

---

# Drug Testing Results Interpretation and Reporting in Turkey

---



**Serap Annette Akgür, MD,PhD**

Ege University

Institute on Drug Abuse, Toxicology and Pharmaceutical Sciences

Izmir/Turkey



## TURKISH PENAL CODE-Purchase, Accept, or Possess for Using Drugs- Art. 191

-Purchase, accept, or possess for using drugs will be punished with **imprisonment** from two year to five years.

-Before giving a decision about the person using stimulant or sedative psychotropic drugs, according to the first paragraph, the person will be sentenced to **probation** in the court against this offence.

*\*The case may fall for the one that adheres the requirements of probation.*



# Probation

Alternative traditional  
adjudication process



**Court monitored-therapy**  
instead of incarceration



Dismissal of a charge



## 5272 numbered Turkish Penalty Code's 109<sup>th</sup> paragraph-Probation on Drug/Substance Use/Abuse

“The evaluation according to a  
psychiatrist clinical diagnosis  
with laboratory findings for  
therapies of narcotic,  
stimulant or inhalant  
substances and alcohol  
addiction”

June 2005-Turkey



# Probation on Drug/Substance Use/Abuse

I-Custody/Supervision



II-Treatment/Detoxification



**III-Drug Monitoring-Testing**



# Forensic Toxicology

- ✓ Human performance
- ✓ Post-mortem
- ✓ Forensic drug testing

is used most often in the workplace, probation systems, the military, and the emergency department.





- ✓ Semiquantitative Immunoassay methods  
(CEDIA, EMIT, RIA, ELISA...)
- ✓ Chromatographic methods  
(GC, HPLC, GC/MS; LC/MS..)



**To monitor substance use, urine specimens are collected from probationers who are court ordered to do so as a condition of their release.**



Screening —————→ negative  
(Cutt-off) result

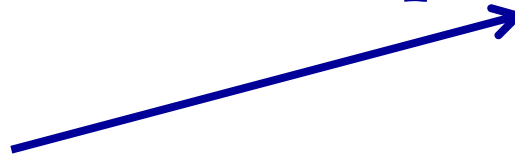
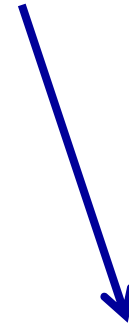


**Non-negative**



Confirmation

**Interpretation & Reporting**





## Urine integrity ? False negative?



# MRO



- ✓ The Medical Review Officer (MRO) is a medical physician with responsibility for interpreting laboratory results



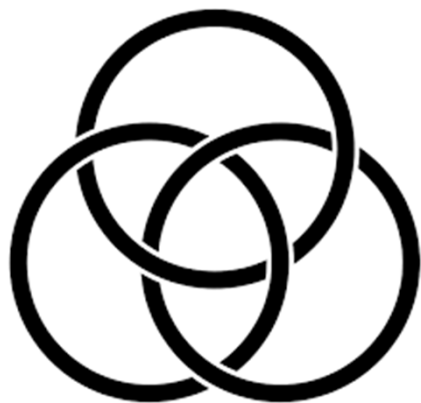
- ✓ Responsible for receiving laboratory results from drug-testing laboratory
- ✓ Who has knowledge of substance abuse, chain of custody..
- ✓ Has appropriate training or experience to interpret and evaluate an individuals positive/negative drug test result, in light of declared medication



# Probation on Drug/Substance Use/Abuse

- ✓ **Physicians** (psychiatrist) are working with **medical pharmacologists/toxicologists** which their graduation qualifications cover for substance analysis preanalytical-analytical-post analytical system's **for probationer system...**
- ✓ **Formal MRO training courses?**

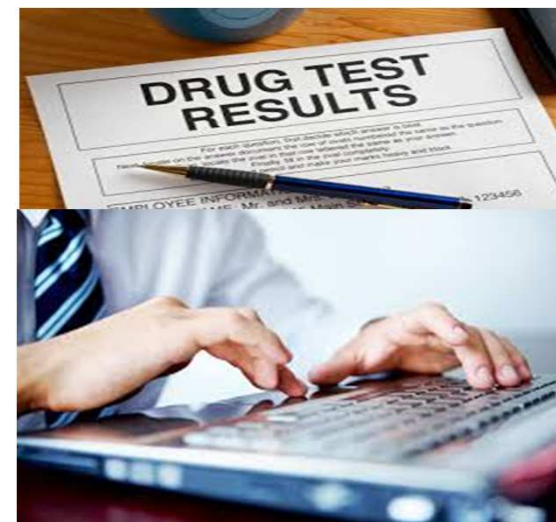




Preamalytic

Analytic

Postanalytic





# MRO

To interpret the results

- ✓ Biological materials; Urine, oral fluid and hair..
- ✓ Metabolic pathways
- ✓ Laboratory qualification
- ✓ Declared medications
- ✓ Chain of custody, integrity tests





