

# DRUG & ALCOHOL CLEARINGHOUSE

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Q&A Session for Medical Review Officers  
and Substance Abuse Professionals

December 2020



# Agenda

- 1 OVERVIEW OF THE CLEARINGHOUSE**  
About the Congressional mandate and what it means
- 2 REGISTRATION**  
Creating a Clearinghouse account
- 3 REPORTING VIOLATIONS**  
Violations reported to the Clearinghouse
- 4 REPORTING RETURN-TO-DUTY INFORMATION**  
Return-to-duty (RTD) information reported to the Clearinghouse
- 5 COMMON ISSUES**  
Common issues users are experiencing
- 6 NEXT STEPS & MORE INFORMATION**  
How you can register, learn more, and get technical support

# Overview of the Clearinghouse

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# The Clearinghouse Final Rule

- Mandated by Congress (MAP-21, Section 32402)
- Published December 5, 2016
- Established requirements for the Clearinghouse
- Implemented on **January 6, 2020**



Read the Clearinghouse final rule at:

[www.fmcsa.dot.gov/regulations/commercial-drivers-license-drug-and-alcohol-clearinghouse](http://www.fmcsa.dot.gov/regulations/commercial-drivers-license-drug-and-alcohol-clearinghouse)

# The FMCSA Commercial Driver's License Drug and Alcohol Clearinghouse



Driver consent



## Record

**Employers** and **medical review officers** report violation information to the Clearinghouse (positive tests, refusals to test, actual knowledge)

## Retain

**Secure database** retains the violation and **CDL/CLP** number  
Includes driver's status in return-to-duty (RTD) process

## Query

**Employers** and **C/TPAs** query the Clearinghouse for violation information, with driver consent

**FMCSA** uses data for enforcement purposes  
**State enforcement agencies** will receive driver eligibility status (i.e., Prohibited/Not Prohibited)  
**Drivers** can access only their own information

## Increasing safety on our Nation's roadways



Real-time access to reported violation information for select registered users

Easier for employers to meet pre-employment investigation and reporting obligations

More difficult for drivers to conceal drug and alcohol violations from employers

More insight into employer compliance with drug and alcohol testing rules



**Safer Roadways**

# MRO and SAP Requirements

## MRO

### Register

- Self-certify you meet all MRO qualifications per [§40.121](#)



### Report

- Positive, adulterated, substituted drug tests or test refusals



## SAP

### Register

- Self-certify you meet all SAP qualifications per [§40.281](#)
- Driver must designate you in the Clearinghouse

### Report

- Enter RTD information: date of initial SAP assessment, and date driver determined eligible for RTD testing

# Registration



# Registering for the Clearinghouse

- Must have a login.gov account to register for the Clearinghouse



When selecting a method for second factor authentication do not select “backup codes”

- After you have logged in to your login.gov account, select your user role

The screenshot shows the registration interface for the Drug & Alcohol Clearinghouse. At the top, the logo and navigation links (FAQ, About, Contact) are visible. A success message indicates the user is logged into their login.gov account. A progress bar shows six steps: 1. LOGIN.GOV (completed), 2. ROLE SELECTION (current step), 3. CONTACT INFORMATION, 4. COMPANY INFORMATION, 5. DESIGNATE C/TPA, and 6. TERMS & CONDITIONS. Below the progress bar, the '2. Select Your Role' section is active, with instructions to use the menu to select a user role. Five role options are presented with icons and radio buttons: Employer (selected), Driver, Consortium/Third-Party Administrator (C/TPA), Medical Review Officer (MRO), and Substance Abuse Professional (SAP). A warning banner at the bottom asks if the user is covered by DOT Drug and Alcohol Testing Regulations, with a 'Find out' link. 'Next' and 'Cancel' buttons are at the bottom.

# Registering for the Clearinghouse – MROs and SAPs

- MROs: Enter your MRO license information and self-certify you meet all MRO qualifications, per § [40.121](#)

