

# msu human resources Source

Special FSA Edition 2005

www.hr.msu.edu

## HR Profile: Workers' Comp/Long-Term Disability

Denise Barclay and Rosemary Huguelet are two terrific MSU HR employees we hope you never have to meet.

Together, they administer the Workers' Compensation and Long-Term Disability programs at Michigan State University. These programs are here to help employees who get injured at work or develop long-term disabilities that prevent them from being able to continue working in their previous capacities.

But if you do get injured on the job or develop an unfortunate long-term disability, this dynamic duo will be there to help you navigate your way through the various programs and processes available to help you maintain income while you recover.

"The part of my job I like best is helping people who are struggling with health issues determine if they should be applying for workers' compensation or long-term disability and helping them through the process," said Denise Barclay, human resource analyst.

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## Spend Less. Save More. Flexible Spending Accounts.

You work hard for your money, why not keep a little more of it? Enroll in a Flexible Spending Account (FSA) and join more than a thousand other MSU employees who have discovered the advantages of paying for certain medical and child care expenses with pre-tax dollars.

### Don't Miss Out!

FSA Open Enrollment  
is November 1 - 14.

See Details Inside!

Let's face it; some expenses in life just aren't negotiable. Nearly everybody spends money each year on out-of-pocket medical expenses such as prescription drug and office visit co-pays, glasses, dental work and even over-the-counter remedies for the aches and pains of daily living. And many working parents spend thousands of dollars each year on child care.

Buying as many of these items and services as possible with pre-tax dollars is a sound strategy for saving money. Flexible Spending Accounts let you trim your taxes while purchasing the medical and child care services you need.

MSU offers eligible faculty and staff two different kinds of spending accounts. The Health Care Spending Account (HCSA) can be used for

*(Continued on Page 3)*

*Advancing Knowledge. Transforming Lives.*



## FSA Special Edition!

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## A Note from the Assistant Vice President . . .



**Pamela S. Beemer**  
Assistant Vice President  
for Human Resources

It's often said that information is power. Having access to the right information at the right time empowers each of us to make good choices for ourselves, our families, our workplaces and our communities. We are pleased to present this particularly power-packed special edition of *Source*.

Sandwiched between our recent fall edition and the winter edition that is yet to come, this *Source* features a great deal of useful reference information that we hope will support you in making good decisions.

As announced in the last *Source*, the annual open enrollment period for flexible spending accounts runs from November 1 through November 14, 2005. You have one chance each year to review information about flexible spending accounts and decide if they could help you save money by allowing you to purchase eligible childcare and medical services using pre-tax dollars. In these pages you will find details on how these accounts work, what types of expenses are covered and some key changes to the laws that govern flexible spending account administration.

This edition also provides information about the Workers' Compensation and Long-Term Disability benefits at Michigan State University. These benefits are of critical importance when an employee's ability to work is impacted by an on-the-job accident or a long-term disability. Though all of us hope we never need these programs, it's reassuring to know that there are good people available to help us understand our choices when facing injuries or disabilities that restrict our ability to work.

Also included in these pages is important information related to substance abuse, including MSU local and state laws related to alcohol and drugs and the resources and policies that exist at MSU. This information will likely look familiar to you, as we are required by law to print it once per year. But even though you may have seen it before, we encourage you to read it again. There are few problems on campus or in life that have a bigger impact than substance abuse on individuals, families, workplaces and entire communities. Having the information at our fingertips to recognize and appropriately address substance abuse helps us manage and minimize the negative impacts of substance abuse at MSU and at home.

Finally, in this *Source* you will see that a new hotline has been established so that MSU employees may anonymously report information about instances of potential fiscal misconduct at MSU. Though rare, fiscal misconduct and ethics violations can threaten the integrity and efficacy of MSU. Getting the right information about such occurrences to the leadership at Michigan State University is a powerful first step in correcting problems and protecting the people of MSU.

Information truly can be powerful when used ethically and appropriately. All of us at MSU Human Resources hope you will find this special edition of *Source* both informative and empowering.

*Pam Beemer*

## Flexible Spending Accounts *(Continued from page 1)*

eligible medical expenses. The Dependent Care Spending Account (DCSA) can be used for child and dependent care expenses. See pages four and five to learn what kinds of expenses are eligible for reimbursement under each account type.

### Changes in 2006 Plan Year

A recent change in federal law makes it possible for MSU Human Resources to offer HCSA enrollees additional time to use your HCSA funds each year. In the past, all funds had to be used between Jan. 1 and Dec. 31 of the program year.

The change gives enrollees two months and 15 days longer to use remaining HCSA funds and additional time to submit eligible claims for reimbursement as well.

You can now continue using remaining 2005 HCSA funds through Mar. 15, 2006 and you now have until Apr. 30, 2006 to submit 2005 claims for reimbursement.

