

**MILLE LACS BAND OF OJIBWE  
HEALTH AND HUMAN SERVICES POLICY & PROCEDURE**

---

**Department:** Substance Use Disorder-Administration

**Policy Number:** HHS-SUD-ADM 8105

---

**Policy Title:** Employee Freedom from Chemical Use Problems

---

**Attachments:**

---

**Revision History:** 3/2018

**Revised by/Date:** Mark Watters/Holly Hunter 1/21/2020

---

**Approved by:** *Mark Watters*

**Date:** *2/6/20*

Mark Watters, Substance Use Disorder Director

---

**Approved by:**

**Date:**

Nicole Anderson, Commissioner of HHS *ya*

*2-11-2020*

---

**POLICY STATEMENT:** The Mille Lacs Band of Ojibwe Substance Disorder Department staff members, subcontractors and volunteers, with direct client contact must be free from chemical use problems as a condition of employment.

**PURPOSE:** The purpose of this policy is to ensure the delivery of quality and that is in compliance with Minnesota Chippewa Tribe Ordinance 19 as well as Minnesota Rule 9530.

**PROCEDURE:**

- A. No employee, subcontractor, or volunteer shall report to work under the influence of alcohol, marijuana, controlled substances or other drugs or medications that affect his /her alertness, coordination, reaction, response, judgement, decision-making or safety.
- B. Treatment directors, supervisors, nurses, counselors and other professionals must be free of chemical use problems for at least two years preceding their hiring and must sign a statement attesting to that fact. Additional signed statements are not required.
- C. Paraprofessionals and all other staff with direct client contact must be free of chemical use problems for at least one year preceding their hiring and must sign a statement attesting to that fact. Additional signed statements are not required.
- D. Behaviors or incidents that are considered indicative of chemical use problems include:
  1. Receiving treatment of chemical use within the period of time specified for the position.
  2. Chemical use that has a negative impact on the staff member's job performance.
  3. Chemical use that affects the creditability of treatment services with clients, referral sources or other members in the community.
  4. Symptoms of intoxication or withdrawal on the job.
- E. Staff with direct client contact who are not free from chemical use problems must be removed from any responsibilities that involve direct contact for the period of time specified in B and C, above.
- F. The time period toward re-attaining freedom from chemical use problems and resumption of duties involving direct client contact begins to run on the date the employee begins receiving treatment services or the date of the last incident as described in D.
- G. Violations of this policy may constitute just cause for discipline, including possible discharge from employment.

**MILLE LACS BAND OF OJIBWE  
HEALTH AND HUMAN SERVICES POLICY & PROCEDURE**

---

|  |   |
|--|---|
| <b>Internal and/or External References</b> | MN Rules subpart 9530.6565 Staff Qualifications |
|  | MCT Ordinance 19                                |
| <b>Compliance - Posting Date</b>           | 2/11/2020 <del>11</del>                         |
| <b>Replaces – Policy Number</b>            |   |
| <b>Next Review - Due Date</b>              | 2/11/2023                                       |