

Joseph F. McCloskey School of Nursing

700 Schuylkill Manor Road, Pottsville, PA 17901 | Phone 570-621-5035 | Fax 570-621-5066

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Reviewed: 6/23 6/24 6/25	 Tina VanBuren, DNP, MSN, RN, CNS Director, School of Nursing	Student Safety Committee

PURPOSE

The Joseph F. McCloskey School of Nursing, part of Lehigh Valley Health Network (LVHN), maintains this policy to ensure that nursing students conduct healthcare and educational activities with complete control of their manual dexterity, mental faculties, and judgment. The presence or use of drugs or alcohol that interferes with student judgment or motor coordination poses unacceptable risk for patients, colleagues, the School of Nursing, and clinical agencies. This policy supports the Pennsylvania Professional Nursing Law (Act 69) requirement that nursing applicants demonstrate good moral character and ensures compliance with the Drug-Free Schools and Communities Act Amendments of 1989.

SCOPE

This policy applies to all students enrolled in Joseph F. McCloskey School of Nursing programs at all locations, including the main campus in Pottsville, PA, and the extended learning center in Center Valley, PA, as well as all clinical practice sites and school-sponsored activities. Students must abide by these rules when reporting to courses and clinical experiences and while at clinical agencies (including parking lots and grounds). Students who violate these rules may be deemed unable to meet the essential qualifications of the nursing curriculum.

DEFINITIONS

Drug Test: The scientific analysis of urine, blood, breath, saliva, hair, tissue, and other specimens of the human body for the purpose of detecting drugs or alcohol.

Illicit Drug: Any drug which is not legally obtainable; any drug which is legally obtainable but has not been legally obtained; any prescribed drug not being used for the prescribed purpose or by the person for whom it was prescribed; any over-the-counter drug being used at a dosage level other than recommended by the manufacturer. Under federal law, marijuana (cannabis, THC) is a Schedule I drug with no currently accepted medical use; therefore, medical marijuana is considered an illicit drug under this policy.

Impaired: A student whose mental or physical capabilities are reduced below normal levels, manifesting deterioration in function as compared to that previously observed, including psychomotor skills, judgment, attentiveness, or demeanor.

Reasonable Suspicion: Evidence forming a reasonable basis for concluding it is more likely than not that a person is engaged in substance abuse, including but not limited to: odor of alcohol or

drugs, impaired behavior such as slurred speech, decreased motor coordination, difficulty maintaining balance, marked changes in performance, and unexplained incidents.

Substance Abuse: (a) The use, possession, manufacture, distribution, or sale of illicit drugs by any student while on school or clinical agency premises or during school-related activities; (b) The consumption, possession, or distribution of alcohol by any student while on school or clinical agency premises or during school-related activities; and (c) A student's use of alcohol or any drug that impairs performance in any course or clinical experience.

Medical Review Officer (MRO): A licensed physician with training in substance abuse testing who reviews laboratory results and any legitimate medical explanation before a result is reported to the school.

POLICY

Drug-Free Schools Act Compliance: In compliance with the Drug-Free Schools and Communities Act Amendments of 1989, the School of Nursing strictly prohibits substance abuse while on school or clinical agency property or while participating in any school or clinical agency-sponsored activity. Students and employees found in violation will be subject to disciplinary actions, including dismissal and/or referral for prosecution.

Prohibited Conduct: Substance abuse as defined above is strictly prohibited. Students are prohibited from:

- Use, possession, manufacture, distribution, or sale of illicit drugs
- Marijuana/Cannabis in any form, including medical marijuana (per federal law and LVHN policy)
- Alcohol while on campus, at clinical sites, or during school activities
- Participating in nursing-related activities while impaired
- Any substance that causes impairment or affects safe patient care

Legal Notification Requirement: Students must notify the Director of Nursing or designee within five (5) calendar days of any criminal conviction or administrative action related to the use of drugs or alcohol. Failure to notify may result in dismissal from the program.

