



OraSure Technologies

What's the Buzz



MAY 2024

THE FUTURE OF ORAL FLUID



02 Why oral fluid?

04 New drug testing technologies go hand in hand with oral fluid

08 State testing laws and oral fluid

+ STATE-BY-STATE GUIDE TO ORAL FLUID TESTING

WHY ORAL FLUID?



All oral fluid collections are 100% observed, making adulteration nearly impossible and eliminating privacy concerns.

BY KATHERINE MILLER, CAPM®

Most state marijuana laws either specifically permit employers to restrict marijuana use by employees or do not mention employers or the workplace at all.

In today's environment, it can be easy for employers to question the continued utility of testing for drugs in the workplace given increasingly complex state laws. Specimens such as oral fluid offer a method that is scientifically sound and legally proven, while also balancing the needs of employers in today's complicated cannabis scape. This article will explore why oral fluid is an excellent option for employers across the country, fitting virtually every workplace testing need.

What is oral fluid?

An oral fluid test is directly representative of what is in the donor's bloodstream. This means that drugs are detectable in oral fluid within minutes of ingestion, and the test looks for the parent drug as opposed to the metabolite. Urine, for example, detects the metabolite and not the parent drug, and only detects the metabolite several hours post-use.

As oral fluid tests look only at substances currently in the individual's body (also known as the parent drug), they are particularly useful when looking to determine recent use. Historically, oral fluid has been a favorite for post-accident scenarios as it makes it easy to determine what drugs were actually in an individual's system at the time of an accident. With the increasing popularity of cannabis, oral fluid has quickly become a favorite for employers looking to continue testing despite state laws placing restrictions on employers in regard to THC metabolite detection.

A recent survey conducted by the Current Consulting Group found that 15% of employers used instant oral fluid tests and 23% used lab-based oral fluid tests in 2023, up from 4% and 4% in 2021, respectively. This rise is due to a number of factors, including COVID-safety related-protocols that have continued post-pandemic, as well as the addition of lab-based oral fluid to the Substance and Mental Health Services Administration's (SAMHSA's) mandatory guidelines for federal employees and the Department of Transportation's (DOT's) addition of lab-based oral fluid to their rules. While both SAMHSA and DOT have approved and announced the addition of oral fluid to their testing regulations, oral fluid is not yet permitted for SAMHSA and DOT positions as there are yet to be the minimum required two approved labs for oral fluid specimen processing and analysis.

This information is provided for educational purposes only and does not constitute legal advice. Reader retains full responsibility for the use of the information contained herein.

URINE VS. ORAL FLUID

	URINE	ORAL FLUID
100% OBSERVED COLLECTIONS	✗ Collections can be observed but are normally not due to privacy concerns unless the situation calls for the extra precaution.	✓ All oral fluid collections are 100% observed, making adulteration nearly impossible and eliminating privacy concerns.
SHY BLADDER?	✗ Some individuals have legitimate medical concerns, such as paruresis, making it difficult for them to provide a urine specimen when needed.	✗ Although there may be the occasional dry mouth concern with oral fluid, this can quickly be resolved by ingesting a pre-determined amount of water.
ON-SITE COLLECTIONS?	✗ Collections can be performed on-site but are more often than not done at a collection site due to issues securing a collection at the worksite.	✓ Oral fluid collections can easily be performed on-site with no concerns about securing bathrooms, etc.
RECENT-USE DETECTION	✗ Most drugs take hours to days to show up in urine and are detectable for up to 30-days post-use.	✓ Oral fluid detects substances nearly immediately and only detects substances for 2-3 days post-use.
PARENT DRUG DETECTION	✗ Urine tests detect drugs after they have been metabolized by an individual's system, or metabolites.	✓ Oral fluid detects the parent drug rather than a metabolite, making it ideal for states such as CA and WA that restrict cannabis testing to only specimens that detect parent drug.
ENDORSED BY DOT AND SAMHSA	✓ Lab-based oral fluid	✓ Oral fluid is endorsed by DOT and SAMHSA, but is not yet currently available until such a time as two laboratories are approved by SAMHSA to test oral fluid specimens.
WELL-KNOWN AND WIDELY AVAILABLE	✓ Urine has long been the proverbial "gold standard" in the world of workplace drug testing.	✓ Once considered the new kid on the block, oral fluid is now a tried-and-true specimen, as demonstrated by its recent acceptance by DOT and SAMHSA.
LEGAL IN ALL 50 STATES	✓ Although some states place restrictions on instant urine testing, urine testing is legal in some form or another in every state.	✗ Although oral fluid testing is permissible in the vast majority of states, there remain a few outliers that do not permit oral fluid testing.

