

STATE TESTING LAWS AND ORAL FLUID

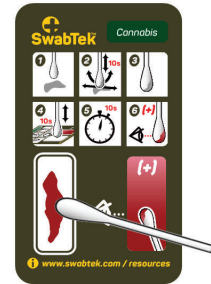
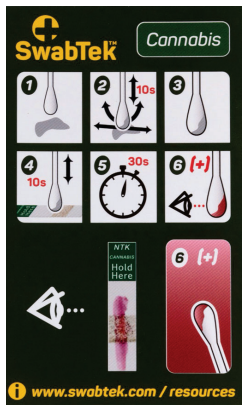
BY YVETTE FARNSWORTH BAKER, ESQ.

Oral fluid testing is trending across the states. In 2023 the federal government approved lab-based oral fluid testing for certain federally regulated employers. This was a huge step forward, and it looks as though the states are taking notice. Beginning in January 2024, state laws in California and Washington took effect that effectively make oral fluid testing the preferred method for workplace drug testing. Additionally, state legislatures across the country are proposing bills that approve oral fluid drug testing for DUI enforcement as well as for voluntary and mandatory testing programs within their states. This article will explore the new laws in California and Washington and will highlight proposed bills in numerous other states.

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SWABTEK® WINS 2024 OH&S INDUSTRIAL HYGIENE AWARD

The technology is a breakthrough, delivering drug detection technology in a format that is safe, simple, and accessible.

OraSure is thrilled to announce that Veriteque USA's SwabTek® test kit products have been named the winner of the 2024 OH&S Industrial Hygiene Award in the category of Drug Testing. Occupational Health & Safety has recognized SwabTek products for their innovation in this field.

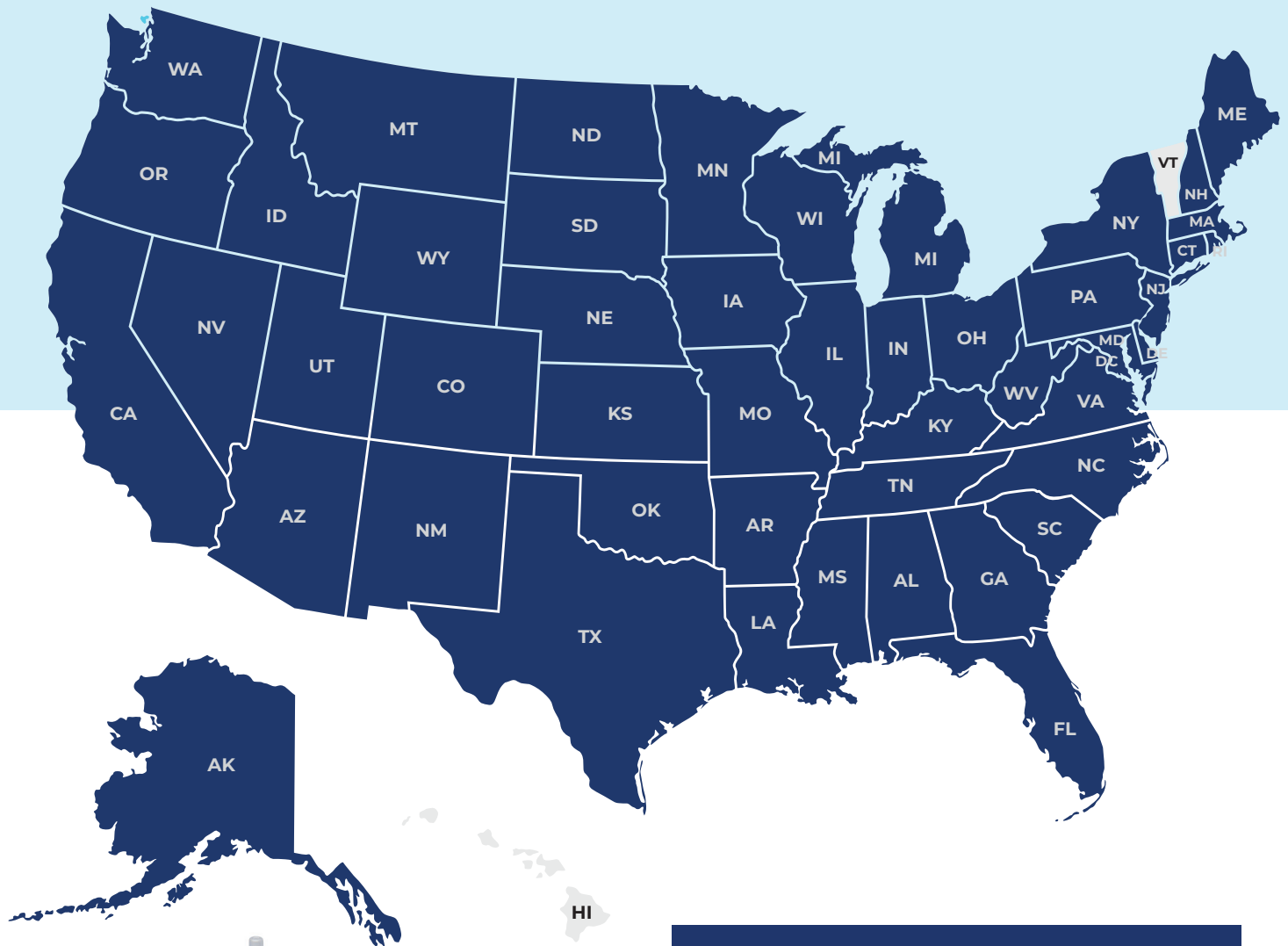
Founded in 1932, Occupational Health & Safety provides the workplace health and safety market with the latest industry news, information, and insights. Occupational Health & Safety's Industrial Hygiene Awards were introduced in 2021, as a program to honor the outstanding product development achievements of health and safety manufacturers whose products are considered particularly noteworthy in their ability to improve industrial hygiene.