Required Consent and Screenings: Prior to entering clinical courses, students must complete pre-admission requirements through Castle Branch by August 1:

- Pennsylvania State Police Criminal History Clearance
- Pennsylvania Child Abuse History Clearance
- FBI Fingerprint Screen
- Negative Drug Screen
- Sign consent forms agreeing to abide by this policy and clinical agency drug testing policies, to submit to drug testing as required by the school or clinical agencies, and to release all drug test results to the appropriate School of Nursing officials

Failure to sign the consent will result in non-placement in clinical courses and may result in dismissal from the program.

Students may be required to submit to additional drug/alcohol testing for:

- Random selection throughout the program
- Reasonable suspicion of impairment
- Clinical site requirements
- Post-incident situations
- Return after absence related to substance use

Prescription Medications: Students taking prescribed medications that may cause a positive drug test, result in impairment, or affect clinical performance must provide current prescription documentation and verification from their healthcare provider. Medical marijuana prescriptions do not exempt students from federal law prohibitions.

PROCEDURE

Pre-Clinical Drug Testing: All students are required to undergo drug testing before entering clinical courses. School officials will arrange for testing with a qualified laboratory. Students are responsible for providing their own transportation to the collection site. Student fees cover testing costs.

Reasonable Suspicion Testing: When reasonable suspicion exists, the following procedure applies:

1. The faculty member will have another faculty member or licensed healthcare professional confirm suspicious behavior.
2. The student will be removed from the clinical area and taken to a private location for discussion with a faculty member and a witness.
3. The decision to test will be made in consultation with the Director of Nursing.
4. The student will report for testing immediately if possible, or as soon as practicable.
5. The student will be suspended from all class/clinical activities pending test results.
6. The student will be assisted in finding safe transportation home at the student's expense.
7. The faculty member will complete the documentation and submit it to the Director of Nursing.
8. The cost of reasonable suspicion testing will be borne by the School of Nursing.

Results and Notification: Presumptive positive results are reviewed by a Medical Review Officer (MRO), who contacts the student to identify any legitimate medical explanation, including verified prescriptions, before a result is reported to the school as positive.

- The Director of Nursing or designee will be notified of verified results.
- If the screening result is negative, the student is released to return to activities without penalty.
- Students with verified positive drug tests will be notified of results and consequences by the Director of Nursing or designee. Drug test results verified by the MRO are final.

RESPONSIBILITIES

Students

- Comply with all drug and alcohol policy requirements
- Submit to required testing as directed
- Provide accurate information regarding substance use and prescribed medications
- Notify the Director of Nursing or designee within five (5) calendar days of any drug/alcohol-related conviction or administrative action
- Complete treatment requirements if disciplined short of dismissal
- Self-report to licensing authorities as required by Pennsylvania law
- Bear all costs associated with personal testing, treatment, and monitoring

Faculty and Staff

- Report reasonable suspicion of student impairment immediately
- Follow established reasonable suspicion procedures, including documentation
- Maintain confidentiality of student medical information
- Support students seeking treatment and recovery
- Complete annual training on substance use recognition

School Administration

- Ensure policy compliance and consistent enforcement
- Coordinate with clinical partners regarding student placement restrictions
- Maintain confidential records in accordance with FERPA
- Provide resources and support for students in recovery
- Make arrangements for drug testing with qualified laboratories

Confidentiality: All drug testing results will be treated as confidential and will not be disclosed to third parties unless disclosure is required by law, needed by appropriate school officials to perform their functions, needed to address public health and safety concerns, or consented to in writing by the student. Student drug-testing records maintained by the school are education records protected under FERPA and the Family Educational Rights and Privacy Act Policy #402.

ENFORCEMENT and SANCTIONS

Immediate Dismissal Results From:

- Refusal to submit to required testing
- Tampering with, contaminating, or switching specimens
- Failure to notify the school of drug/alcohol-related criminal convictions within five (5) calendar days
- Positive drug test after readmission (student becomes ineligible to return and ineligible for a letter of good standing)

First Positive Drug Screen:

- Immediate removal from clinical activities and suspension from all class/clinical activities
- Student will be notified of results and consequences by the Director of Nursing or designee
- Student subject to disciplinary action up to and including dismissal from the program

Readmission Considerations: Students suspended (but not dismissed) for substance abuse violations may be considered for continued enrollment only if they meet the following conditions:

1. Submission of a verifiable letter from a recognized and approved drug treatment agency stating that the student has successfully completed an appropriately tailored substance abuse program.
2. Submission to a drug test prior to readmission at the student's expense. A positive drug test will result in ineligibility for readmission.
3. Submission to such other drug testing as may be requested by the Joseph F. McCloskey School of Nursing or clinical agencies after readmission.
4. Submission to a last chance agreement prepared by the School of Nursing that memorializes all terms and conditions of continued enrollment, including those set forth above, and any other requirements the school may deem appropriate under the circumstances.

