



OREGON YOUTH AUTHORITY



Policy Statement

Part II – Youth Services (Facilities)

Subject:

Youth Substance Use Screening in OYA Facilities

Section – Policy Number:

D: Health and Mental Health – 2.1

Supersedes:

**II-D-2.1 (5/19)
II-D-2.1 (10/11)
II-D-2.1 (12/00)**

Effective Date:

04/28/2023

Date of Last Review/Revision:

None

Related Standards and References:

- [ORS 420A.010](#) (Oregon Youth Authority, creation and duties)
- [ORS 420A.125](#) (Adjudicated Youths; intake assessments; reformation plan; placement)
- [OAR 416-435](#) (OYA Transgender, Gender Diverse, Gender Fluid, and Intersex Youth)
- [OAR 416-470](#) (Prohibited Youth Behaviors and Processing Behavior Violations)
- Performance-based Standards (PbS), *Juvenile Correction and Detention Facilities*; Programming; Health and Mental Health
- American Correctional Association *Standards for Juvenile Correctional Facilities*; 4-JTS-4E-02 (Management of Chemical Dependency)
- [OYA policy](#): I-C-8.3 (Infection Control)
II-A-1.2 (Preserving Chain of Evidence)
II-B-2.1 (Behavior Management – Youth Refocus Options)
- [OYA form](#): YA 4407 (Chain of Custody-Urinalysis Testing)


Related Procedures:

- None

Policy Owner:

Facility Services Assistant Director

Approved:



Joseph O'Leary, Director

I. PURPOSE:

This policy sets standards for substance use screening youth in OYA facilities.

II. POLICY DEFINITIONS: None

III. POLICY:

OYA's mission includes holding youth accountable and providing opportunities for reformation in safe environments. Detecting a youth's substance use is an important tool as staff work to fulfill the agency's mission while also providing opportunities for reformation by following case plans and participating in treatment programs. Substance-free facilities help provide positive youth development in safe and secure environments.

The purpose of youth substance use screening is to:

- Assess, monitor and treat a youth's substance use;
- Assist in case planning by identifying youth who need substance use treatment services or other interventions;
- Deter a youth's substance use;
- Monitor and maintain compliance with court orders, case plans, and substance use treatment programs; and
- Eliminate the presence and use of illegal and prohibited substances in OYA facilities.

OYA has identified diversity, equity, and inclusion as an agency priority and initiative, with a goal to build a respectful, diverse, equitable and inclusive environment for youth and staff that is free from harassment, discrimination and bias. To ensure there is equity and no bias in the substance use screening process, use of a Random Number Generator will be used to select who will be screened.

IV. GENERAL STANDARDS:

- A. During a youth's facility intake process, staff must notify the youth of the facility's substance use screening procedures and the consequences that may occur if the youth refuses to participate in screening.
 - 1. Random or scheduled youth substance screening is allowed in the following instances:
 - a) As authorized in a case plan or court order;
 - b) In conjunction with a youth's treatment plan;
 - c) Upon intake into a facility;
 - d) Random tests based on safety and security risks to maintain a substance-free facility using a computer-generated randomizer to assure that the selection is unbiased; or
 - e) When a staff member has reasonable suspicion that a youth is using illegal or prohibited substances. This includes when a youth has been away from a facility and may have had access to illegal or prohibited substances, or when behavior or other evidence suggests the youth may have used an illegal or prohibited substance.
 - 2. The substance use screening process will ensure the reliability of the screening, accuracy of the results, and the safety of those involved.

