

The Mental Health & Addiction Certification Board of Oregon

Abstinence policy for Recovering SUD Certified Professionals

MHACBO

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DEFINING ABSTINENCE

The term “abstinence” as it relates to administrative rule OAR 309-019-0195 (12):

“...abstinence from use of any intoxicants as evidenced by negative urinalysis reports, except as allowed in ORS813.200”

Exceptions are listed in ORS 813.200(5): sacramental wine given or provided as part of a religious rite or service; a valid prescription for a substance and the person takes the substance as directed; or a nonprescription drug as defined in ORS 689.005 ORS 689.005 nonprescription drugs are defined as “drugs which may be sold without a prescription and which are prepackaged for use by consumer and labeled in accordance with the requirements of the statutes and requirements of this state and the federal government

Moreover, the health systems division, Oregon Health Authority has offered clarification (distributed to all programs through a memo) that marijuana falls under the category of illicit drugs as it pertains to federal funding for addiction treatment and recovery services.

The federal government (under the controlled substances act, CSA), classifies marijuana and marijuana extracts as schedule I drugs (21cfr chapter II, part 1308) The CSA states; The term “marihuana” (also marijuana) means all parts of the plant cannabis sativa L, whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin...

Oregon Administrative rules, Health Systems Division; Behavior Health Services – Chapter 309, Division 19, 309-019-125(9), states, “program staff, contractors, volunteers, and interns recovering from a substance use disorder and providing treatment services or peer support services in substance use disorder treatment programs must be able to document continuous abstinence under independent living conditions or recovery housing for the IMMEDIATE past two years”.

Moreover; the expectation of abstinence among those staff who are in recovery from SUDs as a bona fide occupational qualification, is an industry standard recognized by any reasonable person employed within addiction treatment programs.

MHACBO fully supports, SAMSHA and FDA approved harm reduction evidence-based practices including, but not limited to; Methadone, suboxone, sublocade, probuphine, and Subutex,