Clinical Impact:

- Clinical facilities may deny placement to students with positive drug screens
- The Pennsylvania State Board of Nursing may deny licensure based on drug screen results
- Students who violate this policy may be deemed unable to meet essential qualifications of the nursing curriculum

Cost Allocation:

- Pre-clinical testing costs covered by student fees
- Reasonable suspicion testing costs borne by the School of Nursing
- Pre-placement testing required by clinical agencies at student or agency expense
- All readmission testing at student expense

Appeal Rights: Students may appeal dismissal decisions through the Non-Academic Grievance Policy #203. Drug test results verified by the Medical Review Officer are final.

REFERENCES

Accreditation Commission for Education in Nursing. (2022). ACEN 2022 standards and criteria for evaluating nursing programs.

Drug-Free Schools and Communities Act Amendments of 1989, 20 U.S.C. 1145g.

Pennsylvania Professional Nursing Law, Act 69 of 1951, as amended.

Pennsylvania State Board of Nursing Regulations, 49 Pa. Code Chapter 21.

Non-Academic Grievance Policy #203. Family Educational Rights and Privacy Act Policy #402.

Resources

- Schuylkill County Drug and Alcohol Program: 570-628-3152
- Lehigh County Drug and Alcohol Services: 610-782-3200
- Lehigh County Crisis Line: 610-782-3127
- Pennsylvania Get Help Now: 1-800-662-HELP (4357)
- SAMHSA National Helpline: 1-800-662-4357
- Pennsylvania State Board of Nursing: 717-783-7142

ATTACHED FORMS

Form A: Consent to Drug/Alcohol Testing and Release of Test Results. Form B: Report of Reasonable Suspicion. Form C: Prescription Medication Disclosure. Form D: Last Chance Agreement.

REVIEW and APPROVAL

This policy is reviewed annually by the Student Safety Committee.

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**Form A: Consent to Drug/Alcohol Testing and Release of Test
Results - Policy #207**

Joseph F. McCloskey School of Nursing | Lehigh Valley Health Network

I,

a student enrolled in the Joseph F. McCloskey School of Nursing, having read its Substance Abuse and Alcohol Testing Policy #207, understand that as a precondition to entering the clinical component of the program and participating in any clinical experience at an affiliating clinical agency, I am subject to the Joseph F. McCloskey School of Nursing policies and those of the affiliating clinical agency, including but not limited to any requirement to submit to:

- Pre-clinical placement drug testing through Castle Branch by August 1
- Random drug testing throughout the program
- Drug testing when there is reasonable suspicion to believe that I may be impaired or engaged in substance abuse as defined by the applicable policies
- Post-incident drug testing
- Return-to-program drug testing after absence related to substance use
- Any additional testing required by clinical agencies

I understand that student fees cover the cost of pre-clinical testing, while testing required by affiliating clinical agencies may be at my expense or the agency's expense, as determined by the specific agency requirements.

By my signature below, I give my complete and voluntary consent to submit to any such drug test(s) at a designated laboratory or other location as required by the Joseph F. McCloskey School of Nursing and/or any affiliating clinical agency at which I am placed for nursing school requirements.

I understand that the following actions will result in immediate dismissal from the program:

- Refusal to submit to required testing
- Tampering with, contaminating, or switching specimens
- Failure to notify the school of drug/alcohol-related criminal convictions within 5 days
- Positive drug test after readmission

I further understand that a positive drug test or other violation of the Joseph F. McCloskey School of Nursing Substance Abuse and Alcohol Testing Policy, or that of any affiliating clinical agency, will result in disciplinary action, up to and including dismissal from the program, and may affect my eligibility for nursing licensure in Pennsylvania.

