

# USCG - Testing decisions reference

## Use the Maritime Urine Route

Use the Maritime Urine Route. Order the Coast Guard drug test through qualified collection personnel, a laboratory certified by the Department of Health and Human Services, and a qualified medical review officer. The maritime drug definition and testing provisions specify urine. Do not substitute oral fluid because a collection vendor offers it or because another transportation program permits it. Confirm the Coast Guard testing reason on the order before collection. A rapid company screening result does not replace the required laboratory and medical review process. Resolve an incompatible collection arrangement before relying on its result for maritime clearance.

## Clear the Pre-Employment Gate

Clear the Pre-Employment Gate. Before a marine employer engages or employs an individual to serve as a crewmember, the individual must pass the required drug test for that employer unless the employer accepts a permitted pre-employment exception. A specimen collected this morning is not a passing result. Keep the person out of the covered crewmember assignment until the result or satisfactory exception evidence supports clearance. Treat a staffing shortage or an urgent sailing schedule as an operational problem to solve, not as a reason to waive the rule. The employer may use an exception when its actual conditions are met.

## Verify the Six-Month Exception

Verify the Six-Month Exception. For the first exception, obtain satisfactory evidence that the applicant passed a drug test required by the Coast Guard drug testing part within the previous six months. Confirm that no later positive drug test occurred during the remainder of that six-month period. A generic statement that the applicant passed a company test is not enough to establish the regulatory test and history. Checking the test date, program, verified result, and later history is a recommended verification control. The exception allows the employer to waive a new pre-employment test; it does not require the employer to do so.

## Verify Random Program Participation

Verify Random Program Participation. The other pre-employment exception uses participation history. Obtain satisfactory evidence that, during the previous one hundred eighty-five days, the applicant was subject to the Coast Guard random program for at least sixty days and did not fail or refuse a drug test required by the Coast Guard drug testing part. Merely joining a consortium today does not establish sixty days of participation. As a recommended control, obtain dated confirmation from the responsible program and compare it with the applicant's assignment history. Record which exception the employer accepted and the evidence supporting it.

## Request the Testing History

Request the Testing History. Obtain specific written consent before requesting testing history from the person's DOT-regulated employers during the two years before the application or transfer. Refused consent means no safety-sensitive duties. Request alcohol results of zero point zero four or higher, verified positive drug results, refusals including verified adulteration or substitution, other DOT testing-rule violations, and documentation of completed return-to-duty requirements and follow-up tests. Obtain relevant history that those employers received from earlier employers too. If a former employer lacks return documentation, seek it from the employee. This inquiry can include another agency's alcohol history; it does not create a Coast Guard Part 40 alcohol testing program.

## Enforce the History Gates

Enforce the History Gates. Obtain and review history before first safety-sensitive duty when feasible; otherwise do so as soon as possible. After thirty days from first duty, do not allow those functions unless the information was obtained or good-faith efforts to obtain it were made and documented. This is not permission to ignore a known unresolved violation. When a violation is known, obtain proof of successful applicable return-to-duty compliance before duty. Also ask about positive or refused pre-employment drug or alcohol tests during the past two years for DOT-covered jobs the applicant sought but did not obtain. An admitted positive or refusal requires documented successful return compliance before safety-sensitive work.

## Protect and Release History

Protect and Release History. Keep the information received, or documented good-faith efforts to obtain it, in a confidential written record for three years from the person's first safety-sensitive duty for your employer. When another employer requests history and supplies the employee's specific written consent, review the consent and immediately release the required information through a confidential written channel. Record the release date, recipient, and summary of information provided. A hiring checklist should connect consent, requested records, responses, unresolved restrictions, and the first-duty date. That checklist is a recommended control; it does not replace any separate maritime testing or credential requirement.

## Separate Credential Testing

Separate Credential Testing. Distinguish an employer's pre-employment decision from drug evidence submitted for a merchant mariner credential transaction. The Coast Guard periodic-testing rule addresses specified credential applications and certain pilot examinations, with its own evidence provisions. Holding a credential does not tell the employer that the pre-employment requirement has been satisfied for this assignment. A credential-related test may provide useful evidence, but check the actual test, date, and applicable exception conditions before accepting it. Route credential application questions through the National Maritime Center's current instructions while separately completing the employer's clearance decision.

## Maintain the Correct Random Pool

Maintain the Correct Random Pool. Use vessel status and assigned duties to maintain the pool. On inspected vessels, the rule includes crewmembers in positions required by the certificate of inspection, required patrolmen or watchmen, and people specifically assigned passenger emergency assistance duties. On uninspected vessels, it also identifies credential-required duties and duties directly related to safe vessel operation, along with the listed watch and passenger emergency duties. Reconcile the roster when assignments change. Do not equate the pool with everyone physically aboard, or omit an uncredentialed worker whose assigned duties place that person within the rule.

