

**From:** Randy Bond

**Sent:** Friday, January 08, 2010 8:39 AM

**To:** LoDico, Charles P. (SAMHSA/CSAP)

**Subject:** Notice of Proposed Revision to the Federal Drug Testing Custody and Control Form (November 17, 2009)

Dear Sir,

The proposed Revision to the Federal Drug Testing Custody and Control Form (CCF) was published in the Federal Register (Federal Register: November 17, 2009, Volume 74, Number 220, Pages 59196-19205).

In regards to the proposed changes for this form including how they are filled out, I feel that Page 2 Step 5 should be amended.

Based on the section from 49 CFR Part 40 below (40.73), the collector should be allowed at a minimum to print the donors name prior to the donor signing the form as in some circumstances they are required to do this step anyhow. I would state the collector should be able to fill in date and date of birth as well in step 5 if they have the information.

The donor is still officially completing Step 5 by reading the certification statement and signing. The donor, by signing is certifying the information as correct including their name that was printed on the form by the collector.

This could assist in eliminating intentionally misspelled names by donors as a last ditch effort to get the test thrown out and, it also can help in reducing the amount of illegible names printed in Step 5 of page 2. The collector, as required by regulation (40.61) would have already verified the correct donor information.

### **Subpart E - Urine Specimen Collections**

#### **§ 40.61 What are the preliminary steps in the collection process?**

As the collector, you must take the following steps before actually beginning a collection:

(c) Require the employee to provide positive identification. You must see a photo ID issued by the employer (other than in the case of an owner-operator or other self-employed individual) or a Federal, state, or local government (e.g., a driver's license). You may not accept faxes or photocopies of identification. Positive identification by an employer representative (not a co-worker or another employee being tested) is also acceptable. If the employee cannot produce positive identification, you must contact a DER to verify the identity of the employee.

### **Subpart E - Urine Specimen Collections**

#### **§ 40.73 How is the collection process completed?**

(a) As the collector, you must do the following things to complete the collection process. You must complete the steps called for in paragraphs (a)(1) through (a)(7) of this section in the employee's presence.

(1) Direct the employee to read and sign the certification statement on Copy 2 (Step 5) of the CCF and provide date of birth, printed name, and day and evening contact telephone numbers. If the employee refuses to sign the CCF or to provide date of birth, printed name, or telephone numbers, you must note this in the "Remarks" line (Step 2) of the CCF, and complete the collection. If the employee refuses to fill out any information, you must, as a minimum, print the employee's name in the appropriate place.

Thank you

Randy Bond