

# CHEMICAL IMPAIRMENT POLICY

## Position Statement

The Creighton University School of Pharmacy and Health Professions:

- desires to protect the public from students who are chemically impaired;
- recognizes that chemical impairment (including alcoholism) is a disease that affects society;
- desires to assist chemically impaired students and their immediate families towards recovery;
- advocates referral of chemically impaired students to approved evaluation, treatment and/or other support programs;
- desires to support students in their recovery from co#dependent relationships with chemically impaired individuals;
- encourages the provision of professional education concerning chemical impairment.
- supports research in chemical impairment;
- encourages School participation in public education and prevention programs concerning chemical impairment diseases;
- encourages responsibility in the use of alcohol;
- accepts responsibility for the development and dissemination of policies which prohibit illicit drug/alcohol use by students enrolled in the School.

## General Goals of the Chemical Impairment Recovery Program

1. Provide compassionate and proactive assistance for chemically impaired or co-dependent students and their families while holding students accountable for their behaviors.
2. Afford recovering pharmacy and health professions students who are not legally restricted and are no longer chemically impaired the opportunity to continue their education without stigma or penalty.
3. Protect society from harm that impaired students could cause.

## Definitions

As used in these Policies and Procedures, unless the context otherwise requires:

1. **Chemical impairment** shall mean a progressive illness which involves the use of alcohol and/or other drugs/chemicals to a degree where it interferes in the normal functional life of an individual as manifested by health, family, job, legal, financial and/or emotional problems.
2. **Chemically impaired student** shall mean a student enrolled in the School of Pharmacy and Health Professions who is suffering from chemical impairment.
3. **Co-dependent** shall mean a person who begins to lose his/her own personal identity, in the process of focusing on the chemical impairment of another person, to a degree which interferes with the normal functional life of the co-dependent individual as manifested by health, family, job, legal, financial and/or emotional problems.

## Student Recovery Advocacy Network (SRAN)

The Student Recovery Advocacy Network (SRAN), is a School Advisory Committee and shall be comprised of:

1. A chairperson who is a faculty member or school administrator with expertise in substance abuse recovery.
2. No less than three or more than four faculty members from within the School of Pharmacy and Health Professions.

The chairperson and one faculty member from the Network will be familiar with the specifics of any given case. If an investigation of a given case is required, other Network members may be made aware of the case specifics, on a need to know basis. The SRAN will develop a procedure which will maintain confidentiality while defining who will be aware of case specifics.

All individuals considered for service on the SRAN must have a sincere interest in helping impaired students, must be willing and able to maintain confidentiality of all information, and be willing to commit significant time to the Network's efforts. Each individual on the SRAN will be required to successfully complete appropriate chemical impairment training, including review of confidentiality requirements, prior to the initiation of any Network activities. It will be the responsibility of the chair of the SRAN to assure that all necessary orientation and training of each new member has been completed.

The SRAN has the authority to:

1. Receive requests for assistance from students concerned that they may have a chemical impairment problem.
2. Receive reports of alleged chemical impairment from other individuals concerned about a student enrolled in the School.
3. Interview the alleged chemically impaired student, and/or other individuals that may have pertinent information related to the case in order to appropriately investigate the alleged dependency.
4. Initiate screening and treatment contracts with the alleged chemically impaired student to assure compliance on the part of the student and advocacy on the part of the SRAN.
5. Monitor the progress of the evaluation, treatment and recovery of the impaired student, including the authority to request blood and urine samples for drug screening at random intervals, to receive results of these screenings, and to request and receive reports from the caregivers of the student concerning the student's progress through the treatment and recovery program.
6. Report findings of noncompliance through the Assistant/Associate Dean for Academic Affairs to the Dean when deemed necessary by the SRAN.
7. The names and contact information of all members on the SRAN shall be publicized within the School.

## Procedure

A "Flow Chart to Recovery" containing an overview of advocacy procedures for the impaired student is provided in Appendix A of the electronic version of the policy located in the Office of Academic and Student Affairs website.