## Keep Selection Truly Random

Keep Selection Truly Random. Use a scientifically valid selection method that gives every covered crewmember an equal chance each time, with eligibility continuing throughout employment. Previous selection does not earn a person a year-long exemption. The rule also permits periodic vessel selection if every vessel in the program remains equally subject to selection and all covered crewmembers on a selected vessel are tested. Keep tests unannounced and spread the dates reasonably throughout the calendar year. Do not replace the selection method with a supervisor's choice of convenient people or a planned annual testing day.

## Manage Rates and Consortia

Manage Rates and Consortia. Check the applicable annual Coast Guard rate before setting the random testing target. The regulation states a fifty-percent baseline and provides for an agency adjustment announced in the Federal Register. This is a testing rate, not a promise that half the crew will each be tested once. A consortium may calculate the target by employer or across covered members subject to the same minimum rate. The marine employer remains responsible for compliance. For a crewmember covered by several agencies for the same employer, use the rate of the agency regulating more than half that person's function. An employer subject to multiple agencies may separate pools by required rate or select at the highest applicable rate. A single vendor account does not establish a compliant pool.

## Recognize Drug Reasonable Cause

Recognize Drug Reasonable Cause. Require a drug test when the maritime reasonable-cause rule applies and the crewmember is reasonably suspected of dangerous drug use. The rule covers the specified crewmembers aboard United States-owned vessels required to engage or be operated by a credentialed individual. Base the decision on a reasonable, explainable belief supported by direct observation of specific, current physical, behavioral, or performance indicators of probable drug use. Where practicable, use observations by two people in supervisory positions. A rumor alone does not establish those observations, and an unavailable second supervisor does not turn that qualified recommendation into an absolute barrier to action.

## Direct and Document the Test

Direct and Document the Test. Tell the crewmember that the employer requires the reasonable-cause drug test and direct the person to provide a urine specimen as soon as practicable. Enter that testing direction in the vessel's official logbook when an official logbook is required. Enter a refusal to provide the directed specimen there as well. A recommended administrative record also preserves who observed what, when the decision was made, and how collection was arranged. Do not invent a standard two-hour or eight-hour cutoff from another agency's reasonable-suspicion rule. If a serious marine incident also occurred, evaluate its separate testing requirements and clocks.

## Provide Employee Assistance

Provide Employee Assistance. Provide an employee assistance program for all crewmembers. The employer may operate it internally or contract for the services. Its education component must display and distribute information, a community service hotline number for crewmember assistance, and the employer's workplace drug and alcohol policy. The administrative task is to make these materials and assistance routes available in the actual working environment. A recommended check confirms that vessel postings and distributed materials remain readable, current, and accessible to the crew. A vendor contract by itself does not demonstrate that the required education reached the people who need it.

## Verify Training and Documentation

Verify Training and Documentation. Arrange employee assistance training for crewmembers and supervisory personnel. It must address the effects and consequences of drug and alcohol use on health, safety, and the work environment, along with manifestations and behavioral cues of use and abuse. Document the training provided. Supervisory personnel must receive at least sixty minutes of training. Do not automatically credit this administrator course as that separate supervisor training requirement. Check the actual subject coverage, duration, and documented participation of the training assigned to each supervisor. Education materials, a hotline, and recorded training are related controls, but none replaces the others.

## Apply Maritime Intoxication Standards

Apply Maritime Intoxication Standards. Use the maritime operating standard when assessing alcohol or other intoxication. For a vessel other than a recreational vessel, operating includes a crewmember, officer, pilot, or watchstander who is not a regular crewmember; it is not limited to the person at the helm. The blood-alcohol standard is point zero four percent or more. Apparent effects of an intoxicant on speech, movement, appearance, manner, or behavior are also an independent basis under the rule. Do not wait for a number when the marine employer already has reason to believe that an individual is intoxicated. That person must not stand watch or perform other duties.

## Enforce Onboard Duty Restrictions

Enforce Onboard Duty Restrictions. On a vessel inspected or subject to inspection under the specified federal vessel inspection law, a crewmember, officer, pilot, or covered watchstander must not perform or attempt scheduled duties within four hours after consuming alcohol. The person must not be intoxicated at any time aboard and must not consume an intoxicant while on watch or duty. Legal prescription or nonprescription medication is permitted only when it does not cause intoxication. The employer must exercise due diligence and prevent duty whenever there is reason to believe intoxication exists. A low or unavailable test result does not excuse a separate four-hour restriction.

