

# The Current Legal Status of Drug Testing and Its Implications

**REFERENCE:** Orvis GP: The current legal status of drug testing and its implications; *Forensic Sci Rev* 4:109-124; 1992.

**ABSTRACT:** Current U.S. law on drug testing is reviewed in this article. The widespread practices of drug abuse and drug testing in the United States are reviewed in the initial section. Legal questions are posed concerning constitutional rights and the rights organized labor has won in the courts during the last century. Federal appellate case law, federal and state statutory law, and military law on drug testing issues are examined in the context of their impact on public, private, criminal justice, and military sectors of American society. Future legal trends on drug testing are predicted in the conclusion.

**KEY WORDS:** Balancing test, collective bargaining, due process, drug testing, reasonable suspicion, right of privacy, safety-sensitive jobs, search and seizure, self incrimination, urinalysis.