



Submitted via: DFWP@samhsa.hhs.gov

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Substance Abuse and Mental Health Services Administration
U.S. Department of Health and Human Services
5600 Fishers Lane
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Attn: Lisa S. Davis, M.S.
Designated Federal Officer (DFO), DTAB

RE: Addition of Fentanyl to the Analyte Table

Director Flegel,

The American College of Occupational and Environmental Medicine ([ACOEM](http://www.acoem.org)) appreciates this opportunity to comment upon the Substance Abuse and Mental Health Services Administration's (SAMHSA) Center for Substance Abuse Prevention's (CSAP) Drug Testing Advisory Board's (DTAB) discussion and consideration of the possible addition of Fentanyl to the Urine and Oral Fluid Analyte Table.¹ **ACOEM strongly recommends that SAMHSA add Fentanyl/Norfentanyl to the Urine and Oral Fluid Analyte Table for HHS Drug Testing Panels.**

Founded in 1916, ACOEM is the nation's largest medical society dedicated to promoting employee health through preventive medicine, clinical care, research, and education. The College represents Occupational and Environmental Medicine (OEM) physicians and other healthcare professionals devoted to preventing and managing occupational injuries and exposures. The specialty of OEM focuses on diagnosing and treating work-related injuries and illnesses and ensuring that workplace environments are safe for workers. It is the medical field that concentrates on the impact of work on health and the impact of health on the ability to work. The College is in a unique position to reach American workers in various settings, given that our members are employed at hospitals and clinics, colleges and universities, large corporations, factories and industrial sites, law and safety departments, government agencies, the military, etc.

Our organization's membership consists of many physicians who are Medical Review Officers (MRO), who are keenly aware of the problem of synthetic opioid abuse and misuse and its subsequent concerns with the safety of workers who are inappropriately using these drugs. The

¹ 88 Fed. Reg. 71582 (October 17, 2023)

uptick in detection of Fentanyl in non-regulated workplace testing specimens from pain management patients, overdose cases, and driving under the influence of drugs (DUID) cases is alarming, and we support SAMHSA's endeavors to fight against opioid abuse. As you know, opioid abuse and overdoses resulting from that abuse permeate workplace settings, which can potentially lead to catastrophic outcomes for individuals, their co-workers, the public safety and the environment. Appropriate testing is a critical tool involved in managing and ultimately mitigating risks of impairment and opioid abuse in workplace settings, which is a particular concern as it relates to employees engaged in safety-sensitive work.

Based on analysis from the National Safety Council, unintentional workplace overdose deaths from nonmedical use of drugs or alcohol have increased 536% since 2011. Overdose deaths totaled 464 in 2021, equivalent to nearly 9% of all occupational injury deaths in 2021. Increases have been experienced among all employee demographics, industries, and occupations.² Opioids are the leading cause of these deaths. As noted in the Federal Register notice, Fentanyl accounts for a large proportion of overdose deaths in the United States. These trends are a call to action for SAMHSA and all Federal agencies to take actions within their authority to address this growing epidemic infecting workplaces and beyond.

We are particularly supportive of this proposed addition, given the potential for revisions to positively impact the U.S. Department of Transportation's (DOT) testing program under 49 CFR Part 40, should DOT decide to promulgate a rulemaking on this matter. Updating HHS scientific guidelines will allow DOT to rely on contemporary evidence to ensure its regulated drug testing laboratory procedures are up-to-date and reflective of current challenges our country and workplaces are facing regarding opioid abuse.

ACOEM is prepared and willing to work with SAMHSA to advance this issue and provide additional support for adding Fentanyl/Norfentanyl to the Urine and Oral Fluid Analyte Table for HHS Drug Testing Panels. On behalf of ACOEM, I would like to reiterate our support for SAMHSA and the Drug Testing Advisory Board's attention on this issue. Thank you for considering ACOEM's recommendations. Please do not hesitate to contact Dane Farrell (Dane@cascadeassociates.net), ACOEM's Government Affairs Representative, with any questions.

Sincerely,



Kenji Saito, MD, JD, FACOEM
President

American College of Occupational and Environmental Medicine (ACOEM)

² National Safety Council. Injury Facts – Overdose Deaths. 2023. via U.S. Department of Labor, Bureau of Labor Statistics, Census of Fatal Occupational Injuries.: <https://injuryfacts.nsc.org/work/safety-topics/overdose-deaths/>