input checked="" type="checkbox"/>)
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	(<input type="checkbox"/>)	(<input checked="" type="checkbox"/>)
a) It will impact local revenue.	(<input type="checkbox"/>)	(<input checked="" type="checkbox"/>)
b) It will impact federal revenue.	(<input type="checkbox"/>)	(<input checked="" type="checkbox"/>)
c) It will impact private/other revenue.	(<input type="checkbox"/>)	(<input checked="" type="checkbox"/>)
d) It will impact intra-District revenue.	(<input type="checkbox"/>)	(<input checked="" type="checkbox"/>)
3. The bill will have NO or little fiscal impact on spending or revenue. (If "Yes," explain below).	(<input type="checkbox"/>)	(<input checked="" type="checkbox"/>)

Explanation for NO fiscal impact:

Part II. Other impact of the Bill

If you check "Yes" for each question, please explain on separate sheet.

	YES	NO
1. It will affect an agency and/agencies in the District.	(<input checked="" type="checkbox"/>)	(<input type="checkbox"/>)
2. Will there be performance measures/output for this bill?	(<input type="checkbox"/>)	(<input type="checkbox"/>)
3. Will it have results/outcome, i.e., what would happen if this bill is enacted or not enacted?	(<input type="checkbox"/>)	(<input type="checkbox"/>)
4. Will the Budget and Financial Plan be affected by this bill?	(<input type="checkbox"/>)	(<input checked="" type="checkbox"/>)
5. The bill will have NO performance or outcome impact.	(<input type="checkbox"/>)	(<input checked="" type="checkbox"/>)

Sources of information: D.C. Department of Human Services	Councilmember: Sandra Allen, Chair, Committee on Human Services
	Staff Person & Tel: Michael Battle 724-8045
	Reviewed by Budget Director:
	Budget Office Tel: 202-724-8139

COUNCIL OF THE DISTRICT OF COLUMBIA

OFFICE OF THE BUDGET

FISCAL ESTIMATE WORKSHEET

Bill Number:	Type: Emergency () Temporary (x) Permanent ()	Date Reported:
--------------	---	----------------

Section 1. Fiscal Estimates of the Bill to the District (\$000s)						
EXPENDITURE	OBJ. CODE	CURRENT FISCAL YR (98)	OUT YEAR 1 (99)	OUT YEAR 2 (00)	OUT YEAR 3 (01)	OUT YEAR 4 (02)
<i>Personal Services</i>						
- Regular Pay	11	16,288	65,154	65,154	65,154	65,154
- Regular Pay Other	12					
- Additional Gross Pay	13					
- Fringe Benefits	14	3,420	13,682	13,682	13,682	13,682
SUBTOTAL		19,708	78,836	78,836	78,836	78,836
<i>Non-Personal Services</i>						
- Supplies & Materials	20					
- Utilities	30A					
- Communications	30B					
- Rent	30C					
- Other Services & Charges	40	12,320	49,280	49,840	50,400	50,960
- Subsidies & Transfers	50					
- Depreciation & Land	60					
- Equipment	70					
- Debt Service & Other	80					
SUBTOTAL		12,320	49,280	49,840	50,400	50,960
TOTAL		32,028	128,116	128,676	129,236	129,796
Assumptions, Concerns: 2 DS-11 drug testing monitors at \$32,577 in salary plus \$6,841 in fringe benefits FY 98 expenses for 3 months cost of testing \$28 per test:						
	YSA	CMHS				
fy 98	50	390	440 x 28.00 =	\$12,320		
fy 99	200	1,560	1,760 x 28.00 =	49,280		
fy 00	220	1,560	1,780 x 28.00 =	49,840		
fy 01	240	1,560	1,800 x 28.00 =	50,400		
fy 02	260	1,560	1,820 x 28.00 =	50,960		

refusal to submit to a drug or breathalyzer test shall be grounds for termination of employment in accordance with this act.

"(b) The program shall cover all DHS and CMHS employees, including management, and shall be implemented as a single Department or CMHS program.

"(c) The results of a random test may not be turned over to any law enforcement agency without the employee's written consent."

