

Drug-Free Workplace Notice

When an individual becomes dependent on drugs or alcohol, the effects can be devastating and widespread. Physical and mental health is damaged. Relationships with family, friends and colleagues suffer. Quality of work diminishes. The toll exacted by substance abuse is indeed heavy and avoidable.

As a world class university, UT Health San Antonio must operate in a way consistent with the trust society has placed in us. With this trust comes certain responsibilities and obligations. Among these is the obligation to function in an unimpaired manner and to maintain a professional environment free from the influence of drugs and alcohol. As part of this, every member of the UT Health San Antonio must recognize and remedy substance abuse problems in ourselves, and we must do all that we can to help others do the same, whether the other person is a student or a colleague.

Based on these obligations, and to comply with such workplace regulations as the Drug Free Workplace Act of 1988 and the Drug Free Schools and Communities Act of 1989, this notice has been developed. It provides information about UT Health San Antonio policies, the most commonly abused drugs, discusses consequences of that abuse, and outlines the University, state and federal penalties for such abuse. More importantly, it provides information about where to turn for help if you or someone you know is dependent on drugs or alcohol.

POLICY AND STANDARDS OF CONDUCT

The abuse of alcohol and the use of illegal drugs by members of the UT Health San Antonio community are incompatible with the goals of the University. In order to further the University's commitment to provide a healthy and productive educational environment, it is the policy of the Health Science Center to comply with the Drug-Free Schools and Communities Act Amendments of 1989. The Drug-Free Schools and Campuses Regulations (EDGAR Part 86) require universities receiving any form of federal funding to develop and implement a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees.

UT Health San Antonio policy states:

1. The unauthorized purchase, manufacture, distribution, possession, sale, storage or use of an illegal drug or controlled substance while on duty, while in or on premises or property owned or controlled by the UT Health San Antonio, or while in vehicles used for UT Health San Antonio business are prohibited. A controlled substance is any substance so defined by federal or state statute or regulation.
2. The unauthorized use or possession of alcohol while on duty or while in vehicles used for UT Health San Antonio business is prohibited.
3. Use of alcohol or an illegal drug or controlled substance while not on duty which adversely affects job performance or may adversely affect the health or safety of other employees, students, visitors or patients is prohibited.

4. The use of alcohol at an authorized UT Health San Antonio function, in the course of official UT Health San Antonio business, or at an authorized UT Health San Antonio site, which adversely affect job performance or may adversely affect the health or safety of any other person is prohibited. Alcoholic beverages on UT Health San Antonio property are permissible only by prior written Presidential approval for specific events.
5. Warnings about prescribed or over-the-counter medication and its impact on work performance or on individual or job safety must be heeded by the employee and student. A supervisor's advice and assistance may be necessary when job adjustments are required to ensure an employee's ability to perform assigned work in a safe manner because of use of such medications.
6. Distribution to others of a drug or controlled substance obtained pursuant to a prescription, except by duly licensed and certified persons, while on duty or while in or on premises or property controlled by the UT Health San Antonio is prohibited.

To learn more, please review Section 2.5.4 of the Handbook of Operating Procedure, "[Drug-Free University Community and Workplace.](#)"

The following Standards of Conduct regarding the use of illegal drugs have been adopted by the University of Texas System and are applicable to all UT Health San Antonio employees and students.

1. Rules [30103](#) and [50101](#) of the UT System Regents' Rules & Regulations provides that all employees and students are expected and required to obey federal, State, and local laws; to comply with the Regents' Rules and Regulations, with The University of Texas System and institutional rules and regulations, and with directives issued by administrative officials of the UT System or UT System institution in the course of their authorized duties; and to observe standards of conduct appropriate for an academic institution.
2. [Rule 80102](#) of the Regents' Rules & Regulations provides that the use of alcoholic beverages is prohibited on property and in buildings owned or controlled by The University of Texas System or any of the institutions. However, the Chancellor of the UT System or the president of an institution may waive this prohibition with respect to any event sponsored by the UT System or any of the institutions.

The Drug-Free Workplace Act of 1988 provides that any employee who is found guilty (including a plea of "no contest") or has a sentence, fine or other penalty imposed by a court of competent jurisdiction under a criminal statute for an offense involving a controlled substance which occurred in the workplace, or in the course and scope of his/her employment, shall report such action to the Human Resources Office within five (5) calendar days of the conviction.

Employees and students in violation of these policies may face disciplinary action up to and including expulsion or termination, in addition to facing sanctions under local, State, or federal law applicable to the unlawful possession, use, or distribution of illegal drugs or alcohol.