“That’s great news for people who get to the end of the year and find they still have a portion of their 2005 HCSA funds they haven’t used,” said MSU Director of Benefits Renee Rivard.

IRS rules still require enrollees to forfeit any funds they haven’t used by the new March 15 deadline, so it is still important to plan carefully and only contribute what you know you will use to your FSA account.

<b>NEW!</b>	<b>Deadline for Using 2005 HCSA Funds</b>	<b>Deadline to Submit 2005 HCSA Claims</b>
	<b>March 15, 2006</b>	<b>April 30, 2006</b>

**Spend Less. Save More.**  
**Flexible Spending Accounts.**

### Two Key Points to Remember About the New Deadlines


**1.** The deadline extension applies only to Health Care Spending Accounts, *not* Dependent Care Spending Accounts. The deadline for using 2005 DCSA funds for eligible care services is still Dec. 31, 2005. Any 2005 DCSA funds not used by Dec. 31, 2005 will be forfeited according to IRS rules.

**2.** HCSA debit cards are based on the calendar year. This means that on Jan. 1, 2006, your HCSA Debit Card will be connected to your 2006 Health Care Spending Account. You will no longer be able to access 2005 HCSA funds by using the debit card. Instead, you will need to pay for eligible items or services first and then submit receipts in order to be reimbursed.

### About the Debit Card and Expense Verification:

Debit cards offer you the convenience of paying with the swipe of a card – but you still need to keep those receipts! IRS rules require Flexible Spending Account administrators to substantiate the

eligibility of ALL items and services billed to flexible spending accounts, including those transactions using HCSA debit cards. Some types of expenses, like doctor visits or prescription drug co-pays, can be automatically substantiated because co-pays are predictable amounts from medical providers. Fortunately, most HCSA debit card purchases fall into this category and do not need additional substantiation. For example, out of the 17,484 debit card transactions made by HCSA enrollees between January and June 2005, receipts were requested for only 2,641 of those transactions – meaning receipts are requested about 15 percent of the time.

According to plan administrator Weyco, Inc., the HCSA debit card transaction types most likely to generate a request for a receipt include: dental services, vision services, over-the-counter drugs and prescription drugs that have a co-pay that is different from the standard co-pay. Dental services are particularly likely to need substantiation because HCSA funds can only be used to pay for dental services NOT already covered by insurance. For this reason, Weyco needs to substantiate not only the amount you pay, but also the amount your insurance pays for a procedure or service.  SOURCE Page 3

**Enroll on-line between Nov. 1 and Nov. 14, 2005 at:**  
**[www.hr.msu.edu](http://www.hr.msu.edu)**

## FSA Information Sessions

*Representatives from Weyco Inc. will describe the benefits of FSAs and answer questions at these locations and times:*

**Tuesday, Nov. 1, 2005**

MSU Union  
Green Room  
10 a.m., 11:30 a.m., 12:30 p.m.

**Thursday, Nov. 3, 2005**

International Center  
Spartan Room C  
12:30 p.m., 2 p.m., 3:30 p.m.

## FSA Open Enrollment Sessions

*MSU Benefits staff can answer questions and help you enroll at these locations and times:*

**Wednesday, Nov. 2, 2005**

International Center  
Spartan Room C  
10 a.m. to 4 p.m.

**Tuesday, Nov. 8, 2005**

MSU Union  
Green Room  
8 a.m. to 2 p.m.

**Wednesday, Nov. 9, 2005**

MSU Union  
Green Room  
10 a.m. to 4 p.m.

**Thursday, Nov. 10, 2005**

International Center  
Spartan Room C  
8 a.m. to 2 p.m.

**Spend Less.  
Save More.  
Flexible Spending  
Accounts.**

## More Details on Flexible Spending Accounts

### How FSAs Work

When you enroll in an FSA, you will need to decide on your annual contribution amount for the 2006 calendar year.

Your contributions will be deducted from your paychecks and will not be taxed.

It is important to estimate as closely as possible how many eligible expenses you are likely to incur in the 2006 calendar year because any funds not used during the plan year must be forfeited under Internal Revenue Code.

When you have paid an eligible medical or dependent care expense, you will fill out a simple reimbursement request form. You submit receipts for the expense with the request form. You're then reimbursed for those expenses with the tax-free dollars from the accounts.

Or, for some expenses like prescriptions and office visit co-pays, you can just pay for the purchase directly with your HCSA debit card. You don't have to fill out any forms when you use the debit card, but you do need to save your receipts.