- a) Staff must follow chain of custody procedures as the specimen is processed. The chain of custody requirement ensures the specimen obtained from the youth is the same that is screened, and the result of the screen is what is presented as evidence in court.
 - b) Staff must use OYA form YA 4407 (Chain of Custody – Urinalysis Testing), the screening test manufacturer’s form, or lab form to document the chain of evidence.
 - c) The facility substance use treatment coordinator must instruct staff on screening methods and procedures prior to staff conducting a screening.
 - d) Staff must follow the manufacturer’s recommendations when using screening products.
 - e) Staff must be respectful of the youth while maintaining the test or screening integrity.
 - 1) Urine sample collection must be monitored by a same-gender staff (except for circumstances described in section B below) in a place and manner that will avoid undue embarrassment to the youth while safeguarding against sample tampering.
 - 2) Once the sample is provided, staff must keep it within their control to minimize tampering opportunities.
 - f) Staff must use universal precautions when conducting tests or screenings. See OYA policy [I-C-8.3 \(Infection Control\)](#) for details.
3. Following a positive screening, a second testing method may be necessary to confirm results.
 4. Confirmation tests must be a second test using a laboratory.

A specimen that screens positive on an initial screen but fails to be confirmed by laboratory testing will be declared negative and treated the same as a specimen that showed negative in the initial screen.

- B. Staff must ask a transgender, gender fluid, or intersex youth to identify whether the youth prefers a staff who identifies as male or female to conduct the youth’s urine collection process when a urine sample is required for substance use screening.

If the stated preference is not the same gender as the youth, preferred-gender staff who are identified as willing to observe the urine collection will do so. If preferred-gender staff are not available, staff will use oral testing

(e.g., mouth swab); or the device temperature and adulteration strips to complete the substance use screen without observing the youth.

- C. Staff must protect confidential information about screening and results in compliance with OYA policy.
 - 1. Appropriate information must be documented on an assessment OYA 4460 Substance Use Screen Report in JJIS.
 - 2. All positive screens must be documented as a YIR.
 - 3. Staff must file the OYA 4460 and a lab report (if available) in the youth's case file as documentation of the screening and the results.
 - 4. If results are disclosed, staff must document the disclosure in the youth's case file, including the action taken and to whom and when disclosure was made.

- D. Screening process
 - 1. If a youth states they are unable to provide a specimen, staff must permit the youth a reasonable timeframe within which to do so.
 - 2. Staff must document the following information at the time of the specimen collection:
 - a) The youth's name and JJIS number;
 - b) The type of substance(s) for which the screening is administered;
 - c) A list of medications the youth is currently taking, as provided by the youth;
 - d) Date/time the specimen is collected; and
 - e) The name of the person collecting the specimen.
 - f) If a random test, include a copy of the randomizer that was used to determine who was selected for the test.
 - 3. Staff must document all transfers of specimens using a YA 4407, screening test manufacturer's form, or lab form.
 - a) Staff will review the specimen for evidence of tampering at each transfer of the specimen.
 - b) Staff will immediately report any evidence of tampering to the submitting office.
 - 4. Staff must notify the youth of the screening results as soon as practicable, but no later than 72 hours after staff receive the results.

- a) Adjustments to the youth's behavior reinforcement to support the youth's case plan goals may be needed and applied by the youth's multidisciplinary team with collaboration from the facility substance use treatment coordinator.
- b) Staff must notify the substance use treatment coordinator or designee of a positive result. Youth must have the opportunity to participate in additional substance use treatment sessions to address the underlying issues.
- c) If the youth refuses the opportunity to work with staff on the issue, then staff must impose graduated refocus options for positive results in compliance with OYA policy II-B-2.1 (Behavior Management - Youth Refocus Options). The youth behavior violation may be for Medication Abuse or Misuse, or Possession of Contraband That Can Harm Self or Others.
- d) Behavior reinforcement will be imposed at the discretion of the youth's unit leadership team in collaboration with the youth's juvenile parole/probation officer. A youth's honesty regarding the results of the screening may be considered when deciding behavior reinforcement.

V. LOCAL OPERATING PROTOCOL REQUIRED: YES

Each OYA facility must develop and implement a local operating protocol to supplement this policy. The protocol must address the below items, and be reviewed by the OYA statewide substance use treatment coordinator prior to implementation.

- A. Process for collection of substance use screening specimen to ensure proper chain of custody.
- B. Laboratory results – communication and verification process.
- C. Random substance use screening collection – how many youth, how randomly selected.