

**DOT Drug & Alcohol Management Information System Reporting
PHMSA Supplemental Instructions
Reports Due March 15 for the Previous Calendar Year**

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General

The Pipeline and Hazardous Materials Safety Administration (PHMSA) requires operators to submit annual drug and alcohol (D&A) test data each calendar year online using DOT Form F 1385. The DOT provides instructions on how to use Form F 1385. Those instructions pertain to all employers who perform D&A testing in accordance with the various DOT agencies that require D&A testing. The DOT Form F 1385 and instructions for completing the form can be obtained online at <http://www.dot.gov/odapc/MISreporting>.

This document supplements the DOT’s Form F 1385 instructions by providing additional and specific instructions on how to report D&A test data for operators of PHMSA regulated pipeline systems, liquefied natural gas (LNG) facilities, and underground natural gas storage facilities. PHMSA regulations require operators to submit D&A MIS data reports online at <http://damis.dot.gov> - see the next section for user name and password details.

PHMSA regulations require large operators to report D&A test data each calendar year. PHMSA may require small operators to report annually. When reporting is required, data for both operator covered employees and contractor covered employees must be submitted; but, contractor employee data is not included in the operator’s data report. Rather, each contractor’s data is in a separate form, which is then attached to the report of each operator for whom they performed covered functions. A contractor’s form includes all its employees and all its D&A test data and does not vary per operator. So, for example, if a contractor performs covered functions for 20 different pipeline operators, the contractor will provide 20 identical D&A forms to each operator. PHMSA then selects one of those forms as the data of record (DOR) for that contractor.

For questions about MIS submittal, contact:

InformationResourcesManager@dot.gov 202-366-8075

For questions about PHMSA regulations, contact:

InformationResourcesManager@dot.gov

Do I Need to Submit a Pipeline Drug & Alcohol MIS Report?

The PHMSA regulations governing D&A MIS reporting (§§199.119 & 199.229) are based on whether the operator is a “large” operator (an operator with more than 50 covered employees) or a “small” operator (an operator with 50 or fewer covered employees).

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To determine the number of covered employees, include employees for the primary OpID and all business unit OpID(s) covered by the report. While contractor employees are covered employees requiring D&A testing, contractor employees are not used to calculate whether an operator is a large or small operator. Therefore, do not include contractor employees in this calculation.

If your covered employees are in a random drug testing pool managed by a consortium, count only your own covered employees. Moreover, if you have employees subject to D&A testing under more than one DOT agency, count only those employees who were drug and/or alcohol tested under PHMSA, as shown on the Federal Drug Testing Custody and Control Form (CCF).

If the total number of covered employees is more than 50, a PHMSA D&A MIS report is required. In late December each year, your online reporting username and password are available in the PHMSA Portal - <https://portal.phmsa.dot.gov/pipeline>.

If the total number of covered employees is 50 or fewer, a PHMSA D&A MIS report is only required if you receive a “written notice” from PHMSA requesting a report. PHMSA transmits a “written notice” as a message in the PHMSA Portal in late December each year - <https://portal.phmsa.dot.gov/pipeline>. That is, if the PHMSA Portal message includes an online reporting username and password, PHMSA has requested a report, regardless of the total number of covered employees.

Registered PHMSA Portal users for an operator typically include your compliance officer and staff or consultants with responsibility for submitting annual and incident/accident reports on PHMSA F 7000- and 7100-series forms. For operators without any staff registered in the PHMSA Portal, the operator staff responsible for submitting MIS reports can register in the Portal at

https://portal.phmsa.dot.gov/phmsapub/faces/EnrollmentV2.jspx?_afLoop=2248746351610602&_afWindowMode=0&_adf.ctrl-state=p9y0aaynd_22

by following the instructions at

<https://portal.phmsa.dot.gov/PHMSAPortal2/staticContentRedesign/howto/PortalAccountCreation.pdf>

PHMSA Safety Program Relationships

PHMSA pipeline safety regulations require operators to have written safety programs to cover certain functional areas, including D&A testing. Each operator must inform PHMSA through PHMSA’s National Registry as to whether they have a D&A testing program that applies to one OpID or a D&A testing program that applies to multiple OpIDs. In notifying PHMSA, each operator establishes the “primary OpID” which “owns” the D&A testing program and is responsible for submitting annual D&A MIS reports.

In the case of a single OpID D&A testing program, the single OpID is the primary OpID. If the D&A testing program covers multiple OpIDs, however, the operator informs PHMSA which OpID is the primary OpID and which OpIDs are “submitting OpIDs.” This notification establishes a Safety Program Relationship (SPR) in PHMSA’s database.