### What Do Dependent Care Spending Accounts Cover?

To be eligible for reimbursement, dependent care expenses must meet some rules established in Internal Revenue Code for dependent child and elder care:

- *The dependent cared for must be under age 13, or, if older, physically or mentally incapable of self-care.*

- *Day care must be necessary in order for you and (if you are married) your spouse to work or attend school full-time.*

- *The person cared for must be claimed as a dependent on your federal income tax return and must reside in your home at least eight hours per day.*

- *Payment for care cannot be made to anyone you claim as a dependent on your tax return, to your spouse, or to your child under age 19.*

- *If care is provided by a center that cares for more than six individuals, it must be licensed.*

### What Do Health Care Spending Accounts Cover?

Some of the things you may use your Health Care Spending Account to pay for include:

#### DENTAL SERVICES

*Crowns/Bridges  
Dental X-Rays  
Dentures  
Exams/Teeth Cleaning  
Extractions  
Fillings  
Gum Treatment  
Oral Surgery  
Orthodontia/Braces*

#### INSURANCE-RELATED ITEMS

*Co-pay and Coinsurance Amounts  
Deductibles  
Pre-existing Condition Expenses  
Private Hospital Room Differential*

#### LAB EXAMS / TESTS

#### MEDICATION

*Insulin  
Prescribed Birth Control  
Prescribed Vitamins  
Prescription Drugs*

## **OVER-THE-COUNTER MEDICATION**

Many over-the-counter medicines, drugs, or dietary supplements for a specific medical condition are eligible. Examples include: pain relievers, cold medicines, first aid creams, antihistamines, antacids and more. See complete list on-line.

## **OBSTETRIC SERVICES**

- Lamaze Class
- Mid-Wife Expenses
- OB/GYN Exams
- Post-Natal Treatment
- Pre-Natal Treatment

## **PRACTITIONERS**

Allergist  
Certified Nurse Specialist  
Certified Registered Nurse Anesthetist  
Chiropractor  
Christian Science  
Dermatologist  
Homeopath  
Naturopath  
Nurse Practitioners  
Osteopath  
Physician  
Psychiatrist  
Psychologist

## **OTHER MEDICAL TREATMENTS/ PROCEDURES**

Acupuncture  
Alcoholism (inpatient treatment)  
Drug Addiction  
Hearing Exams  
Hospital Services  
Infertility  
In-vitro Fertilization  
Norplant Insertion or Removal  
Office Visits  
Physical Therapy  
Rolfing  
Speech Therapy  
Sterilization  
Transplants (includes organ donor)  
Vaccinations/Immunizations  
Vasectomy and Vasectomy Reversal  
Well Baby Care

## **OTHER MEDICAL EQUIPMENT SUPPLIES and SERVICES**

Abdominal/Back Supports  
Ambulance Services  
Arches/Orthopedic Shoes  
Counseling  
Crutches  
Hearing Aids and Batteries  
Hospital Bed  
Medic Alert Bracelet or Necklace  
Oxygen Equipment  
Prosthesis  
Splints/Casts  
Support Hose (if medically necessary)  
Syringes  
Transportation Expenses (essential to medical care)  
Tuition Fee at Special School for Disabled Child  
Wheelchair

## **VISION SERVICES**

Artificial Eyes  
Contact Lenses  
Contact Lens Solution  
Eye Examinations  
Eyeglasses  
Laser Eye Surgeries  
Ophthalmologist  
Optometrist  
Prescription Sunglasses  
Radial Keratotomy/LASIK

## **You will NOT be reimbursed for:**

- Cosmetic Surgery or Cosmetic Dental Work
- Cosmetics
- Electrolysis
- Toiletries
- Prescription Drugs for Cosmetic Purposes
- Vacations or Recreational Activities
- Health Club Dues

Please note that this is a partial listing of eligible and ineligible items and services covered by FSAs.

You can find more detailed lists of eligible and ineligible items for both HCSAs and DCSAs on-line.

Just visit the [www.hr.msu.edu](http://www.hr.msu.edu)

Web site, click on the Benefits link, then click on the Flexible Spending Accounts link.

## **How Much Can I Contribute to an FSA at MSU?**

You may contribute up to \$5,000 to your Dependent Care Spending Account (per-household total).

Eligible employees may contribute \$5,000 to your Health Care Spending Account. This is a per-eligible individual total. For spouses who both work at MSU and are eligible, this means each spouse may contribute up to \$5,000 for a household total of \$10,000.


Your savings will vary based on your income tax rate and the number of out-of-pocket health and child care costs you typically incur. Please view additional Flexible Spending Accounts information at: [www.hr.msu.edu](http://www.hr.msu.edu).

## **Date of Service is Important**

Please note that reimbursement is based on the date of service, not the date you submit the claim. Any claims for expenses need to be submitted to the plan administrator, Weyco.

Claim forms for Weyco are on the MSU HR Web site at [www.hr.msu.edu](http://www.hr.msu.edu). Click the Benefits link and then the Flexible Spending Accounts link.

