



11.0 Criteria for Site Approval to Perform Legal Alcohol Determinations

11.1 BACKGROUND

Section four of Idaho Code §18-8004 (Persons under the influence of alcohol, drugs or any other intoxicating substances) states the analysis of blood and urine for the purpose of determining the alcohol concentration shall be performed by a laboratory operated by the Idaho State Police or by a laboratory approved by the Idaho State Police under the provisions of approval and certification standards to be set by that department, or by any other method approved by the Idaho State Police. Idaho Administrative Code IDAPA 11, Title 03, Chapter 01 (11.03.01) outlines the requirements for a laboratory desiring to perform this analysis. IDAPA 11.03.01 states that the laboratory shall participate in approved proficiency testing and pass this proficiency testing according to standards set by the Idaho State Police Forensic Laboratory.

11.2 SCOPE

As described above, a laboratory must take part in an Idaho State Police Forensic Services (ISP-FS) Laboratory recognized, proficiency testing program and be approved by the ISP-FS for start-up or to continue analysis of samples for alcohol content. This procedure describes the standards applied to this process.

11.3 PROCEDURE FOR TESTING SITE APPROVAL

11.3.1 Procedures Governing Analysis

IDAPA 11.03.01 requires each laboratory performing analysis for evidentiary purposes to prepare and maintain a written procedure governing its method of analysis, including quality control and proficiency testing guidelines. To verify conformity, a copy of the procedure must be provided to ISP-FS. Whenever protocol changes are adopted, a copy of the updated procedure must be forwarded to ISP-FS.

11.3.2 Proficiency Testing

ISP-FS approved providers include National Highway Transportation Safety Administration (NHTSA) and Collaborative Testing Services (CTS). Each test consists of four blood samples spiked with unknown concentration of ethyl alcohol.

- 11.3.2.1 Laboratories must participate in proficiency testing at least once a year. ISP-FS will only evaluate proficiency test results from approved providers.
- 11.3.2.2 Participating laboratories must obtain proficiency tests from approved providers and are responsible for all costs associated with obtaining and analyzing such tests.
- 11.3.2.3 Results from proficiency tests must be provided to the test provider and ISP-FS. Results not submitted to a test provider within the allowed time do not qualify as a proficiency test.
- 11.3.3 Evaluation of Proficiency Testing Results
- 11.3.3.1 An alcohol concentration range is determined from the target value and ± 2.0 standard deviations as provided by the proficiency test provider. Reported values must fall within this range.
- 11.3.3.2 If a laboratory submits more than one alcohol value for a given sample the mean value of results will be evaluated.
- 11.3.4 Approval to Perform Legal Alcohol Testing
- 11.3.4.1 Upon satisfactory completion of an approved proficiency test, a letter and certificate of approval will be issued by ISP-FS to each participating laboratory.
- 11.3.4.2 Approval to perform legal blood alcohol determinations is continued until the results of the next proficiency test are reviewed and notification is sent to the respective laboratory by ISP-FS.
- 11.3.5 Disapproval to Perform Legal Alcohol Testing
- 11.3.5.1 Disapproval indicates that results are outside the tolerance range established from the accepted mean values.
- 11.3.5.2 When a laboratory fails to report values within the acceptable range, their approval to perform analysis on legal blood alcohol samples will be revoked.
- 11.3.5.3 A letter of disapproval will be issued by ISP-FS to the involved laboratory.

11.3.6 **Reinstatement Following Disapproval**

11.3.6.1 To be reinstated to perform alcohol analysis the laboratory must review their operation and satisfactorily complete a proficiency test approved by ISP-FS. For purposes of reinstatement, an approved test includes those described in section 11.3.2 or other reputable supplier.

11.3.6.2 When a laboratory has successfully completed a second proficiency test, reviewed its operation, and the overall process has been evaluated by ISP-FS, the approval to perform legal alcohol determinations may be reinstated.

11.4 REFERENCES

11.4.1 IDAPA 11.03.01, Rules Governing Alcohol Testing.

11.4.2 Idaho Statute §18-8004, Persons under the influence of alcohol, drugs or any other intoxicating substances.

Revision History

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Revision #	Issue Date	History
0	11-27-2001	Original Issue in SOP format
1	11-30-2005	Clarifications, updated to include additional proficiency test provider
0	1-20-2011	Initial version as 11.0. Split from toxicology discipline analytical methods. Formerly AM 5.6.

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