



## **The Oregon Home Care Commission**

### **Drug-Free Policy**

**The Oregon Home Care Commission** is committed to protecting the safety, health, and well-being of consumers of in-home services and homecare workers through establishing a drug-free workplace policy.

- This policy recognizes that homecare worker and/or consumer/employer involvement with alcohol and other drugs in the employers' home can be very disruptive, adversely affect the quality of in-home services, and pose serious health risks to users and others.
- This policy recognizes that a homecare worker's involvement with alcohol and other drugs off the job may affect their ability to provide quality in-home services.
- Homecare workers are expected to report to work unimpaired and fit for duty.
- The Home Care Commission encourages homecare workers and consumer/employers to voluntarily seek help with drug and alcohol problems.

#### **Applicability**

Our drug-free policy includes all homecare workers who are covered by the Collective Bargaining Agreement between the Oregon Home Care Commission and SEIU Local 503, OPEU. This policy is intended to apply whenever a homecare worker is providing authorized in-home services on behalf of the consumer/employer. Therefore, this policy applies during all working related hours which includes paid hourly work; and when providing fill-in, hourly substitute services; and during non-working paid Home Care Commission sponsored training classes, and non-paid Homecare Worker Orientation.

#### **Shared Responsibility**

A safe drug-free workplace is achieved through cooperation and shared responsibility. Both consumer/employer and homecare worker have important roles to play.



## **Expectations of the Consumer/Employer**

The Home Care Commission expects that the consumer/employer will provide a safe work environment in respect to use of drugs or alcohol in accordance with DHS/APD rule<sup>i</sup>.

## **Prescription and Over-the-Counter Drugs**

Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any homecare worker taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of his/her job. If the use of a medication could compromise the safety of the homecare worker, their consumer/employer, or the public, it is the homecare worker's responsibility to use appropriate personnel procedures (e.g., call in sick, notify the consumer employer and/or notify case manager) to avoid unsafe workplace practices.

It is a violation of our drug-free policy to intentionally misuse and/or abuse prescription medications.

Appropriate action will be taken if job performance declines and/or accidents occur in accordance with DHS/APD rule<sup>ii</sup>.

## **Illicit Drugs and the Abuse of Alcohol**

It is a violation of our drug-free policy to use, possess, sell, trade, manufacture, and/or offer for sale, illegal drugs, intoxicants, or alcohol in the workplace.

## **What if a Drug-free Environment is not Maintained?**

If a homecare worker does not maintain a drug-free work environment, the homecare worker will be in violation of this policy and the Consumer-Employed Provider Program rules. When a homecare worker violates these rules, DHS/APD may terminate the homecare worker's provider enrollment number in accordance with its policies and rules.<sup>iii</sup>

## **Notification of Convictions**

A homecare worker who is convicted of any criminal drug or alcohol violation in the workplace or during non-working hours must notify the local DHS/APD/AAA office and their consumer-employer within 14 days of being arrested, cited for, or convicted of any potentially disqualifying crime listed in



OAR 125-007-0270. DHS/APD/AAA will take appropriate action in accordance with DHS/APD rule<sup>iv</sup>.

### **What if Help is Needed?**

One of the goals of our drug-free program is to encourage homecare workers and consumers to seek help with alcohol and/or drug problems.

The Commission recognizes that alcohol and drug abuse and addiction are treatable diseases. We also realize that early intervention and support improve the success of rehabilitation. To support the consumer/employer and homecare worker, our drug-free policy:

- Encourages all consumer/employers and homecare workers to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- Homecare workers who are eligible for health benefits can receive assistance with alcohol and drug problems through the Employee Assistance Program (EAP).
- Consumer/employers should check with their medical plan to determine what drug and/or alcohol assistance is available.

### **Resources**

The Employee Assistance Program (EAP) is available to homecare workers eligible for health benefits through the Homecare Worker Supplemental & Benefits Trusts.

1. **The Crisis Line** is available after 5:00 pm, Monday through Friday, during weekends, and holidays 24/7, call 1.800.433.2320.
2. **The Information Line** is an anonymous information line that provides help for homecare workers and their dependents seeking information about general mental health and EAP services. Call 1.800.433.2320 and ask for the Information Line, Monday through Friday, 8 am to 5 pm.
3. **Information on EAP Benefits** is available at the following site: <https://www.orhomecaretrust.org/benefits/#EAP>. If you are eligible for benefits through the Benefits Trust, EAP services are free to you and include 24-hour crisis help, up to five face-to-face counseling sessions for every 12 months (per issue), online mental health consultations and more.



To receive an EAP brochure call the Homecare Worker Supplemental & Benefits Trusts at 844.507.7554.

The Homecare Worker Supplemental & Benefits Trust website is found at <https://www.orhomecaretrust.org/>.

### **Confidentiality**

All information received by the Commission through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know to be in compliance with relevant laws, rules, and policies.

### **Communication/Working Together**

Communicating our drug-free policy to both the consumer/employer and homecare workers is critical to our success. To ensure consumer/employers and homecare workers are aware of their role in supporting our drug-free policy:

- The policy will be reviewed in the HCW Orientation sessions with new homecare workers.
- Homecare worker education and prevention classes about the dangers of alcohol and drug use will be provided for homecare workers.

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<sup>i</sup> OAR, Chapter 411, Division 030, Case Management (Rule – 411-030-0050 – (2) Person-Centered Service Plan, (c) (A), (B), (C), and (D).

<sup>ii</sup> OAR, Chapter 411, Division 031, Homecare Workers Enrolled in the Consumer-Employed Provider Program (Rule - 411-031-0050 (3), Violations Resulting in Termination of Provider Enrollment).

<sup>iii</sup> OAR, Chapter 411, Division 031, Homecare Workers Enrolled in the Consumer-Employed Provider Program (Rule - 411-031-0050 (3) (a), Violations Resulting in Termination of Provider Enrollment).

<sup>iv</sup> OAR, Chapter 411, Division 031, Homecare Workers Enrolled in the Consumer-Employed Provider Program (Rule - 411-031-0050 (3) (o), Violations Resulting in Termination of Provider Enrollment).