SECTION .0100 - DEFINITIONS

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As used in G.S. 95, Article 20 and this Chapter:

(1) "All actions" means procedures performed on the sample to detect, identify, or measure controlled substances. Examples include, but are not limited to, "examinations and screening for controlled substances," "controlled substances testing," "drug testing," "screening," "screening test," "confirmation," and "confirmation test".

(2) "Chain of custody" means the process of establishing the history of the physical custody or control of the sample from the time the examiner provides the container for the sample to the examinee through the later of:
   (a) The reporting of the negative result to the examiner;
   (b) The 90 day period specified in G.S. 95-232(d); or
   (c) The completion of the retesting described in G.S. 95-232(f).

(3) "On-site" means any location, other than an approved laboratory, at which a screening test is performed on prospective employees. For example, "on-site" locations include, but are not limited to, the examiner's place of business or a hospital, physician's office, or third-party commercial site operated for the purpose of collecting samples to be used in controlled substance examinations.

(4) "Sample" means the examinee's urine, blood, hair or oral fluids obtained in a minimally invasive manner and determined to meet the reliability and accuracy criteria accepted by laboratories for the performance of drug testing.

(5) "Employer or person charged" means an examiner found by the Commissioner to have violated G.S. 95, Article 20.

(6) "Preliminary screening procedure" means a controlled substance examination that uses a single-use test device that:
   (a) Is portable and can be administered on-site;
   (b) Meets the requirements of the U.S. Food and Drug Administration for commercial distribution contained in Title 21, Part 807 of the Code of Federal Regulations; and
   (c) Meets the generally accepted cutoff levels contained in the Mandatory Guidelines for Federal Workplace Drug Testing Programs adopted by the U.S. Department of Health and Human Services' Substance Abuse and Mental Health Services Administration in 69 FR 19644.

(7) "Single-use test device" means the reagent-containing unit of a test system that:
   (a) Is in the form of a sealed container or cartridge that has a validity check, a nonresealable closure, or an evidentiary tape that ensure detection of any tampering;
   (b) Is self-contained and individually packaged;
   (c) Is discarded after each test; and
   (d) Does not allow any test component or constituent of a test system to interact between tests.

History Note: *Authority G.S. 95-231; 95-232; 95-234;*
Eff. April 1, 2001;
Temporary Amendment Eff. January 16, 2002;
Amended Eff. July 1, 2003;
Temporary Amendment Eff. November 30, 2006;
Amended Eff. February 1, 2007;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 5, 2016.