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**by Don Shatinsky, former US DOT ODAPC Senior Policy Advisor**

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**What is it?** *Amplified™ 49 CFR Part 40 Consolidated Reference Document*© consolidates all of the changes (deletions and additions) that have been made to Part 40 as of the 2009 Final Rule and identifies each of the changes. It provides a clear record of the changes, all in one document, eliminating the need for extensive research of Federal regulations.

**Why use it?** 49 CFR Part 40 published in the Federal Register contains current regulations only. It does not indicate what historical changes were made. Significant changes, especially in specimen validity testing (SVT) and observed drug test collections were made on 06/25/08. These changes may affect the outcome of adulterated or substituted test results. It is difficult to decipher regulations in place at any given time. In the event of a lawsuit, the regulations as they were on the date of the test are the only regulations that will matter. The *Amplified™ 49 CFR Part 40 Consolidated Reference Version*© is the only single source that can be used to solve the problem of deciphering new versus old regulations.

**Do I also need Amplified™ DOT 49 CFR Part 40 dated 06/25/2008?** *Amplified™ 49 CFR Part 40 (v.1.1.2 06/25/2008)* consolidates the changes (deletions and additions) that had been made to Part 40 by Interim Final Rule and Final Rule changes since 2001, but before 10/01/2010, and identifies when each of the changes was made. The *Amplified™ 49 CFR Part 40* eliminates the need to extensive research five different Federal regulations and is great for use with court challenges prior to 10/01/10.

**Background.** *Amplified™ 49 CFR Part 40 Consolidated Reference Version*© was developed and compiled by Don Shatinsky, former Senior Drug and Alcohol Policy Advisor at US DOT's Washington DC Office of Drug and Alcohol Policy and Compliance (ODAPC). He is one of the original authors of 49 CFR Part 40, and currently President of Drug Testing Policy Consultants. After leaving DOT and subsequently providing consulting services to third party administrators, MROs, and employers, Mr. Shatinsky realized that even with his extensive knowledge and experience with the regulations, it was exceedingly difficult to track all the text changes that were made over the years. As a result, he developed the *Amplified™ Reference Version* of 49 CFR Part 40 making it easier for DERs, MROs, Collectors, HR Managers, Safety Personnel, and others to identify and interpret these changes.

**Who should use it?** This document is ideal for DERs, MROs, Attorneys, Corporate Human Resource, Compliance and Safety personnel, Third Party Administrators, Insurance Managers, or anyone else dealing with general challenges or litigation related to past drug testing results, including adulteration or substitution, or any other issues arising from past regulatory changes.

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