Continues on back cover...

Get results fast with OralTox®.



OraSure Technologies



NEW DRUG TESTING TECHNOLOGIES

BY BILL CURRENT AND BRIAN FEELEY

Oral fluid's tighter window of detection for cannabis is a significant advantage.

As employers consider the ever-expanding legalization of marijuana (and other illicit drugs), which has coincided with a sharp increase in substance abuse across the country and a dramatic increase in positive drug test results following workplace accidents, there is clearly a need to remain vigilant regarding workplace substance abuse.^{1,2} But how best to go about that in this changing environment of state laws, new testing methods and varied employer needs? Long-used drug testing methods such as lab-based urine testing, which is still effective in the traditional sense, may not always align well with today's workplace challenges.

Marijuana laws that push employers toward impairment identification rather than just drug use detection, an economy that places strains on company budgets, and employees who are clearly emboldened by laws that all too often favor the drug user over their employers require a new vision on how best to establish and maintain a safe and productive workforce. This article will give an overview of new and existing technologies that fit the unique needs facing employers today.

Emerging & exciting technologies

Emerging and exciting technologies that are gaining notoriety offer employers fresh alternatives to achieve their drug-free workplace objectives. For the first time since employers began establishing drug-free programs 30-plus years ago, new screening methods allow employers to focus on the priorities of maintaining safe and productive workplaces while doing so well within the constraints of the laws that apply to them.

Today's employers may want to consider screening technologies with the following attributes:



BREATH

Very Short-Term Impairment Detection.

While the science behind breath THC testing is still being vetted, companies such as Hound Labs look at detecting THC in breath within the first 2–3 hours post-ingestion. Paired with a longer (but still relatively short) detection method, such as oral fluid, breath testing for THC combined with oral fluid testing for THC could cover the entire window of impairment in two simple tests that can be performed onsite.



VR
HEADSET

Impairment Detection.

Gaize, Inc. has developed an impairment detection system that:

"... runs the same eye tests as specially trained Drug Recognition Expert Police Officers use, now contained in a virtual reality headset. Using embedded eye tracking sensors, it captures over 120,000 datapoints per test, which are then evaluated for signs of impairment."³

The device is robust, portable and results are securely stored in the cloud for easy access at any time.

This information is provided for educational purposes only and does not constitute legal advice. Reader retains full responsibility for the use of the information contained herein.

GO HAND IN HAND WITH ORAL FLUID



ORAL
FLUID

Laboratory Quality In An Instant-Result Device.

ToxiTrace by Buzzkill Labs is an instant-result oral fluid test that uses lab-standard chromatography to filter out metabolites of THC and nonpsychoactive cannabinoids like CBD from oral fluid samples. What remains is psychoactive THC, the presence of which indicates marijuana use within hours, not days or weeks.⁴ Future versions of ToxiTrace will also be available for the detection of the other most common drugs of abuse.



DIGITAL

Virtual or Proctored Testing.

eMed Screen solves the problem of arranging collections in today's remote work environment and 24-hour shifts with "fully proctored screening and advanced controls that allow employers, and other testing agencies, to manage their drug screening while never needing to schedule an appointment."⁵ The eMed platform has been used to process millions of proctored tests.



PAPER

Surface Detection.

SwabTek's dry, paper-based tests make it possible to detect the presence of drugs and other substances such as vape pens, edibles, baggies, and other suspicious containers on surfaces. "SwabTek's reagents are dry-powder and set on paper" which is a significant advantage over older tests that utilize hazardous liquid chemicals, some of which are carcinogenic, eliminating safety risks from the testing process. These tests are available for cannabis, fentanyl, cocaine, opiates and other narcotics with a simple swab and test taking just seconds to perform.

Together these new and improved technologies represent a comprehensive approach to deterring and preventing workers from bringing drugs into the workplace or being impaired on the job. Importantly, they also provide a means of screening that go hand-in-hand with oral fluid drugs of abuse and alcohol tests that can corroborate the presumptive results found using these new emerging technologies.

Continues on page 6...

Oral fluid testing, more than any other testing method, solves the marijuana dilemma many employers face.



