

# Senate Study Bill 1112

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON BUSINESS  
AND LABOR RELATIONS BILL  
BY CO=CHAIRPERSON WIECK)

Passed Senate, Date \_\_\_\_\_ Passed House, 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 2108SC 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 2108SC 81  
2 6 ec:rj/sh/8