## Use the Correct Alcohol Authority

Use the Correct Alcohol Authority. Under the maritime operating rule, a marine employer or law enforcement officer may direct a chemical test when reasonable cause exists, including suspected violation of the intoxication standard or direct involvement in a marine casualty. Inform the individual and direct testing as soon as practicable. For suspected intoxication, the employer should use two observers when practicable. This authority differs from the mandatory Coast Guard drug reasonable-cause requirement and from mandatory serious marine incident testing. The ordinary transportation alcohol testing procedures do not apply to Coast Guard marine employers. Use the applicable maritime procedure rather than importing another agency's alcohol forms, thresholds, or screening sequence.

## Distinguish Maritime Alcohol Refusals

Distinguish Maritime Alcohol Refusals. Identify who directed the timely chemical test and the reasonable-cause basis before routing a refusal under the maritime operating rule. Evidence of refusal or noncooperation can be admitted in an administrative proceeding for a test directed by the marine employer or law enforcement. The rule's presumption that the person was under the influence attaches to the law-enforcement-directed branch. Do not automatically apply that presumption to an employer-directed test. Preserve the facts and refer them to the appropriate authority. This is distinct from a verified drug positive, a drug-test refusal, or the serious marine incident refusal procedure.

## Separate Reporting From Testing

Separate Reporting From Testing. Evaluate casualty reporting and serious marine incident testing as separate decisions. A reportable casualty does not automatically meet a testing trigger. For example, qualifying property damage greater than seventy-five thousand dollars triggers casualty notice, while the serious marine incident property threshold is greater than two hundred thousand dollars. Other events, including unintended grounding or loss of propulsion that reduces maneuverability, can require casualty notice without satisfying a serious marine incident trigger. Check every applicable trigger. Notify the nearest Coast Guard unit immediately after addressing the resulting safety concerns when casualty notice is required.

## Evaluate Deaths and Injuries

Evaluate Deaths and Injuries. A reportable casualty resulting in one or more deaths is a serious marine incident. For injury, determine whether professional medical treatment beyond first aid is required. When the injured person is employed on board the commercial vessel, floating offshore facility, or mobile offshore drilling unit, the injury must also make that person unfit for routine duties. A passenger or other person does not have that additional employed-person duty test. Obtain the medical and operational facts promptly. Do not wait for a final diagnosis when available facts already show that the casualty is likely to become a serious marine incident.

## Calculate Qualifying Property Damage

Calculate Qualifying Property Damage. Use the regulatory damage measure when deciding whether the property threshold is exceeded. Count labor and materials needed to restore the damaged property to its condition before the occurrence. Exclude salvage, cleaning, gas-freeing, drydocking, and demurrage costs from that measure. A qualifying amount greater than two hundred thousand dollars is the serious marine incident damage trigger. The amount is not a reason to ignore a separate death, injury, vessel-loss, or pollution trigger. As a recommended control, record the initial estimate, its basis, and later information that changes the determination.

## Recognize Total Loss Triggers

Recognize Total Loss Triggers. Check the loss category independently of the repair estimate. Actual or constructive total loss of a vessel or mobile offshore drilling unit subject to the federal vessel inspection statute is a serious marine incident trigger. For a vessel not subject to that inspection statute, the corresponding trigger covers a self-propelled vessel of one hundred gross tons or more. These are specific categories. Do not substitute a rule that every damaged vessel must sink, or that every loss must first exceed the property-damage threshold. Seek the vessel classification and supported loss determination from the responsible operations personnel.

## Recognize Pollution Triggers

**Recognize Pollution Triggers.** Treat the specified pollution events as independent serious marine incident triggers. An oil discharge of ten thousand gallons or more into United States navigable waters qualifies, whether or not it results from a marine casualty. A reportable quantity of a hazardous substance discharged into those waters, or released into the United States environment, also qualifies. The hazardous-substance threshold depends on the substance. Coordinate identification and quantity information with the environmental response lead. Do not assume a spill below the oil testing threshold has no reporting duties; pollution reporting and serious marine incident testing have different criteria.

## Identify Directly Involved People

**Identify Directly Involved People.** Identify each person engaged or employed on board whose order, action, or failure to act caused the incident or cannot be ruled out as a causal factor. Direct involvement does not require proof of fault. It also does not automatically include every person aboard or only the person injured. The marine employer makes this determination. A law enforcement officer may identify additional directly involved individuals, and the employer must take all practicable steps to test them too. Record the facts supporting the determination. The ordinary random-testing roster does not define the incident testing population.