Solving the marijuana dilemma

Oral fluid testing, more than any other testing method, solves the marijuana dilemma many employers face. Three unique attributes of oral fluid testing make this possible—

- 1 the ability to detect parent THC rather than metabolites of cannabis,
- 2 the ability to detect marijuana within minutes after ingestion, and
- 3 a window of detection that covers the entire window of impairment of 3-to-10-hours caused by marijuana use.⁶

Parent THC becomes detectable in oral fluid within about 15 minutes after someone smokes a joint or eats a marijuana edible. But cannabis metabolites do not show up in urine for 6-to-7 hours after usage, making urine testing impractical at identifying very recent use. Additionally, the window of detection for marijuana in oral fluid is typically less than 24 hours (closer to 12 hours according to some reports), whereas with urine the window of detection begins after several days, far beyond the time in which someone used the drug.

In states that require employers to show some evidence of impairment in addition to a positive drug test for marijuana, oral fluid's tighter window of detection for cannabis is a significant advantage. This makes it possible to show a correlation between a positive test result and very recent use.

Conclusion

Oral fluid testing could be crowned the “ultimate” emerging technology, especially given the fact that the Department Of Transportation (DOT) has endorsed it as a viable alternative specimen to urine. Add to that the fact that 86% of drug testing providers now say they offer oral fluid testing (up from 39% in 2019) and that 46% of providers predict that it will someday be the most used drug testing method (the same percentage that predicted it will be urine).⁷

Now add to that the ability to screen workers for impairment, detect the presence of drugs on surfaces in the workplace, conduct oral fluid tests from any location any time of day with proctored testing, and get laboratory quality results from an instant-result oral fluid device — and a new vision for a comprehensive approach to maintaining a safe and productive workforce comes into focus.

However, workplace testing isn't a one-size-fits-all, and employers may be inclined to choose a combination of testing methods when facing the marijuana questions. Oral fluid pairs nicely with THC breath, impairment testing, instant testing, virtual testing, and/or surface detection testing, and provides additional peace of mind that comes with this vetted, well-documented test specimen. Employers may choose to use one specimen for pre-employment testing and another for post-employment purposes, or a combination of specimens depending on specific criteria. Regardless of why you're looking to perform THC testing, oral fluid solves the main dilemmas faced by employers when it comes to legal marijuana.

1. <https://www.samhsa.gov/data/sites/default/files/reports/rpt41909/2023NSDUHPillImages.pdf>
2. <https://newsroom.questdiagnostics.com/2023-05-18-Post-Accident-Workforce-Drug-Positivity-for-Marijuana-Reached-25-Year-High-in-2022-Quest-Diagnostics-Drug-Testing-Index-Analysis-Finds>
3. <https://www.gaize.ai/workforce>
4. <https://buzzkilllabs.com/>
5. <https://emedscreen.com/products/emed-screen-drug-screener>
6. <https://cosmosmagazine.com/health/how-long-does-impairment-last-after-cannabis-use/>
7. 2023 Drug Testing Industry Survey. Current Consulting Group.

You have choices

SwabTek[®] surface testing solutions

SwabTek tests can detect drugs on surfaces —
and in suspected paraphernalia — within 30 seconds.

- Identifies drugs concealed in vape pens, edibles and concentrates
- Tests foreign substances/residues for drugs
- Detects high-threat drugs in counterfeit OTC pills
- Easy 2-step process without the use of corrosive reagents



**CLICK
HERE** to request more
information on
your choices



OraSure Technologies

www.orasure.com

SwabTek products are manufactured by Veriteque USA, Inc., 8920 Kenamar Drive, Suite 202, San Diego, CA 92121
SwabTek is distributed by OraSure Technologies, Inc., 220 East First Street, Bethlehem, PA 18015 USA Tel: 1-800-672-7873
© 2024 OraSure Technologies, Inc., all rights reserved. MK-2768 v1 - INT0526 rev. 03/24



STATE TESTING LAWS AND ORAL FLUID

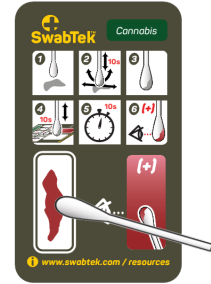
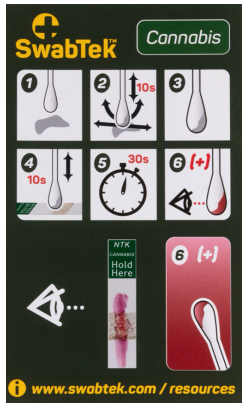
BY YVETTE FARNSWORTH BAKER, ESQ.

