



OPIOIDS in the WORKPLACE

Employers Have Options for Assistance

By Rebecca Patrick

There are two definitive actions for any problem: Face it head on, or ignore it in hopes it simply resolves itself.

When it comes to the state’s ongoing opioid crisis, the latter shouldn’t even be considered an option anymore for employers.

“You can look at your workforce and make assumptions that they have it all together – no one has anyone in their life affected by opioid usage. But the fact is that it is so pervasive,” declares Kim Canada, strategist at FirstPerson, a benefits and compensation advisory firm.

“We really need to do what we can to get out in front of it and provide that education and reduce that stigma, so people feel like they have a resource or a place to go for themselves or a loved one ... because it’s extremely isolating,”

Both Canada and Brooke Salazar, HR consultant with Apex Benefits, report that more employers are recognizing the urgency and seeking out their services.

“Employers really want to understand what their role is when it comes to addiction and their employees,” Salazar offers.

Having a formal policy is recommended, she continues, not only for legal and practical purposes but for the human and compassionate

side of the equation.

“You need it for the HR person and the employee just as much. So, when that human resources person gets a call at 3:30 on a Friday afternoon that someone is passed out in the bathroom, they are able to jump in quicker if there is a policy.”

But she cautions any plan shouldn’t be one-size-fits-all and instead generated after spending time assessing the company environment.

“It’s so important to really be deliberate and thoughtful so you are living your values. Whether those values are employee safety, as it should be for every company, or one time is too many – especially if that employee can do himself/herself or others harm based on their job – or is it you have a chance to seek treatment and then return, and what that looks like.

“It just depends on the company. But having a deliberate and



Indiana Workforce Recovery is the Indiana Chamber and Wellness Council of Indiana initiative to help combat the opioid epidemic in the workplace.

Learn more at www.wellnessindiana.org.

This is the third in a yearlong series on the drug and addiction issues facing Indiana, as well as efforts to combat the crisis.

thoughtful policy is absolutely necessary to prevent inconsistency in how terminations or discipline are handled.”

Testing and data tracking

A key aspect of any substance policy revolves around testing.

Amy J. Adolay, a partner at Krieg DeVault law firm, encourages employers to “set out their plan for a drug-free workplace program – when they are going to test and what they are going to test (for) and put that in writing.”

But before any drug testing policy is implemented, it’s advisable to speak with an attorney about the implications of such testing and making sure the drug policies are in accordance with the American with Disabilities Act and any applicable state law, she notes. Not to mention, there are different drug tests allowed depending on the situation.

Data tracking can help employers become aware of trends of substance dependencies and how to mitigate high-risk claims. This is done by tracking not only pharmacy usage but visits to the doctor or emergency room.

Salazar shares a scenario that occurred with an Apex client.

“One of the employees was going to the ER quite often in different locations for a variety of reasons. However, the billing code kept coming back as pain management, so we were able to identify that that could be drug-seeking behavior.

“We were able to notify the crisis case manager with the insurer so they could reach out to the employee. Then in turn, that crisis

case manager put a block on opioid use for that employee through the pharmacy plan.”

Apex staff discovered this trend by combing through reporting data.

FirstPerson also offers that service. “We can help employers identify what percentages of prescriptions being prescribed are indeed opioids. And then really continue to have conversations around that, and then go back to providers to ensure we have safeguards in place that need to be there,” Canada describes.

She stresses that privacy is a must and employee information is kept confidential.

“Employers are definitely not getting, ‘Kim Canada uses opioids X number of times.’ That isn’t identified. They will just see how pervasive it is among the population.”

Canada and Salazar also both repeatedly mention having an employee assistance program, or EAP, in place to provide education, review claims utilization and, perhaps most importantly, give one-on-one assistance to employees who need it.

From the frontline

A northeastern Indiana employer told *BizVoice*® it has had a drug and alcohol policy in place for over 20 years. Where that company has stepped up recently is in the education of workers and updating procedures.

Regarding testing, there is a drug and alcohol screen post offer, post incident, random and when there is reasonable suspicion or cause.

“Our employees understand that any time you believe that you may need some type of drug addiction or similar assistance

that you can come forward; we can put you in touch with our EAP and our insurance platform, and get you the services that you need, along with FMLA leave if you are eligible,” explains the health care professional representing the company.

“Then upon return they would need to show they have completed a (rehab) program and are subject to random drug screening that is separate from our normal company practice for a period of time.”

As Salazar stressed, it’s paramount for employers to adopt specific policy that makes sense in relation to their values, overall employee safety and job demands.

For this employer, that translates to encouraging employees to speak up and come to the health care professional, HR person or manager before the fact – before there is an incident at work or they are selected for a random test. If an individual waits until a failed test occurs or they know they will fail the random check, it means termination.

The company recognizes that continued communication is and will be key.

