

## SCOPE

This document defines the Washington State Patrol (WSP) - Toxicology Laboratory Division's policy for satisfying STAT or rush testing requests. It is intended as a reference for the documentation and evaluation of STAT/Rush requests, the completion of the requested testing, review of STAT/Rush results and targeted timeframes for each of these activities.

## POLICY/PROCEDURE

The Toxicology Laboratory retains discretion to interpret and administer this policy, and to determine which STAT/Rush requests will be accepted and the extent and type of testing performed.

STAT testing is defined as an accelerated, or preferential, prioritization of evidence testing. Rush testing is defined as expedited analysis, with prioritization of testing ahead of cases in the testing queue (chronological order of testing determined by evidence receipt date). Note that a request that does not meet criteria for STAT testing may be handled as a rush request.

1. The Laboratory will not compromise the quality of the work product when conducting STAT/Rush testing. Components of the work product include, but are not limited to: handling, storage and preservation of the evidence, documentation of chain-of-custody, adherence to standard operating procedures, quality control and review of results.
2. Customer requests for STAT or rush status for otherwise routine case types will not be accommodated when the reason for the request is one, or a combination of, the following:
  - a. Preventable and extensive delays in delivery of the evidence by the submitting agency
  - b. The inclusion of "STAT", "rush" or similar language in the evidence submission paperwork
  - c. Accommodation of a scheduled court date, except where preventable or extensive delays on the part of the laboratory have prolonged completion of testing

Laboratory staff will not preferentially accommodate STAT or rush requests solely based on personal or professional relationships with the requestor or other individuals associated with the request (with the exception of those listed in #3 under Receipt & Evaluation of Requests for STAT/Rush Testing).

3. Apart from what has already been noted, the evaluation of whether to accommodate the STAT or rush request will be done on a case-by-case basis.
4. Any deviation from this policy must be approved by a member of TLD Management and appropriately documented in the case file.

## Receipt & Evaluation of Requests for STAT/Rush Testing

1. Requests for STAT or rush testing may be received in person, by telephone, by e-mail or by other electronic means.

2. Regardless of the ultimate decision on whether to conduct STAT or rush testing, the request will be documented in the case file.
  - a. Documentation will include:
    - i. date of request
    - ii. identification of person making the request
    - iii. contact information of the requestor
    - iv. identification of person receiving the request
    - v. any relevant details on the nature of the request (ex. Agency case number, subject name, offense)
    - vi. reason or justification for the request
  - b. If the request is received in advance of the arrival of the evidence in the Laboratory, the documented information will be given to a Property & Evidence Custodian (PEC) or designee, or their Supervisor, for later inclusion in the case file.
3. STAT and rush requests from the following requestors will always be accommodated
  - a. Chief - WSP
  - b. Assistant Chiefs/Bureau Commanders – WSP
  - c. State Toxicologist – WSP
4. Priority consideration for STAT and rush requests may be given for the following arrest types:
  - a. Vehicular Homicide [RCW 46.61.520]
  - b. Vehicular Assault [RCW 46.61.522]
  - c. Driving under the influence of intoxicating liquor or drugs [RCW 46.61.502] where the arrest results from an accident in which there has been serious bodily injury to another person [RCW 46.20.308 (3)]
5. STAT or rush requests for otherwise routine case types may be accommodated when they are of a high profile nature. A high profile case type can be understood to mean that the public has an elevated level of interest in the outcome of the testing due to media reports, the nature of the case, individuals associated with the case or a combination of these factors. The determination of whether a particular case meets this criterion rests with a member of TLD Management.

#### Completion of STAT Testing and Review

1. When a STAT testing request is approved, the person approving the request, and the PEC or designee, will be responsible for the following:
  - a. Ensuring that the records of the request and associated communication logs are included in the case file.
  - b. Immediate notification of the PEC or designee about the STAT testing (if not already notified)
2. The PEC or designee is responsible for the following:
  - a. Immediate prioritization of the STAT case's accessioning
  - b. Prompt accessioning of the case
  - c. Prompt transfer of the case to a scientist

3. The accessioning of the STAT case and transfer to a scientist should be completed, wherever possible, on the day that the evidence is received or within 24 hours, or one business day, of receipt.
4. The scientist is responsible for the following:
  - a. Immediate prioritization of the STAT case's testing
  - b. Prompt testing of the STAT case
  - c. Prompt review of testing data
  - d. Prompt production of the toxicology report for review
  - e. Prompt transfer of the toxicology report to a reviewer
  - f. Prompt completion of any corrections following review
5. The timeframe for testing of the evidence and preparation of the toxicology report will be determined by the complexity of the analysis.
6. Wherever possible, testing STAT cases solely for blood alcohol should be completed within 24 hours (or as soon as practicable) after transfer of the case to the scientist. Once issued, the toxicology report should be transferred to a case reviewer for immediate review.
7. The reviewer of the toxicology report is responsible for the following:
  - a. Prompt review of the toxicology report
  - b. Prompt notification of any required corrections
  - c. Ensuring that the final toxicology report is communicated to the requestor as quickly as possible

#### Completion of Rush Testing and Review

1. When a rush testing request is approved, the person approving the request, and the PEC or designee, will be responsible for the following:
  - a. Ensuring that the records of the request and associated communication logs are included in the case file.
  - b. Immediate notification of the PEC or designee about the rush testing (if not already notified)
2. The PEC or designee is responsible for the following:
  - a. Prioritization of the rush case's accessioning
3. The accessioning of the rush case and transfer to a scientist should be completed, wherever possible, within five business days of receipt.
4. The scientist is responsible for the following:
  - a. Prioritization of the rush case's testing/review (ahead of chronological testing queue)
  - b. Timely review of testing data
  - c. Timely production of the toxicology report for review
  - d. Forwarding the toxicology report for review
  - e. Timely completion of any corrections following review
5. The timeframe for testing of the evidence and preparation of the toxicology report will be determined by the complexity of the analysis.

6. The reviewer of the toxicology report is responsible for the following:
  - a. Timely review of the toxicology report
  - b. Timely notification of any required corrections
  - c. Ensuring that the final toxicology report is communicated to the requestor

#### Release of Results and Documentation

1. The release of partial or incomplete STAT/Rush results is prohibited. In circumstances where one type of testing is complete and additional testing is pending, it may be permissible to release a report containing the completed results alone, or provide the results verbally, as long as all required reviews have occurred and have been documented.
2. Any and all communications with the requestor, covering the period from the initial request through the release of result(s), will be appropriately documented in the case file.