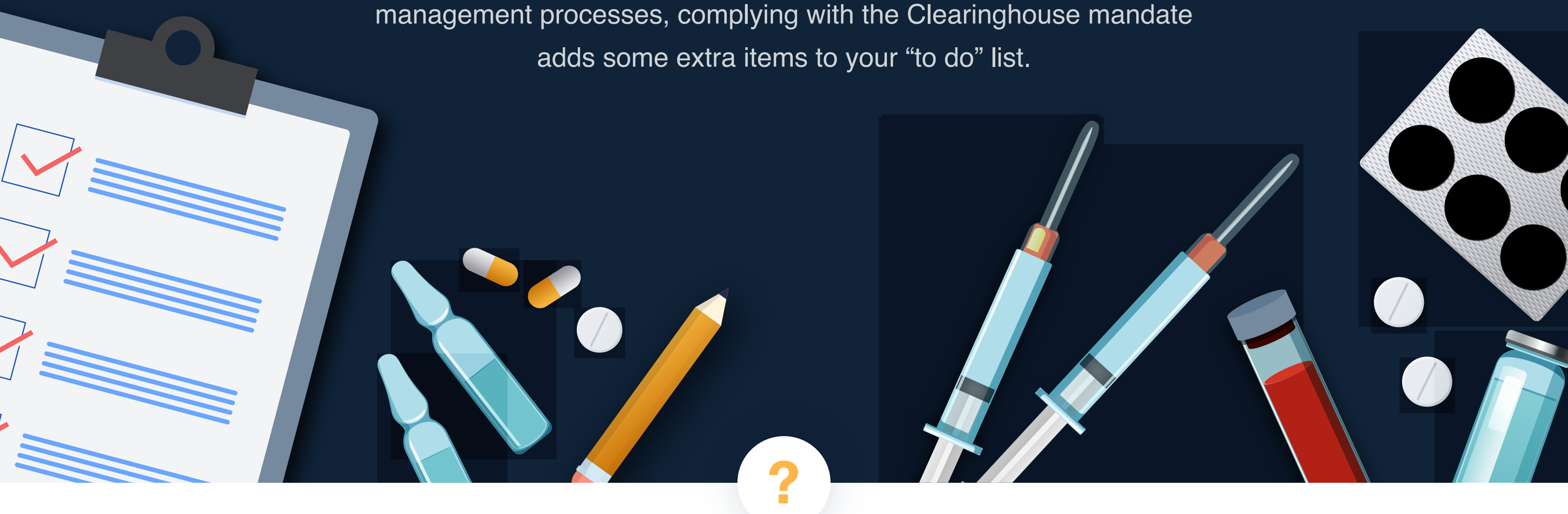


Are You Complying with the DOT Clearinghouse?

From querying new drivers to updating your ongoing compliance management processes, complying with the Clearinghouse mandate adds some extra items to your “to do” list.



Who is involved?

To start with, everyone who is involved with the DOT drug testing process was required to register with the Clearinghouse before **January 6, 2020**. This includes:



CDL Drivers

All safety-sensitive drivers who operate CMVs that weigh 26,001 pounds or more



Employers

All companies that employ safety-sensitive drivers and are required to participate in a DOT drug & alcohol testing program



Consortia/Third Party Administrators

Work with employers to administer compliant DOT drug & alcohol testing programs



Medical Review Officers

Review and report on DOT drug and alcohol testing results

Everyone's Role

As the table below shows, all of these parties have their own roles to play in complying with this new regulation – **with the biggest burden falling on the employers of CDL drivers**. With many safety managers already strapped for time, employers should spend some time planning for these new requirements so they don't have any compliance gaps.

	ROLE	C/TPA & MRO RESPONSIBILITY	EMPLOYER & DRIVER RESPONSIBILITY	DAT CLEAR
ACCOUNT SETUP	Employer registers for Clearinghouse account		Employer	
	Driver registers for Clearinghouse account		Driver	✓
	Accepts TPA designation from employer	C/TPA		✓
	Purchases query credits		Employer	
PRE-HIRE	Acquires consent from driver to run pre-employment full query		Employer	✓
	Provides consent to run pre-employment full query (must happen within 24 hours)		Driver	✓
	Conducts pre-employment queries on new CDL drivers		Employer	✓
	Reports pre-employment DOT drug & alcohol violations	C/TPA MRO		✓
	Reports refusals to test		Employer	✓
	Provides Clearinghouse driver training and reminders		Employer	✓
POST-HIRE	Maintains Clearinghouse compliant FMCSA drug testing policy		Employer	✓
	Maintains Clearinghouse compliant FMCSA drug testing policy		Employer	✓
	Acquires consent from driver to run annual limited queries		Employer	✓
	Provides consent to run annual limited query		Driver	✓
	Runs annual limited Clearinghouse query on every CDL driver you employ		Employer	✓
	Acquires consent from driver to run annual full query (if hit on limited - must run within 24 hours)		Employer	✓
	Provides consent from driver to run annual full query (if hit on limited)		Employer	✓
	Reports verified positive drug test results	C/TPA MRO		✓
	Reports alcohol confirmation tests with a concentration of 0.04 or higher		Employer	✓
	Reports refusal to submits of any DOT required test		Employer	✓
	Reports actual knowledge of pre-duty, on-duty alcohol use, controlled substance use or alcohol use following an accident		Employer	✓
	Reports the successful completion of a driver's return-to-duty process		Employer	✓
	Reports negative return-to-duty tests		Employer	✓
	Submits a report when follow-up testing is complete		Employer	✓
Manages query recordkeeping requirements		Employer	✓	



How Foley can help you?

For many employers, the administrative burden has grown exponentially. And with greater accountability for drug and alcohol testing compliance than ever before, the stakes are high for noncompliance.

At Foley, our DAT Clear program will help keep you compliant, while managing all of the C/TPA and employer requirements on your behalf.

To learn more about automating your Clearinghouse compliance with Foley, please call (860) 815-0762.