Don't let another year pass you by without discovering if the Flexible Spending Accounts benefit offered through Michigan State University could help you and your family save money while purchasing the supplies and services you need.

Spend less and save more with Flexible Spending Accounts in 2006. 

# MSU HR

## News You Can Use . . .

### **Family Resource Center Recognizes Great Supervisors**

The MSU Family Resource Center recently announced the winners of the fifth annual MSU Supervisor Recognition Award. Five supervisors received the award this year, including:

- Mary Elaine Webster, Administrative Assistant II, College of Engineering
- Patricia (Pat) M. Lowrie, Director, Women's Resource Center
- Kelley Bishop, Director, Career Services and Placement
- Edmund McGarrell, Director, School of Criminal Justice
- Richard Sigelko, Systems Manager, Housing & Food Service Systems Operation Group

This award honors supervisors who consistently show work-life sensitivity by supporting both the professional and personal needs of their employees.

### **Coming Soon: Workplace Flexibility Guidelines**

Flexible work schedules have long been an option at MSU to help employees balance their work and personal lives while meeting the work needs of their employing units.

The Women's Advisory Committee for Finance, Personnel and Operations is working with MSU Administration to finalize

a set of guidelines that will help supervisors and employees form flexible work arrangements that benefit the unit and the employees involved. Once finalized, the guidelines will be posted on the MSU HR Web site.

### **Fiscal Misconduct Hotline is Operational**

A new fiscal misconduct hotline is available to MSU employees.

The toll-free hotline number is 800-763-0764. The line is intended to be an anonymous option of last resort for reporting issues involving fraud, financial improprieties and ethics violations.

MSU has contracted with an outside firm, The Network, to answer the hotline and report issues to a review committee.

More information about this hotline will be sent to the campus community in the very near future.

### **New Process for Employment Ads**

MSU has formed a six-month trial partnership with Graystone Group Advertising that will save money and make it easier for units and departments to advertise positions. Any department or unit can now call Graystone to place ads for faculty, academic and support staff positions in any media, including the Lansing State Journal and The Chronicle of Higher Education. With the exception of a \$25 flat fee for Web-only advertisements, Graystone Group receives its commissions from the

media, not MSU. Graystone is able to negotiate better rates and those savings are passed on to units.

For example, an ad in The Chronicle of Higher Education that would cost \$2,718.75 if directly placed would cost \$1,781.25 if placed through Graystone – a savings of \$937.50.


To place an ad, send your ad copy or position description with contact information, publication names and dates to Graystone using one of the following methods:

- Phone: 1-800-544-0061
- Fax: 1-203-549-0061
- E-mail: [ads@graystoneadv.com](mailto:ads@graystoneadv.com)
- Weblink: [www.graystoneadv.com](http://www.graystoneadv.com)

Graystone will typically respond within 24 hours. Display ads are graphically enhanced and e-mailed back with costs for changes or additions. Line ads are placed directly with the publication – estimated costs are available prior to release.

### **Dependent Verification Letters**

Dependent verification letters have been mailed to employees with dependents enrolled on their benefits plans. The letters request information about the eligibility of dependents for continuing benefits coverage.

Please be sure to respond to the letter promptly. You will need to return the necessary information to MSU Human Resources Benefits by Nov. 4, 2005 to avoid coverage termination for those dependents who are still eligible for benefits. If you do not respond to this mailing, health and/or dental care coverage for your dependent will end on December 31, 2005. Additional information is available at [www.hr.msu.edu/HRsite/Benefits/FacStaff/LifeChg/OAD.htm](http://www.hr.msu.edu/HRsite/Benefits/FacStaff/LifeChg/OAD.htm). 

## HR Profile: Workers' Compensation and Long-Term Disability (Continued)

Co-worker Rosemary Huguelet agrees that being there for MSU employees during difficult times is the most rewarding part of her work.

“Administering these programs keeps me very grounded,” Huguelet said. “You do not have to look very far to see someone truly suffering or struggling with a serious medical problem, and even the smallest amount of information and guidance we can give to an individual is always extremely appreciated by most folks.”

### What is Workers' Compensation?

The University, in accordance with the State of Michigan Disability Compensation Act, provides Workers' Compensation benefits if an employee is injured in the course of employment. These benefits are payable at a rate of approximately 80 percent of the after-tax value of the employee's average weekly wage, subject to a


state-determined maximum rate.

Any employment-related injury should be reported to the administrative unit head and Workers' Compensation at MSU HR.

All necessary medical services for a compensable injury will be delivered by a medical provider designated by the University. Full information is available on the MSU HR Web site or from MSU Human Resources Workers' Compensation at 517-353-4434.

