



PUNONGHIMPILAN TANOD BAYBAYIN NG PILIPINAS
(Headquarters Philippine Coast Guard)
139 25th Street, Port Area
1018 Manila

HPCG / CGMED

19 September 2016

MEMORANDUM CIRCULAR
NUMBER 05-16)

**REVISING MC 06-14, ESTABLISHING THE GUIDELINES FOR THE
IMPLEMENTATION OF MANDATORY / RANDOM DRUG TESTING AND THE
HANDLING OF PCG PERSONNEL INVOLVED IN ILLEGAL DRUGS, AND
CREATING THE PCG SPECIAL DRUG BOARD, FOR THE PURPOSE**

1. AUTHORITY

- a. **Republic Act No. 9993** (Philippine Coast Guard Law of 2009) and its Implementing Rules and Regulations
- b. **Republic Act No. 9165** (The Comprehensive Dangerous Drugs Act of 2002) and its Implementing Rules and Regulations

2. REFERENCES

- a. **HPCG Memorandum Circular No. 06-14 dated 04 September 2014** (Policies and Procedures in the Prevention of the Use of Dangerous Drugs in the Philippine Coast Guard)
- b. **HPCG Memorandum Circular No. 001 - 03 dated 03 June 2003** (Prevention and Control of Drug and Substance Abuse in the Philippine Coast Guard)
- c. **Dangerous Drugs Board Regulation No. 7 Series of 2003** (General Guidelines for the Implementation of Mandatory Drug Testing to Officers and Members of the Military, Police, and Other Law Enforcement Agencies)
- d. **Dangerous Drugs Board Regulation No. 2 Series of 2004** (Guidelines for the Formulation and Implementation of a Drug - Free Workplace Program and the Conduct of Authorized Drug Testing by all Offices, Bureaus, and Agencies of the National and Local Governments, Government - Owned and Controlled Corporations and Other Institutes of Learning Including State Colleges and Universities)

e. Dangerous Drugs Board Regulation No. 4 Series of 2013 (Amendment to Board Resolution No. 7, Series of 2003 Entitled "General Guidelines for the Implementation of Mandatory Drug Testing to Officers and Members of the Military, Police, and Other Law Enforcement Agencies")

f. N2 / TNA Standard Operating Procedure dated 15 May 2003 (Guidelines on Personnel Involved in Illegal Drugs)

g. HPMC Standard Operating Procedure No. 06 dated 29 September 2011 (Guidelines on PMC Personnel Involved in Dangerous Drugs)

h. PNP Memorandum Circular No. 2012 - 006 dated 08 June 2012 (Policies and Procedures in the Conduct of Random / Mandatory Drug Test of PNP Uniformed Personnel Involved in Dangerous Drugs)

3. PURPOSE / OBJECTIVE

The purpose of this Memorandum Circular is to set policies and procedures in the prevention of the use of dangerous drugs in the Philippine Coast Guard (PCG) and the conduct of drug test to all PCG Personnel pursuant to paragraphs (d) and (e) Article III of Republic Act No. 9165 (The Comprehensive Dangerous Drugs Act of 2002).

4. SCOPE AND COVERAGE

This Memorandum Circular shall apply to all PCG Personnel.

5. DEFINITION OF TERMS

a. Authorized Specimen Collector — shall be any PCG Personnel who is a licensed medical technologist designated by The Command Surgeon (TCS), Coast Guard Medical Service (CG Med Svc) for the purpose of conducting dangerous drug testing.

b. Coast Guard Medical (CGMED) Team — shall be composed of PCG Personnel assigned with the CG Med Svc and designated by TCS, CG Med Svc as such for the purpose of drug testing.

c. Confirmatory Test — an analytical test using a device, tool or equipment with different chemical or physical principle that is more specific and will validate and confirm the result of the Screening Test. It refers to the further analytical procedure to accurately determine the presence of dangerous drugs in a specimen.

d. Dangerous Drugs — refer to either "prohibited drugs" which include opium and its active components and derivatives, such as heroin and morphine, coco leaf and its derivatives principally cocaine, alpha and beta eucaine, hallucinogenic drugs and other substances producing similar effects. Indian hemp and its derivatives, all preparations made from any of the foregoing, and

other drugs and chemical preparations, whether natural or synthetic, with the physiological effects of a narcotic or a hallucinogenic drug or "regulated drug" which include self - inducing sedatives and any other drug which contains a salt or a derivative of a salt or a barbituric acid and salt isomer or salt of an isomer of amphetamine and any drug which produces a physiological action similar to amphetamine and hypnotic drugs and other compound producing similar physiological effects.