Students who may be suspected of improperly using and/or abusing drugs and/or alcohol will be referred to the SRAN on the basis of one or more of the following (*this list is not exhaustive*):

1. Possession of an illegal substance
2. Conviction of a drug-related crime
3. Theft of a drug product with abuse potential
4. Chemical impairment at School or a School-related function
5. Positive drug screening test.
6. Concern expressed by a faculty member, staff member, fellow student, preceptor, other health professional, police authority, or others regarding possible chemical substance abuse. Unexplained absences, unprofessional behavior and/or a decrease in academic performance will prompt intervention by the Assistant/Associate Dean in the Office of Academic Affairs to investigate suspected chemical impairment.

The identity of an individual reporting a student with an alleged chemical impairment problem will be treated confidentially. The individual reporting a student, however, will be informed that the information provided may be used as evidence in a disciplinary proceeding in the event that the student: (1) refuses to enter into a recommended contract for evaluation, treatment and recovery with the SRAN, (2) refuses to comply with the terms of the contract or (3) is convicted of a drug-related offense which may result in disciplinary action under School/University policy. Any or all of these three scenarios will be reported to the University's Division of Student Services to be dealt with according to the University Student Handbook.

After a report has been made to a SRAN member, data gathering of the specific incidence or situation will occur prior to a SRAN conference with the Assistant/Associate Dean for Academic Affairs. Sufficient evidence of the alleged impairment must be documented.

Prior to any contractual meeting with the student, a plan for referral of the impaired student to a health care provider will be agreed upon by a SRAN representative. This will include a formal evaluation for evidence of chemical impairment. Once sufficient evidence has been documented and a plan for the referral has been decided upon, the members of the SRAN involved with the case, and any other individuals who are necessary to support the alleged charges, with the assistance of the Center for Health and Counseling, shall initiate an appropriate interaction with the alleged impaired student.

If deemed necessary by the SRAN, the student will be required to submit to an evaluation and subsequent rehabilitation process as outlined by this policy. A list of approved evaluators will be provided. Prior to the initial evaluation, the student will be required to sign an Initial Assessment Agreement with the SRAN (see Appendix B of the electronic version of the policy located in the Office of Academic and Student Affairs website). If a student is eligible to participate in a recovery network such as the Nebraska Licensee Assistance Program (LAP), he or she will be required to contact the external recovery network.

If the Center for Health and Counseling confirms a high suspicion of chemical impairment, then the student will be required to sign a Secondary Assessment Agreement with the SRAN (see Appendix C of the electronic version of the policy located in the Office of Academic and Student Affairs website).

If the professional evaluation confirms the alleged chemical impairment, the student will then be required to sign Treatment and Recovery Agreements with the SRAN in order to assure continued advocacy on the part of the SRAN (see Appendix D of the electronic version of the policy located in the Office of Academic and Student Affairs website). Participation in a rehabilitation program does not confer immunity from

criminal prosecution; nor does it confer immunity from revocation or suspension of a license or registration.

Agreements for rehabilitation made under these policies and procedures shall be effective upon signature by the student and the representatives from the SRAN. Students must be informed in writing that they will be responsible for all costs of participation in chemical impairment evaluation, treatment and/or recovery programs.

The School will give appropriate weight to the recommendations of the counselor responsible for the diagnostic evaluation in determining the treatment modality. The impaired student may request a second non-Creighton University evaluation, provided that the evaluator is approved by the SRAN. The student will pay for the cost of the second non-Creighton evaluation.

Students will be informed that refusal to cooperate with the recommendations of the SRAN will result in the termination of the Network's advocacy on behalf of the student, and a full report of the alleged impairment will be made to the Dean of the School through the Assistant/Associate Dean for Academic Affairs. All records may be released to the Assistant/Associate Dean for Academic Affairs and the Dean if noncompliance with terms of agreements necessitates termination of the advocacy for the student by the SRAN. This Chemical Impairment Recovery Policy is not intended to and shall not have the purpose or effect of displacing the academic performance review procedures and/or the non-academic misconduct procedures set forth in the Student Handbook.

If treatment can occur during breaks from classes, the student's academic progress may be preserved without conspicuous absence from class for a protracted period of time. If the student's impairment appears to endanger self or others, referral for evaluation and/or treatment shall be completed as soon as possible. When this is necessary, the Assistant/Associate Dean for Academic Affairs shall coordinate a Temporary Withdrawal for the student, and make necessary contacts with the Registrar, Business, and Financial Aid Offices.