### What is Long-Term Disability?

Long-term disability benefits normally begin the first day following 180 days of continuous disability or after all sick leave, vacation, and personal accruals have been utilized, whichever is later.

The program provides a disabled employee with a monthly income that includes Social Security, Workers' Compensation and any other stipulated offset payments for which the employee may be eligible. 

### Check Out These Resources to Learn More

Additional information is available to you on the MSU HR Web site, including:

- Sets of Frequently Asked Questions (FAQs)
- Procedures for reporting work-related accidents and injuries
- Eligibility information
- Forms needed to access treatment and benefits
- Summaries of benefits

Just visit [www.hr.msu.edu](http://www.hr.msu.edu), click on the Benefits link and then choose either the Workers' Compensation or Long-Term Disability link.

## Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics

On October 1, 2005, in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Michigan State University distributed to all students and employees information related to security issues, crime statistics and educational efforts related to health and safety risks. This information includes:


- Campus policies related to sexual harassment and assault, drugs and alcohol, including penalties for

violations of those policies.

- Telephone numbers of police agencies, campus ride services, counseling and educational resources.
- Information on educational programs on crime prevention, safety, sexual harassment and assault, alcohol and drugs.
- Suggestions for safety awareness on campus.
- Information concerning campus

security and access to campus facilities.

- The annual compilation of crime statistics.

To access the crime statistics for MSU via the Web, go to [www.msu.edu/dig/safety/](http://www.msu.edu/dig/safety/). Michigan State University also offers a paper copy of the information that can be requested from the Student Life Department at (517) 355-8286, TTY (517) 353-0304, or by e-mail at [stulife@msu.edu](mailto:stulife@msu.edu). 

# MSU Drug and Alcohol Policy

## All-University Policy Applicable to University Employees and Students

Congress has passed and the President has signed the Drug-Free Workplace Act of 1988 and Drug-Free Schools and Communities Act Amendment of 1989. The following is Michigan State University's Drug and Alcohol Policy for employees and students.

### Employees<sup>1</sup>

Consistent with state and federal law, Michigan State University will maintain a workplace free from the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance.<sup>2</sup> The unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illicit drugs, and alcohol are prohibited on any property under the control of and governed by the Board of Trustees of Michigan State University, and at any site where work is performed by individuals on behalf of Michigan State University.

Pursuant to applicable university procedures governing employee discipline, any employee involved in the unlawful use, sale, manufacturing, dispensing, or possession of controlled substances, illicit drugs, and alcohol on university premises or work sites, or working under the influence of such substances, will be subject to disciplinary action up to and including dismissal and referral for prosecution.

The employee must notify the university of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) calendar days after such conviction. Failure to provide such notice will subject the employee to discipline up to and including dismissal pursuant to applicable university procedures governing employee discipline. The employee shall notify his/her immediate supervisor, who will report the incident to the Office of Human Resources, Academic Human Resources, or Student Employment Office.

Michigan State University supports and sponsors programs aimed at the prevention of substance abuse by university employees. The Employee Assistance Program (EAP) provides preventative programs and counseling for employees experiencing substance-dependency problems. Assistance is available on a voluntary basis. Leaves of absence to obtain treatment may be obtained under the medical leave provision of the appropriate labor contract or policy.

### Students

Michigan State University's compliance with provisions of the Drug-Free Schools and Communities Act Amendments of 1989 applying to students is achieved through a comprehensive alcohol and other drug prevention

program, which includes policy enforcement, education programs, and treatment services.

General Student Regulations 2.06 and 2.07 prohibit the unlawful possession, use, or distribution, of illicit drugs and alcohol by students on Michigan State University property or as part of any of its activities. These regulations are as follows:

2.06 "No student shall possess, use, manufacture, produce, sell, exchange, or otherwise distribute any drug prohibited by federal or state laws."

2.07 "No student shall possess, consume, furnish, manufacture, sell, exchange, or otherwise distribute any alcoholic beverages except as permitted by state law and university ordinance."

Alleged violations of MSU regulations are adjudicated through the MSU student judicial process. Consequences for violations may include, but are not limited to, some form of disciplinary probation, required attendance at educational programs, referral for assessment and treatment, relocation to a new living environment, and suspension from Michigan State University for sale of illegal drugs or repeated violations of the regulations. In addition, students can expect to be arrested and fined for violations of state law on campus.

Michigan State University supports and sponsors programs aimed at the prevention of substance abuse by students. Information about education and treatment services may be obtained from Olin Health Education Service's Alcohol and Other Drug Program.

### *President*

*Provost and Vice President for Academic Affairs*

*Vice President for Finance & Operations & Treasurer*

*Vice President for Student Affairs and Services*

*Board of Trustees, October 12, 1990*

<sup>1</sup> This policy applies to all university employees, including but not limited to: faculty, academic staff, support staff and student employees.