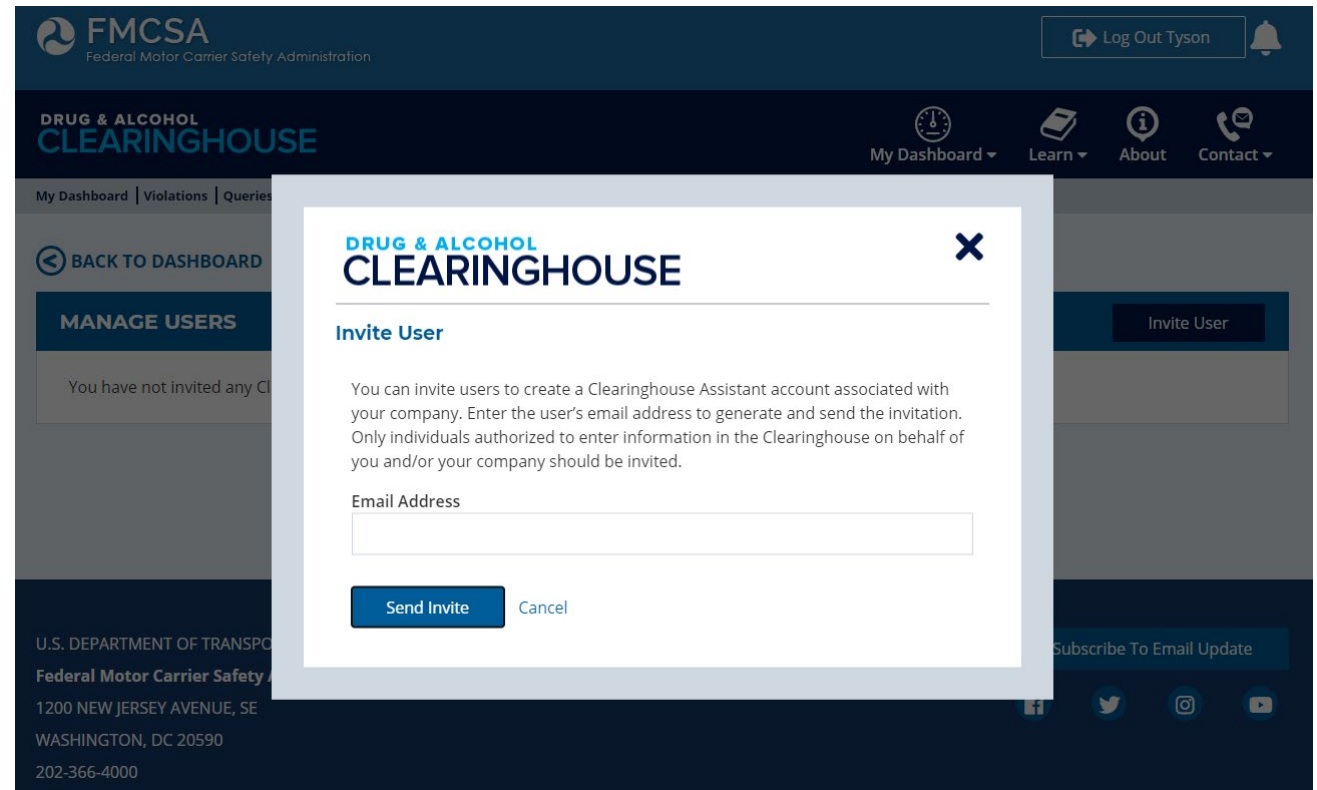
- SAPs: Enter your SAP credential information and self-certify you meet all SAP qualifications, per § [40.281](#)

The screenshot shows the '4. Qualifications (1 of 2)' step for MRO registration. At the top, a progress bar indicates steps: LOGIN.GOV, ROLE SELECTION, CONTACT INFORMATION, QUALIFICATIONS (current), and TERMS & CONDITIONS. A help icon and text prompt users to download step-by-step instructions for MRO registration. The main content area is titled '4. Qualifications (1 of 2)' and includes the instruction: 'To complete your MRO duties in the Clearinghouse, you must confirm your qualifications. All fields are required unless otherwise noted.' Below this, there are two sections: 'MRO License' and 'MRO Basic Knowledge Confirmation'. The 'MRO License' section requires selecting a license type, country, and state. The 'MRO Basic Knowledge Confirmation' section has a checkbox for confirming that the user meets all criteria, followed by a list of specific knowledge requirements related to controlled substances and DOT regulations. At the bottom, there are 'Previous', 'Next', and 'Cancel' buttons.

