

House Study Bill 131

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON COMMERCE,
REGULATION AND LABOR BILL
BY CHAIRPERSON JENKINS)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act concerning authorized testing substances for private
2 sector employee drug testing.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2108YC 81
5 ec/sh/8

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1 1 Section 1. Section 730.5, subsection 1, paragraph b, Code
1 2 2005, is amended to read as follows:
1 3 b. "Confirmed positive test result" means, except for
1 4 alcohol testing conducted pursuant to subsection 7, paragraph
1 5 "f", subparagraph (2), the results of a ~~blood, urine, or oral~~
1 6 ~~fluid drug~~ test in which the level of controlled substances or
1 7 metabolites in the ~~specimen sample~~ analyzed meets or exceeds
1 8 nationally accepted standards for determining detectable
1 9 levels of controlled substances as adopted by the federal
1 10 substance abuse and health services administration. If
1 11 nationally accepted standards for ~~oral fluid tests on a~~
1 12 ~~particular specimen~~ have not been adopted by the federal
1 13 substance abuse and health services administration, the
1 14 standards for determining detectable levels of controlled
1 15 substances for purposes of determining a confirmed positive
1 16 test result shall be the same standard that has been
1 17 ~~established cleared or approved by the federal United States~~
1 18 ~~food and drug administration for the measuring instrument used~~
1 19 ~~to perform the oral fluid test particular specimen testing~~
1 20 ~~utilized.~~

1 21 Sec. 2. Section 730.5, subsection 1, paragraph k, Code
1 22 2005, is amended to read as follows:
1 23 k. "Sample" means such sample from the human body capable
1 24 of revealing the presence of alcohol or other drugs, or their
1 25 metabolites, which shall include only ~~urine, saliva, breath,~~
1 26 ~~and blood such specimens from the human body that have been~~
1 27 ~~cleared or approved by the United States food and drug~~
1 28 ~~administration for drug testing.~~ However, "sample" does not
1 29 mean blood except as authorized pursuant to subsection 7,
1 30 paragraph "l".

EXPLANATION

1 32 This bill concerns what specimens from the human body are
1 33 permitted to be tested for purposes of private sector employee
1 34 drug testing.

1 35 The bill provides that private sector drug testing may be
2 1 conducted on only those specimens that have been cleared or
2 2 approved by the United States food and drug administration for
2 3 drug testing. Under current Iowa law, drug testing is
2 4 permitted only on samples of urine, saliva, breath, and blood.

2 5 LSB 2108YC 81
2 6 ec:rj/sh/8