

SUBSECTION (B) OF THIS SECTION that an employee, contractor, or other person has tested positive for the use or abuse of any controlled dangerous substance or alcohol shall, after confirmation of the test result, provide the employee, contractor, or other person with:

- (i) A copy of the laboratory test indicating the test results;
- (ii) A copy of the employer's written policy on the use or abuse of controlled dangerous substances or alcohol by employees, contractors, or other persons;
- (iii) If applicable, written notice of the employer's intent to take disciplinary action, terminate employment, or change the conditions of continued employment; and
- (iv) A statement or copy of the provisions set forth in subsection [(d)] (E) of this section permitting an employee to request independent testing of the same sample for verification of the test result.

(2) The information required to be provided to the employee, contractor, or other person under paragraph (1) of this subsection shall be delivered to the employee, contractor, or other person:

- (i) Either in person or by certified mail; and
- (ii) Within 30 days from the date the test was performed.

(D) AN EMPLOYER THAT USES A PRELIMINARY SCREENING PROCEDURE TO TEST SPECIMENS FOR THE USE OR ABUSE OF A CONTROLLED DANGEROUS SUBSTANCE UNDER THIS SECTION SHALL:

(1) IN USING A SINGLE-USE TEST DEVICE, COLLECT, HANDLE, STORE, AND SHIP EACH SPECIMEN IN A MANNER THAT:

(I) MAINTAINS THE SPECIMEN DONOR'S IDENTITY AND CONFIDENTIALITY AND THE PHYSICAL INTEGRITY OF THE SPECIMEN; AND

(II) PRECLUDES CONTAMINATION OF THE SPECIMEN; AND

(2) MAINTAIN A WRITTEN RECORD OF THE CHAIN OF CUSTODY OF EACH SPECIMEN FROM THE TIME THAT THE SPECIMEN IS COLLECTED UNTIL THE TIME THAT THE SPECIMEN IS NO LONGER NEEDED FOR RETESTING.

[(d)] (E) (1) A person who is required to submit to job-related testing, under subsection (b) OR (C) of this section, may request independent testing of the same specimen for verification of the test results by a laboratory that:

- (i) Holds a permit under this subtitle; or
- (ii) If located outside of the State, is certified or otherwise approved under subsection [(e)] (F) of this section.

(2) The person shall pay the cost of an independent test conducted under this subsection.