Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [CSSD/003/2016]

On October 5, 2016, the Department of Children, Seniors and Social Development received your request for access to the following records:

"Policy for when to obtain drug screening for clients including the reason for any changes to this policy in 2016".
"The cost of drug screening test paid by the Department of East Coast Medical for drug screening and details on the manner of screening services purchased including any contact for service between the Department of Children, Seniors and Social Development and East Coast Medical".
"The names of municipalities where Foster homes are located, as approved by the Department of Children, Seniors and Social Development or Manager with Zone G of the Manager of the Department."

In follow-up emails, you further clarified that you were looking for: 1) the number of foster homes within 45 minutes of Twillingate and 45 minutes of Lewisporte, and 2) the cost for a single hair follicle analysis/drug screen in 2016.

I am pleased to inform you that a decision has been made by the Deputy Minister of Children, Seniors and Social Development to provide access to the requested information.

Drug Screening Policy:
The Department of Children, Seniors and Social Development does not have a policy on the use of drug testing in the Protective Intervention Program (PIP). Drug testing is one of several interventions used to assist social workers in assessing a parent’s drug use. When information is received regarding a parent’s alleged drug use, drug testing may be used as one of multiple interventions to assess a parent’s drug use and the impact it has on the child. The decision to provide drug testing services to clients involved in the PIP is made jointly between a social worker and supervisor, on a case by case basis as part of the case plan.

Until July 2016, there were two common drug testing methods used in practice, hair strand and urinalysis. The Department ceased the use of hair strand testing in July 2016 and continues to use urinalysis on a case by case basis. The decision to cease hair strand testing resulted after significant review and consultation occurred regarding current research on the developing science of hair strand testing in detecting drug use.
Currently, when urinalysis is used to detect drug use, urine samples are sent to a private laboratory in London, Ontario, for testing. This laboratory is licensed by the Ministry of Health and Long Term Care and is certified by the Institute for Quality Management in Healthcare (IQMH), Clinical Laboratory Improvement Amendments (CLIA), and the Substance Abuse and Mental Health Services Administration (SAMHSA).

Cost for Hair Strand Analysis:
In 2016, the cost for hair strand analysis was:

<table>
<thead>
<tr>
<th>HAIR PANELS*</th>
<th>Substances Tested</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Panel 5</td>
<td>Amphetamine/Methamphetamine (Ecstasy), Opiates/Extended Opiates (Codeine, Morphine, Hydromorphone, Hydrocodone, 6-AM-Heroin), Cocaine, Marijuana, Phencyclidine</td>
<td>$160.00</td>
</tr>
<tr>
<td>Panel 5 + Oxycodone</td>
<td>Amphetamine/Methamphetamine (Ecstasy), Opiates/Extended Opiates (Codeine, Morphine, Hydromorphone, Hydrocodone, 6-AM-Heroin), Cocaine, Marijuana, Phencyclidine, Oxycodone</td>
<td>$195.00</td>
</tr>
<tr>
<td>Panel 5 + Segmentation (30, 60, 90 days)</td>
<td>Amphetamine/Methamphetamine (Ecstasy), Opiates/Extended Opiates (Codeine, Morphine, Hydromorphone, Hydrocodone, 6-AM-Heroin), Cocaine, Marijuana, Phencyclidine</td>
<td>$275.00</td>
</tr>
<tr>
<td>Panel 5 + Oxycodone + Segmentation (30, 60, 90 days)</td>
<td>Amphetamine/Methamphetamine (Ecstasy), Opiates/Extended Opiates (Codeine, Morphine, Hydromorphone, Hydrocodone, 6-AM-Heroin), Cocaine, Marijuana, Phencyclidine, Oxycodone</td>
<td>$325.00</td>
</tr>
</tbody>
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*These are the rates as set out by East Coast Mobile Medical Inc.

Foster Homes in Zone G:
Additionally, you requested the number of foster homes within 45 minutes of Twillingate and Lewisporte. In Zone G, there are 12 foster homes within 45 minutes of Twillingate and 22 homes within 45 minutes of Lewisporte. There are two homes that are within 45 minutes of both Twillingate and Lewisporte, so there are only 32 foster homes in total.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL. A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).
Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact me by telephone at 729-7529 or by e-mail at saradow@gov.nl.ca

Sincerely,

Sara Dow
ATIPP Coordinator
Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.
Direct appeal to Trial Division by an applicant

52.  (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner’s refusal under subsection 45 (2).