e. Dangerous Drug Testing Team (DDTT) — composed of CG Med Svc, CGIF, Provost Marshall or duly appointed organic PCG Personnel of the requesting unit / office for the purpose of conducting random drug testing.

f. Drug Abuse — is the use of a chemical substance licit or illicit which results in an individual's physical, mental, emotional or social impairment.

g. Drug User — a person who is a dangerous drug dependent.

h. Drug Test / Testing — refers to the Mandatory Drug Test and / or Random Drug Test conducted by the PCG to determine whether or not a PCG Personnel uses dangerous drugs.

i. Drug Test Result — refers to the result of the Initial Drug Test, Screening Test, and / or Confirmatory Test.

j. Head of the CGMED Team — shall be the most senior PCG Officer assigned with the CG Med Svc who is designated by the TCS, CG Med Svc as member of the CG Med Svc Team.

k. Head of the DDTT — shall be the most senior PCG Officer assigned with the CG Med Svc who is designated by the TCS, CG Med Svc as member of the DDTT.

l. Initial Drug Test — a rapid test performed by CG Med Svc laboratory to establish a potential presumptive positive result. It refers to the immunoassay test to eliminate a "negative" specimen, i.e. one without the presence of dangerous drugs, from other consideration and to identify the presumptively positive specimen that requires Screening Test.

m. Mandatory Drug Test — it is the annual drug test required to all PCG Personnel in order to detect the use of dangerous drugs.

n. PCG Special Drugs Board — shall refer to the board created under this Memorandum Circular which shall hear all cases involving the use of dangerous drugs by PCG Personnel.

o. PCG Non - Uniformed Personnel — civilian employees employed in the PCG service who are appointed and are subject to Civil Service laws, rules and regulations to include permanent, regular and casual / contractual (with or without pay / pro bono).

p. PCG Personnel — refers collectively to all PCG Uniformed Personnel and all PCG Non - Uniformed Personnel.

q. PCG Uniformed Personnel — shall include all PCG Officers, PCG Non — Officers, Probationary Ensign, Cadet or Cadettes, Candidate Coast Guard Officers, Candidate Coast Guardsman and Draftees.

r. Random Drug Test — refers to the test performed on PCG Personnel who are selected following no specific pattern and without prior notice.

s. Screening Test — a rapid test performed by a Department of Health (DOH) accredited laboratory to establish a potential / presumptive positive result. It refers to the immunoassay test to eliminate a "negative" specimen, i.e. one without the presence of dangerous drugs, from other consideration and to identify the presumptively positive specimen that requires Confirmatory Test.

t. Use — any act of injecting, intravenously or intramuscularly, of consuming, either by chewing, smoking, sniffing, eating, swallowing, drinking or otherwise introducing into the physiological system of the body any of the dangerous drugs.

u. Unit Commander / Head of Office — refers to the commander of the unit or head of office of requesting unit / office for drug testing.

6. POLICIES

a. The PCG supports the initiative of the government to curb the malicious effects of the illegal use of dangerous drugs in the society through the implementation and enforcement of Republic Act No. 9165 (Comprehensive Dangerous Drugs Act of 2002) within the PCG organization covering all PCG Personnel.

b. The PCG shall not tolerate any form of illegal use of dangerous drugs by any PCG Personnel. Hence, a PCG Personnel found using dangerous drugs illegally shall be dishonorably discharged from the PCG service.

c. As an effective method of identifying all PCG Personnel within the organization who use dangerous drugs illegally, the PCG shall implement drug testing applicable to all PCG Personnel. Refusal to submit or delay in submitting to the drug testing shall also be considered as a grave offense under this Memorandum Circular punishable by dishonorable dismissal from the PCG service.

d. Drug testing within the organization shall be administered through Mandatory Drug Testing for all PCG Personnel annually and through Random Drug Testing.

e. The drug testing shall be administered by the CG Med Svc. Hence, for the purpose of drug testing, CG Med Svc shall be adequately equipped and accredited with the DOH.

