

SAMHSA.gov
The Substance Abuse & Mental Health Services Administration

SAMHSA Advisory Committees

Charter 2008

PURPOSE

The Substance Abuse and Mental Health Services Administration (SAMHSA) seeks to improve the quality of services for forensic workplace drug testing, assess the science and technology used in drug analyses, improve the quality of related laboratory services and systems for drug testing, generate standards for laboratory certification for Federal workplace drug testing programs, and guide national policy in these areas by the establishment of the Drug Testing Advisory Board.

AUTHORITY

42 U.S.C. 290aa(h), Section 501 of the Public Health Service Act, as amended. The Drug Testing Advisory Board is governed by the provisions of Public Law 92-463, as amended (5 U.S.C. Appendix 2), which set forth standards for the formation and use of advisory committees.

FUNCTION

The Drug Testing Advisory Board shall advise the Administrator, SAMHSA, based on an ongoing review of the direction, scope, balance, and emphasis of the Agency's drug testing activities and the drug testing laboratory certification program.

The Board shall review SAMHSA's program for national laboratory certification for Federal workplace drug testing programs as required by Public Law 100-71 and as described in the Mandatory Guidelines for Federal Workplace Drug Testing Programs. It shall recommend areas for emphasis or de-emphasis, new or changed directions, and mechanisms or approaches for implementing recommendations. Periodically, the Board shall review specific science areas on new drugs of abuse and the methods necessary to detect their presence.

STRUCTURE

The Drug Testing Advisory Board shall consist of the Director, Division of Workplace Programs, Center for Substance Abuse Prevention, as Chair, and 10 members appointed by the Administrator, SAMHSA. The 10 appointed members shall be recognized as experts in either analytical forensic toxicology, in specimen collection procedures for regulated drug testing programs, or in interpreting drug testing results. The individuals appointed should represent a variety of disciplines related to forensic drug testing, such as experience in a forensic drug testing laboratory, related academic research, toxicological research, the Medical Review Officer community, or technical expertise from other government agencies involved with drug testing issues, including military drug testing programs. All members shall serve as Special Government Employees.

The term of office of a member of the Board shall be four years, except that any member appointed to fill a vacancy for an unexpired term shall serve for the remainder of such term. Initial appointments shall be made in such a manner

as to ensure that the terms of the members do not expire in the same year. Terms of more than two years are contingent upon renewal of the Board's Charter by appropriate action prior to its expiration. A member may serve 180 days after expiration of that member's term if a successor has not taken office. A member who has been appointed for a term of four years may not be reappointed to a Board before two years from the date of expiration of such term of office. If a vacancy occurs among the appointed members, the Administrator shall make an appointment to fill the vacancy within 90 days of the date that the vacancy occurs.

The Administrator, SAMHSA, shall designate an Agency staff member to serve as the Designated Federal Official of the Board. The Administrator shall also provide orientation and training for new members and shall provide them with such information as may be appropriate for their effective participation in the functions of the Board.

Management and support services shall be provided by the Division of Workplace Programs, Center for Substance Abuse Prevention, Substance Abuse and Mental Health Services Administration.

MEETINGS

Meetings shall be held approximately four times a year at the call of the Designated Federal Official, who shall also approve the agenda and be present at all meetings. A quorum of the Drug Testing Advisory Board shall consist of a majority (one more than one-half) of the authorized voting membership .

Meetings shall be open to the public except as determined otherwise by the Secretary, Department of Health and Human Services (or the designee), in accordance with the Government in the Sunshine Act (5 U.S.C. 552b(c)) and the Federal Advisory Committee Act. Notice of all meetings shall be given to the public.

Meetings shall be conducted and records of the proceedings kept as required by applicable laws and Departmental regulations.

COMPENSATION

Members who are not full time Federal employees shall be paid at the rate of \$200 per day, plus per diem and travel expenses, in accordance with Standard Government Travel Regulations. Federal employees shall not receive compensation for service on the Board but will receive per diem and travel expenses in accordance with Standard Government Travel Regulations.

ANNUAL COST ESTIMATE

The estimated annual cost for operating the Board, including compensation and travel expenses for members, but excluding staff support, is \$72,680. The estimate of annual person years of staff support is 0.60, at an estimated annual cost of \$72,188

REPORTS

In the event a portion of a meeting is closed to the public, as determined by the Secretary of HHS (or the designee), in accordance with the Government in the Sunshine Act (5 U.S.C. 552b(c)) and the Federal Advisory Committee Act, a report shall be prepared which shall contain, at a minimum, a list of members and their business addresses, the Board's functions, dates and places of meetings, and a summary of the Board's activities and recommendations made during the fiscal year. A copy of the report shall be provided to the Department Committee Management Officer.

DURATION

Unless renewed by appropriate action prior to expiration, the Drug Testing Advisory Board will terminate on June 15, 2010 .

APPROVED:

May 16, 2008

/ signed /

Date

**Terry L. Cline, Ph.D.
Administrator**

Last Update: 10/23/2008