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Do You Need to Update Your Drug Testing Program?

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UPDATE

DRUGS
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 IN NJ!



Partnership for a Drug-Free New Jersey

Update No. 56

Fall 2010

Recent Data Shows that Marijuana is Still the Number One Drug of Abuse

The Need to Keep the Focus on Drug Free Workplaces

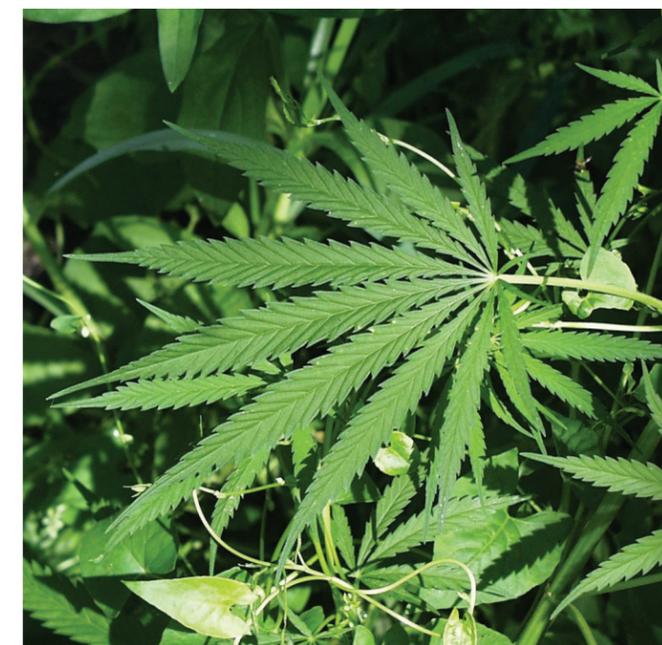
According to data recently released by the Laboratory Corporation of America (LabCorp), marijuana is still the drug most often detected by employment drug tests. A total of 1.4% of the federally regulated drug tests performed by LabCorp in 2009 was confirmed as positive. Marijuana at .74% was the most commonly confirmed drug, followed by cocaine at .25%. The total amphetamine positivity rate was .23%.¹

This data complements a just released federal government report that the use of illicit drugs among Americans increased between 2008 and 2009 according to a national survey conducted by the Substance Abuse and Mental Health Services Administration (SAMHSA). The National Survey on Drug Use and Health (NSDUH) shows the overall rate of current illicit drug use in the United States rose from 8.0 percent of the population aged 12 and older in 2008 to 8.7 percent in 2009. This rise in overall drug use was driven in large part by increases in marijuana use.²

Employers are concerned about marijuana use because it can cause impairment of short-term memory, attention, motor skills, reaction time, and the organization and integration of complex information. Marijuana use alters perceptions and creates time distortion and can cause drowsiness and lethargy. Heavy marijuana use can cause apathy, decreased motivation, and impair cognitive performance and can cause mental health problems. Employees who use marijuana off-duty are

still affected by it at work. Impaired cognition that can cause lapses in judgment can remain for a long period. Memory defects can last as long as six weeks.³

Marijuana is much more potent today than it was 30 years ago. The active ingredient in marijuana is THC (Cannabis delta9 tetrahydrocannabinol). The average THC for tested marijuana during 2008 was 10.1 percent compared to 1983 when it was reportedly under 4 percent.⁴



(Continued on next page)

The United Nation Office on Drug and Crime recently had this to say about marijuana:

Although it is often seen as a less harmful drug, cannabis use poses several health risks. Even when used only once, cannabis may lead to panic attacks, paranoia, psychotic symptoms and other negative acute effects. The drug may also precipitate psychosis in vulnerable individuals and intensify symptoms in diagnosed schizophrenics. As it is mostly smoked and contains high levels of tar, cannabis additionally puts users at an increased risk of lung cancer and other respiratory diseases.