I understand that the affiliating clinical agency and Joseph F. McCloskey School of Nursing have a legitimate need to receive the results of my drug tests performed in accordance with the applicable policies. I give my consent to, and hereby authorize, any drug testing facility and its physicians, including the Medical Review Officer, employees, and representatives (collectively the "drug testing entity") that conducted drug testing pursuant to the drug testing policies of the affiliating clinical agency or Joseph F. McCloskey School of Nursing, to furnish originals or copies of any such documents, records, or other information to:

- The affiliating clinical agency requesting the test
- The Joseph F. McCloskey School of Nursing Director of Nursing or designee
- The Director of Nursing and/or authorized officers, employees, and representatives

I further consent to and hereby authorize any drug testing entity to answer questions and inquiries concerning me and disclose to authorized school officials whatever documents, records, and other information, including, without limitation, drug testing results, medical records, medical reports, analyses, questionnaires, and other materials which may have been made or prepared pursuant to or in connection with my drug test(s).

I waive, release, and discharge forever the drug testing entity that conducted drug testing pursuant to the applicable policies of the Joseph F. McCloskey School of Nursing, or that of any affiliating clinical agency, and every other person, firm and institution (including without limitation the Joseph F. McCloskey School of Nursing, Lehigh Valley Health Network and its affiliated entities) which shall comply in good faith with this authorization and consent, from any and all liability or claims of whatsoever kind and nature, known or unknown, arising out of or relating to the drug testing, disclosing, inspection, releasing and furnishing of such documents, records, or other information.

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**Form A: Consent to Drug/Alcohol Testing and Release of Test
Results - Policy #207**Joseph F. McCloskey School of Nursing | Lehigh Valley Health Network

Student Information

Name (Print): Student ID:

Address:

Phone: Email:

Student Signature: Date:

This form will be maintained by the Joseph F. McCloskey School of Nursing. It will be disclosed to appropriate clinical agencies upon their request in accordance with HIPAA and FERPA regulations.

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**Form B: Report of Reasonable Suspicion of Drug/Alcohol Use
- Policy #207**

Joseph F. McCloskey School of Nursing | Lehigh Valley Health Network

To be completed by the faculty member supervising the nursing student to be tested.

Date of Report: Time: **1. Student Information**Name: Student ID: Course/Clinical Site: **2. Incident Details**Date of Incident: Time of Incident: Location: **3. Reasons for Suspicion of Substance Abuse**

Be as specific as possible, including times and dates when incidents occurred or unusual behavior was observed, the identity of any particular substance suspected of abuse, if known, and the names and whereabouts of those witnessing the incidents or behavior. Attach additional sheets if necessary.

Speech:☐ Normal ☐ Incoherent ☐ Confused ☐ Slurred ☐ Rambling ☐ SlowSpeech, other: **Coordination:**☐ Normal ☐ Swaying ☐ Staggering ☐ Lack of coordination ☐ Grasping for supportCoordination, other: **Performance:**☐ Normal ☐ Unsatisfactory work ☐ Unsafe practices ☐ Poor judgmentPerformance, other: **Alertness:**☐ Normal ☐ Change in alertness ☐ Sleepy ☐ Confused ☐ DisorientedAlertness, other: **Demeanor:**☐ Normal ☐ Personality change ☐ Combative ☐ Aggressive ☐ Indifferent ☐ ArgumentativeDemeanor, other: **Physical Appearance:**☐ Normal ☐ Bloodshot eyes ☐ Dilated pupils ☐ Disheveled clothing ☐ Odor of alcoholAppearance, other: Additional observations:

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**Form B: Report of Reasonable Suspicion of Drug/Alcohol Use
- Policy #207**

Joseph F. McCloskey School of Nursing | Lehigh Valley Health Network

4. Student Admission

Did the student admit to use of drugs/alcohol?

☐ Yes ☐ NoComments: **5. Evidence of Possession**

Was the student found using or in possession of any illicit drugs/alcohol?

☐ Yes ☐ NoIf yes, describe: **6. Witnesses**

Have any other students, faculty, or personnel witnessed or complained of the student's behavior?

