

U.S. Department of Transportation
Office of the Secretary
Office of Drug & Alcohol Policy & Compliance

How Can I Become an Oral Fluid Collector for DOT Drug Testing?

To become qualified as an oral collector in the DOT drug testing program, you must meet **all** the following requirements:

- (1) Basic Information
- (2) Qualification Training
- (3) Initial Proficiency Demonstration

What are the components of the “basic information” requirement?

You must be knowledgeable about 1) Part 40, 2) the current DOT “Oral Fluid Specimen Collection Procedures Guidelines”, and 3) DOT agency regulations applicable to the employers for whom you perform collections. You must keep current on any changes to these materials. You must subscribe to the DOT’s Office of Drug & Alcohol Policy & Compliance (ODAPC) list-serve at <https://www.transportation.gov/odapc/get-odapc-email-updates>.

DOT agency regulations, the DOT “Oral Fluid Specimen Collection Procedures Guidelines”, and other materials are available from ODAPC [Department of Transportation, 1200 New Jersey Avenue, SE, Washington DC, 20590, 202–366–3784, or on the ODAPC web site <http://www.transportation.gov/odapc>].

What should be the content of the “qualification training” program and who may conduct it?

While the Department has not published a curriculum for oral fluid collection training, the DOT expects trainers to base their curriculum on both DOT regulations and the latest version of DOT’s publication, “Oral Fluid Specimen Collection Procedures Guidelines”. (Information on how to access the latest copy of the DOT regulations and the collection guidelines can be found in the last question of this document.)

The qualification training [See § 40.35(b)] must contain the following elements:

Qualification Training:

- Knowledge about 49 CFR Part 40 (Part 40) collection procedures,
- Training to proficiency in the operation of the oral fluid device you will be using,
- How to properly fill out/transmit a Federal Drug Testing Custody and Control Form (CCF),
- How to handle problem collections (dry mouth, attempts to tamper with the test, etc.),
- Information about fatal and correctable flaws in collections and collection paperwork, and
- The collector’s responsibility for maintaining the integrity and credibility of the collection process, privacy, and specimen security and avoiding conduct or statements that could be viewed as offensive or inappropriate.

Anyone can provide the qualification training described above. The trainer does not need to be an experienced or qualified collector, or the same person who oversees the proficiency demonstration, or be a person at all (such as in an internet course, for example). The course material may be taught in person, conducted by video, by computer programs, via the internet, by video conference, or by other equivalent means. Also, there is no mandatory time requirement for this portion of the training.

Although an examination is not required, to demonstrate compliance with the qualification training requirement, it is recommended that the course has built-in some means of ensuring that the information has been successfully learned.

What should be the content of the oral fluid collector “proficiency demonstration” and who can conduct it?

After successfully completing the qualification training program, the collector-to-be must complete five consecutive error-free mock oral fluid collections for each device you will use, under the direct observation of a qualified monitor. [See § 40.35(c)]

The five mock oral fluid collections must include the following types of collections, in any order:

- One uneventful/routine,
- One insufficient quantity of oral fluid,
- One scenario in which the employee has something in their mouth that might interfere with the collection,
- One scenario in which the employee attempts to tamper with the specimen and
- One refusal to sign the CCF paperwork.

The proficiency monitor/evaluator must meet two criteria:

- 1) Be a qualified oral fluid collector*, **and**
- 2) Demonstrated the necessary knowledge, skills, and abilities by either:
 - a. Conducted DOT oral fluid collections for at least a year,
 - b. Conducted Part 40 oral fluid collector training for a year, or
 - c. Successfully completed an oral fluid train-the-trainer course.

*NOTE: Because HHS has not yet certified an oral fluid laboratory, we have amended the requirements to authorize individuals to monitor mock oral fluid collection without meeting the requirement of being a qualified oral fluid collector, as explained below.

On 11/5/2024 DOT published a final rule that provides temporary regulatory flexibility regarding who can monitor mock oral fluid collections (89 FR 87798). To be a monitor for oral fluid mock collections, you need not be a qualified oral fluid collector, but you either 1) have to conduct oral fluid collector training (the one-year requirement is being waived) or 2) successfully complete an oral fluid ‘train the training’ course.