RESOURCES AVAILABLE TO FACULTY, STAFF, AND STUDENTS

Drug and alcohol counseling, treatment, and rehabilitation programs are available to employees and students via the following resources:

1. The Employee Assistance Program (EAP) is a confidential source for assessment, problem identification, and referral for a broad range of problems including alcohol and drug abuse. The University provides this confidential service to all benefit-eligible faculty, staff, and their dependents free of cost. Contact the EAP at 800.346.3549.
2. The [Student Counseling Center](#) provides assistance, support, and counseling to students dealing with the complex personal, social and academic demands of the professional school setting. Services provided by the counseling center include evaluation, referral, consultation, and education related to substance abuse. Contact the Student Counseling Center at 210.567.2648.
3. UTHSA Police Department video "[Wasted Youth.](#)"
4. You may also contact your healthcare provider for assistance via your insurance plan.

Additional Resources	
Alcoholics Anonymous	210.828.6235
Al-Anon / Alateen	210.829.1392
San Antonio Council on Alcoholism & Drug Abuse	210.225.4741
Narcotics Anonymous	210.434.0665

HEALTH RISKS ASSOCIATED WITH THE ABUSE OF DRUGS AND ALCOHOL

Creating an environment free of illegal drugs and alcohol is a difficult task for any employer. Many people may turn to alcohol and other drugs in an attempt to handle the daily stresses arising at home and work. At UT Health San Antonio, we are well aware not only of the good that can result from the proper use of prescribed medications, but also of the devastation that can occur from the misuse of drugs and alcohol. The following list outlines the health risks associated with the use of various classes of drugs and alcohol:

Class of Drug	Examples	Possible Adverse Effects	Effects of Overdose	Risk of Abuse/ Dependence
Narcotics	Fentanyl Heroin Hydromorphone Methadone Morphine Opium Oxycodone OxyContin Vicodin	Sedation, confusion, drowsiness, dizziness, nausea, vomiting, urinary retention, pupillary constriction, and respiratory depression.	Stupor, changes in pupillary size, cold and clammy skin, cyanosis, coma, and respiratory failure leading to death.	Narcotics range from Schedule I to V controlled substances. Schedule I narcotics, like heroin, have no medical use in the U.S. and have a high potential for abuse.

Stimulants	Amphetamines Adderall Cocaine Crack Diet aids Ephedrine Ritalin	Agitation, aggression, hallucinations, increased blood pressure, insomnia, paranoia.	Increased body temperature, convulsions, and possible cardiac collapse leading to death.	A number of stimulants are Schedule I controlled substances with a high potential for abuse. Some prescription stimulants are not controlled.
Depressants	Ativan GHB Klonopin Rohypnol Valium Xanax	Blurred vision, loss of motor coordination, low blood pressure, nausea, slowed breathing, and vomiting.	Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, and possible death.	Depressants range from Schedule I to IV controlled substances. Rohypnol and Quaaludes have no medical use in the U.S.
Hallucinogens	Ecstasy Ketamine LSD MDMA Mushrooms Mescaline PCP	Elevated heart rate, increased blood pressure, dilated pupils, confusion, anxiety, depression, paranoia, nausea, stiffening of the muscles.	Respiratory depression, coma, convulsions, psychosis, seizures, and death due to organ system failure or respiratory arrest.	Many hallucinogens are Schedule I controlled substances with a high potential for abuse and no currently accepted medical use in the U.S.
Marijuana/ Cannabis		Loss of coordination, memory loss, distorted perception, dizziness, nausea, tachycardia, and sedation.	No deaths from overdose of marijuana have been reported.	Marijuana is a Schedule I controlled substance and has a high potential for abuse.
Anabolic Steroids	Testosterone Nandrolone Stanozolol Methandienone Boldenone	Dramatic mood swings, hostility, aggression, stunted growth, coronary artery disease, and risk of contracting various infections from injection.	Anabolic steroids are not associated with overdoses. The adverse effects a user would experience develop from the use of steroids over time.	Anabolic steroids are Schedule III controlled substances with a moderate risk of abuse.
Alcohol		Change in mood and ability to think, diseases of the organ systems, cancer, and weakened immune system.	Coma, vomiting, seizures, slow or irregular breathing, and possible death from advancement organ system disease.	Increased with family history.

For additional information regarding health risks associated with alcohol abuse and illicit drug use, please see the National Institute on Alcohol Abuse and Alcoholism website: <https://www.niaaa.nih.gov/> and the DEA's publication: [Drugs of Abuse: A DEA Resource Guide \(2017 Edition\)](#).