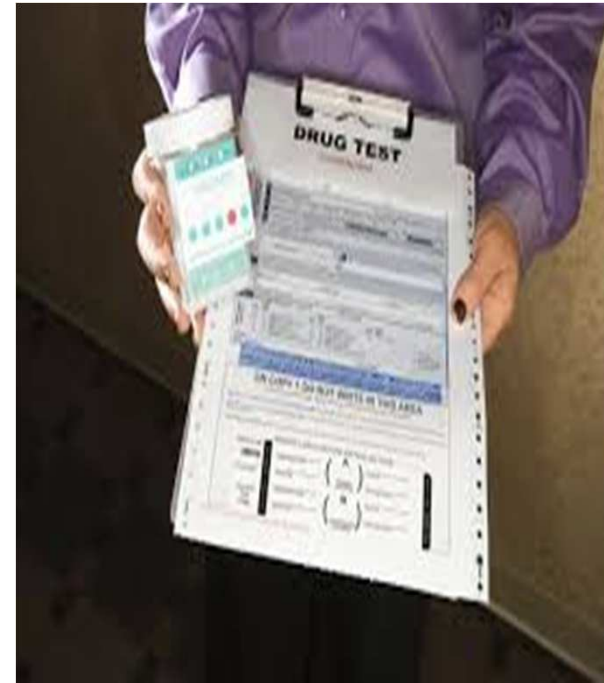
# What is the situation (legislation) on WDT in Turkey?

- ✓ Labour Law
- ✓ Occupational practice
- ✓ Transport system

Highway transportation

Maritime transportation

Airway transportation



# Labour law and Drug Test

## Prohibitions of using alcoholic beverages and drugs

According to the 84/ f.I article

- ✓ It is forbidden to come to workplace by using psikotrop drug and alcoholic beverage.
- ✓ According to 84 article, disobeying this rule just for once will terminate the contract.



# Workplace Physician Regulations (occupational practice)

## Health Supervision

Art.4 to arrange the appropriate reports for the risk groups, those with known or suspected diagnosis of occupational disease, chronic disease, those with **drug/substance addiction (but not abuse)** and those who had more than one occupational accident by performing the suitable reporting/examinations.

recreational use ...



## Highway transportation

Official Journal Number : 26301, 26 Sep.2006 Ministry of Internal Affairs:Health Conditions for Driver Applicants (Medical Examination Instructions)

- ✓ **Driving Licence** and for professional drivers **Driver Presentation Card** are not given to alcohol addicted people or who are used to drive under the influence of alcohol.
- ✓ It has been stated that people who are willing to work as a driver (including the car owner, if he runs) in such vehicles should take a report indicating that he does not use/abuse **drugs/recreation drugs (chemical/organic)** along with the Psycho technical report.



## Seafarers Health Care Regulations “Seafarer Health Report”

- ✓ It is not given to those with alcohol and substance abuse/addiction and are not allowed to work as an employee at sea.
- ✓ If someone under a treatment for drug addiction, he should show a report that he is not using drugs at last one year from psychiatrist.



# Airlines regulations

In Turkish Airlines, depending on the Procedure for Alcohol and Psychoactive Substance Control which has entered into force on 02.03.2012, alcohol and substance screening tests are conducted to the personnel who is working in the critical positions regarding operational safety.

(Turkish Airlines, require confirmatory testing before disciplinary action)





# Workplace

Function of these MRO is to interpret the results of laboratory drug testing, however they see this within the broader role of being an **Physician** (Occupational...)



# Workplaces

Occupational Physician, Workplace Physician

- ✓ Does occupational physician graduation qualifications cover for substance analysis preanalytical-analytical-post analytical systems?
- ✓ Their graduation cover substance misuse/addiction, but ..
- ✓ MRO training courses..



# Concerns

- ✓ Most companies having not a written company policy
- ✓ We require a higher **probable cause** standard for suspecting drug abuse
- ✓ We do not allow **permissive** or **unannounced** testing for employees
- ✓ Permission for **random testing** for sensitive or public safety jobs is in practice for some workplaces (Turkish Airlines)



# Concerns

- ✓ Point of Collection Devices, without confirmation (Requirement of analytical confirmation with chromatographic techniques)
- ✓ Drug testing policy for the control of workers (and probationers) for drugs of abuse is not unique
- ✓ Laboratory Quality
- ✓ Improper preanalytical procedure and deficiency in the Chain of Custody
- ✓ Tests are often administered by untrained personnel (incompetent staff)-
- ✓ Unsufficient interpretation, we need high level of forensic awareness



# Concerns

- Following the medical training, we must complete a nationally recognised MRO certification system for medical practitioners, physicians.. in the field of medical review of drug tests.

THANK YOU FOR YOUR ATTENTION!