7. PROCEDURES

A. DRUG TESTING

I. Procedure in the Conduct of Mandatory Drug Test

a. The Mandatory Drug Testing shall be conducted annually in the PCG to all PCG Personnel by the CG Med Svc.

b. The Head of the CGMed Team shall report to the TCS, CG Med Svc the Mandatory Drug Test result. Subsequently, TCS, CG Med Svc shall render report of the Mandatory Drug Test result to the Commandant, PCG (Attn: CG - 2) copy furnished the Unit Commander / Head of Office of the concerned unit / office.

c. In case a PCG Personnel is found positive during the Initial Drug Test, the Head of the CG Med Team shall inform him / her of the same. Likewise, the aforementioned positive result shall be included in the report of the Head of the CG Med Team to TCS, CG Med Svc. In this instance, the report of TCS, CG Med Svc shall include appropriate recommendations to the Commandant, PCG (Attn: CG — 1 / CG — 2 / CGFC) copy furnished the Unit Commander / Head of Office of the concerned unit / office and CGIAS.

d. TCS, CG Med Svc shall issue for the Commandant, PCG a directive addressed specifically to the concerned PCG Personnel in relation to the Mandatory Drug Testing. In case, the TCS, CG Med Svc is not the Head of the CG Med Team, the latter shall be authorized to sign for the former

e. For positive Initial Drug Test result, a directive shall be issued requiring the concerned PCG Personnel to go with the CG Med Team to an identified DOH accredited laboratory in the area and undertake the Screening Test. The directive shall further include an order for the said PCG Personnel to stay within the premises of the concerned unit / office for a period of not more than twenty — four (24) hours from the availability of the Initial Drug Test result. Provided that, if the specimen of the concerned PCG Personnel for purposes of the Screening Test is extracted earlier, the remaining time from the aforementioned period shall already be considered as completed.

f. The CG Med Team shall furnish a copy of the directive to the concerned PCG Personnel requiring him / her to duly receive the same indicating therein his / her printed name with signature and date of receipt. In case the concerned PCG Personnel refused to receive or sign the directive as required, the receiving copy shall be signed by any two (2) person with discretion who have witnessed the service of the directive and the refusal of the concerned PCG Personnel to receive the same.

g. Thereafter, the CG Med Team shall accompany the concerned PCG Personnel to the identified DOH accredited laboratory in the area for Screening Test within twenty four (24) hours from the availability of the result of the Initial Drug Test.

h. The Head of the CG Med Team shall report to the TCS, CG Med Svc the result of the Screening Test. Subsequently, TCS, CG Med Svc shall then render report of the said result to the Commandant, PCG (Attn: CG — 1 / CG — 2 / CGFC) copy furnished the Unit Commander / Head of Office of the concerned unit / office, CGWCEISC and CGIAS.

i. If Screening Test result is positive, the CGMED Team shall coordinate / follow up with the DOH accredited laboratory for the transmittal of the Confirmatory Test result to / from the DOH. The Confirmatory Test result shall then be transmitted by TCS, CG Med Svc to the Commandant, PCG (Attn: CG — 1 / CG — 2 / CGFC) copy furnished the Unit Commander / Head of Office of the concerned unit / office, CGWCEISC and CGIAS.

II. Procedure in the Conduct of Random Drug Test

a. Concerned Unit / Office Initiated

i. Unit Commander / Head of Office who received an information that a PCG Personnel in his / her unit / office is allegedly using dangerous drugs, shall request the Headquarters PCG (Attn: CG Med Svc / CG - 2) thru a confidential Memorandum to Commandant, PCG for the conduct of Random Drug Test in his / her unit / office to verify or validate the said information.

ii. The Commandant, PCG, upon receipt of the request, shall issue a directive to the TCS, CG Med Svc to activate the DDTT for the conduct of the Random Drug Test.

iii. TCS, CG Med Svc shall issue for the Commandant, PCG a directive addressed specifically to the concerned PCG Personnel in relation to the Random Drug Testing.

iv. The directive shall require the concerned PCG Personnel to undergo the Initial Drug Test with an additional directive for him /her to go with the DDTT, in case the result of the Initial Drug Test is positive, to an identified DOH accredited laboratory in the area and undertake the Screening Test. The directive shall further require the concerned PCG Personnel to stay within the premises of the concerned unit / office for a period of not more than twenty — four (24) hours from the availability of the Initial Drug Test result. Provided that, if the specimen of the concerned PCG Personnel for purposes of the Screening Test is extracted earlier, the remaining time from the aforementioned period shall already be considered as completed.

v. The DDTT shall furnish the concerned PCG Personnel with a copy of the aforementioned directive requiring him / her to duly receive the same indicating therein his / her printed name with signature and date of receipt. Provided that in case the concerned PCG Personnel refused to receive or sign the directive as required, the receiving copy shall be signed by any two (2) person with discretion who have witnessed the service of the directive and the refusal of the concerned PCG Personnel to receive the same.