<sup>2</sup> Five schedules of controlled substances are defined in the comprehensive Drug Abuse Prevention and Control Act of 1970, 21. U.S.C. 812.

More information about laws governing the sale and possession of alcohol and other drugs, as well as penalties for violations of these laws, may be obtained from the Department of Police and Public Safety, the Main Library, or the MSU Employee Assistance Program.

## Health and Safety

“Alcohol and illicit drugs are associated with serious health problems including motor vehicle crashes, homicides, suicides, child abuse and intimate partner violence, injuries, unintended pregnancies, sexually transmitted infections, and escalating health care costs.”<sup>1</sup> During fiscal year 2003-2004, 10% of the new cases opened at the MSU EAP had a primary presenting problem related to substance abuse. Many additional employees sought assistance for other reasons such as depression and anxiety, relationship strain, or work-related issues. In a number of these cases substance use or substance abuse was a contributing factor. Long-term heavy drinking can lead to heart disease, cancer, liver disease and seriously impact the health of individuals, families, and the community as a whole. The annual economic cost of alcohol and drug abuse has been estimated at \$60 billion in the United States alone.<sup>2</sup> We know that alcohol and substance abuse are common problems, affecting about 10 percent of all people over their lifetimes.

In 1988 the Drug Free Work Place Act was passed in an attempt to reduce the personal and organizational costs of substance abuse in the workplace and to promote drug free working environments and discourage or prevent drug abuse.

### **Facts to consider:**

- ✓ Marijuana is extremely psychologically addicting, and causes two problems of significance to academic and work performance – short-term memory problems and a motivational syndrome (laziness/lethargy.)
- ✓ Addiction to alcohol or other drugs is a progressive disease, which if untreated, can be fatal.
- ✓ Treatment for alcohol and drug abuse is more commonly accepted and available than ever before.
- ✓ Substance misuse and abuse can lead to negative psychological consequences and can complicate the treatment of depression and anxiety and can also lead to loss of intimacy, work performance problems, low self esteem, and the creation of traumatic/dysfunctional family systems.
- ✓ The problem of substance abuse in the workplace affects more than the user. It can be a factor in unhealthy workplace behaviors and can impair work team functioning.
- ✓ Compared to the non-addicted employee, alcohol and other drug addicted employees nationally:
  - Have twice the absenteeism rate
  - Use a third more health benefits
  - Use three times more sick leave
  - File four times more grievances<sup>3</sup>
- ✓ Non-addicted members of an addicted person’s family use ten times as much sick leave as families where alcoholism is not present.<sup>4</sup>

If you or a family member are concerned about alcohol or drug use, contact the MSU Employee Assistance Program for free, confidential short term counseling, and in some cases, assessment and referral to local substance abuse treatment providers. Contact the MSU EAP at 517-355-4506 or [eap@ht.msu.edu](mailto:eap@ht.msu.edu) or on the Web at <http://uphys.msu.edu/eap/>

1. A report on the Health Status of Ingham County 2004.

2. A report on the Health Status of Ingham County 2004.

3. National Institute on Drug Abuse, National Household Survey on Drug Abuse: Main Findings 1990, 1991, p. 94.

4. M. Bernstein, J.J. Mahoney, “*Management Perspectives on Alcoholism: The Employer’s Stake in Alcoholism Treatment.*” Occupational Medicine, Vol. 4, No. 2 (1989), pp. 223-232.

# Federal and State Penalties for Sale and Possession

The federal government decides if and how a drug should be controlled. Psychoactive (mind-altering) chemicals are categorized according to Schedule I to V. This schedule designates if the drug can be prescribed by a physician and under what conditions. Factors considered in this categorization include a drug's known and potential medical value, its potential for physical or psychological dependence, and risk, if any, to public health. Penalties for the illegal sale or distribution of a drug are established using the designation of Schedule I to V.

Schedule I drugs have a high potential for abuse with no medical uses. Production of these drugs is controlled. Examples include GHB (gamma-hydroxybutyrate), heroin, methaqualone, all hallucinogens (except phencyclidine [PCP]), marijuana, and hashish. Tetrahydrocannabinol (THC), depending on its form, can also be a Schedule II drug.

Schedule II drugs have high potential for abuse, but have some medical uses. Production of these drugs is controlled. Examples include opium, morphine, codeine, other narcotics, barbiturates, cocaine, amphetamines, and phencyclidine (PCP).

Federal and State of Michigan penalties for selling Schedule I and II drugs vary with the quantity of the drug. Additionally, if death, rape, or serious injury is associated with the sale and/or if it is a second offense, penalties are more severe. When establishing penalties for sale, marijuana and hashish are separated from this designation according to the schedule. The penalties for sale of marijuana and hashish, however, are similar to those set for Schedule I and II drugs.

