



# County Technical Assistance Service

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## Drug and Alcohol Use

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Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

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## Drug and Alcohol Use

**Reference Number:** CTAS-2029

Current users of illegal drugs (including illegal use of prescription drugs) and alcohol are not covered by the ADA. 42 U.S.C. § 12114(a). Tests for drug and alcohol usage are not subject to the ADA restrictions on medical exams. The ADA does not exclude—

- Individuals who are completing or have completed a rehabilitation program and are no longer using drugs.
- Individuals who are "believed" to be using drugs.

42 U.S.C. § 12114(b).

The ADA protects recovering addicts from discrimination on the basis of their status as an addict and a reasonable accommodation for an addict may include time off for treatment.

Under the ADA, recovering alcoholics and drug addicts are held to the same job performance standards as all other employees.

For additional information about drug testing, see [Governmental Employee Drug Testing-The Constitutional Issues](#).

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