vi. Afterwards, the DDTT shall proceed with the Random Drug Test.

vii. The Head of the DDTT shall report to the TCS, CG Med Svc the result of the Random Drug Test. TCS, CG Med Svc shall then render report of the Random Drug Test result to the Commandant. PCG (Attn: CG — 2) copy furnished to the Unit Commander / Head of Office of the concerned unit / office.

viii. In case a PCG Personnel is found positive during the Initial Drug Test, the Head of the DDTT shall inform him / her of the same. Likewise, the aforementioned positive result shall be included in the report of the Head of the DDTT to TCS, CG Med Svc. In this instance, the report of TCS, CG Med Svc shall include appropriate recommendations to the Commandant, PCG (Attn: CG — 1 / CG — 2 / CGFC) copy furnished the Unit Commander / Head of Office of the concerned unit / office, CGWCEISC and CGIAS.

ix. Thereafter, the DDTT shall accompany the concerned PCG Personnel to the identified DOH accredited laboratory in the area for Screening Test within twenty four (24) hours from the availability of the Initial Drug Test result.

x. The Head of the DDTT shall report to the TCS, CG Med Svc the Screening Test result. Subsequently, TCS, CG Med Svc shall then render report of the said result to the Commandant. PCG (Attn: CG — 1 / CG — 2 / CGFC) copy furnished the Unit Commander / Head of Office of the concerned unit / office.

xi. If Screening Test result is positive, the DDTT shall coordinate / follow up with the DOH accredited laboratory for the transmittal of the Confirmatory Test result to / from the DOH. The Confirmatory Test result shall then be transmitted by TCS, CG Med Svc to the Commandant, PCG (Attn: CG — 1 / CG — 2 / CGFC) copy furnished the Unit Commander / Head of Office of the concerned unit / office. Likewise, the concerned PCG Personnel shall be informed by TCS, CG Med Svc of the Confirmatory Test result.

b. CGIF Initiated

- i. If the CGIF receives information that a PCG Personnel is illegally using dangerous drugs, the Commander, CGIF shall inform the Commandant, PCG thru a confidential memorandum and shall request TCS, CG Med Svc to conduct of Random Drug Test of the said PCG Personnel.
- ii. TCS, CG Med Svc, upon receipt of the aforementioned request, shall activate the DDTT for the conduct of the Random Drug Test. Likewise, TCS, CG Med Svc shall issue for the Commandant, PCG a Directive to the concerned PCG Personnel in relation to the Random Drug Test.
- iii. After compliance with the foregoing, the procedures previously provided under Title 7 (A) (II) (a) (iv) to (xi) of this Memorandum Circular shall be adopted and applied herein.

c) CG Med Svc Procedure of Specimen Collection for Drug Testing

- i. The Authorized Specimen Collector shall secure all specimen collection supplies, materials, and records.
- ii. The Authorized Specimen Collector shall verify the identity of the PCG Personnel and explain to the said PCG Personnel the specimen collection procedure.
- iii. The concerned PCG Personnel shall be instructed to remove any unnecessary outer garments that might conceal items or substances that could be used to tamper with or adulterate the urine specimen of the said PCG Personnel. The Authorized Specimen Collector shall ensure also that all the personal belongings of the concerned PCG Personnel, such as outer garments, purse, or briefcase shall be secured *properly*.
- iv. The concerned PCG Personnel shall be asked to wash and dry his / her hands. Thereafter, the concerned PCG Personnel shall remain in the presence of the Authorized Specimen Collector with no access to any unregulated source of water, soap, dispenser, cleaning agent, or any other material that could be used to adulterate the specimen.
- v. The Authorized Specimen Collector shall give the concerned PCG Personnel a clean specimen container. The concerned PCG Personnel may provide his / her specimen in the privacy of a toilet cubicle or otherwise partitioned area that allows for individual privacy. The Authorize Specimen Collector shall remain outside the cubicle until the specimen is collected. The concerned PCG Personnel shall be instructed not to flush the toilet until the specimen is handed to the Authorized Specimen Collector.

vi. Upon receiving the specimen from the concerned PCG Personnel, the Authorized Specimen Collector shall:

- a. Check the volume of the urine in the specimen container;
- b. Check the temperature of the urine specimen; and
- c. Inspect the specimen to determine its color and appearance for any signs of contaminants.

vii. Both the concerned PCG Personnel and the Authorized Specimen Collector shall keep the specimen containers / bottles in view at all times prior to the urine specimen being sealed and labeled.

viii. The specimen containers / bottles shall have an identification label that contains pertinent information such as name of the concerned PCG Personnel, date of specimen collection, signature of the said PCG Personnel, and specimen ID number.

ix. The urine specimen / sample which tested positive after the Initial Drug Test must be properly labeled and must be kept separately from the samples that tested negative for dangerous drugs.

x. The Authorize Specimen Collector shall fill up completely the specimen Custody and Control Form and distribute each copy as required.