## Start Clocks at the Incident

**Start Clocks at the Incident.** Record the occurrence time immediately. Alcohol and drug collection windows run from when the incident occurred, not from the time the office receives a report or labels it serious. The employer must make a timely determination based on whether the event is already serious or likely to become serious. New information can change that determination, but it does not restart either clock. As a recommended control, maintain one event timeline showing the occurrence, new facts, determination, collection attempts, and safety delays. Record why required testing was not performed on the prescribed casualty and chemical-testing reports.

## Prioritize Incident Safety

**Prioritize Incident Safety.** Allow directly involved personnel to perform work necessary to respond to safety concerns directly related to the incident. The testing rules do not prevent that emergency response. Coordinate medical assistance and safe access to collectors without interrupting necessary rescue or stabilization. The timing exceptions are tied to incident-related safety concerns; ordinary scheduling inconvenience is not the same exception. As a recommended control, record the actual safety barrier, affected person, and time the barrier ends. Arrange the collection promptly when those concerns are addressed, applying the distinct alcohol and drug timing rules.

## Apply the Alcohol Clock

**Apply the Alcohol Clock.** Have each directly involved individual tested for alcohol within two hours of the occurrence unless incident-related safety concerns prevent it. If those concerns prevent testing within two hours, complete the test as soon as they are addressed. Alcohol testing is not required more than eight hours after the occurrence. This is different from the drug collection exception. Document why required alcohol testing was not conducted on both the casualty report and the chemical-testing addendum. A test by Coast Guard or local law enforcement can satisfy the requirement only if it meets all the applicable marine incident testing requirements.

## Apply the Urine Collection Clock

**Apply the Urine Collection Clock.** Collect each directly involved individual's drug-test urine specimen within thirty-two hours of the occurrence unless incident-related safety concerns prevent collection. When such concerns prevent collection within thirty-two hours, collect as soon as those concerns are addressed. Thirty-two hours is not a universal stop point. The rule expressly requires collection after a qualifying safety delay. Document why required specimens were not collected on the casualty report and chemical-testing addendum. Arrange collection promptly; the outer window does not justify waiting when a qualified collector and a safe collection opportunity are already available.

## Resolve a Delayed Collection Case

Resolve a Delayed Collection Case. An incident occurs at six in the morning. Necessary incident stabilization prevents alcohol testing until nine. Conduct the alcohol test as soon as those safety concerns are addressed; the two-hour target has passed, but the eight-hour limit has not. In a separate case, incident-related safety concerns prevent a urine collection until thirty-four hours after occurrence. Collect as soon as those concerns are addressed rather than canceling because thirty-two hours passed. Keep the occurrence time unchanged in both records. Document the actual facts, not a generic explanation that the operation was busy.

## Prepare Alcohol Testing Access

Prepare Alcohol Testing Access. Ensure enough conforming alcohol-testing devices are readily accessible on board to test every directly involved individual. Devices must appear on the applicable current federal conforming products list. They need not be carried on each vessel, floating offshore facility, or mobile offshore drilling unit if obtaining the devices and completing the tests can be accomplished within two hours of the occurrence. A shore-side vendor's telephone number alone does not establish that capability. As a recommended control, check route distance, operating hours, staffing, device supply, and realistic response time before the voyage or offshore assignment.

## Prepare Urine Collection Access

Prepare Urine Collection Access. Ensure enough urine specimen collection and shipping kits meeting the federal drug-testing requirements are readily accessible after a serious marine incident. Kits need not be carried on each vessel, floating offshore facility, or mobile offshore drilling unit when obtaining the kits and collecting the specimens can be completed within thirty-two hours of the occurrence. That equipment exception is based on actual access, not a promise to locate supplies after an incident. Confirm qualified collection arrangements as part of readiness. A recommended predeparture check includes the kit supply, collector coverage, receiving laboratory, shipping route, and backup contacts.

## Use Marine Alcohol Methods

Use Marine Alcohol Methods. Arrange a breath, blood, or saliva specimen for the required marine incident alcohol test. Blood must be collected by qualified medical personnel. Breath or saliva must be collected by personnel trained to operate the particular alcohol-testing device, using the manufacturer's procedures and the marine rules. Do not substitute the shared drug urine procedure or automatically impose the ordinary transportation alcohol screening and confirmation sequence. Your administrator training does not qualify you to operate a device or collect blood. Confirm the personnel and method before dispatching the individual for testing.

## Keep Drug Collections Urine Based

Keep Drug Collections Urine Based. Direct the required incident drug collection through the maritime urine process using qualified personnel. The specimen must be urine collected under the maritime drug rules and the incorporated federal drug-testing procedures. Use the compliant collection and shipping kits and maintain the required custody documentation. Saliva is an allowed marine alcohol specimen; that does not authorize oral fluid as the incident drug specimen. Likewise, a clinical hospital drug screen does not automatically satisfy the regulated collection. Coordinate with the medical team and the designated collection provider so treatment and the required testing can each be handled correctly.