The federal penalty for first offense sale of small amounts of Schedule I and

II drugs is imprisonment for not less than five years and not more than 40 years; if death or serious injury results, the penalty changes to imprisonment for not less than 20 years or more than life, a fine of not more than \$2 million for an individual, or both.

The State of Michigan's penalty for "delivery, possession with intent to deliver, and manufacture" of less than 50 grams of a Schedule I or II controlled substance or narcotic drug is mandatory imprisonment for one to 20 years, a fine of up to \$25,000, and life probation. The penalty for possession of less than 25 grams of a Schedule I or II controlled substance or a narcotic drug is imprisonment for up to four years, a fine of up to \$25,000, or both. Both are felonies. Use of a Schedule I or II controlled substance or narcotic drug is a misdemeanor that has a penalty of imprisonment for up to one year, a fine of up to \$2,000, or both. Michigan law provides for up to seven years imprisonment and/or a \$10,000 fine for individuals who manufacture, deliver, intend to deliver, or knowingly possess GHB.

The manufacture, distribution, or possession with intent to distribute or dispense up to 45 kilograms of marijuana or between 20-200 marijuana plants is punishable by up to seven years imprisonment, a fine of up to \$500,000 for an individual, or both. In Michigan, the "delivery, possession with intent to deliver, and manufacture" of less than 5 kilograms of marijuana or a mixture containing marijuana, or fewer than 20 marijuana plants, is a felony, punishable by imprisonment for up to four years, a fine of up to \$20,000, or both. Possession of marijuana is a misdemeanor, punishable by imprisonment for up to one year, a

fine of not more than \$2,000, or both. Use of marijuana is also a misdemeanor, punishable by imprisonment for not more than 90 days, a fine of up to \$100, or both.

Schedule III, IV, and V drugs include those most citizens would categorize as "prescription drugs". Schedule III drugs have some potential for abuse, but less than those on Schedules I and II. The potential for abuse of Schedule IV drugs is less than those on Schedule III, and the potential for abuse of those on Schedule V is less than those on Schedule IV. All Schedule III to V drugs have medical uses and their production is not controlled. Examples of these drugs include some narcotics, chloral hydrate (IV), barbiturates (III & IV), benzodiazepines (IV), glutethimide (III), other depressants (III & IV), amphetamines (III), and other stimulants (III & IV).

The federal penalty for first offense sale of a Schedule III drug is imprisonment for not more than five years, a fine of not more than \$250,000 for an individual, or both. The federal penalty for first offense sale of Schedule IV drugs is imprisonment for not more than three years, a fine of not more than \$250,000 for an individual, or both. The federal penalty for first offense sale of Schedule V drugs is imprisonment for not more than one year, a fine of not more than \$100,000 for an individual, or both.

Sale of some Schedule III drugs is a felony in Michigan with a penalty of imprisonment for up to seven years, a fine up to \$10,000, or both. In Michigan, the sale of Schedule IV drugs is a felony with a penalty of imprisonment for up to four years, a fine up to \$2,000, or both.

Sale of Schedule V drugs in Michigan is also a felony and has a penalty of imprisonment for up to two years, a fine of up to \$2,000, or both.

## East Lansing Ordinances

East Lansing ordinances prohibit the possession of any alcoholic beverage in an open container or a container with a broken seal in any public place or private area open to the public, except a licensed liquor establishment or elsewhere as provided by ordinance. Partying and tailgating on public property with alcoholic beverages is prohibited within the City's jurisdiction.

City ordinances also prohibit the use of any type of false identification to enter a bar or to purchase liquor from a carry-out store and require liquor establishments to confiscate suspected false identification and turn it over to the Police Department.

Violations of all East Lansing ordinances except Minor in Possession of Alcohol (MIP) and Open Alcohol are punishable by a maximum sentence of 90 days in jail or a \$500 fine or both. Penalty for Open Alcohol is not more than 90 days imprisonment and/or fines of at least \$150, \$250, and \$500 for first, second, and third violations. Maximum penalties for MIP are \$100, \$200, and \$500 for one, two, and three violations, possible community service and substance abuse screening at own expense. Driving license sanctions may also be imposed.

Persons unlawfully possessing marijuana or cannabis are guilty of a

misdemeanor under City of East Lansing ordinances. Violations of marijuana or cannabis ordinances are punishable by a fine of up to \$25, 45 days of community service, substance abuse screening or treatment, or some combination of these. A second offense within ten years of the first, raises the possible fines to \$100, and potential community service days to 90.

Students are encouraged to become familiar with their responsibilities under East Lansing ordinances, which may be obtained at East Lansing City Hall. East Lansing Ordinances may be obtained on the internet at <http://www.cityofeastlansing.com>.