B. HANDLING AND TREATMENT OF DRUG TEST RESULTS

Laboratory results of the Initial Drug Test, Screening Test and Confirmatory Test shall be treated with confidentiality and shall only be disclosed in accordance with the internal rules and regulation of the PCG.

C. CHALLENGE OF POSITIVE SCREENING TEST RESULT

A positive Screening Test result may be challenged by the concerned PCG Personnel *within fifteen (15) days* reckoned from the receipt of the result of the Confirmatory Test result. Provided, that for purposes of the challenge, the same urine specimen used in the Screening Test shall be the specimen tested for confirmation. Provided, further, that the DOH accredited laboratory that conducted the Screening Test which is being challenge shall be the same laboratory that will conduct the re — screening / re — testing of the same urine specimen. Provided, finally, that the cost incurred for the challenge shall be at the expense of the concerned PCG Personnel.

D. PREVENTIVE SUSPENSION

I. Implementation

- a. If the Screening Test result is positive for use of dangerous drugs, TCS, CG Med Svc shall render report to the Commandant, PCG (Attn: CG — 1 / CG — 2 / CGFC) copy furnished the Unit Commander / Head of Office of the concerned unit / office, CGWCEISC and CGIAS within twenty four (24)

hours from the availability of the Screening Test result with a recommendation for the preventive suspension of the concerned PCG Personnel effective on the date of the availability of the said result.

- b. Upon approval of the Commandant, PCG of the recommendation by the TCS, CG Med Svc, the CG - 1 shall issue *an* order for the preventive suspension without pay of the concerned PCG Personnel to take effect. The concerned PCG Personnel shall not be entitled to his / her pay and allowances during the period of preventive suspension.
- c. The CG-1 shall release the order for the preventive suspension within twenty four (24) hours upon receipt of the directive from the Commandant, PCG and furnished a copy of the same to the CGFC, CGSAO and CGWCEISC.
- d. The CGFC shall withhold the pay and allowances of the concerned PCG Personnel effective from the date indicated in the order for the preventive suspension.
- e. Upon determination that the concerned PCG Personnel was issued a firearm by the Command, the CGSAO and CGWCEISC shall immediately effect the surrender of the issued firearm within twenty-four (24) hours from notice of the preventive suspension. The CGSAO and CGWCEISC shall then make the necessary report to the Commandant, PCG (copy furnished CG-2 and CG-4) on the actions taken for the surrender of the issued firearm and the results thereof within five (5) days from notice of the preventive suspension.
- f. The preventive suspension of the said PCG Personnel shall be enforced until the case is finally resolved. In no case, however, shall the preventive suspension extend longer than ninety (90) days.

II. Lifting of the Order of Preventive Suspension

a. After the Lapse of the Ninety (90) Days Period

- i. In case, the period of ninety (90) days lapses without the case being finally resolved, the CG-1 shall issue an order lifting the preventive suspension of the concerned PCG Personnel. The CG-1 shall also issue an order for the assignment of the concerned PCG Personnel to the Receiving Station (RECSTA).
- ii. The Commander, RECSTA shall carry the concerned PCG Personnel in the Morning Report (MR) of RECSTA. Subsequently, the Commander, RECSTA shall inform the CGFC that the concerned PCG Personnel is already carried in the MR of RECSTA indicating the date thereof.

