

**CHAPTER 792  
FEDERAL EMPLOYEES'  
HEALTH AND COUNSELING PROGRAMS**

**SUBCHAPTER 2  
DRUG-FREE WORKPLACE PROGRAM**

**APPENDIX A  
DEFINITIONS**

1. **ACCESS.** Access is defined in the OPNAVINST 5510.1 series as "the ability and opportunity to obtain knowledge or possession of classified information. An individual may have access to classified information merely by being in a place where such information is kept, if the security measures which are in effect do not prevent him or her from gaining knowledge or possession of classified information."

2. **APPLICANT.** An applicant is defined as any individual who applies for or is otherwise being considered for placement in a Testing Designated Position (TDP).

3. **EMPLOYEE IN A SENSITIVE POSITION.** For the purposes of this instruction, this term means:

a. An employee in a position designated by the Secretary of the Navy as Special-Sensitive, Critical-Sensitive, or Noncritical-Sensitive; or an employee in a position designated by the Secretary of the Navy as Sensitive, per Executive Order 10450, as amended.

b. An employee granted access to classified information or who may be granted access to classified information pursuant to a determination of trustworthiness by the Secretary of the Navy under Section 4 of Executive Order 12356.

c. Individuals serving under Presidential appointments.

d. Law enforcement officers as defined in 5 USC 8331(20).

e. Employees in other positions which the Secretary of the Navy determines involve law enforcement, national security, the protection of life and property, public health or safety, or other functions requiring a high degree of trust and confidence.

To meet this definition, the sensitive position must be a TDP.

4. **ILLEGAL USE OF DRUGS/ILLEGAL DRUG USE.** These terms mean the use of an illegal drug or drugs, or a drug for which the individual does not have a valid prescription, or other use not authorized by law.

5. **MEDICAL REVIEW OFFICER.** A Medical Review Officer is a licensed physician responsible for receiving laboratory results generated by the Drug-Free Workplace Program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's positive test result together with his/her medical history and other relevant biomedical information.

6. **TESTING DESIGNATED POSITION (TDP).** A Testing Designated Position is a position within the Department of the Navy which has been determined to meet the criteria for random drug testing.

7. **VERIFIED POSITIVE TEST RESULT.** A verified positive test result is a test result that has been screened and confirmed positive by the appropriately designated official, and the presence of the drug identified has been determined by the Medical Review Officer to have no legitimate medical reason to be in the employee's system.