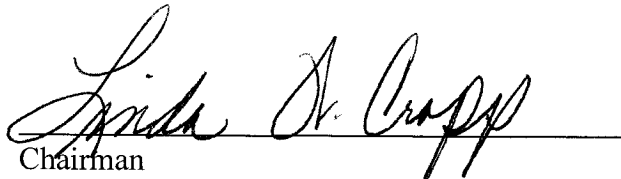
Sec. 3. Fiscal impact statement

The fiscal impact statement is attached.

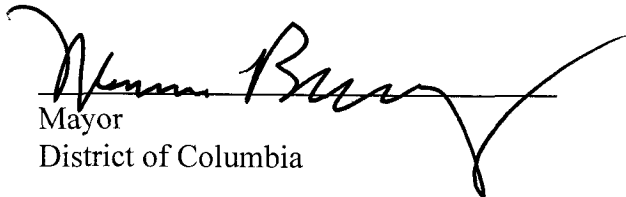
Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: October 2, 1998



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TWELVE

RECORD OF OFFICIAL COUNCIL VOTE

B12-689

Docket No. _____

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 7-7-98

VOICE VOTE

APPROVED

RECORDED VOTE ON REQUEST

THOMAS

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Angela Ford
Secretary to the Council

September 25, 1998
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 9-22-98

VOICE VOTE

APPROVED

RECORDED VOTE ON REQUEST

MASON

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB-Absent

NV-Present not voting

CERTIFICATION RECORD

Angela Ford
Secretary to the Council

September 25, 1998
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date

AN ACT

Codification
District of
Columbia
Code
1999 Supp.

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978, to establish a mandatory drug and alcohol testing policy for certain employees of the District of Columbia Department of Human Services and Commission on Mental Health Services, to ensure that care for residents at the District's secured and residential facilities for juveniles and persons with mental illness is provided in a safe and secure environment.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Department of Human Services and Commission on Mental Health Services Mandatory Employee Drug and Alcohol Testing Temporary Amendment Act of 1998".

Sec. 2. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-601.1 *et seq.*), is amended by adding a new title XX-B to read as follows:

"TITLE XX-B

"MANDATORY DRUG AND ALCOHOL TESTING OF CERTAIN EMPLOYEES OF THE DEPARTMENT OF HUMAN SERVICES AND THE COMMISSION ON MENTAL HEALTH SERVICES.

"Sec. 2021. Definitions.

"For the purposes of this title, the term:

"(1) "Applicant" means a person who has filed a written employment application form to work for the Department of Human Services or the Commission on Mental Health Services, or has been tentatively selected for employment by either the Department or CMHS, to work as a high potential risk employee.

"(2) "CMHS" means the Commission on Mental Health Services.

"(3) "Department" or "DHS" means the Department of Human Services.

Note, New
Section
1-621.21

ENROLLED ORIGINAL

"(4) "High Potential Risk employee" or "HPR employee" means any Department or CMHS employee who has resident care or custody responsibilities in secured facilities or who works within a residential facility.

"(5) "Post-accident employee" means any Department or CMHS employee who, while on duty, was involved in a vehicular or other type of accident resulting in personal injury or property damage, or both.

"(6) "Random testing" means drug or alcohol testing taken by Department or CMHS employees at an unspecified time for the purposes of determining whether or not any Department or CMHS employees have used drugs or alcohol and as a result are unable to satisfactorily perform their employment duties.

"(7) "Probable cause" means a belief by a supervisor that an employee is under the influence of an illegal substance or alcohol such that the employee's ability to perform his or her job is impaired.

"(8) "Probable cause referral" means a referral, based on probable cause, for testing by the Department or CMHS for drug or alcohol use.

"(9) "Residential facility" means a facility that provides a supervised, sheltered living environment for individuals who need such an environment because of their mental, familial, social, or other circumstances.

"(10) "Secured facility" means a hospital or institution, leased or owned, and operated by the District government that is equipped and qualified to provide in-resident or in-patient care to detained or committed youth or persons suffering with mental illness.

"Sec. 2022. Employee testing.