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- c. The CG-1 shall release the order for the preventive suspension within twenty four (24) hours upon receipt of the directive from the Commandant, PCG and furnished a copy of the same to the CGFC, CGSAO and CGWCEISC.
- d. The CGFC shall withhold the pay and allowances of the concerned PCG Personnel effective from the date indicated in the order for the preventive suspension.
- e. Upon determination that the concerned PCG Personnel was issued a firearm by the Command, the CGSAO and CGWCEISC shall immediately effect the surrender of the issued firearm within twenty-four (24) hours from notice of the preventive suspension. The CGSAO and CGWCEISC shall then make the necessary report to the Commandant, PCG (copy furnished CG-2 and CG-4) on the actions taken for the surrender of the issued firearm and the results thereof within five (5) days from notice of the preventive suspension.
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- ii. The Commander, RECSTA shall carry the concerned PCG Personnel in the Morning Report (MR) of RECSTA. Subsequently, the Commander, RECSTA shall inform the CGFC that the concerned PCG Personnel is already carried in the MR of RECSTA indicating the date thereof.

iii. CGFC shall reinstate the pay and allowances of the concerned PCG Personnel effective on the date he / she was carried in the MR of RECSTA.

iv. If the case is finally resolved in favor of the concerned PCG Personnel when he / she is already carried in the MR of RECSTA, he / she may be issued a reassignment order by the CG-1, as may be necessary.

b. Upon finality of the Case Resolved in favor of the Concerned PCG Personnel

i. If the case of the concerned PCG Personnel is finally resolved in his / her favor, the CG -1 shall issue an order lifting his / her preventive suspension upon receipt of the final resolution / decision of the case duly approved by the Commandant, PCG.

ii. The concerned PCG Personnel shall report to the concerned unit / office where he is carried in the Morning Report. The said unit / office shall then inform the CGFC of the date when the concerned PCG Personnel reported to the same.

iii. Coast Guard Finance Center shall reinstate the pay and allowances of the concerned PCG Personnel effective on the date he / she reported to the concerned unit / office where he / she is carried in the MR. A favorable decision shall likewise entitle the concerned PCG Personnel to be paid the amount withheld from him/her during the period of his/her preventive suspension.

8. THE PCG SPECIAL DRUGS BOARD

a. Upon approval of this Memorandum Circular, CG-1 shall issue an Order creating the PCG Special Drugs Board (PCG-SDB) to be composed of the following:

- Two (2) Officers from CG Med Svc, preferably doctors of medicine
- One (1) Officer from Coast Guard Legal Service(CGLS)
- One (1) Officer from Coast Guard Intelligence, Security and Law Enforcement (CG-2), with the rank of O-3 or higher
- One (1) Personnel from the First Command Master Chief Petty Officer

b. The PCG-SDB shall be headed by the most senior officer amongst those designated in the preceding paragraph and shall decide unanimously in all issues, otherwise, the matter to be decided will be on status quo.

c. Members of the PCG-SDB shall be free from other duties and responsibilities until the termination of all the cases presented before them and shall dispose all cases with dispatch.

d. The PCG-SDB shall be appointed for a term of one (1) year and shall continue to perform their functions until all cases submitted before them during their term of appointment have been disposed of and/or terminated.

- e. After receipt of the Confirmatory Test Result but prior the lapse of fifteen (15) days to challenge such result, the PCG-SDB shall convene immediately for organizational meeting to discuss the rules of procedure for the conduct of hearing and prepare the necessary documents to ensure the expeditious disposition of cases presented before the Board.
- f. Upon receipt of the second Positive Confirmatory Result Report, if the concerned PCG personnel challenged the first Confirmatory Result, or after the lapse of the period for challenge without any challenge from the concerned PCG personnel, the PCG-SDB shall on the same day, issue summons to the concerned PCG personnel giving him a non-extendible period of three (3) days to answer and/or explain in writing why he/she should not be discharged from the service after the positive drug test result. Provided that summons may be forwarded via electronic communications to the unit/office of the concerned PCG personnel.
- g. To ensure the immediate receipt of the summons, the Unit Commander / Head of Office of the concerned unit / office shall ensure that the concerned personnel will be ready to receive any summons to be issued by the PCG-SDB on the day that the same is issued and forwarded by the PCG-SDB.
- h. With or without the answer and after the lapse of the period to do so, the PCG-SDB shall meet to discuss and hear the merits of the cases. Two (2) days thereafter, the PCG-SDB shall release its Decision and forward the same for approval of the Commandant, PCG and CG-1.
- i. The Decision of the PCG-SDB shall be immediately executory upon the approval of the Commandant, PCG. CG-1 shall immediately issue the necessary order to effect the same.
- j. The concerned PCG personnel shall have five (5) days upon receipt of the Decision to file his/her Motion for Reconsideration. The procedure on appeal provided in HPCG Circular Number 09-12 dated 22 September 2012 (PCG Code of conduct and Discipline for Uniformed Personnel) or HPCG Circular Number 10-12 dated 22 September 2012 (PCG Code of Conduct and discipline for Non- Uniformed Personnel), shall be applied suppletorily, as the case may be.

