

~~(II) REQUIRE THAT THE LABORATORY BE A PARTICIPANT IN A PROGRAM OF BLIND PROFICIENCY TESTING OF URINARY DRUG SCREENING BY THE AMERICAN ASSOCIATION OF BIOANALYSTS, THE COLLEGE OF AMERICAN PATHOLOGISTS, OR THE AMERICAN ASSOCIATION OF CLINICAL CHEMISTRY; AND PARTICIPANT IN A PROGRAM OF PROFICIENCY TESTING OF URINARY DRUG SCREENING CONDUCTED BY AN ORGANIZATION ACCEPTABLE TO THE SECRETARY; AND~~

(III) INCLUDE PROCEDURES FOR ANNUAL RECERTIFICATION AND INSPECTION.

~~(E) THIS SECTION DOES NOT APPLY TO ALCOHOL OR CONTROLLED DANGEROUS SUBSTANCE TESTING OF A PERSON UNDER ARREST OR HELD BY A LAW ENFORCEMENT OR CORRECTIONAL AGENCY.~~

(E) THIS SECTION DOES NOT APPLY TO:

(1) ALCOHOL OR CONTROLLED DANGEROUS SUBSTANCE TESTING OF A PERSON UNDER ARREST OR HELD BY A LAW ENFORCEMENT OR CORRECTIONAL AGENCY;

(2) ALCOHOL TESTING PROCEDURES CONDUCTED BY A LAW ENFORCEMENT OR CORRECTIONAL AGENCY ON BREATH TESTING EQUIPMENT CERTIFIED BY THE STATE TOXICOLOGIST; OR

(3) CONTROLLED DANGEROUS SUBSTANCE TESTING BY A LABORATORY FACILITY OF A LAW ENFORCEMENT OR CORRECTIONAL AGENCY THAT MAINTAINS LABORATORY TESTING STANDARDS COMPARABLE TO THE STANDARDS IN THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to alter or expand the existing authority under law of an employer to test for the incidence of the use of drugs or alcohol of an employee, contractor, or applicant for employment.

SECTION -2- 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1988.

Approved May 27, 1988.

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