☐ Yes ☐ NoWitnesses and contact information: **7. Confirmation of Suspicion**

As required by policy, a second faculty member or licensed healthcare professional must confirm the suspicious behavior.

Confirming Name: Title: **8. Director Consultation**

The decision to test must be made in consultation with the Director of Nursing.

Director of Nursing approval:

☐ Approved for immediate testing ☐ Testing as soon as practicableDirector of Nursing (Print Name): Date: Time: **9. Faculty Member Conclusion**

Based on the information above, it is my professional opinion that there is reasonable suspicion to believe that this student has engaged in substance abuse as defined in the Joseph F. McCloskey School of Nursing Substance Abuse and Alcohol Testing Policy #207.

Name (Print): Title: Date: Time:

Actions taken:

☐ Removed from clinical area ☐ Taken to private location
☐ Suspended pending results ☐ Safe transport arrangedOther action:

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Form C: Prescription Medication Disclosure - Policy #207

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Student InformationName: Student ID: Date:

Purpose: Students taking prescribed medications that may cause a positive drug test, result in impairment, or affect clinical performance must provide current prescription documentation and verification from their healthcare provider as required by Policy #207.

Medication 1Medication Name: Prescription Date: Prescribing Physician: Physician Contact: Dosage: Frequency: Reason Prescribed: **Medication 2**Medication Name: Prescription Date: Prescribing Physician: Physician Contact: Dosage: Frequency: Reason Prescribed:

Add additional medications on a separate sheet if necessary.

Healthcare Provider Verification

I certify that the above-named student is under my medical care and is prescribed the medication(s) listed above. Based on my professional judgment:

- ☐ This medication may cause impairment that could affect safe patient care
- ☐ This medication is not expected to cause impairment affecting safe patient care
- ☐ Special monitoring or restrictions recommended (describe below)

Recommended monitoring or restrictions: Provider Name: License Number: Specialty: Phone: Address: Provider Signature: Date: **Student Acknowledgment**

I understand that:

- Medical marijuana prescriptions do not exempt me from federal law prohibitions
- I must notify the school of any changes to my prescribed medications
- The school may require additional documentation or restrictions based on this disclosure

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Form C: Prescription Medication Disclosure - Policy #207

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-
- This information will be kept confidential in accordance with HIPAA regulations

Student Signature:

Date:

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Form D: Last Chance Agreement - Policy #207

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Student Name: Student ID: Date:

This Last Chance Agreement is entered into between the Joseph F. McCloskey School of Nursing and the above-named student following a violation of the Substance Abuse and Alcohol Testing Policy #207.

Terms and Conditions of Continued Enrollment

1. Treatment Completion: The student has submitted verifiable documentation from a recognized and approved drug treatment agency stating successful completion of an appropriately tailored substance abuse program.

Treatment Agency: Completion Date: Program Completed: Contact Person:

2. Pre-Readmission Drug Testing: The student has submitted to a drug test prior to readmission at the student's expense with negative results.

Testing Date: Results: Testing Facility:

3. Ongoing Testing Requirements: The student agrees to submit to additional drug testing as requested by the Joseph F. McCloskey School of Nursing or clinical agencies after readmission, including but not limited to random testing throughout the remaining program, reasonable suspicion testing, clinical agency requirements, and annual testing.

4. Additional Requirements:

- ☐ Regular meetings with the Director of Nursing or designee
- ☐ Continued participation in a support/recovery program
- ☐ Restricted clinical placement options
- ☐ Other (describe below)

Other requirements:

5. Consequences of Violation: The student understands that ANY violation of this agreement or the Substance Abuse and Alcohol Testing Policy will result in immediate dismissal from the program, ineligibility to return to the program, and ineligibility for a letter of good standing.

6. Cost Responsibility: The student accepts financial responsibility for all costs associated with testing required under this agreement, treatment and monitoring programs, and any additional requirements.

Student Agreement

I have read, understand, and agree to comply with all terms and conditions of this Last Chance Agreement. I understand that this is my final opportunity to complete the nursing program and that any violation will result in immediate and permanent dismissal.

Student Signature: Date:

This agreement shall remain in effect for the duration of the student's enrollment in the Joseph F. McCloskey School of Nursing program.