9. RESPONSIBILITIES

- a. **The Command Surgeon, Coast Guard Medical Service (CG Med Svc) shall**
 - i. Be the overall Unit Primarily Responsible of the Dangerous Drug Testing program in the PCG;
 - ii. Program and conduct the Mandatory Drug Test annually and the Random Drug Test of PCG Personnel;

- iii. Provide PCG Personnel assigned with the CG Med Svc to compose the CGMED Team and DDTT, as the case may be;
- iv. Issue, by authority of the Commandant, PCG, the appropriate directive to the concerned PCG Personnel for purposes of drug testing including all related procedures for the same;
- v. Take custody and preserve the integrity of evidence and documents relating to the drug test of all PCG Personnel;
- vi. Submit report of the Drug Test Results to the Commandant, PCG;
- vii. Recommend to the Commandant, PCG the preventive suspension of the concerned PCG Personnel who is found positive for use of dangerous drugs based on the Screening Test result; and
- viii. Program and execute the accreditation of the CG Med Svc Drug Testing Laboratory with the DOH.

b. Commander, Coast Guard Intelligence Force (CGIF) shall

- i. Identify and maintain records of all PCG Personnel who may be involved in the use of dangerous drugs;
- ii. Provide PCG Personnel assigned with the CGIF as member of the DDTT; and
- iii. Gather information and evidence to further strengthen the case of all PCG Personnel who are identified for use of dangerous drugs and other violations of this Memorandum Circular.

c. Unit Commander / Head of Office shall

- i. Identify and conduct monitoring of suspected PCG Personnel involved in the use of dangerous drugs;
- ii. Provide PCG Personnel assigned with the said Unit / Office as members of the DDTT;
- iii. Render necessary support for the CG Med Team and / or DDTT in the conduct of drug testing in their respective area of responsibility;
- iv. Gather information and evidence to further strengthen the case of all PCG Personnel who are identified for use of dangerous drugs and other violations of this Memorandum Circular;
- v. Direct the concerned PCG personnel to return the firearms issued by the Command and inspect such firearms' parts and accessories prior return to the CGSAO for safekeeping, custody and accounting; and

- vi. Ensure that suspected PCG Personnel assigned their unit/office is available to receive any directives/notices/orders issued in relation with this Memorandum Circular and its implementation

d. Commander, Coast Guard Internal Affairs Service (CGIAS) shall

Provide CGIAS Provost Marshalls as members of the DDTT for the conduct of drug testing in the Manila-Cavite area, or whenever requested by the unit/office concerned.

e. Deputy Chief of Coast Guard Staff for Intelligence, Security and Law Enforcement (CG - 2) shall

- i. Issue directive to the CGIF for the provision of PCG Personnel as members of the DDTT,
- ii. Consolidate information related to the use of dangerous drugs by any PCG Personnel and maintain records of the same;
- iii. Provide updates to the Commandant, PCG of all activities pertaining to the implementation of this Memorandum Circular;
- iv. Cancel/Rebuke the Mission Order issued to PCG Personnel with PCG issued firearms in case the latter tested Positive for the illegal use of dangerous drugs; and
- v. Develop procedures in handling confiscated, seized, and / or apprehended dangerous drugs and / or equipment, instrument, apparatus and other paraphernalia for dangerous drugs.

f. Deputy Chief of Coast Guard Staff for Human Resource Management & Records (CG - 1) shall

- i. Program and allocate funds to support the implementation of the Mandatory Drug Test and Random Drug Test of the PCG;
- ii. Issue the appropriate Travel Orders of the CG Med Team, DDTT, and other PCG Personnel involved in the implementation of this Memorandum Circular: and
- iii. Issue order thru the Coast Guard Adjutant for the preventive suspension, lifting of the same, or assignment to RECSTA, as the case may be, of the concerned PCG Personnel.

g. Commander, Coast Guard Finance Center shall

- i. Withhold the pay and allowances of the concerned PCG Personnel effective on the date indicated in the order of CG-1 for the preventive suspension of the said PCG Personnel; and
- ii. Re instate the pay and allowances of the concerned PCG Personnel reckoned from the date he / she is carried in the MR of RECSTA or on the date he / she reported to the concerned unit / office where he / she is carried in the MR.

