

KBIWCF Drug Policy

In 2005, the Kansas Legislature amended the Workers Compensation laws regarding claims in which the claimant tests positive for drugs. Consequently, the Board of Trustees of the Kansas Building Industry Workers Compensation Fund recently approved a policy regarding post-accident testing for drugs & alcohol. It is requested that an injured employee, seeking medical treatment of a workplace related injury, be tested by the medical provider at the time of treatment for the accident. This means that the fee for this will be paid as part of the workers compensation claim in accordance with the laws of the State of Kansas. KBIWCF will then utilize the test results to determine the compensability of the claim.

In order to implement this policy, all member companies should either amend their existing drug free workplace employment policies to include post-accident testing, or member companies lacking such a policy should have all employees sign a consent and authorization form (similar to the one attached) for the post-accident alcohol and drug testing.

Member companies are free to utilize the test results at their discretion, in accordance with their employment policies. Should you have any questions regarding the Fund's post-accident alcohol and drug testing policies, please do not hesitate to contact our office by calling (877) 266-4540.