State and Local

he people in medicine, business discuss drug tests Drug-testing industry still improving, U.S. congressman: pharmacologist tells group at A&M hy. It's a time adhere to ex

By Amy Couvillon Staff Writer

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Although the drug-testing indusy is still developing, new techniques nd regulations are making it more organized and standardized, a phar-macologist said Monday.

er forms of Dr. H. R. Adams, chief of general s a limited pe hemistry and toxicology at Scott & White clinic in Temple, said the Naent and igni ternational onal Institute of Drug Abuse has t out new guidelines for laborato-

es, which may begin to standardize judgment or sting techniques and make results , it is compar ore reliable Adams, Class of '62, discussed the

Great Issues program. Laboratories like Scott & White do

drug screening and testing for organizations like athletic teams, business

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firms and governments, he said. Although modern drug tests are much more sensitive and efficient than those of the early 20th century, Adams said, the idea of detecting illegal substances is ageless.

lawyer: Businesses shouldn't test

workers for drugs until courts rule

all about - to see who has been indulging in the forbidden fruit."

But determining whether some-one has taken an illegal drug is not just a matter of one test. A urine sample sent to a testing laboratory goes through a number of steps. Because the highly specific tests are expensive and complicated, Ad-

ams said, less specific screening techniques are used first.

Drug screening does not isolate specific compounds in a urine sample, but can only detect classes of Ever since Adam took a bite out drugs, such as amphetamines, barbichnical aspects and limitations of of the forbidden apple, people have turates, minor tranquilizers, tetrahy-

drug testing in a Texas A&M MSC Great Issues program. indulged in forbidden fruit," Adams said. "And that's what toxicology is Adams listed the most often use Adams listed the most often used drug-screening techniques: Enzyme-Mediated Immunogenous Technique (EMIT), which makes use of the body's natural enzymes to detect classes of foreign substances; Abuscreen, which uses a radioactive label; and Toxi-lab, a kit-type test that

uses thin-layer chromatography. One problem, Adams said, is that some of the screening methods will result in a "positive" for a person us-ing a legal drug, such as a cold remedy. So before the positive results are released to the organization that requested them, they must be confirmed with a more specific (and often more expensive) test.

Gas Chromatography Mass Spectrometry (GSMS) is a highly specific confirmation method that will stand up in court, he said.

"If used correctly, it's almost 100 percent reliable in getting a true positive," he said.

Adams said his laboratory gets a lot of calls about marijuana. THC, a chemical in marijuana, is one of the most common substances detected.

"People call me all the time," Ad-ams said, "and they say, 'Doctor, I was at a party last night, and I didn't partake, but everyone else did. Will

show up positive?' " This is unlikely, said Adams, who was skeptical about the effects of passive inhalation.

"If you put six or eight people in a closet," he said, "and they're all smoking like crazy except for one, then maybe you can get a positive on someone who wasn't smoking.

But even if that person did test ositive, Adams said, the level of THC found in the urine would be much lower than usual. And laboratories can raise the limit on the amount of THC that constitues a positive result so that inhalation won't be a factor.

drug testing helps work environment

By Melanie Perkins Staff Writer

The purpose of drug testing is not to make criminals out of people or to kick them out of their jobs, but to help create a drugfree environment in the work place, U.S. Rep. Joe Barton, R-Ennis, said Monday.

As part of a series of programs on drug testing sponsored by MSC Great Issues, Barton spoke to a gathering of about two dozen people in Rudder Tower on the role of the government in drug testing.

Drug testing got its start at the federal level, Barton said, because the federal government is the largest employer and is trying to set a good example.

"I happen — as one member of the United States Congress - to feel the government does have a role to play in order to protect public health and public safety," he said.

In the United States today, he said, there are about 50,000 con-tinual users of heroin and 4 to 5 million users of cocaine. Barton added that one out of every 20 Americans uses marijuana.

That is costing the American economic system somewhere in the neighborhood of \$60 billion a year in lost efficiency, wages and productivity, Barton said.

Some believe drug testing is an infringement on the Fourth Amendment right of unreasonable search and seizure and that it is an invasion of privacy, Barton said. There are several suits in the federal court system on this issue right now, he said.

Barton pointed out the recent Amtrak train accident as an example of what federal drug testing could help prevent. After the incident, officials discovered that both the engineer and brakeman had used marijuana.

On Sept. 15, 1986, President Ronald Reagan issued an executive order requiring mandatory drug testing of all government employees in sensitive positions, all government employees handling classified information, and all cabinet secretaries and presidential appointments.

The order can be widely inter-preted, Barton said, and could af-fect 1.1 million of the 2.7 million federal employees.