Oral fluid testing is trending across the states. In 2023 the federal government approved lab-based oral fluid testing for certain federally regulated employers. This was a huge step forward, and it looks as though the states are taking notice. Beginning in January 2024, state laws in California and Washington took effect that effectively make oral fluid testing the preferred method for workplace drug testing. Additionally, state legislatures across the country are proposing bills that approve oral fluid drug testing for DUI enforcement as well as for voluntary and mandatory testing programs within their states. This article will explore the new laws in California and Washington and will highlight proposed bills in numerous other states.

Scan to continue article:



This information is provided for educational purposes only and **does not constitute legal advice**. Reader retains full responsibility for the use of the information contained herein.



SWABTEK® WINS 2024 OH&S INDUSTRIAL HYGIENE AWARD

The technology is a breakthrough, delivering drug detection technology in a format that is safe, simple, and accessible.

OraSure is thrilled to announce that Veriteque USA's SwabTek® test kit products have been named the winner of the 2024 OH&S Industrial Hygiene Award in the category of Drug Testing. Occupational Health & Safety has recognized SwabTek products for their innovation in this field.

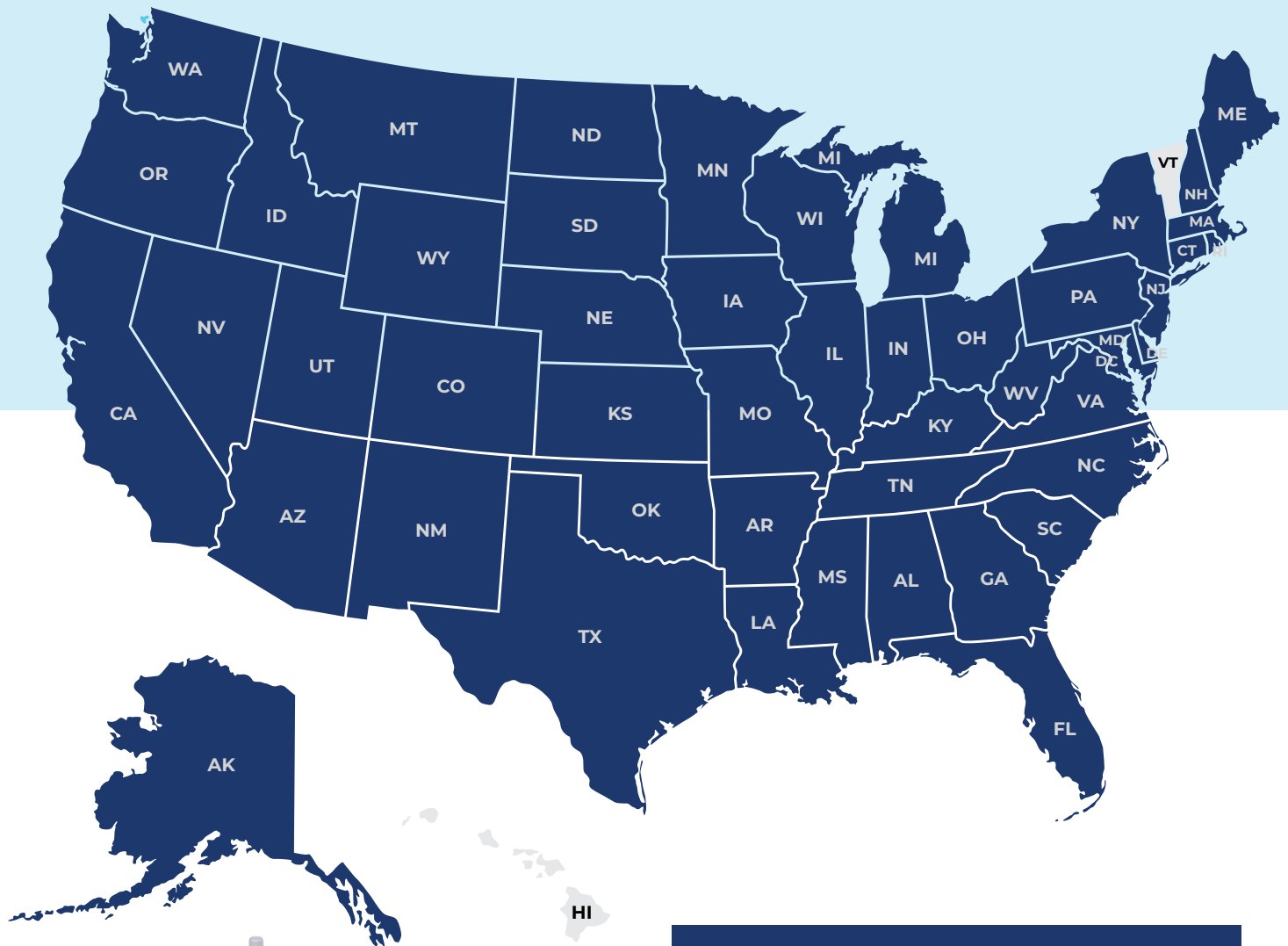
Founded in 1932, Occupational Health & Safety provides the workplace health and safety market with the latest industry news, information, and insights. Occupational Health & Safety's Industrial Hygiene Awards were introduced in 2021, as a program to honor the outstanding product development achievements of health and safety manufacturers whose products are considered particularly noteworthy in their ability to improve industrial hygiene.

