

NOTICES

Minimum Levels of Controlled Substances or Their Metabolites in Blood to Establish Presence of Controlled Substance

[47 Pa.B. 4045]

[Saturday, July 22, 2017]

Under 75 Pa.C.S. § 1547(c)(4) (relating to chemical testing to determine amount of alcohol or controlled substance), the Department of Health (Department) is publishing a notice of the minimum levels of Schedule I, nonprescribed Schedule II and nonprescribed Schedule III controlled substances or their metabolites that must be present in a person's blood for the test results to be admissible in a prosecution for a violation of 75 Pa.C.S. § 1543(b)(1.1), § 3802(d) (1), (2) or (3) or § 3808(a)(2) (relating to driving while operating privilege is suspended or revoked; driving under influence of alcohol or controlled substance; and illegally operating a motor vehicle not equipped with ignition interlock).

Testing for controlled substances in blood is normally a two-step process. The first step involves screening of the blood using a relatively rapid and inexpensive procedure to presumptively determine whether a specimen contains a controlled substance or a metabolite of a controlled substance. The second step utilizes an alternate procedure to confirm the presence of the controlled substance or metabolite that was presumptively detected by the screening procedure. Confirmatory analyses employed to substantiate the presence of a controlled substance or metabolite are also used to determine the concentration of the controlled substance or metabolite. A limit of quantitation (LOQ) for a controlled substance or metabolite is the lowest concentration that a laboratory can reliably determine. A laboratory's LOQ for each controlled substance or metabolite will depend upon the equipment and procedures the laboratory employs for confirmatory testing.

Laboratories that operate in this Commonwealth and perform analyses of blood to determine controlled substance content must be approved by the Department in accordance with 28 Pa. Code § 5.50 (relating to approval to provide special analytical services) and be listed in notices published in the *Pennsylvania Bulletin*. The minimum levels listed in this notice were developed by reviewing the LOQs reported by the laboratories approved by the Department to analyze blood for controlled substances or their metabolites. Laboratories are not required to have LOQs for controlled substances or their metabolites that are equal to or below minimum levels listed. The levels listed are intended to establish the lowest reportable results admissible in a prosecution.

Not all approved laboratories will have proficiency testing results at the minimum levels listed in this notice. Approved laboratories and their individual proficiency testing results may be reviewed on the Bureau of Laboratories' web site at www.minimumlevels.health.pa.gov.

The Department recognizes that testing may be conducted for controlled substances and metabolites not listed in this notice. When this testing is necessary, interested parties should contact the laboratory performing the test to inquire as to that laboratory's specific method of testing, the equipment used and any policies or procedures employed by that laboratory to ensure that the test results are valid. In subsequent notices, the Department will revise, as needed, the minimum levels of controlled substances or metabolites already included in this notice and add new controlled substances or metabolites when warranted.

Class Substance	Minimum Quantitation Limits Schedule (nanograms/milliliter)	
Amphetamines		
Amphetamine	II	2.5
Methamphetamine	II	2.5
Methylenedioxyamphetamine (MDA)	I	2.5
Methylenedioxymethamphetamine (MDMA, Ecstasy)	I	2.5
Analgesics		
Methadone	II	1
Cannabinoids		
Delta-9-THC (THC)*	I	0.5
11-Hydroxy-Delta-9-THC (THC-OH)	I	1
11-Nor-9-Carboxy-Delta-9-THC (THC-COOH)	I	1
Cocaine		
Cocaine	II	1.5
Benzoylcegonine	II	0.5
Hallucinogens		
Phencyclidine	II	0.25
Opiates		
Codeine	II	1
Hydrocodone	II	1
Hydromorphone	II	1
6-Monoacetylmorphine	II	0.25
Morphine	II	1
Oxycodone	II	1
Sedatives/Hypnotics		
Amobarbital	II	40
Pentobarbital	II	30
Secobarbital	II	25

*THC = tetrahydrocannabinol

Questions regarding this notice should be directed to Jennifer Okraska, Director, Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P.O. Box 500, Exton,

PA 19341-0500, (610) 280-3464. Persons with a disability who require an alternative format of this notice (for example, large print, audiotape or Braille) may contact Jennifer Okraska at the previously referenced address or phone number. Persons who are speech or hearing impaired may use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

RACHEL L. LEVINE, MD,
Acting Secretary

[Pa.B. Doc. No. 17-1223. Filed for public inspection July 21, 2017, 9:00 a.m.]

No part of the information on this site may be reproduced for profit or sold for profit.

This material has been drawn directly from the official *Pennsylvania Bulletin* full text database. Due to the limitations of HTML or differences in display capabilities of different browsers, this version may differ slightly from the official printed version.



webmaster@PaBulletin.com