

**Subject:** FW: policy clarification Drug testing

**From:** "D05-SMB-NMC-Questions" <2.D05-SMB-NMC-Questions@uscg.mil>

**Date:** 2/7/2013 10:42 AM

**To:** <gary@explorers-guide.com>

Mr. Kulibert,

I have an answer to your questions from the Coast Guard Drug and Alcohol Program Manger, his response is as follows:

The 25% random testing rate is in effect now and this is how it will affect the mariner credentialing process. All of the DOT modal operating administrations are at the following random drug testing rates, FAA 25%; FRA 25%; FTA 25%; PHMSA 25%; FMCSA 50%; USCSG 25%

What that means is that drug tests that have been conducted through any DOT agency on a random or pre-employment basis that meets the exemptions identified in 46 CFR 16.220 can be accepted. All drug tests have to be DOT or federal drug tests.

DOT drug tests apply to employees in the transportation industries. That does not include hospital staff or truck drivers.

Drug test letters from other federal agencies are not acceptable as they do not have a minimum testing rate of 25%, with the exception of Military Sealift Command and a DOD Agency located in St. Louis that does 100% random drug testing. The rest of the federal agencies perform random testing at a rate of approximately 15%, which does not meet the USCG minimum.

If you have any further questions please contact Mr. Robert C. Schoening, Drug and Alcohol Program Manager, at Office of Investigations and Casualty Analysis (CG-INV), U.S. Coast Guard Headquarters, telephone 202-372-1033. Thank you for contacting the National Maritime Center.

V/Respectfully,

Mildred A. Morris  
Issue Resolution Team, CSB  
Legal Instrument Examiner  
National Maritime Center  
100 Forbes Drive  
Martinsburg, WV 25404  
(888) 427-5662 (phone)  
(304) 433-3416 (fax)

-----Original Message-----

From: D05-SMB-NMC-Questions

Sent: Wednesday, February 06, 2013 9:46 AM

To: [gary@explorers-guide.com](mailto:gary@explorers-guide.com)

Subject: FW: policy clarification Drug testing

Mr. Kulibert,

Your inquiry was sent to the Issue Resolution Team (IRT) to handle. I understand your question to be in regards to the Federal Register governing the notice of minimum Random Drug Testing Rate for crewmembers. This requirement is proposed to be implemented, until such notice has been enacted, no changes will occur in the evaluation of the drug testing requirements for Merchant Mariner Credential.

To directly answer your first question, no, hospital staff and truck drivers do not fall under 46 CFR Part 16. With regards to the programs, these programs are not identical since these examples are not subject to Management Information System (MIS) reports. Under 46 CFR 16.230, the Coast Guard requires marine employers to establish random drug testing programs for covered crewmembers. Every marine employer is required by 46 CFR 16.500 to collect and maintain a record of drug testing program data for each calendar year and submit this data by March 15 of the following year to the Coast Guard in an annual MIS report. Marine employers may either submit their own MIS reports or have a consortium or other employer representative submit the data in a consolidated MIS report.

However, we are researching this information and will get back to you with a more definite answer and/or will forward to the appropriate point of contact (POC) to respond.

V/Respectfully,

Mildred A. Morris  
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Legal Instrument Examiner  
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-----Original Message-----

From: [gary@explorers-guide.com](mailto:gary@explorers-guide.com) [<mailto:gary@explorers-guide.com>]  
Sent: Tuesday, February 05, 2013 3:43 PM  
To: Lloyd, Anthony S CAPT  
Subject: policy clarification Drug testing

Good afternoon Capt Lloyd, on 01/23/2013 in the Federal Register set the calendar year 2013 minimum random drug testing rate at 25 percent of covered crewmembers.

Does this now mean a mariner who is in another DOT approved 5 panel random program which requires 25% random test such as hospital staff or truck driving can use those programs in place of the mariner programs?

With this new published policy the programs are identical.

This will impact mariners submittals to the NMC for new and renewal license applications.

Clarification on this matter would be appreciated.

Sincerely

Gary Kulibert

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