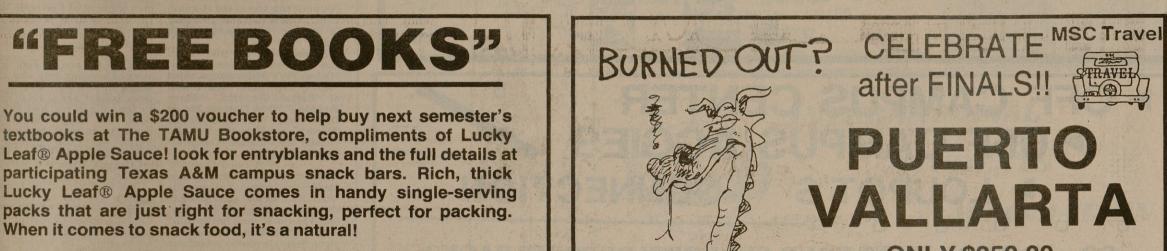
In the private sector, 25 to 50 percent of the Fortune 500 companies require some sort of drug test, he said, mostly in the areas involving public safety, law enforcement or security.

He said the federal drug testing program has two parts — one, a screening level that is 95 to 98 percent accurate, and two, a confirmation test that is 100 percent accurate. The confirmation test is only administered if the screening test proves positive.

The tests are paid for by tax-payers, with the cost ranging from \$10 to \$100 per individual, depending on how extensive the tests are, Barton said.

"The sense in Congress today at the federal level is that it (drug use) is a real problem," Barton said, "and I think the majority of the Congress agrees in some fashion with what I believe — that it is not an invasion of privacy."

STRAVEL



By Robert Morris Staff Writer

Until the courts begin handing wn concrete decisions, businesses hould not implement drug testing tor. layson said Monday afternoon in Rudder Tower

> Finlayson, a former assistant atmey general in Texas, lectured on e legal aspects of private-industry lug testing as part of an MSC Great suces series. She said the next move in the

new perspecti ral or conserv urug-testing battle is up to the ourts, rather than the legislature or ing — althou g with - what deral government. In the meanme, there are several legal probms with the testing procedure itelf, she said. gerous as ign

"There could be claims of false prisonment because an employee forced into a room to take the t," she said. "Intentional infliction.

She said malicious prosecution is also a problem.

of emotional distress is another big

'At this point we advise our employers to not turn in employees to the district attorney's office," she said. "We advise employers to not take a step past discharge because it is very dangerous."

Defamation is one of the most clear-cut problems in drug testing, she said.

"Even though an employer may have a positive drug test (on an em-ployee), he's got to go to court to prove it in a defamation suit," Finlayson said.

Invasion of privacy is the big bat-tleground of the future, she said. And the problems with the legal-

ity of drug testing reach even further in Texas.

The Texas constitution contains a Bill of Rights that mirrors the U.S.

When it comes to snack food, it's a natural!

have not limited its application to the government. "So the private employers must accord the due process protection of the Texas constitution in the state of

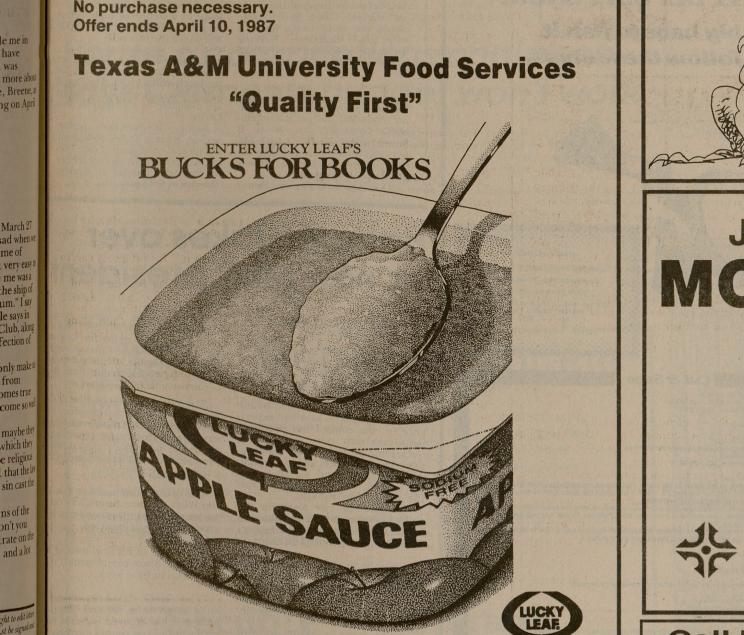
Constitution, she said, but the courts

Texas," she said. Last week, the Supreme Court agreed to hear a case involving a drug-related firing. That, along with

a current case in Austin involving the Texas Bill of Rights situation, will have a great effect on the manner in which drug testing is administered.

"My advice to (employers) right now is to hold off if possible. You don't be the test case; you don't be the one that gets sued by the ACLU (American Civil Liberties Union).

"The tort cases, as they come down, are going to give us an idea of just what is happening in the drug-testing area," Findlayson said.





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