APPLICABLE LAWS AND SANCTIONS

The following tables outline sanctions associated with violation of important state and federal drug and alcohol laws:

Penalties Under Texas Law		
Offense	Minimum Punishment	Maximum Punishment
Possession of Controlled Substances Tex. Health & Safety Code § 481.115-481.119	State Jail Felony	Imprisonment for life or for a term of not more than 99 years nor less than 15 years, and a fine not to exceed \$250,000.
Delivery of Marihuana Tex. Health & Safety Code § 481.120	Class B Misdemeanor	Imprisonment for life or for a term of not more than 99 years nor less than 10 years, and a fine not to exceed \$100,000.
Possession of Marihuana Tex. Health & Safety Code § 481.121	Class B Misdemeanor	Imprisonment for life or for a term of not more than 99 years nor less than 5 years, and a fine not to exceed \$50,000.
Delivery of Controlled Substance or Marihuana to Child Tex. Health & Safety Code § 481.122	Second Degree Felony	Punishment under another offense.
Public Intoxication Tex. Penal Code § 49.02	Class C Misdemeanor	
Possession of Alcohol in Motor Vehicle Tex. Penal Code § 49.031	Class C Misdemeanor	
Driving While Intoxicated Tex. Penal Code § 49.04, 49.04	Class B Misdemeanor, with a minimum confinement of 72 hours.	Third Degree Felony
Purchase (or attempt of purchase) of Alcohol by a Minor Tex. Alco. Bev. Code § 106.02, 106.025	Class C Misdemeanor	A fine of not less than \$250 or not more than \$2000, imprisonment for not more than 180 days, or both; attendance at alcohol awareness course; license suspension.
Sale of Alcohol to a Minor Tex. Alco. Bev. Code § 106.03	Class A Misdemeanor	
Consumption or Possession of Alcohol by a Minor Tex. Alco. Bev. Code § 106.04-106.05	Class C Misdemeanor	A fine of not less than \$250 or not more than \$2000, imprisonment for not more than 180 days, or both; attendance at alcohol awareness course; license suspension.
Purchase of Alcohol for, or Furnishing of Alcohol, to a Minor Tex. Alco. Bev. Code § 106.06	Class A Misdemeanor	

For more information regarding offenses and penalties relating to possession of alcohol and drugs under Texas law, see:

[Texas Controlled Substance Act](#)

[Texas Intoxication and Alcoholic Beverage Offenses](#)

[Texas Alcoholic Beverage Code- Provisions Relating to Age](#)

[Texas Penal Code Punishments](#)

Penalties Under Federal Law		
Offense	Minimum Punishment	Maximum Punishment
Simple Possession of Controlled Substance	Imprisonment for not more than 1 year, a minimum \$1,000 fine, or both.	Imprisonment for not less than 90 days but not more than 3 years, and a minimum fine of \$5,000.

Trafficking Penalties for Controlled Substances (except marijuana)	Imprisonment for not less than 5 years, fine of not more than \$5 million if an individual, \$25 million if not an individual, or both.	Life imprisonment, fine of not more than \$20 million if an individual, \$75 million if not an individual, or both.
Trafficking Penalties for Marijuana	Imprisonment for not more than 5 years, fine not more than \$250,000, \$1 million if other than an individual, or both.	Life imprisonment, fine of not more than \$20 million if an individual, \$75 million if not an individual, or both.
Operation of a Common Carrier Under the Influence of Alcohol or Drugs		Imprisonment not more than 15 years or fine, or both.

The federal penalties quoted in these charts are based upon language contained in the applicable federal statutes creating criminal offenses regarding controlled substances and are subject to change at any time. There are additional factors in the federal sentencing guidelines, including various enhancement provisions for prior offenses. For information regarding federal drug trafficking penalties, go to <https://www.dea.gov/druginfo/ftp3.shtml>.

Additionally, Title 21 United States Code § 860 provides that the federal statutory penalties double (and in some cases triple) when a controlled substance is distributed (or even possessed with intent to distribute) within 1,000 feet of a public university.

This publication is intended to meet the annual notice requirements of the Drug Free Workplace Act of 1988, Title 41 U.S.C. 81, and the Drug Free Schools and Communities Act Amendments of 1989, Title 20 U.S.C. § 1011i. Any changes to the referenced policies, rules and regulations, and laws will apply on the effective date of those changes, both to present and prospective faculty, staff, and students.

The information contained in this notice is current as of the publication: September 2017.