North Central Regional Transit District (NCRTD)

Resolution No. 2017-09

ADOPTION OF A POLICY FOR PRESCRIPTION AND OVER THE COUNTER DRUGS

WHEREAS, the NCRTD was created through legislative enactment (NMSA 1978, Sections 73-25-1 through 73-25-19); and

WHEREAS, the NCRTD is a subdivision of the State of New Mexico with all the authority and duties of the same; and

WHEREAS, the Board has the authority to make and pass resolutions necessary for the execution of the powers vested in the District; and

WHEREAS, the Board has approved a Drug and Alcohol Policy; and

WHEREAS, the NCRTD wishes to adopt a standalone policy Prescription and Over the Counter Drugs.

NOW THEREFORE BE IT RESOLVED THAT: The Board adopts the attached policy regarding Prescription and Over the Counter Drugs.

PASSED, APPROVED AND ADOPTED BY THE GOVERNING BODY OF THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT ON THIS 3rd DAY OF MARCH, 2017.

[Signature]
Daniel R. Barrone, Chairman

Approved as to form:

[Signature]
Peter Dwyer, Counsel
1.0 Objective:

The objective of this policy is to provide guidance to all District employees regarding the District’s handling of over the counter and prescription drugs which may impact the performance of work duties for the District.

2.0 Coverage:

This policy covers all District employees including but not limited to District employees in “safety sensitive” positions that are further regulated by the District’s drug and alcohol policies.

3.0 Oversight Responsibility:

This policy shall be administered by all District supervisors, the Human Resources Director and the Executive Director.

4.0 General Prohibition on Impaired Operation and Maintenance of Vehicles:

It is the Policy of the District to prohibit all impaired driving, operation, maintenance and repair of District vehicles. Any District employee who violates this policy may be subjected to disciplinary action regardless of whether the impairment is due to otherwise legal and permissible use of a over the counter or prescription drug. The following is a list of drugs that employees should be aware may impair driving.

Alcohol
Anticholinergics
Anticonvulsants
Antidepressants
Bupropion
Mirtazapine
Monoamine oxidase (MAO) inhibitors
Selective serotonin reuptake inhibitors (SSRI)
Tricyclic antidepressants (TCA)
Antiemetic’s
Antihistamines
Antihypertensive
Antiparkinsonians
Antipsychotics
Benzodiazepines and other sedatives/anxiolytics
Nonsteroidal anti-inflammatoiy drugs (NSAID)
Muscle relaxants
Narcotic analgesics
Stimulants

5.0 Medical Conditions that May Impair Operation of Vehicles:

Medical Conditions that may impair the operation of vehicles or performance of District duties include but are not limited to the following. If an employee has one of these conditions or symptoms he or she should seek medical guidance prior to using prescription or over the counter drugs to treat the condition or symptom.

5.1 Vision

Visual Acuity including:
Cataracts,
Diabetic retinopathy,
Keratoconus, Macular degeneration,
Nystagmus,
Telescopic lens.

Visual Field including:
Glaucoma,
Hemianopia/quadrantanopia,
Monocular vision,
Ptosis, Retinitis pigmentosa.

Contrast Sensitivity including:
Defective color vision,
Poor night vision.

5.2 Cardiovascular Diseases

Unstable coronary syndrome (unstable angina or myocardial infarction)
Cardiac conditions that may cause a sudden, unpredictable loss of consciousness including:
Atrial flutter/fibrillation with bradycardia or rapid ventricular response
Paroxysmal supraventricular tachycardia (PSVT), including Wolf-Parkinson-White (WPW) syndrome
Prolonged, nonsustained ventricular tachycardia (VT)
Sustained ventricular tachycardia (VT)
Cardiac arrest
High grade atrio-ventricular (AV) block
Sick sinus syndrome/sinus bradycardia/sinus exit block/sinus arrest

Cardiac disease resulting from structural or functional abnormalities
Congestive heart failure (CHF) with low output syndrome
Hypertrophic obstructive cardiomyopathy
Valvular disease (especially aortic stenosis)

**Time-limited restrictions: cardiac procedures**
- Percutaneous transluminal coronary angioplasty (PTCA)
- Pacemaker insertion or revision
- Cardiac surgery involving median sternotomy
  - Coronary artery bypass graft (CABG)
  - Valve repair or replacement
  - Heart transplant

**Internal cardioverter defibrillator (ICD)**

**5.3 Cerebrovascular Diseases**
- Post intracranial surgery
- Stroke
- Subarachnoid hemorrhage
- Syncope
- Transient ischemic attacks (TIA)
- Vascular malformation

**5.4 Neurologic Diseases**
- Brain tumor
- Dementia
- Migraine and other recurrent headache syndromes
- Movement disorders
- Multiple sclerosis
- Paraplegia/quadriplegia
- Parkinson’s disease
- Peripheral neuropathy
- Seizure disorder
  - Single unprovoked seizure
  - Withdrawal or change of anti-convulsant drug therapy
- Sleep disorders
  - Narcolepsy
  - Sleep apnea
- Stroke
- Tourette’s syndrome
- Traumatic brain injury
- Vertigo

**5.5 Psychiatric Diseases**
- Affective disorders
  - Depression
  - Bipolar disorder
- Anxiety disorders
- Psychotic illness
  - Acute episodes
  - Chronic illness
Personality disorders
Substance abuse
Attention deficit disorder (ADD)/attention deficit hyperactivity disorder (ADHD)
Tourette’s syndrome