Every attempt will be made not to disclose information concerning the nature of the impairment. This procedure should be done with the approval of the impaired student. If academic progress is interrupted by treatment, re-entry into the School shall depend on compliance with terms of the agreement and the recommendation of the treatment counselor. Subject to terms of the agreement, a student may continue in the academic program while in outpatient treatment.

The SRAN shall be responsible for the collection and maintenance of records in a manner which is confidential, secure and separate from other student records, and for the disposal of these records in the time frame indicated in Appendix A. Access to these records must be restricted to the school administrator responsible for maintaining these records and to those authorized by the SRAN (usually only the members directly involved in the case). Records of students who have completed terms of agreements will be maintained for a period of five (5) years after they leave the school and will then be destroyed. Some data may be extracted from the record for statistical or research purposes. When this is done, no identifying information will be kept.

Nothing in these policies and procedures shall be construed as prohibiting the student from seeking assistance directly from Creighton University's Center for Health and Counseling, or other assistance programs for chemical impairment (such as the Nebraska Licensee Assistance Program). A student seeking an evaluation for a chemical impairment is encouraged to authorize release of information to the

Assistant/Associate Dean in the Office of Academic Affairs if deemed in his or her best interest by the health care provider. A student undergoing treatment for a diagnosed chemical impairment is expected to authorize release of information to the SRAN that is pertinent to his or her treatment progress.

## Legal

All Creighton employees who serve on the SRAN are considered to be acting as agents of the University when they are performing their SRAN duties. In light of that fact, Creighton University shall safeguard and hold the SRAN members harmless from any claims, litigation or costs that may arise out of any actions the SRAN takes when assisting a student with chemical dependency issues, including any reports the SRAN may make to appropriate authorities regarding issues addressed in this policy.

## Academic

A student's academic standing at the end of the most recently completed semester before entering treatment will be preserved while the student is on a Temporary Withdrawal for approved chemical rehabilitation. If the student is academically ineligible to continue in the curriculum, participation in the program may not preclude administrative action for dismissal. This Policy does not abridge any procedure or any rights which the student may have arising under the procedures for academic performance review and/or the procedures for non-academic misconduct review as set forth in the Student Handbook.

The impaired student will not be allowed to participate in experiential components of the educational program until permission to do so is obtained from the SRAN and treatment counselor. The SRAN will evaluate and determine eligibility of the student to participate or continue in leadership or extra-curricular activities in the School or University.

## Financial

The participant is responsible for all costs of participation in chemical impairment evaluation, treatment, and rehabilitation including urine and blood testing.

## Financial Aid

Students who enter treatment during school may not be able to complete course work during the time they are undergoing treatment, and may have difficulty meeting financial aid program criteria. Where possible, the SRAN will provide information and referral to assist the student in resolving their financial aid problems.

## Drug Testing

Drug testing is a routine part of any drug rehabilitation program, and serves as positive proof of continuing compliance with the program. Any treatment/recovery program (or its specified treatment agency or laboratory) using random drug testing for monitoring of compliance with chemical dependency recovery programs should insist on direct observation of specimen collection, and have a carefully controlled system of specimen processing (i.e., retention of a portion of the specimen in locked storage for subsequent testing if required, observation of a specific chain of custody for sample handling, use of a reputable, consistent laboratory with assurance of confidentiality of reports, and confirmation of screened positives using a separate method of analysis on the retained sample to verify positive results) before presence of prohibited substances is reported to the SRAN.

## Noncompliance / Relapse

The SRAN, working with each recovering individual, will be allowed to confront noncompliance without necessitating a report to the Dean, the respective licensing authority or employer. Return to treatment may be necessary in some cases. If the individual then fails to comply or is recurrently noncompliant, the SRAN advocacy relationship is terminated and a comprehensive report is made to the Dean.

Participation in 12-step or other support programs while recovering from chemical impairment is a lifelong process. The cornerstone to the process is ongoing participation in support program meetings. Students will be encouraged to attend such meetings.