

CENTRAL MONTANA MEDICAL CENTER
Lewistown, Montana

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Approved By: <u>---</u>
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Approved By: <u>C. Birdwell, RN</u>

POLICY NO. ER-043
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SUBJECT: LEGAL BLOOD ALCOHOL TESTING
DEPARTMENT: NURSING – ER
AFFECTED DEPARTMENTS: NURSING – ER

POLICY

Collection of blood specimens for legal blood alcohol testing will be performed in accordance with Montana law.

PURPOSE

To provide physicians, nursing, and medical technologists with protocol, forms and procedures for collecting specimens at the direction of a peace officer for legal blood alcohol testing, and to provide protocol to maintain chain of custody for medico-legal cases.

PROCEDURE

- A. Special legal forms are provided and must be filled out appropriately in every case of blood alcohol testing. (Those cases when blood is drawn for legal alcohol analysis.)
 - 1. Form “AUTHORIZATION BY PEACE OFFICER TO DRAW BLOOD WHEN PERSON WHOSE BLOOD IS TO BE DRAWN IS NOT CAPABLE OF GIVING CONSENT”. This form is to be signed by the requesting peace officer, witnessed and dated appropriately. This form is to be used **only** when the patient is unconscious or in a condition that renders him/her incapable of refusal and the peace officer has placed the person under arrest for DRIVING UNDER THE INFLUENCE OF ALCOHOL and is requesting that blood alcohol test be done.
 - 2. Form “VOLUNTARY CONSENT TO BLOOD DRAWING” is to be signed by the patient and/or the arresting peace officer, witnessed and dated appropriately. This form is to be used when:
 - a. The patient consents to the drawing of blood for blood alcohol analysis when requested by the peace officer
 - b. When the patient is requesting that the blood alcohol test be done
Note: When the patient requests that the blood alcohol test be done, the peace officer does not sign the consent form. The blood specimen is **not** given to the peace officer; it is sent to the Laboratory using chain of evidence (see Chain of Evidence Policy)
 - 3. Subpoena for blood from judge
- B. Drawing blood alcohol specimen:
 - 1. Use kit provided by the State for blood alcohol testing.
 - 2. Check the expiration date on the blood tube to ensure it is still valid.
 - 3. **DO NOT OPEN** tubes as they are tamper proof and the test is **not** legal if the stopper has been removed.

4. The patient and/or peace officer must sign the appropriate consent form (see A1 and A2 above) **BEFORE** the blood is drawn.
 5. A Registered Nurse, Physician, or Medical Technologist can draw the blood specimen.
 6. Cleanse skin with iodine prep. **Do not** use alcohol sponge as this makes the test inaccurate.
 7. Unscrew tip of vacutainer needle and screw needle into vacutainer holder.
 8. Apply tourniquet to arm and cleanse skin. Insert needle into vein, take stopper tube and insert into needle of vacutainer holder. If in vein, you will have immediate blood return in tube. Allow tube to fill. Remove tube from needle, then remove needle from vein. Apply pressure or have patient bend arm at elbow for approximately 5 to 10 minutes. Apply bandaid or cotton with tape.
 9. Label tube with name of patient, date and time.
 10. Sign paper seal and place over stopper of tube.
 11. Place tube in styrofoam container and seal container with evidence tape.
 12. Complete Request for Alcohol Analysis and Blood Test Request Form. Place completed forms between styrofoam and cardboard mailing sleeve. (See attached forms)
- Note: If patient is requesting blood alcohol test, retain copy of forms for patient chart.