The risk of becoming dependent on cannabis is also higher than most casual users suspect. Regular users risk developing psychological dependence to the point where they cannot quit even when the drug use starts to negatively impact in other areas of their lives, such as work and personal relations. Around 9 per cent of those who try cannabis are unable to stop using it, and demand for treatment for cannabis-related problems has increased in recent years in the US and Europe.⁵

As a matter of protecting their bottom line, employers need to keep the focus on drug-free workplaces and keeping their drug testing policies up to date. Each year drug use causes employers to lose over \$128.6 billion in workplace productivity which is by far the largest component of the cost of drug use.⁶

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Notice: This article reflects the opinion of the author and does not necessarily reflect the opinion of Partnership for a Drug-Free New Jersey (PDFNJ). This information should not be construed as legal advice from the author or PDFNJ. Please consult your own attorney before making any legal decisions.

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David G. Evans, Attorney at Law in Pittstown, New Jersey. In addition to the quality legal services he has extended to clients for 35 years, attorney Evans is an emergency medical technician, published author, owner of a working farm and family man. He is experienced with matters related to drug and alcohol testing and litigating those cases for employers. He has advised on international and national policy matters at the United Nations. David Evans is admitted to practice before the United States Supreme Court, and has written five briefs for cases heard before the Supreme Court. Contact <<http://www.davidevanslaw.com/CM/Custom/Contact.asp>> him today toll-free. Call 866-959-5268.

1. LabCorp is one of the nation's leading independent laboratories specializing in urine, hair, oral fluid and point of collection drug testing as well as employee wellness programs. www.LabCorpSolutions.com.
2. <http://www.samhsa.gov/newsroom/advisories/1009152021.aspx>
3. Abbie Crites-Leoni, Medicinal Use of Marijuana: Is the Debate a Smoke Screen for Movement Toward Legalization? 19 J. Legal Med. 273, 280 (1998) [citing Schwartz, et al., Short- Term Memory Impairment in Cannabis-Dependent Adolescents, 143 Am. J. Dis. Child. 1214 (1989)]
4. "Marijuana potency surpasses 10 percent, U.S. says," CNN, May 14, 2009 <http://www.cnn.com/2009/HEALTH/05/14/marijuana.potency/index.html>
5. Potency of Marijuana Seizures: 151% increase from 1983 to 2007, 2008 Marijuana Sourcebook, Marijuana: the Greatest Cause of Illegal Drug Abuse, Page 13, Figure 21, Office of National Drug Control Strategy, http://www.justice.gov/dea/statistics/Marijuana_2008.pdf
6. <http://www.unodc.org/unodc/en/frontpage/why-should-we-care-about-cannabis.html>
6. The Economic Costs of Drug Abuse in the United States, 1992-2002. Washington, DC: Office of National Drug Control Policy [2004][Pub. No. 207303]; <http://www.whitehousedrugpolicy.gov>

2009 LabCorp Federally Regulated Drug Testing Statistics

A total of 1.4% of the federally regulated drug tests performed by LabCorp in 2009 was confirmed positive by gas chromatography/mass spectrometry analysis. Marijuana at .74% (detected as carboxy-THC) was the most commonly confirmed drug, followed by cocaine at .25% (metabolite benzoylecgonine). The total amphetamine positivity rate was not far behind at .23% (percentage includes amphetamine only, methamphetamine only, and amphetamine and methamphetamine positives).

The following table contains the summary of positivity percentage by drug analyte for confirmation tests performed by LabCorp on federally regulated drug screen specimens in 2009.

Confirmation Analytes	Percentage Positive
Amphetamine Only	0.17
Methamphetamine Only	0.021
Amphetamine & Methamphetamine	0.043
Benzoylecgonine	0.25
Codeine Only	0.09
Morphine Only	0.08
Codeine & Morphine	0.007
Codeine & Morphine & 6-Acetyl Morphine	0.001
Morphine & 6-Acetyl Morphine	0.008
PCP	0.02
Carboxy-THC	0.74