"(a) The following Department and CMHS employees shall be tested for drug and alcohol use:

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"(3) A post-accident employee, as soon as reasonably possible after an accident; and

"(4) A HPR employee.

"(b) Only HPR employees shall be subject to random testing.

"(c) Employees shall be given written notice, issued at least 30 days after the effective date of this title, that the Department and CMHS will implement a drug and alcohol testing program.

"(d) No employee may be tested for drug or alcohol use prior to receiving the notice required by subsection (c) of this section.

"(e) Conditions giving rise to "probable cause" must be observed and documented. Supervisors shall be trained in substance abuse recognition and shall receive a second opinion from another supervisor prior to making a probable cause referral.

ENROLLED ORIGINAL

"(f) An employee shall be given one opportunity to seek treatment following a positive test result.

"(g) The Department and CMHS shall procure a testing vendor and testing shall be implemented pursuant to this title.

"Sec. 2023. Testing methodology.

"(a) Testing shall be performed by an outside contractor. The contractor shall be a laboratory certified by the United States Department of Health and Human Services ("HHS") to perform job related drug and alcohol forensic testing.

"(b) For random testing, the contractor shall come on-site to the Department or CMHS institutions and shall collect urine specimens and split the samples.

"(c) The contractor shall perform enzyme-multiplied-immunoassay technique ("EMIT") testing on one sample and store the other sample. Any positive EMIT test shall then be confirmed by the contractor using gas chromatography/mass spectrometry ("GCMS") methodology.

"(d) Any Department or CMHS employee found to have a confirmed positive urinalysis shall be notified of the result. The employee may then authorize the stored sample to be sent to another HHS certified laboratory of his or her choice, at his or her expense, for secondary GCMS confirmation.

"(e) Probable cause and post-accident testing shall follow the same procedures set forth in subsections (a) through (d) of this section. In such cases, the employee shall be escorted by a supervisor to the contractor's test site for specimen collection or breathalyzer.

"(f) A breathalyzer shall be deemed positive by the Department's or CMHS's testing contractor if the contractor determines that 1 milliliter of the employee's breath (consisting of substantially alveolar-air) contains .48 micrograms or more of alcohol.

"Sec. 2024. Motor vehicle operators.

"Any Department or CMHS employee who operates a motor vehicle in the District of Columbia shall be deemed to have given his or her consent, subject to conditions in this title, to the testing of the employee's urine or breath, for the purpose of determining drug or alcohol content, whenever a supervisor has probable cause or a police officer arrests such person for a violation of the law and has reasonable grounds to believe such person to have been operating or in physical control of a motor vehicle within the District while that person's breath contains .10 percent or more, by weight, of alcohol, or while under the influence of an intoxicating liquor or any drug or any combination thereof, or while the ability to operate a motor vehicle is impaired by the consumption of intoxicating liquor.

"Sec. 2025. Procedure and employee impact.

"(a) The drug and alcohol testing policy shall be issued in advance of program implementation to inform employees and allow them the opportunity to seek treatment. An employee shall be allowed only one opportunity to seek treatment following their first positive test result. Thereafter, any confirmed positive drug test, or positive breathalyzer test, or a

OFFICE OF THE BUDGET

FISCAL IMPACT STATEMENT

Bill Number:	Type: Emergency (x) Temporary (x) Permanent ()	Date Reported:
--------------	---	----------------

Subject/Short Title: "Department of Human Services Employee Mandatory Drug and Alcohol Testing Temporary Act of 1998"

Part I. Summary of the Fiscal Estimates of the Bill

	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	(x)	()
a) It will affect local expenditures.	(x)	()
b) It will affect federal expenditures.	()	(x)
c) It will affect private/other expenditures.	()	(x)
d) It will affect intra-District expenditures.	()	(x)
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	()	(x)
a) It will impact local revenue.	()	(x)
b) It will impact federal revenue.	()	(x)
c) It will impact private/other revenue.	()	(x)
d) It will impact intra-District revenue.	()	(x)
3. The bill will have NO or little fiscal impact on spending or revenue. (If "Yes," explain below).	()	(x)

Explanation for NO fiscal impact:

Part II. Other Impact of the Bill

If you check "Yes" for each question, please explain on separate sheet.

