QUESTION:

After the laboratory reports a test result, someone (e.g., the employer, a service agent) discovers that the CCF listed the wrong reason for the test (e.g., the CCF says the test was a pre-employment test when it was actually a random test). How is this corrected and by whom?

ANSWER:

- This is another example of an error that does not have a significant adverse effect on the right of an employee to have a fair and accurate test (see §40.209).
- The test is not cancelled as the result of such a mistake.
- While concerned parties may wish to correct the faulty description of the reason for the test, Part 40 does not require a correction to be made.
- Employers or their designated service agents should ensure that appropriate changes are documented (e.g., for MIS reporting purposes).

§40.97

QUESTION:

Must a certifying scientist's signature be on Copy 1 of the CCF if the drug test result is negative?

ANSWER:

• The certifying scientist's signature must be on Copy 1 of the CCF for non-negative results only.

• Therefore, the certifying scientist may simply initial (and date) the CCF when the test result is negative.