

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1045 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Amendment submitted by: Mark Lawson \_\_\_\_\_

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 PROPOSED COMMITTEE  
4 SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1045

By: Lawson

7 PROPOSED COMMITTEE SUBSTITUTE

8 An Act relating to labor; creating rules for  
9 preliminary drug testing results; creating rules for  
10 conclusive drug testing results; providing for  
11 codification; and providing an effective date.

12  
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified  
15 in the Oklahoma Statutes as Section 559.1 of Title 40, unless there  
16 is created a duplication in numbering, reads as follows:

17 A. A drug screen testing facility shall report preliminary  
18 positive test results to an employer's review officer as soon as the  
19 results for the preliminary test become available or the next  
20 working day. The final conclusion of the testing (the results of  
21 initial tests, confirmatory tests, or quality control data), shall  
22 be reviewed and the test certified as an accurate report by the  
23 responsible individual. The report shall identify the drugs and  
24 metabolites tested for, whether positive or negative, and the cutoff

1 for each, the specimen number assigned by the employer, and the drug  
2 screen testing facility specimen identification number.

3 B. The drug screen testing facility shall report as negative  
4 all specimens which are negative on the initial test or negative on  
5 the confirmatory test. Only specimens confirmed positive shall be  
6 reported as positive for a specific drug.

7 C. The review officer may request from the drug screen testing  
8 facility, and the drug screen testing facility shall provide,  
9 quantitation of test results. The review officer shall not disclose  
10 quantitation of test results to the employer but shall report only  
11 whether the test was positive or negative.

12 D. The drug screen testing facility may transmit results to the  
13 review officer by electronic means, including, teleprinters,  
14 facsimile, or computer, in a manner designed to ensure  
15 confidentiality of the information. Results shall not be provided  
16 verbally by telephone. The drug screen testing facility shall  
17 ensure the security of the data transmission and limit access to any  
18 data transmission, storage, and retrieval system.

19 E. The drug screen testing facility shall send to the review  
20 officer the positive drug test results, which shall be signed by the  
21 individual responsible for the day-to-day management of the drug  
22 screen testing facility or the individual responsible for attesting  
23 to the validity of the test reports.

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1 F. All results reported to the employer shall be by the same  
2 source.

3 SECTION 2. This act shall become effective November 1, 2023.  
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5 59-1-7844 TJ 03/01/22  
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