

Office of Drug Enforcement and Program Compliance
49 CFR Part 40 Interpretation

Question: What are the medical review officer's (MRO) review requirements during the verification process when the MRO copy of the custody and control form is not available?

Response: The MRO may complete the verification process if the MRO's copy of the custody and control form is not available for review. The MRO needs to review a copy of the chain of custody which contains the employee's signature. A copy can be obtained from the employee, the collector, or the employer. These copies have the employee's signature.

The preamble to 49 CFR Part 40 (Medical Officer Issues) published on December 1, 1989 requires the MRO not to declare a verified positive result until he or she receives the hard copy of the original chain of custody form from the laboratory. This is because, prior to determining that the test is a verified positive, the MRO verifies the identifying information and the facial completeness of the chain of custody (i.e., determines that, on the face of the document, all the sign-offs are in the right places).