## Communicate Individual Obligations

Communicate Individual Obligations. Ensure people engaged or employed on board are informed about the marine incident testing requirements and that appropriate vessel personnel receive practical training. When directed by the employer or a law enforcement officer, a directly involved individual must provide the required specimen. An individual subject to incident alcohol testing must not consume alcoholic beverages for eight hours after the occurrence or until the required alcohol test is completed. As a recommended operating control, coordinate contact and collection instructions while accounting for medical care and necessary emergency duties. Do not physically compel a specimen.

## Record and Act on Refusals

Record and Act on Refusals. When an individual refuses to provide a required specimen, record the refusal on the casualty report and chemical-testing addendum, and in the official log book when one is required. Remove the person as soon as practical from duties directly affecting safe operation of the vessel, floating offshore facility, or mobile offshore drilling unit. No person may be compelled to provide a specimen. Refusal is nevertheless a violation and can lead to credential suspension or revocation proceedings, a civil penalty, or both. Preserve the facts and route the refusal through the appropriate reporting and employer response process.

## Coordinate Fatality Specimens

Coordinate Fatality Specimens. When a person engaged or employed on board dies as a result of the serious marine incident, obtain blood and urine specimens from the remains if practicable. Notify the appropriate local authority, such as the coroner or medical examiner, as soon as possible about the fatality and testing requirements. Provide the collection and shipping kit and request assistance obtaining specimens. If someone else has custody of the remains, request that custodian's cooperation. If the authority or custodian declines, explain the circumstances on the chemical-testing addendum. Do not assign this collection to an unqualified administrator.

## Protect Specimens in Transit

Protect Specimens in Transit. Maintain custody and arrange the correct shipping conditions for each specimen type. Blood must go promptly to a laboratory qualified to test it, with proper chain of custody through authorized disposition. Ship it cooled using a method adequate for delivery within twenty-four hours after the carrier receives it. Urine must follow the required collection and custody procedures and go promptly to a laboratory meeting the federal drug-testing requirements. Use expeditious shipping; urine does not need cooling for overnight delivery. Confirm these arrangements before handing over specimens, rather than treating every sample as an ordinary package.

## Route Results Through Proper Review

Route Results Through Proper Review. Arrange laboratory reports to the employer's qualified Medical Review Officer. Drug findings require the prescribed medical review before the officer provides findings to the employer. Blood reports showing alcohol are also reviewed for a legitimate medical explanation. Keep this medical review separate from the incident investigation. A result indicating alcohol, a dangerous drug, or a drug metabolite does not by itself establish that substance use probably caused the incident. Apply required employer actions through the correct result and return procedures, while preserving accurate reports for the Coast Guard investigation.

## Complete Incident Testing Reports

Complete Incident Testing Reports. Complete the chemical-testing addendum whenever an individual is identified as directly involved. Attach it to the casualty report when that report is required. For specified oil or hazardous-substance incidents without a required casualty report, send the addendum to the Coast Guard Officer in Charge, Marine Inspection with jurisdiction where the discharge occurred or nearest the first arrival port after the discharge. When results arrive, send a copy for every person listed to the officer who received the addendum. Do not send only positive results or wait for laboratory results before starting required incident reporting.

## Apply Current Offshore Coverage

Apply Current Offshore Coverage. Use the current offshore scope when preparing an incident plan. The rules now expressly address vessels, floating facilities on the Outer Continental Shelf, and mobile offshore drilling units engaged in the applicable offshore activities. The amendments effective in July twenty twenty-six extend the incident definitions and collection duties beyond older vessel-only wording. Foreign status does not create an automatic offshore testing exemption. Verify the operation against the current offshore activity definitions and arrange its incident response before work begins. An older form caption or company procedure is not a reason to omit a covered facility or drilling unit.

## Secure Offshore Alternatives in Advance

Secure Offshore Alternatives in Advance. A foreign vessel, floating offshore facility, or mobile offshore drilling unit unable to meet the federal drug-testing procedures needs Coast Guard approval for an alternative process before engaging in Outer Continental Shelf activities. The owner, operator, or person in charge must obtain that approval from the Coast Guard Drug and Alcohol Prevention and Investigation Program Manager through the published program email. Do not wait until an incident to invent an alternative specimen or laboratory arrangement. As a recommended control, keep the written approval, its conditions, and the approved collection instructions available to the response team before deployment.

