

**THE CITY OF BLOOMINGTON, INDIANA HOUSING AUTHORITY
DRUG SCREENING POLICY**

Policy Brief & Purpose

This drug screening policy explains how and when the Bloomington Housing Authority (BHA) tests prospective residents and adult household members (hereinafter collectively referred to as “applicants”) for eligibility for housing in any BHA-owned or managed property for substance use. **The sole purpose of implementing this Drug Screening Policy is to ensure that all residents are entitled to “health, safety, [and the] right to peaceful enjoyment of the premises” per federal law.**

Legal Basis for Policy

Based on Federal Regulation, a public housing authority (PHA) must refuse admission to a household if it determines that any household member is currently engaged in the use of illegal drugs and has reasonable cause to believe that any household member's current use or pattern of use of illegal drugs may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents. **REQUIRED DENIAL OF ADMISSION [24 CFR 960.204]**

Drug means a controlled substance as defined in section 802 of the Controlled Substances Act [21 U.S.C. 802]. *Currently engaged in the illegal use of a drug* means a person has engaged in the behavior recently enough to justify a reasonable belief that there is continuing illegal drug use by a household member [24 CFR 960.205(b)(1)].

BHA Policy further defines *currently engaged in* as any use of illegal drugs during the previous six months.

The PHA must further refuse admission of a household if the PHA determines that it has reasonable cause to believe that a household member's abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents. **REQUIRED DENIAL OF ADMISSION [24 CFR 960.204]**

POLICY

All residents are entitled to “health, safety, [and] peaceful enjoyment of the premises.” To achieve this, drug testing is mandatory when screening applicants for supported housing in BHA-owned or managed properties.

When screening applicants for eligibility to move into a BHA-owned or managed property, BHA requires them to pass a drug test for illegal substances. This drug test will be the final stage before eligibility to move in. Applicants have the right to refuse drug testing and thus decline residency at BHA properties.

Applicants who test positive for illegal substances fail our drug test, and will not be eligible for a housing unit.



Respecting individual rights

State-licensed laboratories and medical professionals will conduct drug tests. Results from any drug test will remain confidential. Applicants will receive a copy of their test results upon request.

We will use the most nonintrusive types of drug tests available. For example, we will choose hair sample tests over urine sample tests when possible.

Drugs BHA Tests For

Illegal drugs we test for include cocaine, methamphetamine, heroin, phencyclidine (PCP), and other drugs specified by law.

Non-Discrimination

BHA does not discriminate against people with disabilities who may need to take drugs for their conditions. But, BHA also wants to ensure that residents don't breach our policy and risk their and their neighbors' health or safety. This is why we have established drug screening procedures. We test all applicants based on their certification of eligibility for assistance. We do not single out applicants based on protected characteristics (e.g., race, disability.)

Marijuana

BHA treats marijuana as a special case, given that our current test format utilizes hair follicle, our current drug screen excludes marijuana use (as THC can remain present in hair beyond the scope of our definition of current use).

- If an applicant tests positive for marijuana, and the applicant fails the drug test, BHA may refuse to offer them a housing unit, subject to current Indiana law
- If an applicant is using medical marijuana in a country or state that allows for legal, medical use, the applicant may be required to provide a doctor's note and a valid prescription. BHA won't ask the applicant to disclose their condition. Possession of medical marijuana on the property is subject to current Indiana law.

Keep in mind that BHA maintains drug-free/smoke-free residences and offices. This means that no one is allowed to smoke marijuana anywhere on the property, in any of the buildings, including the housing units, even if marijuana (or medical marijuana) becomes legal in this country/state.

Prescription Drugs

We do not test applicants for prescription drugs.

If an applicant's prescribed medication (e.g., types of opiates) brings about positive results, BHA may ask a medical professional to provide additional guidance.

Testing Residential Units

BHA will periodically test the units for evidence of illegal drug use. Additional tests may be conducted if there is reasonable suspicion of illegal drug use (for example, evidence



observed in routine maintenance work or unit inspections) or if the BHA receives reports or complaints from neighbors or other residents.

Contesting False Positives

If an applicant tests positive for illegal drugs and disputes the validity of the results, BHA may order a retest at the applicant's expense, when appropriate, in BHA's sole discretion.

Alcohol

We do not test applicants for alcohol. If alcohol is suspected in *inappropriate behavior* directed toward other residents, guests, or BHA staff. In that case, it is the *behavior* that will warrant further action, up to and including termination of the lease.

Disclaimer: This drug testing policy is meant to provide general guidelines and should be used as a reference. It may not take into account all relevant local, state, or federal laws and is not a legal document.





Wednesday, September 20, 2023

«First_Name» «Last_Name»
«STREET_NUM_CORR» «STREET1_CORR» «STREET2_CORR» «BOX_CORR»
«CITY_CORR», «STATE_CORR» «ZIP_CORR»

Notice of Requirement for Drug Testing

Dear «First_Name»,

You are receiving this notice because we have an apartment available to you. However, you now must take and pass a drug test before a lease signing appointment can be scheduled.

Effective June 22, 2023, the BHA now requires a mandatory drug test when screening all adult applicants for supported housing in BHA-owned or managed properties. **Please note that the BHA will pay for the cost of the first drug screen.** Applicants have the right to refuse drug testing and thus decline residency at BHA properties.

Applicants who test positive for illegal substances (i.e., fail the drug test), will not be eligible for a housing unit. **You can request a second screen if you feel that a positive test is not correct. You will need to deposit \$82.00 with the BHA for a second test. If the test comes back negative, the \$82.00 will be refunded to you, but if the test comes back positive a second time, BHA will not refund the cost of the second test.**

A copy of the BHA's complete drug-screening policy is attached to this notice for your reference, PLEASE READ IT (it includes grievance procedures for applicants).

Drugs Test Format

BHA currently utilizes a hair follicle drug test format.

Drugs BHA Tests For

Illegal drugs we test for include cocaine, methamphetamine, heroin, and phencyclidine (PCP).

NEXT STEPS

You MUST contact Property Management with a within (5) days of the date of this notice. At that time, BHA will discuss next steps and schedule your drug test. You will be notified by email or text (based on your preference) when you will be required to test. If you do not have access to email (or a text capable phone), a physical notice will be provided and your testing time will be communicated to you directly. The drug test location is below.

IU Health Occupational Health

3443 W 3rd St, Bloomington, IN 47404-4851

Phone Number: (812) 353-3443

Days Open: M-f 8:00 Am-5:00 pm

You may contact me if you have any questions; my complete contact information is below.

Sincerely,

Janice Price,
Property Manager
812-339-3491 Ext 112 jprice@blha.net