Once the operator has established a D&A program SPR and primary operator in the PHMSA database, it then reports its annual D&A test data in the DOT’s D&A MIS database (commonly referred to as DAMIS) under the same primary operator. If the D&A testing program covers multiple OpIDs, the operator must also report additional “submitting OpID” listed in the PHMSA SPR database as a “Business Unit” in DAMIS. In other words, a “submitting OpID” in the PHMSA SPR database is a “Business Unit” in the DOT DAMIS database.

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SPR primary and submitting operator data is maintained in a PHMSA database and D&A MIS tests data is maintained in the DOT DAMIS database. These are two separate and distinct databases that are not linked. Thus, changing PHMSA SPR data will not change an MIS primary and business unit relationship in the DOT DAMIS database. Conversely, changing an MIS primary and business unit relationship in the DOT DAMIS database will not change PHMSA SPR data. When changes occur, operators must make the changes in both the PHMSA SPR database and in the DOT database such that the data in both databases match.

PHMSA regulations require operators to maintain accurate SPR data when changes occur by submitting Type C National Registry Notifications – see §191.22 and §195.64.

Business Units

The term “business unit” is unique to the DOT DAMIS database. These are the same operators referred to as “submitting OpIDs” in PHMSA’s SPR database (see above). Accordingly, the primary operator and business units in DAMIS (if any) must align with the primary OpID and submitting OpIDs in the SPR database.

To ensure PHMSA collects complete pipeline operator D&A test data, pipeline operators who manage D&A programs with more than one OpID must submit a single MIS report that includes D&A data for the primary OpID (as shown in the PHMSA SPR) and D&A data for the primary operator’s business units (shown as submitting OpIDs in the SPR). Thus, the number of covered employees reported in the operator’s single MIS report is the total of the primary operator’s covered employees plus all the covered employees of the business units. Similarly, the D&A test data reported in the single MIS report is the total of the primary operator’s test data plus all the test data of the operator’s business units.

Contractors

Pipeline operators often use contractors to perform D&A covered functions on their regulated pipelines and, in most cases, these contractors manage their own PHMSA D&A programs internally or with the help of a consortium or third-party administrator (TPA). PHMSA has three main goals with regards to collecting contractor D&A test data through MIS reports.

- 1) PHMSA must identify all the contractors who perform D&A covered functions for a specific pipeline operator.
- 2) PHMSA must identify all the pipeline operators for whom a specific contractor performs D&A covered functions.
- 3) PHMSA must have complete D&A test data for each contractor submitting an MIS report.

Though rare, it is possible that contract employees or employees of a contractor be included in a pipeline operator’s D&A program. In such a case, the D&A testing data of these employees must be included in the operator’s MIS report as if the contract employees worked directly for the operator.

Most contractors, however, manage their own D&A program internally or with the help of a consortium or third-party administrator (TPA). These contractors must complete their own MIS report, which is “attached” to the MIS report of each operator for whom they performed D&A covered functions. Because contractors do not have OpIDs, the DOT uses a Business Tax Identification Number (BTIN) to track these contractors in the DAMIS database.

A contractor may perform D&A covered functions for one pipeline operator or for multiple pipeline operators. A contractor may perform D&A covered functions for a primary operator, a business unit, or

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both. Moreover, a contractor may be local, regional, or nationwide and/or may operate from a single location or from multiple locations. Regardless, each contractor must prepare a single and complete MIS report that includes all D&A covered employees and all D&A test data for the BTIN. This single and complete contractor MIS report is then attached to the appropriate primary OpID report(s). This contractor MIS report does not imply that all the contractor employees listed in the MIS report worked on the reporting operator's pipeline. It simply allows PHMSA to identify all the contractors working for a reporting pipeline operator. It also allows PHMSA to identify all the primary OpIDs for whom the contractor performed covered functions. A contractor must not tailor a separate and distinct MIS report for each pipeline operator because PHMSA would not be able to determine which, if any, of these reports represented the complete and accurate D&A test data of the contractor.

Of course, this will result in the DAMIS database containing multiple MIS reports from a contractor who performs covered functions for more than one pipeline operator. For example, a contractor working for 10 primary OpIDs, and/or business units under the primary, would have 10 identical MIS reports in DAMIS. PHMSA simply selects one of these multiple reports as the Data of Record (DOR) for that contractor. The other reports are recognized as duplicates and not included in determining annual random drug tests rates or for any other data analysis purpose. Instead, they are used to identify which contractors work for which primary OpID(s) and/or business units.

