Federal Custody and Control Form Update

Drug Testing and Advisory Board

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Virtual Presentation

SAMHSA
Substance Abuse and Mental Health Services Administration

Objectives

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  - Discuss the Federal Custody and Control Renewal Submission
  - Update the Electronic Custody and Control Form Implementation

Mandatory Guidelines Requirement

- The Mandatory Guidelines for Federal Workplace Drug Testing Programs were established by SAMHSA as a result of Executive Order 12564 and Public Law 100-71.
- The Guidelines require the use of chain of custody procedures to document the integrity and security of a urine specimen from the time it was collected until it was received by the laboratory.
- The Guidelines also require the use of an OMB-approved Federal CCF to document the chain of custody.

Federal Custody and Control Form Construction

- SAMHSA identified duplication in the requirement of each authorized specimen matrix to have a Federal CCF.
- A combined CCF was proposed to eliminate the duplication of having two separate forms with identical information for the two matrices.
- SAMHSA sought public comment on the proposed recordkeeping and reporting requirements and the proposed combined CCF.
- Comments were invited on the necessity and practical utility of the proposed collections of information, the accuracy of the agency's estimate of the burden of the proposed collection of information, ways to enhance the quality, utility, and clarity of the information to be collected, and ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

2023 Request for OMB Approval

- SAMHSA has requested OMB approval for the recordkeeping and reporting requirements in the Mandatory Guidelines for Federal Workplace Drug Testing Programs using Urine (UrMG) dated January 23, 2017 (82 FR 7920) and using Oral Fluid (OFMG) dated October 25, 2019 (84 FR 57554), which included the Federal Drug Testing Custody and Control Form (Federal CCF); the National Laboratory Certification Program (NLCP) application forms for urine laboratories, urine Instrumented Initial Test Facilities (IITFs), and oral fluid laboratories; and the NLCP information checklists for urine laboratories, urine IITFs, and oral fluid laboratories.
- These are no changes to the CCF and NLCP documents previously approved under OMB No. 0930-0158, which expire on August 31, 2023.

2023 Federal CCF

- Federal Register Notice published January 10, 2023
- Comment period ends March 13, 2023
- OMB approval period will be from September 1, 2023 to August 31, 2026.

ECCF Approved Laboratories

Lab Category	% of Total ECCF (2021)	% of Total ECCF (2022)	FormFox	eScreen	LabCorp
2	32.64%	47.26%		X	X
3	32.67%	33.12%		X	X
3	-	0.00%		X	
4	27.50%	31.22%		X	X
4	31.53%	29.87%	X	X	X
4	64.81%	64.37%		X	
5	52.67%	56.84%	X	X	
6	57.98%	62.64%		X	
7	41.59%	51.03%	X	X	
7	55.52%	58.16%	X	X	

Total Federal ECCF Used (January '22 – December '22)

Category	Total Regulated Specimens	% of All Labs Total Regulated		Total Federal ECCF	% ECCF Utilization
2	104,946	1.39%		49,602	0.74%
CAT 2 Total	**104,946**	**1.39%**		**49,602**	**0.74%**
3	123,336	1.63%		40,846	0.61%
3	149,722	1.98%		1	0.00%
CAT 3 Total	**273,058**	**3.61%**		**40,847**	**0.61%**
4	201,908	2.67%		63,043	0.94%
4	248,398	3.29%		74,208	1.10%
4	325,663	4.31%		209,631	3.11%
CAT 4 Total	**775,969**	**10.27%**		**346,882**	**5.15%**
5	812,780	10.76%		461,952	6.86%
CAT 5 Total	**812,780**	**10.76%**		**461,952**	**6.86%**
6	828,053	10.96%		518,676	7.70%
CAT 6 Total	**828,053**	**10.96%**		**518,676**	**7.70%**
7	1,842,981	24.39%		940,383	13.96%
7	2,096,201	27.74%		1,219,111	18.10%
CAT 7 Total	**3,939,182**	**52.13%**		**2,159,494**	**32.07%**
ECCF Totals	**6,733,988**	**89.12%**		**3,577,453**	**53.13%**
Total Regulated Specimens (all labs)	**7,556,293**				

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Total Federal ECCF

HHS-Certified Laboratory

Period	A	B	C	D	E	F	G	H	I	J	K	L	M	Grand Total
2015											3,172			3,172
2016	0		0		0	0	0	0	26,403	0	82,656	1,087	0	110,146
2017	21,827		31,669		4,482	5,574	22,531	8,444	92,122	35,334	150,537	41,578	59,207	451,478
2018	8,162	1,829	131,896		13,485	13,378	54,783	17,563	123,161	153,630	211,571	134,599	335,278	1,191,173
2019		7,736	164,284		21,564	17,699	68,062	39,180	181,266	197,537	291,062	215,101	552,614	1,756,105
2020		1,768	190,076		21,087	15,209	68,928	62,243	243,924	216,510	344,003	351,695	637,666	2,153,109
2021			25,471		31,874	24,720	85,661	72,958	219,449	359,826	506,741	600,165	1,067,453	2,994,318
2022				1	40,846	49,602	63,043	74,208	209,631	461,952	518,676	940,383	1,219,111	3,577,453

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Extension of ECCF Implementation Date

- Due to complications with laboratory access to required services in the current market, SAMHSA has extended the deadline for federal workplace drug testing programs to switch from paper to electronic Custody and Control Forms (ECCF) from August 30, 2023, to August 30, 2026.
- This extension applies to both urine and oral fluid testing, as the current market for laboratory services has made it difficult for many laboratories to meet the technical requirements for electronic forms.
- This extension will provide laboratories with additional time to make the necessary upgrades to their systems and processes to ensure that they are able to provide electronic Custody and Control Forms for federal workplace drug testing programs.
- This extension will also give federal agencies and their contractors more time to prepare for the transition to electronic Custody and Control Forms and to ensure that they have the necessary systems and processes in place to support electronic drug testing.
- An NLCP notice will follow this meeting to announce this change.

Questions

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