The screenshot shows the '4. Qualifications (1 of 2)' step for SAP registration. At the top, a progress bar indicates steps: LOGIN.GOV, ROLE SELECTION, CONTACT INFORMATION, QUALIFICATIONS (current), and TERMS & CONDITIONS. A help icon and text prompt users to download step-by-step instructions for SAP registration. The main content area is titled '4. Qualifications (1 of 2)' and includes the instruction: 'To complete your SAP duties in the Clearinghouse, you must confirm your qualifications. All fields are required unless otherwise noted.' Below this, there are two sections: 'SAP Credentials' and 'SAP Basic Knowledge Confirmation'. The 'SAP Credentials' section requires selecting credentials, country, and state. The 'SAP Basic Knowledge Confirmation' section has a checkbox for confirming that the user meets all criteria, followed by a list of specific knowledge requirements related to alcohol, controlled substances, and DOT regulations. At the bottom, there are 'Previous', 'Next', and 'Cancel' buttons.

# Inviting Other Users

- Invite Assistant(s)
  - Ensure continuous access
  - Employers: not required for Portal users
  
- Additional Administrators register on the Clearinghouse website



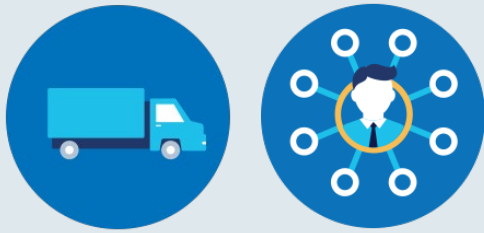
# **Reporting Violations in the Clearinghouse**

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# Reporting Violations – Employers and C/TPAs

What violations are the employer or designated C/TPA required to report?

## INFORMATION TO BE REPORTED TO CLEARINGHOUSE



Prospective/Current  
Employer of CDL Driver

Or

Service agent acting on  
behalf of Current  
Employer of CDL Driver

An alcohol confirmation test with a concentration of 0.04% or higher

Refusal to test (alcohol) as specified in [49 CFR 40.261](#)

Refusal to test (drug) not requiring a determination by the MRO as specified in [49 CFR 40.191](#)



Actual knowledge, as defined in [49 CFR 382.107](#), that a driver has used alcohol on duty, used alcohol within four hours of coming on duty, used alcohol prior to post-accident testing, or has used a controlled substance

Negative RTD test results (drug and alcohol testing, as applicable)

Completion of follow-up testing

# Reporting Violations – MROs and SAPs

## What information is the MRO or SAP required to report?

	INFORMATION TO BE REPORTED TO CLEARINGHOUSE	DEADLINE FOR REPORTING INFORMATION
<b>MRO</b> 	Verified positive, adulterated, or substituted drug test result	Within <b>two</b> business days of making a determination or verification of a DOT-approved drug test
	Refusal to test (drug) requiring a determination by the MRO as specified in <a href="#">49 CFR 40.191</a>	
	Changes a verified drug test per 49 CFR Part 40	Within <b>one</b> business day of making any change in the reported results
<b>SAP</b> 	Identification of driver and date the initial assessment was initiated	By the close of the business day following the date of initial assessment
	Date of determination of eligibility for RTD testing	By the close of the business day following the determination that the driver completed the RTD process

## How to Report a Violation – MROs

### ▪ Driver Information

- Driver's name, date of birth, and CDL number and state/country of issuance
  - **IMPORTANT:** Driver social security number (SSN) cannot be entered in the Clearinghouse
  - Spaces and hyphens should be removed from the CDL number before entering
- Information will be verified against FMCSA systems
  - MRO will have two attempts to enter the driver's information correctly
  - If the information cannot be validated, it will be flagged for review by FMCSA (data will still be accepted)

The screenshot shows the 'Driver Information' form in the Drug & Alcohol Clearinghouse interface. At the top, there is a navigation bar with 'My Dashboard | Violations: Report | Reports | Manage'. Below this is a progress indicator with four steps: 'Employer Info', 'Driver Info' (which is highlighted), 'Violation Info', and 'Review & Submit'. The main heading is 'Driver Information', followed by the instruction: 'Enter the information of the driver who committed the violation. All fields are required unless otherwise noted.' The form contains the following fields:

- First Name: Text input field
- Last Name: Text input field
- Date of Birth: Three input fields for 'month', 'day', and 'year'.
- Driver CDL Number: Text input field with a help icon.
- Country of Issuance: Dropdown menu with 'country' selected.
- State of Issuance: Dropdown menu with 'state' selected.

At the bottom of the form, there are two buttons: 'Verify Driver Information' (in a dark blue box) and 'Cancel'.