Medical disposal kits to deactivate the drugs are also part of the plan, as is naloxone training in the event an overdose occurs.

On the right road

Celadon Group, headquartered in Indianapolis, is one of the 10 largest truckload carriers in North America.

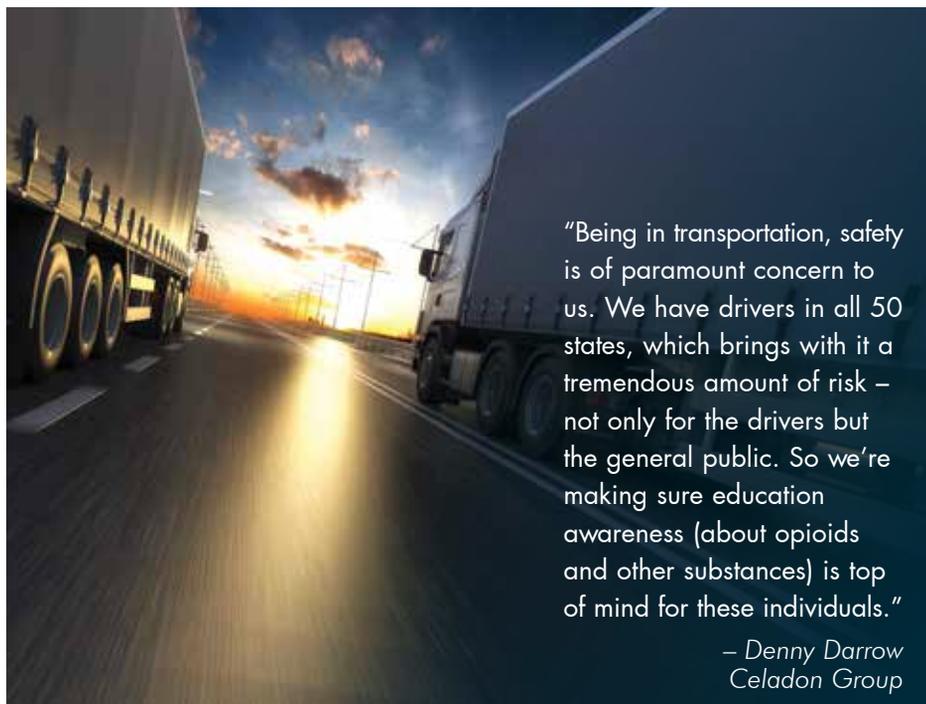
Denny Darrow, vice president of human resources, points to 2016-2017 as when Celadon and other employers started seeing meaningful impacts on their health plans and claims.

“You saw a spike in the number of concurrent claims for both opioid prescriptions and additional services requested as a result of those individuals or families who were prescribed those medications. That may be counseling services or mental health services or additional health conditions as a result of increased opioid dependencies or prescriptions.”

Giving the nature of the trucking industry and the rigorous U.S. Department of Transportation compliance program, “The topic of opioids is part of our pre-employment, screening and education process,” Darrow notes. “It’s part of our onboarding, built-in program to where time is devoted to those employees should they need conversation and education around it.”

Celadon’s on-site clinics play an integral role too.

“We make sure that they are doing those physicals there. That they are having those conversations and reviewing medical history and, at the first opportunity, educating them about the dangers of opioids as well as identifying the resources and alternatives.”



“Being in transportation, safety is of paramount concern to us. We have drivers in all 50 states, which brings with it a tremendous amount of risk – not only for the drivers but the general public. So we’re making sure education awareness (about opioids and other substances) is top of mind for these individuals.”

– Denny Darrow
Celadon Group

Darrow believes the company's overall strategy is having an impact.

"From what I've heard from our clinic team, we have had good conversations with employees. They are asking questions: 'Hey if I have to take this, what are my alternatives and should I talk to my doctor or pharmacist about safeguards and disposing of the opioids when I'm through with the prescription?'"

"I have had enough comments which are leading me to think we are having an impact. How profound it is I can't really tell you numerically. But it's good to have that feedback."

State issues helpful resource

Indiana's new substance abuse treatment law (circa 2018) is intended to help employers by putting forth the proper guidelines they should follow in the event an employee fails a drug screening or voluntarily comes forward for assistance.

Any employer can participate and follow the free guidelines, which were scheduled for a May 1 release. The second part of the law provides employers in the program with civil immunity protection for negligent hiring. As of press time, language in 2019 legislation was on track to open up this legal safeguard to any Hoosier employer (originally, it was only for those without an EAP).