Contractor data can be entered by an operator or by the contractor but it must be entered individually for each contractor by logging into the system using the contractor's username and password. The contractor's BTIN is also needed to enter contractor data. As explained above, contractors who performed D&A covered functions for multiple operators must submit multiple reports, but each report must be identical. The contractor's username and password will associate the contractor report with the primary OpID report. After the contractor data is entered, the primary OpID must accept the associated contractor reports before the operator report is submitted.

Section I. Employer

If your OpID previously submitted an MIS report, some of the contact information may be pre-populated for both the operator report and the associated contractor reports. Enter or correct the information about the company, either operator or contractor, submitting the report.

IMPORTANT: List the primary operator's OpID and all business unit OpIDs covered by the report on the *Doing Business as (DBA)* line. This allows PHMSA to cross-check the SPR and DAMIS databases.

Section II. Covered Employees

Enter the number of covered employees for the report.

Operator:

If you are creating an operator report, include operator covered employees for all OpIDs covered by the report. If you have covered employees who perform multi-DOT mode functions (e.g. an employee drives a commercial motor vehicle regulated under FMCSA and performs pipeline maintenance duties), count only the employees who were tested under PHMSA as shown on the CCF or ATF. This should be those employees who spend more than 50 percent of their time performing PHMSA D&A covered functions.

Contractor:

Contractors should report the total number of its PHMSA D&A covered employees under their BTIN regardless of whether or not they performed covered functions for the operator submitting the report.

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If you have covered employees who perform multi-DOT mode functions (e.g. an employee drives a commercial motor vehicle regulated under FMCSA and performs pipeline maintenance duties), count only the employees who were tested under PHMSA as shown on the CCF or ATF. This should be those employees who spend more than 50 percent of their time performing pipeline D&A covered functions.

Section III. Drug Testing Data

The table in this section requires drug test data by test type and by result. The categories of test types are: Pre-Employment; Random; Post-Accident; Reasonable Susp./Cause; Return-to-Duty, and Follow-Up. The categories of results are: Total Number of Test Results; Verified Negative; Verified Positive; Positive for Marijuana; Positive for Cocaine; Positive for PCP; Positive for Opiates; Positive for Amphetamines; Refusals due to Adulterated, Substituted, “Shy Bladder”, and Other Refusals to Submit to Testing; and Cancelled Results.

For operators or contractors whose employees perform covered functions under multiple DOT modes, only report data for tests where PHMSA was selected on the CCF. For example, if an employee with a commercial driver license was post-accident tested after a traffic accident, FMCSA would be selected in Step 1D of the CCF. This test would not be reported to PHMSA. If FMCSA requests MIS data, only tests with FMCSA selected in Step 1D of the CCF should be reported to FMCSA.

The online reporting system will calculate the Total Number of Test Results column and the TOTAL row. Enter all the non-zero data, then click the “set remaining blanks to zero” button to complete this section.

Section IV. Alcohol Testing Data

The table in this section requires alcohol test data by test type and by result. The categories of test types are: Post-Accident, Reasonable Susp./Cause, Return-to-Duty, and Follow-Up. The categories of results are: Total Number of Screening Test Results; Screening Tests with Results Below 0.02; Screening Tests with Results 0.02 Or Greater; Number of Confirmation Test Results; Confirmation Tests with Results 0.02 through 0.039; Confirmation Tests with Results 0.04 Or Greater; Refusals due to “Shy Lung” and Other Refusals to Submit to Testing; and Cancelled Results.

For operators or contractors whose employees perform covered functions under multiple DOT modes, only report data for tests where PHMSA regulations led to the test. For example, if an employee with a commercial driver license is post-accident tested after a traffic accident, this test would not be reported to PHMSA.

The online reporting system will calculate the Total Number of Screening Test Results column and the TOTAL row. Enter all the non-zero data, then click the “set remaining blanks to zero” button to complete this section.

Online Wrap Up

Several validation checks will be run when you enter this online section. Warning messages will guide you to sections of the report that are incomplete. As mentioned earlier, all contractor reports associated with the operator report must be accepted or rejected before the operator’s report can be submitted.

You must click on “Electronically Sign” to submit the report. If you subsequently discover errors in the report and make changes, you must click on “Electronically Sign” after making the changes to submit the revised report.

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The wrap up section also provides options to save a .pdf file of the report and send an email confirming submittal.