

**QUESTION:**

Do collectors sign the CCF in situations in which a urine specimen is not provided during a collection (i.e., a refusal to provide a specimen; a shy bladder situation)?

**ANSWER:**

- In any such case, the collector would check the box in Step 2 of the CCF indicating that no specimen was provided and enter an explanatory remark.
- The collector would then provide his or her name and signature in Step 4 of the CCF.
- The employee's name and phone number should be included on the MRO copy.
- The collector would then transmit the CCF copies to the appropriate parties (e.g., employer, MRO).

**QUESTION:**

What are some examples of an employee's failure to cooperate with the testing process that would cause a refusal to test and how should the collector handle them?

**ANSWER:**

- Part 40 highlights two examples of failure to cooperate – the employee refuses to empty pockets when instructed to do so; and the employee behaves in a confrontational way that disrupts the testing process.
- Among others are:
  - The employee fails to wash his or her hands after being directed to do so by the collector.
  - The employee admits to the collector that he or she adulterated or substituted the specimen; and
  - The employee is found to have a device – such as a prosthetic appliance – the purpose of which is to interfere with providing an actual urine specimen.
- When the issue is a problem with refusing to following instructions – for example, refusing to empty pockets or refusing to wash hands – or if there is a confrontation, the collector should warn the employee of potential consequences of a failure to cooperate; and if practical, seek assistance from the DER or supervisor to ensure that the employee understands the ramifications.
- When the issue is admission of adulteration or substitution or when a device is found, there is no need for the collector to warn the employee or to seek assistance from the DER or supervisor.
- In every case, the collector must carefully follow the procedures at 40.191(d) by terminating the collection process, immediately notifying the DER of the refusal, and thoroughly documenting the circumstances surrounding the event in the remarks section of the CCF.
- Any specimen that had been collected before the refusal should be discarded.