How to Report a Violation: MROs

Violation Reporting Requirements
Medical review officers (MROs) are required to report positive drug test and drug tests refusals for Department of Transportation (DOT)-required drug tests to the FMCSA Commercial Driver’s License Drug and Alcohol Clearinghouse (Clearinghouse).

Which violations are MROs responsible for reporting?
Both employers and MROs are required to report drug and alcohol program violations in the Clearinghouse per § 382.705. The table below identifies who is responsible for reporting each type of violation.

<table>
<thead>
<tr>
<th>Reporting Entity</th>
<th>Violations Reported to the Clearinghouse</th>
<th>Timeframe for Reporting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prospective/Current Employer of CDL Driver</td>
<td>An alcohol confirmation test with a concentration of 0.04 or higher</td>
<td>Employers must report any drug and alcohol program violation information by the close of the third business day following the date on which the employer obtained the information.</td>
</tr>
<tr>
<td></td>
<td>Refusal to test (alcohol) as specified in 49 CFR § 40.261</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Refusal to test (drug) not requiring a determination by the MRO as specified in 49 CFR § 40.191</td>
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<tr>
<td></td>
<td>Actual knowledge of a drug or alcohol violation, as defined in 49 CFR § 382.107</td>
<td></td>
</tr>
<tr>
<td>MRO</td>
<td>Verified positive, adulterated, or substituted drug test result</td>
<td>MROs must report results within two business days of making a determination or verification of a DOT required drug test. Any changes to the results report of a verified drug test must be reported to the Clearinghouse within one business day of making the changes.</td>
</tr>
<tr>
<td></td>
<td>Refusal to test (drug) requiring a determination by the MRO as specified in 49 CFR § 40.191</td>
<td></td>
</tr>
</tbody>
</table>
How to Report a Violation
The instructions below will walk through how to report a drug and alcohol program violation as an MRO.

If you are an employer, see the Reporting Violations for Employers Job Aid for instructions.
If you are a C/TPA, see the Reporting Violations for C/TPAs Job Aid for instructions.

1. Log In and Access the Dashboard
Visit https://clearinghouse.fmcsa.dot.gov. Click Log In and access the Clearinghouse using your login.gov username and password.

Under My Dashboard, go to Violations and click Report a Violation.

2. Enter the Employer Information
Enter the information of the employer listed on the Federal Drug Testing Custody and Control Form (CCF). This is the information of the driver’s employer, not the MRO’s employer. Enter all the information that is available to you.
Enter and Verify the Driver Information
Enter the information of the driver who incurred the violation and click Verify Driver Information.

You will need to provide the following driver information:

- Driver first and last name
- Driver date of birth
- Driver commercial driver’s license (CDL) number, and the country and state of issuance

**Driver Information**

Enter the information of the driver who committed the violation. All fields are required unless otherwise noted.

- **First Name**
- **Last Name**
- **Data of Birth**
- **Driver CDL Number**
- **Country of Issuance**
- **State of Issuance**

**VERIFYING ERRORS**

If there is an issue verifying the driver CDL information, please check that you have entered all the information correctly. The information should match the information on the driver’s CDL.

If the CDL number has special characters (such as spaces or hyphens), try entering the number with or without those characters, as requirements vary by State.

If the driver CDL information cannot be verified, the Clearinghouse will flag the record for FMCSA’s review. However, the violation will be recorded in the Clearinghouse and the driver information will be reconciled at a later date. You will still be able to continue reporting the violation.

Once a driver’s CDL information has been verified, you will not be able to edit it. If you entered the driver’s information in error, click **Cancel** and begin again with a new violation. When you are ready to continue, click **Next**.
Enter the Violation Information

Select the type of violation you are reporting and click Next. Each violation must be entered separately.

The amount of violation information you will need to enter will depend on the type of violation you select. See below for an overview of the types of information you will need to enter for each violation type. Prompts will also appear on the screen to guide you through each process.

REPORTING POSITIVE DRUG TESTS
If you select positive drug test, you will be required to provide the following information:

- Reason for the test
- Date of test
- Date of verified result
- Specimen ID number
- All substances the driver tested positive for (see image below)
4 Enter the Violation Information (Continued)

**REPORTING TEST REFUSALS**
If you select refusal to take a drug test, you will be required to provide the following information:

- Reason for the test
- Type of test refusal (see image below)
- Date of test
- Date of verified result (adulterated/substituted only)
- Specimen ID number
- Remarks/additional information

**TYPE OF TEST REFUSAL (SELECT ONE):**
- Adulterated
- Substituted
- Failed to provide a sufficient specimen without medical explanation
- Other
Review and Submit the Violation

Review the information you have entered. The categories of information displayed will vary depending on the type of violation selected.

If the violation information needs corrections, click the Previous button until you reach the relevant screen. You can also click the edit icon of the appropriate section to return to that screen. Once you have finished making corrections, click the Next button to navigate through the following screens until you return to the Review and Submit the Violation screen.

Note: Once a driver’s CDL information is verified, you will not be able to edit it. If you entered the driver’s information in error, click Cancel and begin again with a new violation.

Once all the information is accurate, check the box to accept the Clearinghouse certification statement and click Submit Violation.

THE VIOLATION HAS BEEN REPORTED.

Once the violation has been reported, you will be given the option to enter another violation.

If you select Yes, you will be taken back to the Driver Information screen.

If you select No, you will be directed to your Violations History page.
How to Edit a Reported Violation

If you have entered a violation in error, you can submit a request to have the violation removed.

Under My Dashboard, go to Violations and access your Violation History.

Locate the violation and click View Violation Details.
Click **Request to Remove Violation**

In the pop up window, **enter the reason** the violation needs to be removed and click **Request to Remove Violation**.

FMCSA will review the request and, if approved, remove the violation from the Clearinghouse.