



BWC Unveils New Drug-Free Safety Program

The Ohio Bureau of Workers' Compensation (BWC) recently unveiled a new Drug-Free Safety Program (DFSP) that will replace the current Drug-Free Workplace Program (DFWP) and Drug-Free EZ Program (DF-EZ). These changes will take effect at the beginning of the 2010 policy year (July 1, 2010). Private employers will be permitted to begin the new program on July 1, 2010 while public employers will be eligible for a January 1, 2011 start date. Private employers are also permitted to start the program on January 1, 2011. Employers will have two participation levels to choose from: Basic or Advanced. There will also be a non-discount option for employers to implement comparable programs when required for state of Ohio public improvement projects, which has historically and will continue to be known as Level 0.

Those employers currently participating in the DFWP will soon receive a letter from BWC alerting them that they will see their last DFWP discount on their summer 2010 premium (due by 8/31/10). If they are interested in enrolling in the new DFSP, they will need to complete the new *Application for Drug-Free Safety Program* (U-140) and indicate whether they want the Basic or Advanced level. Any employer interested in participating in the new DFSP will need to submit their application to BWC by June 30, 2010 (for a July 1, 2010 start date) or by October 29, 2010 (for a January 1, 2011 start date).

The advent of the new DFSP creates a fresh start for Ohio employers looking to receive workers' compensation premium discounts as a benefit of implementing a substance use and testing program. Participating employers will receive a four percent (4%) premium discount for the basic level and seven percent (7%) at the advanced level. In addition, group-rated employers participating at the advanced level will be able to "stack" three percent (3%) on top any discount they are receiving through a group experience rating program (up to the maximum allowable credit).

Any company that has previously exhausted its eligibility in the old program will be eligible to enroll in the new DFSP. Furthermore, there is no limit to participation in the program (the old program was limited to five years), and employers will have flexibility to move in and out of the program as their circumstances change without penalty.

While some of the details may differ between the old and new programs, and between the basic and advanced levels of the new program, the key requirements are the same. Broad program requirements for the new DFSP include: Development of a written substance policy (within the context of a holistic safety program); annual supervisor skill building and employee education; implementation of drug and alcohol testing; employee assistance

One key difference is the addition of safety elements to the new program. An online safety survey through the BWC's website must be completed at the beginning of the program year to evaluate your current safety program and identify areas for possible improvement. Employers participating at the advanced level of the DFSP must then develop an action plan for safety program improvements, based on the results of the initial review. Other required safety features include accident analysis training and online reporting and analysis of accidents through BWC's online tools.

As your association's preferred safety and risk management consultant, RiskControl360 stands ready to advise your company on the benefits of the DFSP and help you implement a program that meets your company's unique needs. For more information on the DFSP, feel free to call Katie Cassidy at (614) 526-7188 or Shawn Combs at (614) 827-0364.