



- Thank you for attending today.
- We will be recording today's session!
- Please keep yourselves muted.
- Raise your hands and/or put questions in the chat.
- Disable any AI Notetaking apps

For All Noncompliance Tools and Resources:
<https://www.mass.gov/info-details/emergency-assistance-provider-portal>



HOUSEKEEPING:

- Editing Touchpoints/Dates
 - Please do not back date/forward date any of the touchpoints. You have 30 days to edit your submissions.
- New Written Warning Process
 - Please complete the Written Warning Touchpoint prior to engaging with the client.
 - Wait for the Noncompliance Unit's review and instructions.
- Designated Noncompliance Coordinators at each provider.

Prescription Medication Drug Testing Substance Abuse

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Today's Agenda



- ❖ Prescription Medication
- ❖ Drug Testing
- ❖ Substance Abuse
- ❖ Q & A

Prescription Medication





Prescription Medication:

The Basics

- The **EA Household is responsible for the storage and administration of prescribed medications**, subject to good cause as determined under the good cause standards in 760 CMR 67.06(6)(a)5.
- **If a working safe is available** in an EA Household's room in a hotel for storage of prescription medications, the **EA Household shall store such medications in the safe.** If no working safe for use in the EA Household's room is available, the adult household members shall make best efforts to ensure that **prescription medications are out of the reach of children.**
- Unless it is repetitive, a violation of this Rule that is de minimis (minor), as determined based on all the relevant circumstances, as to time or location will not be counted toward a noncompliance or termination.



Prescription Medication: Writing the Noncompliance

The Prescription Medication rule follows the Written Warning guidelines.

When submitting a Written Warning and/or a Noncompliance Request your narrative should include:

- date and time of the incident, detailed description of where and how medications were found
- how staff became aware of the situation
- be sure to include the inspection notice, pictures and any other supporting documents with your submission

Example: On 3/29/2025, at 11:15am during scheduled unit inspections, staff found medicine left within reach of the children and belongings impeding access within the unit.

Example: On 10/29/25 at approximately 1:45pm, staff entered Ms. Gale's unit for a scheduled inspection. Staff noticed a plant directly in front of the door blocking egress. Upon entry staff found belongings over the allotted amount including desk, chair, side table, TV stand, home décor, two racks full of clothes and piles of items in the closets. In the kitchen staff found a decorative bowl filled with prescription medication within children's reach. They also found two bottles of unopened alcohol.

Drug Testing





Drug Testing:

The Basics

- Drug testing, including urine screens and blood and breathalyzer tests, shall not be conducted at random or across the board.
- The EA household shall comply with any staff request for drug testing made after staff has formed an individualized and reasonable suspicion that an EA household member is abusing controlled substances.
- Any such testing shall be performed at the expense of the shelter.
- A client who refuses to submit to a drug test may be in noncompliance. The NC request needs to detail the individualized and reasonable suspicion developed by staff that led to the request for a drug test.
- Anytime there is articulable suspicion of substance abuse DCF should be contacted.



Drug Testing: Writing the Noncompliance

The Drug Testing infraction is a direct to noncompliance infraction. No Written Warning required.

When submitting a Noncompliance Request your narrative should include:

- date and time of the incident,
- detailed description of how staff arrived at the request for testing,
- participant's response/refusal to test
- NOTE: Refusing to submit to a drug test is a violation of the Drug Testing USR. However, taking the test and failing is not a violation of the Drug Testing USR but may be a violation of the Substance Abuse rule.

Example: On 1/7/2025, at 3pm during a scheduled meeting with Ms. Gale, concerns arose that she was under the influence of substances due to her appearance, demeanor, and smell of alcohol. Staff asked Ms. Gale if she had been drinking. Ms. Gale stated she had been drinking before she picked up her son from school. Staff requested that Ms. Gale submit to a drug test. Ms. Gale declined to take the test and stated "I am going to fail the test. I already know".

Substance Abuse





Substance Abuse:

The Basics

- Use or possession of alcohol or any controlled substance(s) is prohibited on shelter property.
- Abuse of alcohol or controlled substances outside of the program, to the extent that it results in behavior that interferes with an EA Household member's rehousing plan, threatens the health or safety of anyone on shelter property, or creates a disruption to shelter management, is prohibited.
- Misuse of prescription medication will be considered substance abuse.



Substance Abuse: Writing the Noncompliance

The Substance Abuse infraction is a direct to noncompliance infraction. No Written Warning required.

When submitting a Noncompliance Request your narrative should include:

- date and time of the incident,
- how staff came upon the reported substances
- detailed description of how staff arrived at the reasonable and articulable suspicion that the participant was under the influence,

Example: On 1/29/2025, at approximately 9:45am while conducting a routine maintenance inspection in the client's bedroom, staff found an ashtray with marijuana blunts.

Example: On 11/12/25 at approximately 11:40am, staff was completing a unit inspection. While completing the inspection staff found a bag of marijuana on the kitchen table.



Substance Abuse: Writing the Noncompliance

Two components to the Substance Abuse Rule:

- ❖ **Possession:** Use or possession of alcohol or any controlled substance(s) is prohibited on shelter property.
- ❖ **Abuse:** Abuse of alcohol or controlled substances outside of the program, to the extent that it results in behavior that interferes with an EA Household member's rehousing plan, threatens the health or safety of anyone on shelter property, or creates a disruption to shelter management, is prohibited.

Example: Ms. Gale goes out and has a couple (too many) of drinks and/or pills at a club. When Ms. Gale returns to the program and:

A) goes straight to their assigned EA unit and does not cause any disturbance.

No rule violation

B) wakes up other families, curses at staff, stumbles with their child in their hands.

Noncompliance for substance abuse, child abuse & neglect, harassing/threatening language, and disturbance of the quiet enjoyment.

Evidence



EVIDENCE TO SUPPORT THE NONCOMPLIANCE

- ❖ Audio Recordings,
- ❖ Witness Statements/Affidavits (with phone numbers)
- ❖ Staff Log Reports
- ❖ Police Report
- ❖ Case Notes
- ❖ USR Receipt
- ❖ Pictures* and/or Video**

*You cannot upload pictures directly into ETO. Pictures need to be saved as a PDF file or copied onto a Word Document.

**Let the NC Unit know if you have a video to submit. We will need to send a link to a shared folder for you to save the video.

Q+A



Thank you!

