



Prescription Drugs	Related Policies:
<i>This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Arkansas Statutes:	
CALEA Standard:	
Date Implemented:	Review Date:

- I. **Purpose:** Law Enforcement is expected to be delivered by employees who are physically and mentally prepared for whatever might be required to satisfactorily perform assigned police duties. It is essential that all police employees who will or might be called upon to act in an enforcement capacity, control prisoners, or transport persons in a department vehicle be in a position to act in a professional and competent manner. It is well known that law enforcement employees may be taking prescription drugs which have been legitimately prescribed to them for medical/psychological needs. This policy is designed to ensure that the employee, the community, and other officers are not impacted by the effects of such medication.
- II. **Policy:** It is the policy of this department to require enforcement employees to report the use of prescription medication to their immediate supervisor when the use of such medication may cause drowsiness or in some other way may cause the officer to be unfit for duty.
- III. **Definitions:** Department employees are divided into two categories for purposes of this policy:
 - A. **Enforcement Employees:** those employees who are either in a direct enforcement capacity or who may be called upon to act in an enforcement capacity, are assigned to control prisoners, and employees who may be called upon to transport persons in department vehicles. This includes all sworn personnel unless the employee is on restricted duty and/or prohibited from carrying firearms. Non-sworn employees who fit in this category include employees who engage in some form of enforcement duty, detention duties, dispatchers, drive department vehicles or transport persons being detained.
 - B. **Non-Enforcement Employees:** The function of non-enforcement employees does not normally place them in a position where the use of prescription drugs will compromise their own safety, the safety of fellow employees, or the safety of

citizens. These employees are not subject to this policy and are not required to notify the department when they are taking prescribed medications.

IV. Procedure

- A. All Employees designated as Enforcement Employees are subject to the provisions of this policy.**
- B. Enforcement Employees** who have been prescribed drugs that indicate that the drug may make them unfit for duty shall report this fact to the department and provide a note from the prescribing medical professional indicating whether the officer is fit for duty. This note shall include:
 - i.** An express conclusion as to whether or not the officer is fit for duty.
 - ii.** The employee shall provide this notice from the professional resource who prescribed the medication and which includes a copy of the prescription drug label to their immediate supervisor.
- C.** The documentation of the “fitness for duty” must be placed in a medical file.