5.6 Metabolic Diseases
Diabetes mellitus
- Insulin dependent diabetes mellitus (IDDM)
- Non-insulin dependent diabetes mellitus (NIDDM)
Hypothyroidism
Hyperthyroidism

5.7 Musculoskeletal Disabilities
Arthritis
Foot abnormalities
Limitation of cervical movement
Limitation of thoracic and lumbar spine
Loss of extremities
Muscle disorders
Orthopedic procedures/surgeries
- Amputation
- Anterior cruciate ligament (ACL) reconstruction
- Limb fractures and treatment involving splints and casts
- Rotator cuff repair—open or arthroscopic
- Shoulder reconstruction
- Total hip replacement
- Total knee arthroplasty (TKA)

5.8 Peripheral Vascular Diseases
Aortic aneurysm
Deep vein thrombosis (DVT)
Peripheral arterial aneurysm

5.9 Renal Disease
Chronic renal failure
Renal transplant

5.10 Respiratory Diseases
Asthma
Chronic obstructive pulmonary disease (COPD)
Sleep apnea

5.11 Effects of Anesthesia and Surgery
Abdominal, back, and chest surgery
Anesthesia
- General
- Local
- Epidural
- Spinal
- Neurosurgery
- Orthopedic surgery
5.12 Miscellaneous Conditions
Cancer
Hearing loss

6.0 Employee’s Duties:

6.1 Employee Monitoring

It is the duty of all District employees to ensure that they are aware of the effects and side-effects of all over the counter and prescription drugs they use. Because the district may not have access to employee’s private medical information, the District cannot accept responsibility for employee decisions regarding over the counter and prescription drugs that may impact or impair the employee’s performance of job functions. Therefore, it is imperative that employees seek advice from any medical practitioner prescribing any drug of any sort and any pharmacist recommending or dispensing any medication whether over the counter or prescription drugs to ensure that the use of the drug, whether during working hours or not, will not impair the employee from performing his or her work duties safely and legally. Employees should inform their doctors and pharmacists of the employee’s job duties including all information in the relevant job description. Employee’s should further inform their doctors and pharmacists if they are in a safety sensitive position that is subject to random, post-accident or other mandatory drug testing programs. The District’s Human Resources Director will provide employees with any necessary information regarding the employee’s job description, job duties, mandatory minimum physical requirements and the Districts mandatory drug and alcohol testing program. This information may be helpful to doctors and pharmacists who are treating or assisting District employees.

6.1 Employee Fitness for Duty

Employees are responsible for reporting to work fit for duty. If the employee or a supervisor has any reason to believe an employee is not fit for duty the employee should be instructed to receive advise from a medical practitioner and a written indication that the employee is fit for duty.

6.3 Employee Reporting

Employees may elect to not report any prescription or over the counter drug use to Human Resources but are encouraged to do so where there is any potential that the drug use could impair job performance. Failure to report the drug usage followed by any impaired job performance shall be grounds for disciplinary action so employees should weigh and consider their decisions not only to use but also to report or not report use of prescription and over the counter drugs.

7.0 District’s Duties:

7.1 District to Provide Information

The District shall be responsible for providing all relevant information requested by doctors, pharmacists or employees regarding District operations, District policies and the physical requirements of District employees. The District does not retain doctors or pharmacists who are capable of rendering medical advice to employees and shall have no duty to provide specific advice on the use of prescription and over the counter medications, the impact of said use or the potential consequences of said use upon mandatory drug testing.
7.2 District to Refrain from Permitting Impaired Work

Managers and supervisors are responsible for ensuring that no district employee is knowingly permitted to operate a vehicle or perform other safety sensitive functions while impaired. If a manager or supervisor becomes aware that an employee is impaired they shall inform the employee to immediately cease work and refer the matter to the Human Resources director for further action.

7.3 District to Maintain Confidentiality Regarding Employee Drug Use Information

Employees who elect to report their drug usage may provide any relevant information to the Human Resources Director who shall keep said information confidential and divulge the information only to the extent required by law. Information deemed essential for internal use by the District may be shared with district manager as needed with the prior approval of the Executive Director.

8.0 Medical Marijuana:

Noting herein is intended to limit the use by District employees of any prescribed drug. Notwithstanding the preceding, the District will continue to abide by any local, state and federal laws regarding mandatory drug and alcohol testing and employees using any prescription drug, including but not limited to medical marijuana do so at their own risk and without the advice or consent of the District. Employees failing mandatory drug tests will be subjected to disciplinary action under the District’s drug and alcohol policy regardless of whether the medication they are using is prescribed or not.

9.0 Drug Use and Leave:

Nothing in this policy is intended to restrict either an employee’s or the District’s rights to use and grant leave under the District’s Personnel Rules. Employees who elect to use any prescribed or over the counter medication may seek the appropriate leave in order to refrain from working in an impaired condition or in order to allow time for prescription and over the counter drugs to leave their body prior to returning to work and resuming their job duties and any applicable drug testing programs. The District may grant such leave as is authorized under the Personnel Rules but is not required to grant leave other than as required by the Personnel Rules or relevant state and federal laws.

10.0 Additional Guidance:

The use of prescription and over the counter drugs and the impacts upon job performance and compliance with various state and federal laws is an evolving area. Employees and their pharmacists and physicians are encouraged to seek additional information on these topics to ensure that they make informed decisions prior to prescribing or using drugs.

For the most current federal guidance see the United States Department of Transportation “Prescription and Over-the-Counter Medication Tool Kit” at: