

Frequently asked Questions

Q: Is drug testing limited to IDT?

A: No, drug testing can be conducted during annual training or other times the service member is in a military duty status.

Q: How long does a commander have to counsel a Service Member after receiving official notification of a positive result?

A: 45 days. Official notification is sent to unit commander with a suspense date that normally includes 2 IDT periods for conducting command counseling and completing the packet. Commanders can have all documents completed and ready for counseling session within days and usually before the first IDT after receiving official notification.

Q: What is the "Limited Use Policy"? (AR 600-85, par 10-11)

A: The objective of the Limited Use Policy is to facilitate the ID of alcohol and other drug abusers by encouraging self-referral. In addition, the policy is designed to facilitate the rehabilitation of those abusers who demonstrate the potential for both rehabilitation and retention. In short, the Limited Use policy allows a Soldier to get help and make a new start without being punished for past offenses. It is NOT INTENDED to protect a Soldier who is attempting to avoid disciplinary or adverse administrative action and not applicable after being ordered to provide a specimen. When applied properly, the Limited Use Policy does not conflict with the Army's mission or standards of discipline. Soldiers may seek help for their own alcohol or other drug problem from their unit commander, a physician at the MTF, or any agency or individual described in chapter 7, AR 600-85. This is a complicated policy that your supporting legal advisor can help you apply.

Q: A Service Member "self identified" for drug use before being ordered to provide a specimen, do they still have to provide a specimen?

A: Yes, the Service Member must provide a specimen. However, Limited Use applies. Commander must counsel Service Member using DA Form 4856 and direct him/her to seek a substance abuse evaluation within 30 days of counseling. No adverse action will be initiated unless the Service Member fails to seek evaluation and follow through with all recommendations by the state approved facility. Even if specimen result is negative, Service Member must seek evaluation and follow through with recommendations. If result is positive, no adverse action is required to be initiated because of Limited Use Policy unless Service Member fails to seek evaluation and follow through with recommendations.

Q: Service Member self identified for drug use after providing a specimen or being ordered to do so. What are the commander's actions?



A: Limited Use does not apply. Commander should counsel the Service Member at the time of self identification. No matter the result, (negative or positive), commander must direct Service Member to seek substance abuse evaluation and process for separation.

Q: What process should be followed if a unit commander suspects a Service Member of alcohol and/or other drug abuse?

A: If a unit commander has some reasonable suspicion (the chain of command has noticed unusual or aberrant behavior by the Service Member), but not sufficient evidence for probable cause to suspect a Service Member of drug or alcohol abuse, and if the unit commander believes the Limited Use Policy applies, the unit commander should consult with the supporting legal advisor before discussing the Limited Use Policy with the Service Member. If appropriate, the unit commander may then explain the Limited Use Policy to the Service Member. If a unit commander has probable cause to suspect a Service Member of drug or alcohol abuse (the chain of command has good reason to suspect that drugs are within the Service Member's body), the commander should consult with the supporting legal advisor and if appropriate advise the Service Member of their rights under UCMJ Article 31(b) using DA Form 3881, Rights Warning/Waiver Certificate. The commander may then also order the Service Member to submit a probable cause urine specimen. If the Service Member waives their rights, the commander may then question the Service Member about alcohol or drug abuse.