This regulatory flexibility is effective from 12/5/2024, the effective date of the November 5, 2024, final rule, until 1 year after HHS publishes a Federal Register notice of the first certified oral fluid drug testing laboratory. DOT will publish notice of the expiration date in the Federal Register.

These mock oral fluid collections are intended to portray a real event conducted with someone (possibly even the instructor) acting as the donor. The oral fluid collections must be directly observed in real-time by the instructor or clearly able to be monitored in real-time through a video link or equivalent and allow direct interaction between instructor and trainee [See § 40.35(c)(2)]. The use of a “checklist” during the mock oral fluid collections would be acceptable if the use of a checklist was part of the training the collector received and was to be used in real-life oral fluid collections.

Whether they are in-person or virtual, at least two individuals need to interact during the mock collections. A best business practice is to have a third person act as the donor so the trainee could have the experience of “collecting from an employee” (without collecting a specimen during the training). This is an extremely important requirement because collectors must deal with real people and real specimen collections. If the monitor and trainee are the only participants in the mock proficiency collections, then the monitor must also perform the role of the donor—by interacting meaningfully with the collector trainee to make certain the trainee gets the experience of both uneventful and problem collections.

NOTE: It is recommended that individuals arrange for both qualification training and initial proficiency demonstration training simultaneously. The entire training process should be completed within 30 days of the start date. If the student has not completed the device proficiency training within the 30-day timeframe, it is recommended he/she re-take the qualification training component of the program.

What kind of documentation must I keep to show that I’m qualified?

Most organizations/trainers should provide you with a certificate upon successfully completing the entire course. However, collectors must provide documentation (when requested) to DOT Agency inspectors, employers, and employer-designated service agents who may contract for their services (such as C/ TPAs) that they are currently eligible to collect DOT specimens. [See § 40.35(g)].

On request, you must provide sufficient detail on the content of the training and proficiency demonstration so that the Federal Inspector can be confident that you fully met the requirements of the regulation. Examples may include training graduation certificates and/or letters the qualified trainer/observer signed indicating you attended and successfully completed the course.

An oral fluid collector’s qualifications are not location/collection site-specific, and their eligibility will follow them anywhere DOT Agency regulated oral fluid specimens are collected.

Do I have to go through refresher training?

Yes. Each qualified oral fluid collector must go through refresher training every five (5) years in order to remain eligible to collect DOT specimens. [See § 40.35(e)] The content of the refresher training must be the same or equivalent to your initial training and proficiency demonstration content. It is expected that you stay current with any changes to the DOT regulations and not wait for the refresher training to learn about them.

Does DOT offer oral fluid collector training?

No, DOT does not offer oral fluid collector training, maintain lists of training programs or qualified trainers; nor does it approve, certify, or recommend the training programs of any organization or entity.

Collection sites may conduct their own training or solicit an outside organization or entity (e.g. professional training service) to do its training. To find such a training service, you may search the internet or contact industry associations or organizations.

Do I need to become “certified” to conduct DOT oral fluid collections or operate a collection site for DOT drug testing?

No, DOT does not require “certification” of a collector or a collection site before they can collect oral fluid specimens for DOT drug tests. In fact, only individual collectors (not collection sites) may become qualified to collect DOT oral fluid specimens.

Does the DOT maintain a list of qualified oral fluid collectors or collection sites?

No.

Once I’m qualified, how do I get business?

Becoming an oral fluid collector was a business decision. As such, you will need to grow your business according to your business model/plan. Transportation trade shows and the internet are good place to start looking for DOT-regulated clients.

Where can I get more information on the collection regulations, guidelines for collectors and other DOT regulations?

Visit DOT’s ODAPC’s website at www.transportation.gov/odapc. From the home page, you can link to the ‘Oral Fluid Collectors’ page, which will not only give you direct access to those sections of Part 40 that cover oral fluid collectors and collection procedures but will also allow you to download the latest copy of Part 40 and the collection guidelines.

Also, the home page will provide you with various links to information and documents related to all aspects of Part 40, as well as the DOT Agency regulations.

If you do not have internet access, you may call 202-366-3784 to request a hard copy of Part 40 and/or the ‘Oral Fluid Collection Procedures Guidelines’ be mailed to you.