

**LOUISIANA STATE UNIVERSITY HEALTH SCIENCES CENTER
NEW ORLEANS CAMPUS
DRUG PREVENTION PROGRAM AND POLICY**

I. SCOPE

The Drug Prevention Program and Policy applies to all faculty, staff, residents, students, and contractual employees (henceforth referred to as individuals) of Louisiana State University Health Sciences Center (henceforth referred to as LSUHSC). All individuals whether paid, unpaid, or gratis must understand that initial employment/enrollment and continued employment/enrollment is contingent upon a willingness to comply with this policy.

II. PURPOSE

Alcohol abuse and the illegal use or abuse of other drugs is associated with numerous health, safety, and social problems. The performance of faculty, staff, residents, students, and all other LSUHSC affiliated individuals may be adversely affected by engaging in substance abuse.

This policy, including the prohibitions and provisions therein, will be used to promote and safeguard the workplace/school environment from the consequences of alcohol and drug use. The purpose of this policy is to:

1. Provide a safe, productive, and healthy environment that is consistent with delivering the highest quality services to patients.
2. Create and maintain a drug-free workplace/school pursuant to the Federal Drug-Free Workplace Act of 1988 and the Drug Free Schools and Communities Act Amendment of 1989.
3. Provide a safe and healthy environment for our patients, employees, students, visitors, vendors, suppliers, contractors, and members of our community.

III. POLICY

Standards of Conduct & University Sanctions

The unlawful possession, use, manufacture, distribution or dispensation of illicit drugs or alcohol on LSUHSC property, in the workplace/school of any employee or student of LSUHSC, or as any part of any functions or activities by any employee or student of LSUHSC is prohibited.

Violations of the LSUHSC Standards of Conduct by individuals covered under this policy will result in disciplinary action. Depending upon the nature of the offense, disciplinary action can take the form of a written reprimand, suspension, demotion, reduction in pay, expulsion, or termination of the individual's association with LSUHSC and referral for prosecution by civil authorities in accordance with local, State, and Federal law.

IV. DESCRIPTION OF LEGAL SANCTIONS

Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)

Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	First Offense: Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual Second Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	Cocaine 5 kilograms or more mixture	First Offense: Not less than 10yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual Second offense: Not less than 20 yrs., and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. 2 or More Prior Offenses: Life Imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual
II	Cocaine Base 28-279grams mixture		Cocaine Base 280 grams or more mixture	
II	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl 10-99 grams mixture		Fentanyl 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	

Substance/Quantity	Penalty
Any amount of Other Schedule I & II Substances	First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than Life. Fine \$1 million if an individual, \$5 million if not an individual. Second Offense: Not more than 30 yrs. If death of serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual
Any Drug Product Containing Gamma Hydroxybutyric Acid	
Flunitrazepam (Schedule IV) 1 Gram	
Any Amount of Other Schedule III Drugs	First Offense: Not more than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5million if not an individual. Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual
Any amount of all other Schedule IV Drug (other than one gram or more of Flunitrazepam)	First Offense: Not more than 5yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than individual
Any Amount of all Schedule V Drugs	First Offense: Not more than 1yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.

Federal Trafficking Penalties – Marijuana			
Drug	Quantity	1st Offense	2nd Offense*
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not less than 20 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not less than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) marijuana plants; 1 to 49 marijuana plants;	Not less than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual	Not less than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual
Hashish (Schedule I)	10 kg or less		
Hashish Oil (Schedule I)	1 kg or less		

Drugs of Abuse / A DEA Resource Guide: 2020 Edition

*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final mandatory term of life imprisonment without release and a fine up to \$20 million if an individual and \$75 million if other than an individual.

Summary of Federal Drug Laws

Possession, use, or distribution of illicit drugs is prohibited by federal law. Strict penalties are provided for drug convictions, including mandatory prison terms for many offenses. Penalties increase significantly where use of the illicit drugs result in death or serious bodily injury. The following information is an overview of federal penalties.

List of Controlled Substances

<https://www.deadiversion.usdoj.gov/schedules/index.html>

Synthetic Drugs

https://www.deadiversion.usdoj.gov/synthetic_drugs/index.html

Federal Drug Possession Penalties (21 USC 844)

<https://www.deadiversion.usdoj.gov/21cfr/21usc/844.htm>

Drug Paraphernalia (21 USC 863)

<https://www.deadiversion.usdoj.gov/21cfr/21usc/863.htm>

Forfeiture of Personal Property, Real Estate (21 USC 853)

<https://www.deadiversion.usdoj.gov/21cfr/21usc/853.htm>

Denial of Federal Benefits (21 USA 862)

<https://www.deadiversion.usdoj.gov/21cfr/21usc/862.htm>

Drug Trafficking (21 USC 841)

