

DRUG AND ALCOHOL RECORDS REQUEST

This request is being made in compliance with the Department of Transportation regulations, §40.329, §40.331(a), and §382.405(b) and (f). See the regulations on the reverse side of this form.

STEP 1: TO BE COMPLETED BY THE EMPLOYEE

INFORMATION REQUESTED FROM:

Previous employer Laboratory Medical review officer Substance abuse professional Other service agent

Name: _____
(Print)

Street: _____

City, State, Zip Code: _____ Telephone No.: _____

INFORMATION REQUESTED BY

Employee Name: _____ Social Security/I.D. No.: _____
(Print)

Street: _____

City, State, Zip Code: _____ Telephone No.: _____

I am submitting this written request to obtain copies of my Department of Transportation drug and/or alcohol testing records in your possession. Specifically, I request that you send the following records:

This information should be: Sent to me at the address above
 Sent to the following individual/company

Name: _____

Company: _____

Street: _____

City, State, Zip Code: _____ Telephone No.: _____

Date: _____ / _____ / _____
Month Day Year

Employee Signature

STEP 2: TO BE COMPLETED BY THE EMPLOYER / SERVICE AGENT

Copies of the drug and/or alcohol testing records have been supplied to the following person as authorized by the above named employee:

Name: _____

Comments: _____

Street: _____

City, State, Zip Code: _____

Signature of Person Providing Information _____ Telephone No.: _____ Release Date: _____ / _____ / _____
Month Day Year

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§40.329 What information must laboratories, MROs, and other service agents release to employees?

(a) As an MRO or service agent you must provide, within 10 business days of receiving a written request from an employee, copies of any records pertaining to the employee's use of alcohol and/or drugs, including records of the employee's DOT-mandated drug and/or alcohol tests. You may charge no more than the cost of preparation and reproduction for copies of these records.

(b) As a laboratory, you must provide, within 10 business days of receiving a written request from an employee, and made through the MRO, the records relating to the results of the employee's drug test (i.e., laboratory report and data package). You may charge no more than the cost of preparation and reproduction for copies of these records.

(c) As a SAP, you must make available to an employee, on request, a copy of all SAP reports (see §40.311).

§40.331 To what additional parties must employers and service agents release information?

As an employer or service agent you must release information under the following circumstances:

(a) If you receive a specific, written consent from an employee authorizing the release of information about that employee's drug or alcohol tests to an identified person, you must provide the information to the identified person. For example, as an employer, when you receive a written request from a former employee to provide information to a subsequent employer, you must do so. In providing the information, you must comply with the terms of the employee's consent.

§382.405(b) A driver is entitled, upon written request, to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances, including any records pertaining to his or her alcohol or controlled substances tests. The employer shall promptly provide the records requested by the driver. Access to a driver's records shall not be contingent upon payment for records other than those specifically requested.

§382.405(f) Records shall be made available to a subsequent employer upon receipt of a written request from a driver. Disclosure by the subsequent employer is permitted only as expressly authorized by the terms of the driver's request.