

# Ensuring the Quality of the Unemployment Insurance Program (EQUIP) Act

The EQUIP Act, introduced by Congressman Jack Kingston (R-GA), would require anyone applying for unemployment compensation and extended unemployment to complete a drug screening assessment form as a condition for benefits. Those identified by the assessment as having a high probability of drug use are required to pass a drug test before receiving benefits and are subject to random testing. Drug screening discourages the misuse of benefits and increases their ability to reenter the workforce.

## **How the bill works:**

- All individuals applying for regular and extended unemployment compensation must complete a drug screening assessment form approved by the National Institutes of Health (NIH), such as the Substance Abuse Subtle Screening Inventory (SASSI) to measure a person's level of probability for drug abuse.
- Individuals screened as having a high probability for drug use must complete and pass a drug test administered in order to receive benefits. These individuals are also subject to random drug testing.
- Individuals who fail no more than one drug test per eligibility period may take a second drug test not within 30 days of the failed test. The individual is responsible for reimbursing the state for the cost of the failed test and must pay the cost of the retest.
- SASSI is already used by several states to test whether individuals have a low or high probability for drug use as part of its application process for public assistance benefits.
  - Oklahoma uses SASSI for substance abuse treatment referrals.
  - West Virginia uses SASSI for determining eligibility for SSDI.
  - In Georgia, a similar test is currently being used by the Georgia Council on Substance Abuse.
- Feedback for SASSI results is approximately 15 minutes with a 94 percent accuracy rating.
- Drug screening applicants is less expensive than requiring all applicants be drug tested and operates within the context of the Fourth Amendment of the Constitution. For example:
  - An Indiana and Texas court upheld using SASSI to assist with sentencing determinations was legitimate.
  - A Federal Court in West Virginia upheld the use of SASSI by a SSDI Administrative Law Judge (ALJ) when determining a claimant's disability status.
  - State court in New Jersey and Texas upheld using such screening in child custody cases as permissible.
- Funds from the Independent Payment Advisory Board (IPAB) and the Consumer Operated and Oriented Plan (CO-OPs) authorized under Obamacare would be used to cover costs to incurred by the states.