Occupational Health & Safety has awarded their Industrial Hygiene Award in the category of Drug Testing to Veriteque USA's SwabTek products. SwabTek is a line of law enforcement-grade drug detection products that can be used to screen surfaces and suspected paraphernalia for drug residues. The technology is a breakthrough, delivering drug detection technology in a format that is safe, simple, and accessible. As such, this marks the first time that surface testing technology is widely available for use in the workplace health and safety market.

SwabTek tests have proven to be a valuable tool for upholding workplace safety and drug policy, as well as for validation purposes in cleaning and sterilizing procedures.

OraSure offers Veriteque's SwabTek brand of presumptive field test kits as a complementary offering alongside our oral fluid screening products.

ORAL FLUID TESTING



Lab-Based Oral Fluid Legality

- | | | | |
|----------------------|---------------|----------------|----------------|
| Alabama | Illinois | Montana | Rhode Island |
| Alaska | Indiana | Nebraska | South Carolina |
| Arizona | Iowa | Nevada | South Dakota |
| Arkansas | Kansas | New Hampshire | Tennessee |
| California | Kentucky | New Jersey | Texas |
| Colorado | Louisiana | New Mexico | Utah |
| Connecticut | Maine | New York | Virginia |
| Delaware | Maryland | North Carolina | Washington |
| District of Columbia | Massachusetts | North Dakota | West Virginia |
| Florida | Michigan | Ohio | Wisconsin |
| Georgia | Minnesota | Oklahoma | Wyoming |
| Idaho | Mississippi | Oregon | |
| | Missouri | Pennsylvania | |



This information is provided for educational purposes only and **does not constitute legal advice**. Reader retains full responsibility for the use of the information contained herein.

Why Oral Fluid?

With so many specimen options, why choose oral fluid? Not only does oral fluid offer a winning combination of recent-use detection, legal defensibility, and state legality, but the results speak for themselves. One owner of a drug test collections company stated:

“I can have any employee at any time of day, 24/7, go in and do an oral [fluid] test and we’re done. In and out. It’s all about the return on investment, getting in, getting quick. When you tell your client or prospective client that you can do a drug test in a shorter window than a smoke break or a coffee break and get them back on the job and its productivity, that’s what they want to hear.”

Oral fluid isn’t just good when looking at your ROI, it also fits a variety of needs, allows customers to take the wheel, and more. One laboratory employee stated:

“We see so many applications for oral fluid in general. It has many applications and we’re using [oral fluid] successfully in criminal [settings], in workplace [settings], in human services, in treatment [scenarios], and the response has been phenomenal. Not only from the ease of collection, which....a lot of people lead with when they talk about [oral fluid], but beyond that just the simplicity of ...[not having to have] the collection facilities. The time savings is huge.”

© 2010–2024 The Current Consulting Group, LLC — No portion of this article may be reproduced, retransmitted, posted on a website, or used in any manner without the written consent of the Current Consulting Group, LLC. When permission is granted to reproduce this article in any way, full attribution to the author and copyright holder is required.


Drugs are detectable in oral fluid within minutes of ingestion.

Conclusion

In today’s tough legal landscape, oral fluid is a perfect fit for many situations when other test specimens may be prohibited or severely restricted.

To learn more about implementing or offering oral fluid in your workplace, contact OraSure at 1-800-672-7873.

1. “The 2023 Employer Drug Testing Survey.” The Current Consulting Group, 2023.



JOIN US AT
NDASA
NATIONAL DRUG & ALCOHOL SCREENING
ASSOCIATION CONFERENCE
MAY 15 - 17
HERSHEY, PENNSYLVANIA



OraSure Technologies

220 East First Street, Bethlehem, PA 18015

800-ORASURE • testingsolutions@orasure.com