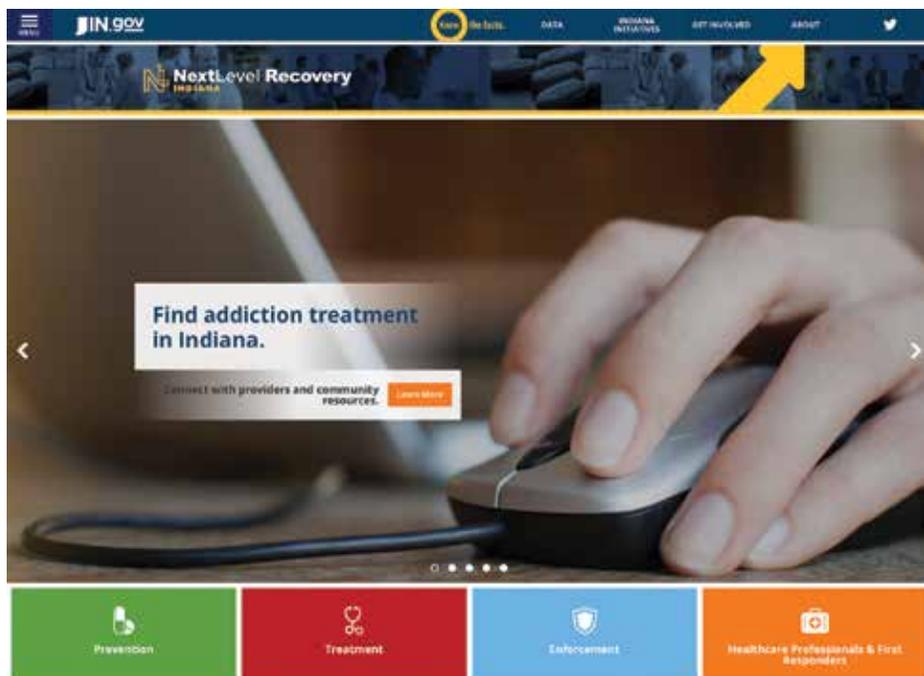
"The goal is to provide employers with a system whereby they can refer an individual to treatment and retain that individual," states Mike Thibideau, director of the Indiana Workforce Recovery initiative for the Wellness Council of Indiana (WCI).

"Also, if an individual is hired for a position and is qualified for the position but cannot pass a successful drug test, this gives the employer a system they can go through that can keep that position open for that individual and refer them to care and get them to working as soon as possible after treatment."

In order to receive the full benefit – and namely the legal protection – an employer has "to fully participate in all the listed-out actions (in the guidelines). Anything that is not specifically designated as discretionary would have to be followed," Thibideau notes.

He also clarifies what the guidelines don't do, which is provide information on industry-specific regulations (testing or otherwise): "They need to do that individually with their legal counsel."

The guidelines are available on the state of Indiana and WCI web sites.



Mike Thibideau, director of Indiana Workforce Recovery, urges companies of all sizes to utilize the state's new employer guidelines (available online) for dealing with substance abuse – either as a starting point or reference for existing policies.

WCI also has five new videos that serve in conjunction with the guidelines and take a deeper dive on the subject matter.

Thibideau explains, "The guidelines will walk you through a process, but there will be multiple portions where you need a little more foundational information, so that's where we refer you to an individual video module to learn more. For example, it could be on workplace drug testing or on drug-free workplace policies."

Each video runs 12 to 15 minutes, with an additional set slated for release in July.

Top takeaways

Salazar says it's only natural for employers to need assistance in this area.

"This is relatively new territory, and I don't think HR and executive leadership gets into their profession thinking that these are the problems I'm going to deal with every day."

Darrow advises his counterparts to seek out the "impressive yet new and evolving toolkits out there for employers." He cites both the Employers' Forum of Indiana and the Indiana Workforce Recovery initiative.

"The Wellness Council of Indiana is doing a very good job at holding regional meetings with health care providers,

professionals, caregivers and employers in the area to educate them on the current risks, dangers and opportunities," he remarks.

More of these events are slated for fall 2019.

Above all, use what you have – and in many cases, it's already right there at your fingertips.

"Employers just need to make sure they are leveraging their resources, through their insurance plans, through their broker – like FirstPerson (which Celadon uses) – on best practices and any independent solutions, like an on-site clinic, to make sure any issues are being addressed," Darrow suggests.

For Canada, it's about striking that right balance while covering all the bases.

"It's making sure you are not doing things that violate privacy, so that means consulting with an attorney on policy – that's the hard stuff, that's not the warm and fuzzy stuff," she begins.

"But also, on the softer side, providing education for employees about different ways that if they need help, here are resources. If you have a friend or family member (in crisis), here are resources. It's really trying to open up more conversations between employee and employer to make it clear they have a resource that they can reach out to."

RESOURCES: Brooke Salazar, Apex Benefits at www.apexbg.com | Denny Darrow, Celadon Group, at www.celadontrucking.com | Kim Canada, FirstPerson, at www.firstpersonadvisors.com | Amy J. Adolay, Krieg DeVault, at www.kriegdevault.com | Mike Thibideau, Wellness Council of Indiana, at www.wellnessindiana.org