



PROGRAM OVERVIEW

COMPLIANCE THROUGH TECHNOLOGY

Let's face it...companies performing drug and alcohol testing are concerned about issues related to compliance. Mandatory state laws, state marijuana laws, ADA and OSHA violations, Workers' Compensation and Unemployment claims are all topics keeping program managers awake at night. Few companies have the time to keep up with ongoing drug testing industry changes. They need an expert whose sole business is to stay current with these issues.

WE ARE THE EXPERTS IN THIS INDUSTRY.

So how can an employer keep up with the ever-changing regulatory and legal environment related to drug and alcohol testing? They can hire a law firm to assist with policy development, but they rarely offer an ongoing advisory service or send out updates on industry changes. Traditional consulting firms are available, but often have high hourly fees and do not offer instant access to industry information. Or employers can partner with Encompass Compliance Corporation, the only company in the industry providing a vast amount of compliance information through a cloud-based solution. Our sole business is mitigating compliance risk for our clients. We have priced our service so every company performing drug and alcohol testing can afford our self-managed Encompass Risk Shield solution.

THE RISK SHIELD



SHIELD 1 - POLICY DEVELOPMENT

Many companies do not have a drug and alcohol testing policy or their policy is outdated. The Encompass Policy Development wizard gives a company a self-service tool to create a core legal document which accounts for all applicable state and federal laws (statutes, regulations, and court/agency decisions). Literally in minutes, you can create a compliant company policy.



SHIELD 2 - THE RESOURCE CENTER

Given the changing landscape of laws that impact drug and alcohol testing programs, an employer needs instant access to key information. The Encompass Resource Center has the nation's largest online database and information center related to the drug & alcohol testing industry:

 ADA Issues	 Common Checklists	 Common Issues Charts	 Employers Guide to Marijuana
 Employers State Compliance Guides	 Federal (DOT) Rules	 Key Court Cases	 Mandatory State Regulations
 Mandatory State Statutes	 Marijuana Statutes	 Native American Rules	 OSHA
 Rebuttable Presumption Addendum	 State Compliance Kits	 State Policy Addenda	 Union Issues



SHIELD 3 - REAL-TIME MONITORING

Encompass has developed the first cloud-based instant compliance “audit” in the industry. Employers simply provide information regarding specifics of the test being ordered. The Real-Time Monitoring system reviews the order to make sure it’s in compliance with state & federal laws and agency rulings.

There are three simple data points required: The state of employee residence (or employment), the method of test and the reason for the test. Once the information is submitted, an instant audit occurs. If a “green light” message appears, the order is compliant. If a red “Alert” warning appears, users are notified of important compliance-related information (with a link to the appropriate regulatory information). A “blue light” indicates there is information about state-specific policies and procedures related to the order details.

SCREENSHOTS OF OUR REAL-TIME MONITORING

URINE COMPLIANCE ALERT: There is a compliance warning about this order.

[View it now](#)

Testing based upon a “single work-related accident” is not permitted in Maine. Probable cause is required. Sec. 4833(2)

Reference text
Sec. 4833(2)

URINE COMPLIANCE INFO: There is additional compliance information you may need to know.

[View it now](#)

STATE OF EMPLOYEE/ENDOR RESIDENCE:
Maine

METHOD OF TEST:
Urine

REASON FOR TEST:
Post-Accident

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Adjudication Tip

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Adjudication Tip

Below, the employer shall promptly notify the employee or applicant tested of the test result. Upon request of an employee or applicant, the employer shall promptly provide a legible copy of the laboratory report to the employee or applicant. Sec. 4833(8)

Split Specimen/Challenges: At the request of the employee or applicant at the time the test sample is taken, the employer shall, at that time, A. Segregate a portion of the sample for that person's own testing. Within 5 days after notice of the test result is given to the employee or applicant, the employee or applicant shall notify the employer of the testing laboratory selected by the employee or applicant. This laboratory must comply with the requirements of this section related to testing laboratories. When the employer receives notice of the employee or applicant's selection, the employer shall promptly send the segregated portion of the sample to the named testing laboratory, subject to the same chain of custody requirements applicable to testing of the employer's portion of the sample. The employee or applicant shall pay the costs of these tests. Payment for these tests may not be required earlier than when notice of the choice of laboratory is given to the employer. Sec. 4833(9)

Explanation: Within 3 working days after notice of a confirmed positive test result, the employee or applicant may submit information to the employer explaining or contesting the results. Sec. 4833(10)

Discipline: An employer may use a confirmed positive result or refusal to submit to a test as a factor in any of the following decisions:

- (1) Refusal to hire an applicant for employment or refusal to place an applicant on a roster of eligibility.
- (2) Discharge of an employee;
- (3) Change in the employee's work assignment.

Caution: An employer who tests a person as an applicant and employs that person prior to receiving the test result may take no action on a positive result except in accordance with the employer's provisions of the employer's approved policy.

Below table may vary without notice due to the use of an address when a user is logged in.

In summary, we believe every company conducting drug testing wants to be in compliance and Encompass offers the most technologically-advanced, cost-effective solution in the nation.