Occupational Health & Safety has awarded their Industrial Hygiene Award in the category of Drug Testing to Veriteque USA's SwabTek products. SwabTek is a line of law enforcement-grade drug detection products that can be used to screen surfaces and suspected paraphernalia for drug residues. The technology is a breakthrough, delivering drug detection technology in a format that is safe, simple, and accessible. As such, this marks the first time that surface testing technology is widely available for use in the workplace health and safety market.

SwabTek tests have proven to be a valuable tool for upholding workplace safety and drug policy, as well as for validation purposes in cleaning and sterilizing procedures.

OraSure offers Veriteque's SwabTek brand of presumptive field test kits as a complementary offering alongside our oral fluid screening products.

ORAL FLUID TESTING



Lab-Based Oral Fluid Legality



Alabama	Illinois	Montana	Rhode Island
Alaska	Indiana	Nebraska	South Carolina
Arizona	Iowa	Nevada	South Dakota
Arkansas	Kansas	New Hampshire	Tennessee
California	Kentucky	New Jersey	Texas
Colorado	Louisiana	New Mexico	Utah
Connecticut	Maine	New York	Virginia
Delaware	Maryland	North Carolina	Washington
District of Columbia	Massachusetts	North Dakota	West Virginia
Florida	Michigan	Ohio	Wisconsin
Georgia	Minnesota	Oklahoma	Wyoming
Idaho	Mississippi	Oregon	
	Missouri	Pennsylvania	

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Why Oral Fluid?

With so many specimen options, why choose oral fluid? Not only does oral fluid offer a winning combination of recent-use detection, legal defensibility, and state legality, but the results speak for themselves. One owner of a drug test collections company stated:

“I can have any employee at any time of day, 24/7, go in and do an oral [fluid] test and we’re done. In and out. It’s all about the return on investment, getting in, getting quick. When you tell your client or prospective client that you can do a drug test in a shorter window than a smoke break or a coffee break and get them back on the job and its productivity, that’s what they want to hear.”

Oral fluid isn’t just good when looking at your ROI, it also fits a variety of needs, allows customers to take the wheel, and more. One laboratory employee stated:

“We see so many applications for oral fluid in general. It has many applications and we’re using [oral fluid] successfully in criminal [settings], in workplace [settings], in human services, in treatment [scenarios], and the response has been phenomenal. Not only from the ease of collection, which....a lot of people lead with when they talk about [oral fluid], but beyond that just the simplicity of ...[not having to have] the collection facilities. The time savings is huge.”

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Drugs are detectable in oral fluid within minutes of ingestion.

Conclusion

In today’s tough legal landscape, oral fluid is a perfect fit for many situations when other test specimens may be prohibited or severely restricted.

To learn more about implementing or offering oral fluid in your workplace, contact OraSure at 1-800-672-7873.

1. “The 2023 Employer Drug Testing Survey.” The Current Consulting Group, 2023.



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