

Breath Alcohol Testing and Its Role in the Chiropractic Practice

Driving Drunk is nothing new. In fact, long before automobiles arrived, individuals drove teams of horses while they were drunk. As the automobile became more popular more and more people were driving intoxicated, and the number of accidents and fatalities became more numerous. However, it wasn't until the 1940's that law enforcement had a tool to actually measure the driver's level of intoxication.

These first devices, introduced in the early 1940's were inaccurate and crude. In the 1950's a new, more accurate testing device called "The Breathalyzer®" was patented by Robert Borkenstein of Indiana. Some states continued to use this device until the late 1990's. Now there are a number of devices used for breath alcohol measurement.

Today's testing devices use one of three testing methodologies: fuel cell based testing, infrared spectrometry (IR), or gas chromatography (CG). All three methodologies, when performed correctly, and accepted by the National Highway Traffic Safety Administration (NHTSA), are considered evidential breath testing methodologies and are referred to as evidential breath testing devices (EBTs).

An EBT is a device that measures alcohol concentration in the breath. These devices have met the NHTSA specifications for precision and accuracy. EBTs detect all low molecular weight alcohols and must be able to discriminate between acetone and alcohol. If they meet the NHTSA criteria they are added to the NHTSA's conforming products list for EBTs. They may then be used in federally mandated alcohol testing programs.¹

Gas chromatography and infrared spectrometry based EBTs are large and, for the most part, not portable. The fuel cell based EBTs are portable and easily used. An example of this type of device is the Lifeloc® Phoenix EBT. Devices such as this are light, portable, and easily used. Some devices, such as the Phoenix, even walk the user through all the required steps for a DOT breath alcohol test.

Individuals who are certified to perform breath alcohol testing for federally mandated programs are called Breath Alcohol Technicians (BATs). To serve as a BAT, you must undergo specific training as outlined defined by the DOT Office of Drug and Alcohol Policy and be certified as a BAT. The DOT does not certify BATs. Private companies, such as Professional Training Solutions, Inc. certify individuals as BATs. These companies provide the specific required training and certify initial proficiency in the operation of the specific EBT that will be used. BATs must maintain their certification by recertifying every five years.

Anyone can operate as a BAT if they undergo the required training. Chiropractors and their staff can perform these necessary and mandated services for motor carriers and other mandated companies. But it is not only the federally mandated companies who are using breath alcohol testing.

In 1991 the Omnibus Transportation Employee Testing Act of 1991, administered by the U.S. Department of Transportation, began requiring alcohol testing of employees in “safety-sensitive” job positions. This means that today, approximately 12.1 million individuals are covered under these regulations. Individuals in the trucking, airline, rail, transit, pipeline, and maritime industries are subject to random, post-accident, reasonable suspicion, follow-up, and in some instances pre-employment breath alcohol testing. In addition, the federal government requires testing of other employees as well.

In recent years, employers have recognized the need for alcohol testing to curb the level of on-the-job drinking. Employees who drink while at work, or who report to work after drinking, increase the risk of injury to themselves and others, and cost the company money. This increases the employer’s liability, worker’s compensation costs, and insurance premiums. Eventually, it also raises the costs of their goods or services and can have a significant impact on their competitiveness.

In a study of workers in a large industrial plant it was found that 24% of workers reported drinking during work at least once in the past year, that drinking during or just before work was associated with workplace problems, and coming to work hungover was associated with workplace problems.² In addition, consider the following: according to the Small Business Administration, substance abusers are 33 percent less productive and cost their employers \$7,000 annually³; the costs in lost productivity caused by alcohol use in 1995 were estimated at \$119 billion nationally; and, as many as 40% of workplace fatalities are attributed to alcohol use⁴.

As a result, more and more companies are turning to the implementation of drug and alcohol policies in their workplaces and the use of breath alcohol testing. Often, their alcohol policies and testing programs mirror the federal programs that have been upheld in court. Some use saliva based testing for the screening test, but those that may result in employee termination often opt for testing that has been upheld by the courts; namely, the use of an evidential breath testing device operated by a breath alcohol technician.

Chiropractors who provide breath alcohol testing services are offering the employers in their area a service that more and more are looking for. These services are quick and easy to apply and seldom present any difficulty in the daily operation of a chiropractic practice.

By acting as the BAT for a company’s alcohol testing program, the chiropractor gains entrée into the company’s safety and human resources department. By developing trusted relationships he or she has the opportunity to explain the other services they can provide and show the employer how they can help the company’s bottom line.

Most chiropractors are keenly aware of the health and financial benefits available to employers through the use of chiropractic services. Unfortunately, too often we are still battling the old enemies of ignorance and prejudice. By integrating this occupational medicine service into your practice, you can gain entrée to important referral source among your local industries and employers.

¹ § 49 CFR Part 40

² The relationship of drinking and hangovers to workplace problems: an empirical study. Genevieve M. Ames, Joel W. Grube, and Roland S. Moore. *Journal of Studies on Alcohol* 58(1):37-47. 1997.

³ Hoffman-LaRoche, Inc., Corporate Initiatives for a Drug Free Workplace, citing the U.S. Chamber of Commerce, 1990.

⁴ Alcohol and Other Drugs in the Workplace: Costs, Controls and Controversies, Bureau of National Affairs, 1986, p.7.