Ohio | Bureau of Workers' Compensation

2014 BWC Policy Alert

BWC Policy Alert Urine Drug Testing

Date: March 26, 2014
Policy Alert # 03-2014-03

Purpose
This BWC policy alert clarifies:

- The use of a chain of custody form (COC) in the collection and processing of urine;
- The risk assessment requirement;
- The codes for billing a urine drug test (UDT).

Issues

1. Whether a provider needs to use a specific COC form.
2. Whether it is appropriate for providers to schedule an appointment with an injured worker for the sole purpose of completing the risk assessment and then billing the visit under evaluation and management codes (e.g., preventative medicine, psychiatric diagnostic and psychological testing codes).
3. Whether a provider can use a code other than HCPCS G0431, G0434 or CPT 80102 when billing for a UDT.

Discussion
On Dec. 11, 2013, BWC published a policy called *Urine Drug Testing*. This policy sets forth that providers shall follow a COC as detailed in 49 CFR 40. BWC's intent for requiring a COC is to ensure the specimen is not compromised. The intent in referencing 49 CFR 40 is to use the federal regulation as a guideline because it outlines elements to include when following a chain of custody. It is not BWC's intent that providers use this guideline as an absolute or that providers use the Custody and Control Form referenced in the guideline.

In addition, providers conduct risk assessment testing to striate the injured worker into a risk category that identifies his or her propensity to abuse medication as high, medium or low risk. The practicioner determines the appropriate number of annual UDTs to perform based on the injured worker's level of risk. A risk assessment is part of the evaluation and management of the injured worker and is not a separate service.

UDTs are billable as either a qualitative test or a quantitative test. Providers can perform qualitative testing via a CLIA-waived or moderate complexity test (G0434) or via a high complexity test, such as immunoassay, enzyme assay (G0431). Quantitative testing quantifies the amount of drug in the sample, thereby confirming that the drug is present.

Conclusion

1. BWC requires documentation certifying that the processing of urine follows a COC, but does not require the Department of Transportation's Federal Drug Testing Custody and Control form itself. BWC allows autonomy for each provider to decide what COC form to use, or to create a form containing the following elements:
   a. Injured worker's name, address, phone number, date of birth, signature and claim number;
   b. Collection site name, address, phone number and fax number;
   c. Collectors printed name, signature, date and time of collection;
   d. Reason for the test (e.g., random, reasonable suspicion, follow-up);
   e. Documentation that the specimen temperature range was between 90-100 degrees within four minutes of collection;
   f. Name of delivery service to whom the specimen was released;
   g. The printed name, signature and date of the receiving lab employee;
   h. Acknowledgement from the receiving lab that the specimen bottle was received with the seal intact and the injured worker's initials present on the seal;
   i. Specimen results (i.e., negative or positive and for which substances);
   j. If the specimen is rejected for testing, documentation from the lab detailing the reason (e.g., adultered, substituted, broken seal).
2. Providers must conduct a risk assessment as part of the evaluation and management of the injured worker. BWC shall not pay for a separate service to conduct such risk assessments.
3. Providers shall bill *initial* qualitative tests as either HCPCS G0431 or G0434. Providers shall bill confirmatory testing — either qualitative or quantitative — under CPT 80102 and only one time for each positively identified drug within a specimen.The rationale for this is that when one quantifies the specimen, confirmation of the presence or absence of the drug occurs.

Note* Revisions to MP-21-01 Urine Drug Testing outlining the above will be forthcoming.

Reference: *Urine Drug Testing*, MP-21-01