An Act

ENROLLED HOUSE
BILL NO. 1045

By: Lawson of the House

and

Gollihare of the Senate

An Act relating to labor; creating rules for single-use test results; creating rules for conclusive drug testing results; providing for codification; and providing an effective date.

SUBJECT: Labor

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 559.1 of Title 40, unless there is created a duplication in numbering, reads as follows:

A. A testing facility shall report single-use test results that meet the standard to be sent to the laboratory for confirmation testing to an employer's review officer, or a designee of the employer's review officer, as soon as the results for the single-use test become available or the next working day. The final conclusion of the testing, which shall include the results of the single-use tests, confirmatory tests, or quality control data, shall be reviewed and the test certified as an accurate report by the responsible individual. The report shall identify the drugs and metabolites tested for, whether positive or negative, and the cutoff for each, the specimen number assigned by the employer, and the testing facility specimen identification number.

B. The drug screen testing facility shall report as negative all specimens which are negative on the single-use test or negative on the confirmatory test. Only specimens confirmed positive shall be reported as positive for a specific drug.

C. The review officer may request from the certified laboratory, and the certified laboratory shall provide, quantitation of test results. The review officer shall not disclose quantitation of test results to the employer but shall report only whether the test was positive or negative.

D. The drug screen testing facility may transmit results to the review officer by electronic means, including teleprinters, facsimile, or computer, in a manner designed to ensure confidentiality of the information. Results shall not be provided verbally by telephone. The drug screen testing facility shall ensure the security of the data transmission and limit access to any data transmission, storage, and retrieval system.

E. The certified laboratory shall send to the review officer the positive drug test results, which shall be signed by the individual responsible for the day-to-day management of the certified laboratory or the individual responsible for attesting to the validity of the test reports.

SECTION 2. This act shall become effective November 1, 2023.

Passed the House of Representatives the 15th day of May, 2023.

Presiding Officer of the House
of Representatives

Passed the Senate the 17th day of April, 2023.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 16th

day of May, 20 23, at 2:52 o'clock p. M.

By:

Approved by the Governor of the State of Oklahoma this 22nd

day of May, 20 23, at 8:22 o'clock a. M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 22nd

day of May, 20 23, at 9:21 o'clock A M.

By: