

DFSP – Drug Free Safety Program Effective 7/1/2010

Lauri Cochran, Vice President
Comprehensive Risk Management, Inc.
6480 Rockside Woods Blvd South, Suite 390
Independence, OH 44131
Phone: (216) 901-0066, Ext. 132 Fax: (216) 901-0067
Email: lauric@crmoh.com Website: crmoh.com

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DFSP

- Drug-Free Workplace Program (DFWP)
 - Current program – expires 6/30/10
 - Established in 1997
 - Three Levels
 - 10%, 15% and 20%
 - Maximum length in program – 5 years
 - Comparable level available for state contractors

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DFSP

- Drug-Free Safety Program (DFSP)
 - Effective July 1, 2010
 - Approved by BWC's Board March 25, 2010
 - When BWC terminated DFWP discounts for group employers in 2009, Board told BWC to come up with a better program
 - Application Deadline 6/30/10
 - 4/30 in future years
 - Two Levels
 - Advanced
 - Basic
 - No limit – continuous discounts

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- Called "Safety Program" as BWC wants safety element as part of program
- According to the BWC, the 12 other states that have a Drug Free program mandate safety criteria
 - Other states with a drug free discount only offered discounts up to 7.5%
 - Ohio had provided the largest discount at 20%

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DFSP

- Safety
 - Safety Review
 - Accident analysis training
 - Online training form is being developed by BWC
 - Determine root cause of accidents/incidents
 - Develop program to determine safety processes that need improvement
 - Eliminate potential for reoccurrence
 - Accident reporting

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- Safety action plan (Advanced Level)
- Written DFSP Policy
 - BWC will provide outline only
 - They found too many companies putting the previously provided BWC policy on company letterhead with no revisions
- All safety requirements will be outlined in BWC DFSP Program Guide
 - To be published by April 30, 2010

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DFSP

- Employee Education (Basic/Advanced)
 - Supervisors
 - Required content has not changed
 - 2 hours initially within first 4 months of program start date
 - 1 hour refresher in subsequent years
 - New supervisors required to have 2 hours within 8 weeks of becoming a supervisor
 - Training includes:
 - Behavioral observation
 - Documentation of behavior
 - Appropriate confrontation of behavior
 - How to make referrals for testing and assistance
 - Must also complete accident analysis training
 - Must use a credentialed training for supervisor training

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DFSP

- Employee Education (Basic/Advanced)
 - Employees
 - Required content has not changed
 - One hour within first 4 months of program start
 - One hour annual refresher
 - Can use train-the-trainer approach
 - If employees present questions the trainer cannot answer, a credentialed person must be contacted for answer
 - DFSP start up grants will be available to help offset costs for first two years of participation

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- Drug Testing (Basic/Advanced)
 - Pre-employment
 - Post-accident
 - Reasonable suspicion
 - Return to duty (for employees given a second chance after first positive)
 - Follow-up (for employees allowed to retain employment after a positive and return to duty)
 - 15% random testing (Advanced Level)
 - Consider a consortium
 - Lower number of tests=lower costs

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● Employee Assistance

- Basic
 - Provide list of community resources
 - Can terminate after first positive
- Advanced
 - Provide and pay for assessment
 - Must provide second chance
 - There will be exceptions such as for safety sensitive positions
 - BWC will review on case-by-case basis
 - Health insurance does not need to be provided during assistance period

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● Drug/Alcohol Testing

- 6 panel to now include Ecstasy/MDMA and morphine markers
 - Follows Federal testing
- Employer "generally" pays for testing
 - Return to duty test cost can be passed to employee
- Post accident testing not required when:
 - Injury is minor
 - No violation of work rules
 - Injury is normal to employee's job functions
 - Accident analysis shows no reasonable suspicion

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● Employee Assistance

- Required to have language in written policy
- Encouraged to offer best assistance possible
- List of helping resources
- Advanced Level
 - Relationship with assistance professional to facilitate referral

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- Compatibility with other programs
- Yes
 - Group rating – 3% discount at Advanced Level only
 - Safety Council
 - Salary continuation
 - Small Deductible

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- No
 - Large Deductible
 - One Claim Program
 - Retrospective Rating
 - Salary Continuation (for claims after Jan 1, 2011)
 - 100% EMR Capping
 - \$15k Medical Only
 - Group Retrospective Rating

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- What if I had a DFWP January 1 start date:
 - Progress report still due 9/30 following **DFWP** guidelines
 - DFWP discounts will be provided for 7/1/10 period for a full year of discount
 - Cannot be in both programs
 - If a 1/1 participant wants to enroll in DFSP effective 7/1, they will get DFWP discount for 6 months and the DFSP discount for other 6 months
 - If same participant wanted DFWP discount for full year, they would forfeit 6 months of discount (1/1/11 to 6/30/11) before enrolling in DFSP 7/1/11
 - There will only be a 7/1 start date (1/1 starts not permitted under DFSP)

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- Savings Examples
 - Attached
- Questions?

Consortium and Other Ways to Take Advantage of the DSFP

Jane Plank, M.Ed, SAP
Echelon Consulting

Three Main Areas

- Consortia
- Safety
- Injury Reporting

Consortia

- 15% random testing
- How the consortium works with random testing
- Additional services include referral and following positives, assistance with conditional employment agreement
- Ongoing technical support

Safety

- Most clients do not have an adequate safety program
- Safety review
- Could improve Workers' Compensation experience
- Safety Action Plan
- Safety is hard to quantify, because you can't measure what doesn't happen

Injury reporting

- Accident reporting
- Accident-analysis
- Accident analysis training for supervisors

DFSP THOUGHTS

What the discounts really mean:

- Group discounts mean that you can share risk and manage the outliers
- DFSP discount means everyone better rates, even if they are in a group and experiences decreased absenteeism, less Workers' Comp claims and costs, less health insurance utilization.

- WIN/WIN