	YES	NO
1. It will affect an agency and/agencies in the District.	(x)	()
2. Will there be performance measures/output for this bill?	()	()
3. Will it have results/outcome, i.e., what would happen if this bill is enacted or not enacted?	()	()
4. Will the Budget and Financial Plan be affected by this bill?	()	(x)
5. The bill will have NO performance or outcome impact.	()	(x)

Sources of information: D.C. Department of Human Services	Councilmember: Sandra Allen, Chair, Committee on Human Services
	Staff Person & Tel: Michael Battle 724-8045
	Reviewed by Budget Director:
	Budget Office Tel: 202-724-8139

COUNCIL OF THE DISTRICT OF COLUMBIA

OFFICE OF THE BUDGET

FISCAL ESTIMATE WORKSHEET

Bill Number:	Type: Emergency () Temporary (x) Permanent ()	Date Reported:
--------------	---	----------------

Section 1. Fiscal Estimates of the Bill to the District (\$000s)

EXPENDITURE	OBJ. CODE	CURRENT FISCAL YR (98)	OUT YEAR 1 (99)	OUT YEAR 2 (00)	OUT YEAR 3 (01)	OUT YEAR 4 (02)
<i>Personal Services</i>						
- Regular Pay	11	16,288	65,154	65,154	65,154	65,154
- Regular Pay Other	12					
- Additional Gross Pay	13					
- Fringe Benefits	14	3,420	13,682	13,682	13,682	13,682
SUBTOTAL		19,708	78,836	78,836	78,836	78,836
<i>Non-Personal Services</i>						
- Supplies & Materials	20					
- Utilities	30A					
- Communications	30B					
- Rent	30C					
- Other Services & Charges	40	12,320	49,280	49,840	50,400	50,960
- Subsidies & Transfers	50					
- Depreciation & Land	60					
- Equipment	70					
- Debt Service & Other	80					
SUBTOTAL		12,320	49,280	49,840	50,400	50,960
TOTAL		32,028	128,116	128,676	129,236	129,796

Assumptions, Concerns: 2 DS-11 drug testing monitors at \$32,577 in salary plus \$6,841 in fringe benefits
 FY 98 expenses for 3 months

cost of testing \$28 per test:

	YSA	CMHS	
fy 98	50	390	440 x 28.00 = \$12,320
fy 99	200	1,560	1,760 x 28.00 = 49,280
fy 00	220	1,560	1,780 x 28.00 = 49,840
fy 01	240	1,560	1,800 x 28.00 = 50,400
fy 02	260	1,560	1,820 x 28.00 = 50,960

ENROLLED ORIGINAL

refusal to submit to a drug or breathalyzer test shall be grounds for termination of employment in accordance with this act.

"(b) The program shall cover all DHS and CMHS employees, including management, and shall be implemented as a single Department or CMHS program.

"(c) The results of a random test may not be turned over to any law enforcement agency without the employee's written consent."

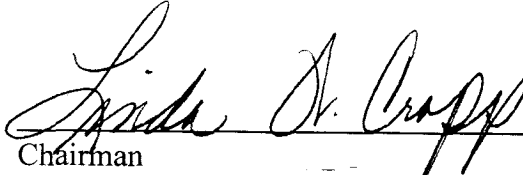
Sec. 3. Fiscal impact statement

The fiscal impact statement is attached.

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.


Chairman
Council of the District of Columbia

Mayor
District of Columbia



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TWELVE

RECORD OF OFFICIAL COUNCIL VOTE

B12-689

Docket No. _____

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 7-7-98

VOICE VOTE
RECORDED VOTE ON REQUEST

APPROVED

ABSENT _____

THOMAS

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

August Jones
Secretary to the Council

September 25, 1998
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 9-22-98

VOICE VOTE
RECORDED VOTE ON REQUEST

APPROVED

ABSENT _____

MASON

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

August Jones
Secretary to the Council

September 25, 1998
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

VOICE VOTE
RECORDED VOTE ON REQUEST

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date