## Official references

46 CFR 16.105 · 46 CFR 16.113 · 46 CFR 16.203 · 46 CFR 16.250 · 46 CFR 16.210 · 46 CFR 16.260 · 49 CFR 40.25 · 46 CFR 16.220 · [dco.uscg.mil/nmc/drug\\_testing/](https://dco.uscg.mil/nmc/drug_testing/) · 46 CFR 16.230 · 46 CFR 4.06-3 · 46 CFR 16.401 · 33 CFR 95.015 · 33 CFR 95.020 · 33 CFR 95.030 · 33 CFR 95.050 · 33 CFR 95.045 · 33 CFR 95.035 · 46 CFR 16.500 · [transportation.gov/odapc/part40QA/40-3](https://transportation.gov/odapc/part40QA/40-3) · 33 CFR 95.040 · 46 CFR 4.03-2 · 46 CFR 4.05-1 · 46 CFR 4.06-1 · 46 CFR 4.03-4 · 46 CFR 4.06-20 · 46 CFR 4.06-15 · 46 CFR 4.03-6 · 46 CFR 4.06-40 · 46 CFR 4.06-5 · 46 CFR 4.06-30 · 46 CFR 4.06-50 · 46 CFR 4.06-60 · 46 CFR 4.03-1

# USCG - Records reference

## Retain by Record Category

Retain by Record Category. Assign retention by the record's category. Keep verified positive drug results, required drug-test refusals, substance abuse professional reports, and all follow-up tests and follow-up schedules for five years. Keep prior-employer information obtained through the Part 40 inquiry for three years. Ordinary negative and cancelled drug-test results have a one-year minimum. A negative follow-up test still belongs in the five-year follow-up category. These are the incorporated drug-program periods. Do not import the Part 40 alcohol equipment or alcohol-result periods as though they establish the maritime alcohol rules. Apply any additional preservation duty before destroying a record.

## Make Records Retrievable

Make Records Retrievable. Keep test records in a location with controlled access. If a consortium stores them, arrange access before an inspection request arrives. The employer must be able to produce the records at its principal place of business within the time required by its agency. Do not borrow a trucking inspection deadline for a maritime program. Electronic records must be legible, organized, and readily accessible, or rapidly converted into an auditable printed form when required. As a practical check, retrieve a sample record and its supporting documents periodically instead of relying only on the vendor's assurance.

## Document Program Decisions

Document Program Decisions. Keep enough supporting detail to explain why the program took an action or accepted an exception. The maritime record rule requires records sufficient to support the relevant pre-employment and periodic-test exceptions and to identify annual testing totals by required category. It also requires the number of individuals who fail and the number and types of drugs reported positive. Use the medical review officer's final disposition when reconciling drug results. A recommended index links the underlying result, test reason, exception documentation when applicable, and the annual report entry. This prevents an unexplained spreadsheet total from becoming your only evidence.

## Control Disclosure

Control Disclosure. Check the authority and recipient before releasing an individual's drug-test or medical information. The general rule prohibits disclosure to third parties without the employee's specific written consent unless the regulations authorize or require the transmission. A blanket release to every consortium member is not specific consent. Coast Guard reporting duties and authorized agency access must still be honored. Give supervisors the work restriction they need through the employer's controlled process; do not routinely circulate the medical review officer's confidential medical discussion. Recording the recipient, information released, and authority is a recommended way to make each disclosure traceable.

## Official references

49 CFR 40.333 · 46 CFR 16.500 · 46 CFR 16.260 · 49 CFR 40.331 · 49 CFR 40.321 · 46 CFR 4.06-60

# USCG - Violation and return reference

## Act on the Verified Result

Act on the Verified Result. Remove the employee from safety-sensitive functions immediately when the medical review officer reports a verified positive drug result. Act on the initial verified report; do not wait for the written copy or split specimen result. Coordinate with the person controlling assignments so the restriction takes effect. The maritime rule also requires denying crewmember employment or removing duties that directly affect safe vessel operation after a failed drug test. Its wording does not authorize delaying the immediate action required by the incorporated drug procedures. Record when the report arrived and when the assignment changed. The record is a recommended control for proving that the restriction actually occurred.

## Check Credential Status

Check Credential Status. Establish whether the individual holds a Coast Guard credential. A credentialed individual who fails the chemical drug test must be denied crewmember employment or removed from duties directly affecting safe vessel operation, and the credential may be subject to suspension and revocation proceedings. An individual without a credential still must be denied crewmember employment or removed from those duties after failing the test. Lack of a credential does not remove the work restriction. Keep credential status and testing coverage as separate fields in the case. The credential distinction changes the reporting and credential pathway; it does not create a safe-work exception for uncredentialed personnel.

