

Don't Let Insurance Discounts Be Confusing

In recent weeks, ICRMP has received questions related to drug testing **all** employees, a practice that ICRMP has long recommended against, in order to obtain a premium discount. The confusion likely stems from communications from the Idaho State Insurance Fund, the organization that provides worker's compensation insurance to most public agencies in Idaho. Potential worker's compensation discounts related to drug testing practices should not be confused with ICRMP's Risk Management Discount Program (RMDP).

Drug testing & State Insurance Fund (Workers Compensation)

Idaho law authorizes a worker's compensation premium discount if an employer requires drug tests for employees, but the statute ([Idaho Code §72-1716](#)) only requires public employers test employees "... for whom such testing is not constitutionally prohibited ..." to qualify for a discount.

Generally, this only includes those who are required to have a commercial driver's license (CDL), those filling safety-sensitive positions and in circumstances where probable cause exists (e.g., following a traffic crash). Public employers are limited to drug testing where constitutional principles allow.

ICRMP's Risk Management Discount Program (Liability Insurance)

ICRMP provides liability and property insurance to most Idaho local governments. The RMDP focuses on different skills, offering discounts when Members make efforts to improve the competence of their workforce, thereby reducing loss exposure. Drug testing has never been a part of the RMDP.

The 2019-2020 RMDP will once again be available during the summer of 2019. Specific program requirements will be announced soon. If you have further questions about this issue, consult your agency's legal advisor or ICRMP. Until then, keep on training!