# How to Report a Violation – MROs: Positive drug test

## ■ Violation Information

– Reason for the test, date of test, date of verified result, Specimen ID number, and test result

**DRUG & ALCOHOL CLEARINGHOUSE**

My Dashboard | Violations: Report | Reports | Manage

Employer Info > Driver Info > **Violation Info** > Review & Submit

### Violation Information

Enter each violation separately. If you have multiple violations to enter for a single driver, you will be able to add another related violation at the end of this entry.

**ENTER THE TYPE OF VIOLATION (SELECT ONE):**

Positive drug test  
 Refusal to take a drug test

What was the reason for the test?

Date of Test  Date of Verified Result

Specimen ID Number ⓘ

**TESTED POSITIVE FOR (SELECT ALL THAT APPLY):**

Marijuana Metabolite (Δ9-THCA)  6-Acetylmorphine  
 Cocaine Metabolite (BZE)  Morphine  
 PCP  Codeine  
 Methamphetamine  OXYC  
 Amphetamine  OXYM  
 MDMA  HYC  
 MDA  HYM

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DILUTE

**Previous** **Next** Cancel



## CDL Information

- **What happens if the CDL information is not listed on the CCF?**
  - CDL number **must** be used instead of the SSN or EIN when FMCSA-covered drivers' positive drug or alcohol test results are reported to the Clearinghouse
  - CCF must annotate the driver's CDL number and state of issuance in **Step 1, Section C** of [the CCF](#) for each FMCSA-regulated test
  - Driver's CDL number and state of issuance must also be noted on the **Alcohol Testing Form (ATF)**
  - If the employer or C/TPA does not provide the CDL and the state of issuance, the collector should ask the driver for this information at the collection site

### What does this mean for laboratories?

Laboratories should process the urine specimen without delay and send the results to the MRO

### What does this mean for the MRO?

- The MRO should contact the driver, driver's employer, or designated employer representative to obtain the information
- After receiving the CDL information, the MRO will report the verified positive test result in the Clearinghouse

## ODAPC List Serve

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- SAPs and MROs must subscribe to receive updates from the DOT Office of Drug and Alcohol Policy and Compliance (ODAPC)
  - August 2019 bulletin on collecting driver CDL information:  
<https://content.govdelivery.com/accounts/USDOT/bulletins/2574951>
  - August 2020 bulletin on revised CCF, to include CDL information:  
<https://www.samhsa.gov/workplace/drug-testing>
    - Download new CCF: <https://www.samhsa.gov/workplace/drug-testing>



### Get ODAPC Updates by Email

Subscribe at: <https://www.transportation.gov/odapc/get-odapc-email-updates>

## How to Report a Violation – MROs: Refusal to take a drug test

- Select the reason for the test
  - Pre-employment
  - Random
  - Post-accident
  - Return-to-duty
  - Follow-up
  - Reasonable suspicion
- Indicate the type of test refusal
- Provide the date of test and Specimen ID number
- Enter additional information, if prompted
  - Date of verified result (adulterated/substituted specimen)
  - Remarks/additional information (adulterated/substituted specimen, other)

Employer Info
Driver Info
Violation Info
Review & Submit

### Violation Information

Enter each violation separately. If you have multiple violations to enter for a single driver, you will be able to add another related violation at the end of this entry.

**ENTER THE TYPE OF VIOLATION (SELECT ONE):**

Positive drug test  
 Refusal to take a drug test

What was the reason for the test?

**TYPE OF TEST REFUSAL ⓘ (SELECT ONE):**

Fail to provide sufficient specimen  
 Fail to undergo a medical examination/evaluation as directed  
 Verified adulterated specimen  
 Verified substituted specimen  
 Other

Date of Test

Specimen ID Number ⓘ

Previous
Next
Cancel

## Frequently Asked Questions

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- **Will I report violations that occurred prior to January 6, 2020 to the Clearinghouse?**
  - No, only violations that occur on January 6, 2020 or later.
- **How long is the violation information retained in the Clearinghouse?**
  - 5 years or until the follow-up testing plan is successfully completed, whichever is later.
- **Can an MRO or employer report a drug and alcohol program violation if the driver is not registered for the Clearinghouse?**
  - Yes. The Clearinghouse will associate the violation with a driver's CDL information. This will be recorded even if the driver has not registered for the Clearinghouse.