## Send the Required Written Report

Send the Required Written Report. When a credential holder fails the chemical test for dangerous drugs, the employer, prospective employer, or sponsoring organization must report the test results in writing to the nearest Coast Guard Officer in Charge, Marine Inspection. This is a specific failed-test reporting duty. A telephone discussion alone does not replace the written report. Identify the proper office and transmit the result through its accepted process; retain evidence of transmission as a recommended control. Do not postpone the work restriction while arranging that report. An annual management report is not a substitute for this individual report, and a report to a testing consortium alone does not reach the required recipient.

## Keep Reporting Authorities Distinct

Keep Reporting Authorities Distinct. Do not expand the credentialed failed-test provision into a claim that every result or refusal has the same reporting rule. Determine the authority for the event. A serious marine incident has separate incident reports and specimen-refusal entries. A routine drug refusal requires its own supported determination under the drug procedures. The medical review officer may report chemical drug results for unemployed, self-employed, or individual mariners, but that permission does not erase an employer's applicable duty. When the reporting route is uncertain, obtain direction from the responsible Coast Guard office while maintaining required work restrictions. Identify the event accurately instead of relabeling a refusal as a positive laboratory result.

## Establish a Drug Refusal

Establish a Drug Refusal. Use the facts and the correct decision maker when a drug collection may involve refusal. The collector documents conduct that may constitute refusal; the employer makes the nondelegable conduct-based determination. The medical review officer determines and reports medical or specimen-validity findings within that officer's role. A verified adulterated or substituted result is a refusal and requires immediate removal from safety-sensitive work. An insufficient specimen is not automatically refusal: the required medical evaluation can determine whether an adequate medical explanation exists. Preserve the collector's account, directions, timing, and applicable medical determination. Do not turn a missed company-only test into a federal drug refusal.

## Route Serious Incident Refusals

Route Serious Incident Refusals. After a serious marine incident, a directly involved individual must provide the required specimen when directed by the marine employer or a law enforcement officer. If the individual refuses, note the refusal on both the marine casualty report and its chemical testing supplement, Forms C G 2692 and C G 2692 B. Make the official logbook entry when a logbook is required. The marine employer must remove the person as soon as practical from duties directly affecting safe operation of the vessel, floating offshore facility, or mobile offshore drilling unit. No person may be compelled to provide the specimen. Refusal can lead to credential proceedings, a civil penalty, or both.

## Provide the SAP Referral

Provide the SAP Referral. Give an employee with a qualifying drug violation a list of acceptable, readily available substance abuse professionals. Provide the list even if the employer ends the employment relationship. This referral does not promise a job or transfer the employer's removal responsibility to the clinician. For maritime drug cases, the substance abuse professional must meet the incorporated qualification requirements and follow the applicable procedures. The evaluation, prescribed education or treatment, and subsequent compliance assessment belong to that professional process. Track receipt of the required reports through a controlled channel. A course certificate, an employee's statement of recovery, or an ordinary clinical note does not replace that process.

## Obtain the Maritime MRO Finding

Obtain the Maritime MRO Finding. After a failed required chemical drug test, obtain the maritime medical review officer's determination before return to work aboard a vessel. The officer must determine that the person is drug-free and that the risk of later dangerous-drug use is low enough to justify return. This is an additional maritime condition; the representative cannot infer it from a negative test or substitute the substance abuse professional's compliance report for it. Ask the medical review officer to address the required maritime findings expressly. Keep the failed-test rule tied to its stated trigger, and obtain appropriate guidance for other violation categories rather than inventing an identical requirement for every event.

## Arrange Increased Unannounced Testing

Arrange Increased Unannounced Testing. The person returning after a failed required chemical drug test must agree to increased unannounced testing. The maritime provision requires at least six tests in the first year after return, as required by the common drug procedures. The medical review officer determines any additional period, up to a total of sixty months. Preserve that agreement and the officer's instructions. This maritime condition sits alongside the substance abuse professional's follow-up responsibilities. Do not assume that an employee has finished every testing obligation merely because one plan has ended. Identify which authority established each condition and secure clarification when the instructions do not align. The representative must not silently choose the shorter plan.

## Implement the SAP Follow-Up Plan

Implement the SAP Follow-Up Plan. Follow the substance abuse professional's written follow-up plan for the incorporated drug return process. The employer selects unannounced testing dates and must carry out the required number and frequency; the representative cannot reduce the plan for convenience. Follow-up tests are separate from random tests. Schedule neither a predictable monthly pattern nor an employee-selected appointment that defeats surprise. In this maritime course, remember that the medical review officer's additional increased-testing requirement also needs administration. Maintain both sets of instructions in the return file and resolve differences with the responsible professionals. One provider's action within that provider's authority does not automatically cancel the other applicable obligation.