<https://www.deadiversion.usdoj.gov/21cfr/21usc/841.htm>

LOUISIANA PENALTIES AND SANCTIONS
<p>§964. Composition of schedules https://www.legis.la.gov/Legis/Law.aspx?d=98877</p>
<p>§966. Penalty for distribution or possession with intent to distribute narcotic drugs listed in Schedule I; possession of marijuana, synthetic cannabinoids, and heroin https://www.legis.la.gov/Legis/Law.aspx?p=y&d=98880</p>
<p>§967. Prohibited acts--Schedule II, penalties https://www.legis.la.gov/Legis/Law.aspx?d=98881</p>
<p>§968. Prohibited acts--Schedule III; penalties https://www.legis.la.gov/Legis/Law.aspx?d=98882</p>
<p>§969. Prohibited acts--Schedule IV; penalties https://www.legis.la.gov/Legis/Law.aspx?d=98883</p>
<p>§970. Prohibited acts--Schedule V; penalties https://www.legis.la.gov/Legis/Law.aspx?d=98885</p>
<p>§971. Prohibited acts; all schedules https://www.legis.la.gov/Legis/Law.aspx?d=98886</p>
<p>§981. Distribution to persons under age eighteen https://www.legis.la.gov/Legis/Law.aspx?d=98899</p>
<p>§981.1. Distribution to a student https://www.legis.la.gov/Legis/Law.aspx?d=98900</p>
<p>§98. Operating a vehicle while intoxicated http://legis.la.gov/Legis/Law.aspx?p=y&d=78751</p>
<p>§98.1. Operating while intoxicated; first offense; penalties http://legis.la.gov/Legis/Law.aspx?d=78752</p>

§98.2. Operating while intoxicated; second offense; penalties
<http://legis.la.gov/Legis/Law.aspx?d=206884>

§98.3. Operating while intoxicated; third offense; penalties
<http://legis.la.gov/Legis/Law.aspx?d=670397>

§98.4. Operating while intoxicated; fourth offense; penalties
<http://legis.la.gov/Legis/Law.aspx?d=919567>

V. Health and Safety Risks Associated with Alcohol and other Substance Abuse

Alcohol abuse and the illegal use and abuse of other substances are associated with numerous health, safety and social problems. The commonly seen health problems affected by alcohol abuse are: the cardiovascular system resulting in heart disease or stroke; the central nervous system leading to deteriorating mental as well as physical capabilities; and the gastrointestinal system producing irritation, ulcers and cirrhosis of the liver. The fetal alcohol or substance abuse syndrome is a particularly serious and life threatening condition to the unborn child.

Illegal substance use can result in a wide spectrum of extremely serious health problems, including disruption of normal heart rhythm, small lesions of the heart, high blood pressure, leaks of blood vessels in the brain, bleeding and destruction of brain cells, permanent memory loss, infertility, impotency, immune system impairment, kidney failure, pulmonary damage, and in the most serious instances, heart attack, stroke, and sudden death. Drug abuse is a major problem for the transmission of many serious infectious diseases, particularly AIDS, hepatitis and tuberculosis. It's also a contributor for the infliction of violence.

Behavioral health and social problems are perhaps the most common manifestations of alcoholism and substance abuse and can lead faculty, staff, residents and students to be markedly impaired in their workplace performance.

VI. Cost of Alcohol Abuse to Workplace Productivity

According to the National Council on Drug Addiction and Alcoholism around 15 million Americans are heavy drinkers. Heavy drinking takes a toll on every aspect of life, including a person's work life. Someone may be dependent on alcohol or they may be an occasional binger, but either way, abuse of alcohol leads to negative results on the job.

Employees who drink heavily tend to demonstrate a higher level of absenteeism from work. People who had a lot to drink the night before or who drink during lunch or scheduled work breaks work less efficiently and can place themselves and/or others in dangerous situations.

Workers with some form of drinking problem are 2.7 times more apt to cause an injury at work compared to workers without a drinking issue. Hospital emergency room staff report that 35 percent of workplace injuries they see involve misuse of alcohol. And 16 percent of patients who suffered a workplace injury show up in the emergency room with alcohol in their system.

VII. Cost of Drug Abuse to Workplace Productivity

Illegal substance users are less dependable than other workers and decrease workplace productivity. They are more likely to have taken an unexcused absence in the past month; 12.1 percent did so compared to 6.1 percent of drug-free workers. Illegal substance users get fired and switch jobs more frequently. This high turnover increases training and other productivity related costs to American businesses. Illegal substance users are also more likely than drug-free workers to make costly mistakes on the job.

VIII. Drug/Alcohol Counseling, Treatment, Rehabilitation

LSUHSC recognizes that Substance Use Disorders are illnesses or diseases that can be treated. LSUHSC's Campus Assistance Program (CAP) is a free, confidential counseling service provided to help its employees and students resolve any alcohol or substance abuse problem they may have. Counseling services include a free assessment, short-term counseling (1-3 sessions), and referral when needed.

The Campus Assistance Program location:
Human Development Center
411 S. Prieur St., Suite 233
New Orleans, LA. 70112
<http://www.lsuhs.edu/orgs/campushealth/>

XI. Dissemination of Program and Policy

The Drug Prevention Program and Policy shall be disseminated to individuals annually.

X. Biennial Review of Program and Policy

The Drug Prevention Program and Policy will be reviewed on a biennial basis by the Office of Compliance. The review will determine the effectiveness of the Program and implement changes as they are needed. The review will also insure that disciplinary sanctions described in this Program are consistently enforced.