## MICHIGAN STATUTES AND UNIVERSITY ORDINANCES REGARDING ALCOHOL VIOLATIONS

VIOLATION	SUMMARY OF VIOLATION	SUMMARY OF POSSIBLE PENALTIES
OUIL (drunk driving)	A person licensed or not, under the influence of alcohol, drugs, or both, driving in public place.	First offense: Misdemeanor, not more than 93 days in jail and/or fine of \$100-\$500, community service not more than 360 hours. As part of sentence, court shall order suspension of operator's license for period of six months. Vehicle forfeiture or immobilization may also be required.
0.08 Percent per se	Person driving in public areas with blood alcohol level containing 0.08 grams or more per 100 ml of blood, per 210 liters of breath or per 67 ml of urine.	Same as OUIL.
Permitting person under the influence to drive	Allowing intoxicated person to drive in area open to the public.	Misdemeanor: not more than 93 days in jail, or fine not less than \$100 or more than \$500, or both; vehicle can be impounded.
Minor possessing or transporting in motor vehicle	Person under 21 years may not possess or transport alcohol in a vehicle.	Misdemeanor: not more than 90 days in jail, fine of not more than \$100, and may be ordered to perform community service and undergo substance abuse screening and assessment at own expense; vehicle can be impounded. License sanctions may also be imposed.
Impaired driving	A person driving in area open to public while impaired from alcohol, drugs, or both.	First Offense: One or more of following: community service for not more than 360 hours; imprisonment for not more than 93 days; fine of not more than \$300; may be required to forfeit or immobilize vehicle.
Purchase/possession/consumption by minor	Person under 21 years of age may not purchase, possess, or consume alcohol.	Misdemeanor: first arrest - fine of not more than \$100; second arrest - not more than \$200 and up to 30 days in jail; third or subsequent violation - fine of not more than \$500 and up to 60 days in jail. May be ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services. May be ordered to perform community service and undergo substance abuse screening and assessment at own expense. Licensing sanctions may also be imposed.
Consumption on public highway/open alcohol in vehicle	No alcoholic beverage can be consumed on public highways; no alcohol item can be open, uncapped, or seal broken in passenger area of vehicle.	Misdemeanor: not more than 90 days in jail, a fine of not more than \$100, or both. May be ordered to perform community service and undergo substance abuse screening and assessment at own expense. Licensing sanctions may also be imposed.
Disorderly person intoxicated	Intoxicated in public place and (1) danger to self or others, (2) causing disturbance.	Misdemeanor: not more than 90 days in jail, a fine of not more than \$500, or both.
Minor consuming alcohol while driving	Person under 21 years who is driving cannot have any bodily alcohol content, which means an alcohol content of more than 0.02 grams but less than 0.08 grams per 100 ml of blood, per 210 liters of breath, or per 67 ml of urine. Requires screening and assessment to determine if there is likely benefit from alcohol education program.	Four point misdemeanor. Refusal to take breathalyzer test is a two point civil infraction. Driver's license reinstatement fee \$125, may be ordered to pay costs. Minors with no prior alcohol convictions - 30-90 days license suspension and one or both of the following: not more than 45 days community service and/or up to \$250 fine.
MSU ordinances	Use/possession of alcohol prohibited except as allowed by state law.	Not more than 90 days in jail, fine of not more than \$100, or both.

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*Suggestions are Welcome!*

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Special thanks to the following individuals for their assistance and contributions to *Source*.

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**Upcoming Education Opportunities**

**Utilizing Both Sides of the Brain - NEW!**

11/9/05, 9 a.m. - Noon

**Finding Happiness and Joy in Your Work Day Every Day - NEW!**

11/9/05, 1 p.m. - 4 p.m.

**Business Conversations for Enhancing Your Effectiveness - NEW!**

11/10/05, 8:30 a.m. - Noon

**Sexual Harassment: Recognition and Prevention (for staff)**

11/11/05, 1 p.m. - 3 p.m.

**Communicating with the Media**

11/15/05, 8:30 a.m. - 4:30 p.m.

**Sexual Harassment: Recognition and Prevention (for supervisors)**

11/18/05, 1 p.m. - 4:30 p.m.

**Management Skills for Non-Managers - NEW!**

11/30/05, 8:30 - Noon

**Dialoguing: A New Way to Build Team Communication Skills**

12/1/05, 8:30 a.m. - 3 p.m.

**Building and Leading a Diverse and Inclusive Workplace**

12/7/05, 8:30 a.m. - Noon

**Course Fee Courtesy Deadlines:**

Summer semester - March 1; Fall semester - June 1;  
Spring semester - October 1.

**Educational Assistance Waiver Deadlines:**

Summer semester - March 14; Fall semester - June 2;  
Spring semester - October 1; Questions? Call HRD at 355-0183 ext. 177.

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