## Respect the Credential Process

Respect the Credential Process. Check the Coast Guard credential pathway before authorizing any assignment that depends on that credential. The Coast Guard's personnel-action rules govern investigation and administrative action; the employer does not suspend, restore, or replace a Coast Guard credential by issuing a work letter. A failed required drug test also bars re-employment aboard a vessel until the maritime return conditions and applicable personnel-action requirements are satisfied. If there is a Coast Guard order, agreement, deposit, surrender, or other credential action, obtain reliable confirmation of the person's current eligibility and the applicable conditions. Do not treat an old credential card or a negative test as proof that those conditions are resolved.

## Avoid Automatic Reinstatement Promises

Avoid Automatic Reinstatement Promises. Do not promise a fixed reinstatement date from a general recovery checklist. Different credential actions have different consequences. For example, return of a voluntarily deposited credential involves the conditions of the deposit agreement and applicable regulatory requirements. Voluntary surrender instead relinquishes rights and follows a different route if a new credential is later sought. These are Coast Guard matters, not decisions the representative can settle by counting negative tests. Direct the individual to the responsible Coast Guard process and appropriate advice. Administratively, record the actual status and unresolved condition. Continue the required work restriction until the conditions relevant to the proposed assignment are satisfied.

## Authorize Return Only After Verification

Authorize Return Only After Verification. Before returning a worker after a drug violation, verify successful compliance with the substance abuse professional's prescribed education or treatment and the required negative return-to-duty drug result. Arrange the maritime urine collection using the required observation procedure. After a failed required drug test, also verify the medical review officer's maritime finding and the increased-testing agreement. Check applicable Coast Guard credential conditions and prepare to implement all continuing testing duties. These steps establish regulatory prerequisites; they do not compel the employer to rehire or assign the person. The employer makes that personnel decision subject to applicable agreements and other law. Record the basis for the assignment before releasing the restriction.

## Resolve the Incomplete Return File

Resolve the Incomplete Return File. A credentialed deck officer presents a substance abuse professional's successful-compliance report and a negative return-to-duty drug result after a failed required test. The file contains no maritime medical review officer finding, and a Coast Guard credential matter remains unresolved. Keep the return on hold. Obtain the officer's drug-free and low-recurrence-risk determination and the increased-testing agreement. Verify the applicable credential conditions through the responsible process, and confirm the ongoing testing instructions before any employer return decision. The two documents already supplied are useful evidence, but they do not establish every maritime condition. Explain the missing items precisely so the employee and the responsible professionals can address them.

## Official references

49 CFR 40.23 · 46 CFR 16.201 · [ecfr.gov/current/title-46/chapter-I/subchapter-A/part-5](https://www.ecfr.gov/current/title-46/chapter-I/subchapter-A/part-5) · 46 CFR 16.203 · 46 CFR 4.06-5 · 49 CFR 40.191 · 49 CFR 40.287 · 49 CFR 40.305 · 49 CFR 40.307 · 49 CFR 40.309 · 49 CFR 40.67 · 46 CFR 16.105

# Maritime hiring-history reference

## Request the Testing History

Request the Testing History. Obtain specific written consent before requesting testing history from the person's DOT-regulated employers during the two years before the application or transfer. Refused consent means no safety-sensitive duties. Request alcohol results of zero point zero four or higher, verified positive drug results, refusals including verified adulteration or substitution, other DOT testing-rule violations, and documentation of completed return-to-duty requirements and follow-up tests. Obtain relevant history that those employers received from earlier employers too. If a former employer lacks return documentation, seek it from the employee. This inquiry can include another agency's alcohol history; it does not create a Coast Guard Part 40 alcohol testing program.

## Enforce the History Gates

Enforce the History Gates. Obtain and review history before first safety-sensitive duty when feasible; otherwise do so as soon as possible. After thirty days from first duty, do not allow those functions unless the information was obtained or good-faith efforts to obtain it were made and documented. This is not permission to ignore a known unresolved violation. When a violation is known, obtain proof of successful applicable return-to-duty compliance before duty. Also ask about positive or refused pre-employment drug or alcohol tests during the past two years for DOT-covered jobs the applicant sought but did not obtain. An admitted positive or refusal requires documented successful return compliance before safety-sensitive work.

## Protect and Release History

Protect and Release History. Keep the information received, or documented good-faith efforts to obtain it, in a confidential written record for three years from the person's first safety-sensitive duty for your employer. When another employer requests history and supplies the employee's specific written consent, review the consent and immediately release the required information through a confidential written channel. Record the release date, recipient, and summary of information provided. A hiring checklist should connect consent, requested records, responses, unresolved restrictions, and the first-duty date. That checklist is a recommended control; it does not replace any separate maritime testing or credential requirement.

Official authority: <https://www.transportation.gov/odapc/part40/40-25>