10. DANGEROUS DRUG TESTING TEAM (DDTT)

a. Activation

Upon notification by the TCS, CG Med Svc based on the directive of the Commandant, PCG, request from the Unit Commander / Head of Office of the concerned PCG Personnel, or receipt of appropriate report from the CGIF.

b. Composition

- i. The DDTT shall be composed of PCG Personnel from the CG Med Svc, CGIF and CGIAS Provost Marshall or concerned unit / office representative.
- ii. The most senior PCG Officer representing the CG Med Svc shall act as the Head of the DDTT.
- iii. The PCG Personnel from the CGIAS Provost Marshall shall be part of the DDTT if the drug testing is to be conducted in the Manila-Cavite area. Otherwise the Unit Commander / Head of Office of the concerned unit / office shall designate PCG Personnel from the said unit / office as members of the DDTT in place of the CGIAS Provost Marshall.

c. Duties and Responsibilities

- i. Conduct the Random Drug Testing and all related procedures.
- ii. Furnish the concerned PCG Personnel with a copy of the written directive issued by TCS, CG Med Svc, by authority of the Commandant, PCG, prior to the conduct of the Initial Drug Test requiring him / her to duly receive the same indicating therein his / her printed name with signature and date of receipt.
- iii. If TCS, CG Med Svc is not the Head of the CGMED Team or Head of the DDTT, the Head of the CG Med Team or Head of the DDTT shall be authorized to sign the Directive for the TCS, CG Med Svc.

- iv. If the Initial Drug Test result is positive, to accompany the concerned PCG Personnel to the DOH accredited laboratory for the Screening Test within twenty four (24) hours from the availability of the Initial Drug Test result.
- v. Inform the concerned PCG Personnel of the Screening Test result.
- vi. To follow - up the Confirmatory Test result.
- vii. Obtain and receive the Confirmatory Test result from the DOH accredited laboratory.
- viii. Transmit the Confirmatory Test result to TCS, CG Med Svc.
- ix. Observe strict confidentiality as regards to the Drug Testing results.

d. Deactivation

The DDTT shall be deactivated upon notice by the TCS, CG Med Svc.

e. Funding

Shall be under the program directorship of CG -1.

11. OFFENSES AND PUNISHMENTS

- a) Use of dangerous drugs.
- b) Refusal to Submit or Delay in Submitting to the CG Med Svc scheduled Mandatory Drug Test or Random Drug Test without compelling and valid reason.
- c) Sub - paragraphs A and B stated herein shall be considered as **GRAVE OFFENSES** and shall be punished by **DISHONORABLE DISCHARGE FROM THE PCG SERVICE** as may be determined by the appropriate PCG Special Drug Board.
- d) All other violations of this Circular and of Republic Act No. 9165 shall be dealt with in accordance with either under HPCG Circular Number 09 — 12 dated 22 September 2012 (PCG Code of conduct and Discipline for Uniformed Personnel) or HPCG Circular Number 10 — 12 dated 22 September 2012 (PCG Code of Conduct and discipline for Non — Uniformed Personnel), as the case may be.
- e) All other violations such as tolerating the use, selling or any other related drugs offenses not directly stated herein shall be dealt with in accordance with either under HPCG Circular Number 09—12 dated 22 September 2012 (PCG Code of conduct and Discipline for Uniformed Personnel) or HPCG Circular Number 10—12 dated 22 September 2012 (PCG Code of Conduct and discipline for Non—Uniformed Personnel), as the case may be, and may be

further subjected to a criminal law under R.A. 9165 (The Comprehensive Dangerous drugs Act of 2002).

- f) PCG Personnel who voluntarily surrenders and admits his involvements with the illegal use of dangerous drugs may be honorably discharge from the PCG service upon submission of evidence that he/she has gone rehabilitation.

12. RESCISSION

All polices, directives, and orders of the PCG inconsistent with this Memorandum Circular are hereby amended, repealed or rescinded accordingly.

13. SEPARABILITY CLAUSE

If any provision or portion of this Memorandum Circular is declared unconstitutional, contrary to law, or invalid the remainder of this Memorandum Circular shall not be affected by such declaration and shall remain in force and effect.

14. EFFECTIVITY

This Memorandum Circular shall take effect fifteen (15) days upon its publication by the Coast Guard Adjutant.

BY COMMAND OF REAR ADMIRAL MELAD:

OFFICIAL:

ATHELO Y YBANEZ
COMMO PCG
Acting Chief of Coast Guard Staff


LIEZEL BAUTISTA
LCDR PCG
Coast Guard Adjutant

2019/11/14