## Frequently Asked Questions

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- **What information may be challenged by the driver?**
  - The accuracy of the information reported
  - Report of employer's actual knowledge the driver received a traffic citation for driving a CMV while under the influence of drugs or alcohol if it did not result in a conviction
  - **Accuracy of test results and refusals may not be challenged**
  
- **How does a driver change or remove inaccurate data?**
  - The driver may submit a petition via FMCSA's DataQs system
  - FMCSA will review petition and notify driver of decision to remove, retain, or correct information in the Clearinghouse and the reason for decision
  - If the driver believes a petition decision was made in error, he/she may submit a request for an Administrative Review
    - Request must include an explanation why he/she believes FMCSA made an error in their decision
    - Driver informed of decision
    - Decision will constitute as the final Agency action

# Reporting RTD Information in the Clearinghouse

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## What RTD information do SAPs need to report in the Clearinghouse?

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- Driver information
  - Driver's name, date of birth, and commercial driver's license (CDL) number and state/country of issuance
- Date the driver's initial SAP assessment is completed
  - Must report in the Clearinghouse by the close of the business day following the initial assessment
- Date the SAP determines the driver is eligible for RTD testing
  - Must report by the close of the business day following a determination that the driver completed the RTD process

# Recording RTD Data – SAPs

## ▪ Driver Information


- Locate the appropriate driver in your driver list
  - **Note:** The driver must first designate you as his or her SAP
- Click the button to enter the appropriate date

### Date of initial assessment

**Sample Driver**  
sample-driver@example.com

Status: Pending initial assessment | Last Updated: 5/4/2020 | RTD ID: RTD.VPXB8.DOL1

<b>Approved Driver Designation:</b> Request Sent: 5/4/2020 Request Approved: 5/4/2020	<b>Initial Assessment:</b> Enter Date	RTD Test Eligible: Pending
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### Date of determination of eligibility for RTD testing

**Sample Driver**  
sampledriver@example.com

Status: Pending RTD test eligibility | Last Updated: 5/16/2020 | RTD ID: RTD.PWTR9.NP2T

<b>Approved Driver Designation:</b> Request Sent: 5/4/2020 Request Approved: 5/4/2020	<b>Initial Assessment:</b> Completed: 5/5/2020 Reported by: Sample SAP Remove Assessment	RTD Test Eligible: Enter Date
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SAPs may not order the RTD test or report the RTD test to the Clearinghouse



## Frequently Asked Questions

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- **The return-to-duty (RTD) process has not changed**
  - Driver must designate a DOT-qualified SAP after a positive or refusal
  - Date the driver's initial SAP assessment is completed
    - Note: Employer must provide the driver with a list of potential SAPs
  - Designated SAP will enter information about the driver's treatment into the Clearinghouse
  - Driver will need to take a negative RTD test, test results are recorded in the Clearinghouse by the employer or designated C/TPA
  
- **Will a driver's follow-up testing plan be available in the Clearinghouse?**
  - No, follow-up testing plans will not be included in a driver's Clearinghouse record.
  - When a prospective employee has not completed a follow-up testing plan prescribed by the SAP, the subsequent new employer must obtain the follow-up testing plan from the previous employer, as required in § [382.413](#), and report the date the follow-up testing plan was completed.

# Common Issues

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## Common Issues – login.gov

- Change email address and authentication method
  - Log in to <https://secure.login.gov/>.
  - Scroll to add or edit “Two-Factor Authentication.”
  - Click on “Add email”. Then, click on “Delete” next to the email address you are replacing.

**LOGIN INFORMATION** ↗

**Email addresses** + Add email

<div style="background-color: black; width: 100px; height: 20px; margin-bottom: 5px;"></div>	
<b>Password</b> <span style="float: right;">*****</span>	<a href="#">Edit</a>

**TWO-FACTOR AUTHENTICATION** 📱

**Phone numbers** + Add phone

<div style="background-color: black; width: 100px; height: 20px; margin-bottom: 5px;"></div>	
<div style="background-color: black; width: 100px; height: 20px; margin-bottom: 5px;"></div> default	<a href="#">Manage</a>
<div style="background-color: black; width: 100px; height: 20px; margin-bottom: 5px;"></div>	<a href="#">Manage</a>

**Authentication app** *not enabled* + Add

**Security key** + Add security key



# Q&A



## Next Steps

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### Register

For information to get started, visit  
<https://clearinghouse.fmcsa.dot.gov/Register>

### For more information:

- Visit the Clearinghouse Learning Center at <https://clearinghouse.fmcsa.dot.gov/Learn> for resources and answers to common questions

### Contact us:

- Email [clearinghouse@dot.gov](mailto:clearinghouse@dot.gov)
- Call 844-955-0207

