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“I Lost My Job Because I Couldn’t Pee!”

IPA Encourages Shy Bladder Sufferers to Comment on New Federal Drug Testing Rules

Catonsville, MD, USA (March 1, 2022) — Bill Howell is fighting for his job. Bill lost his job last year with the Southeastern Pennsylvania Transportation Authority (SEPTA) because he was subject to random urine tests under US Department of Transportation (DOT) rules. “I was an exemplary employee without a blemish on my record for 32 years. I think I may have been affected by medication that I was on, but for some reason, I just couldn’t go that day.” SEPTA summarily dismissed Bill. After a year of fighting for another test opportunity with the help of his union, Bill secured a second chance. “I knew that my livelihood, my pension, everything was riding on my ability to pee. Again, I just couldn’t do it.” Bill remains unemployed today.

Bill and many others, especially those who suffer from Paruresis or shy bladder syndrome, have been terminated, forced to attend drug treatment programs, and endured humiliating circumstances all because they could not provide a urine sample. These victims were not drug users, they just couldn’t prove it under current testing rules.

Now, the DOT – the bellwether agency for workplace drug testing – has opened its comment period for its proposed rules for oral fluid specimen testing for drugs.

Dr. Steven Soifer, Ph.D., LCSW-C, is the co-founder of the International Paruresis Association. “We have been working since 1996 for fair and equitable treatment of people in this situation. The comment period is a watershed moment for employee rights. We support the need for workplace drug testing. However, employees who can’t provide a urine sample are considered guilty and then must fight a system that is geared against them. These new rules, if developed appropriately, will solve that problem. Giving employees the upfront right to choose oral fluid testing – which is three times more accurate than urine testing – will save countless procedural man hours, agency money, and resources, not to mention just be the right thing to do to ensure individual rights to privacy and due process.”

Paruresis is a social phobia outlined in the DSM-V (Diagnostic and Statistical Manual of Mental Disorders, fifth edition), under the category 300.23 (F40.10). According to a National Co-Morbidity Study, an estimated 7% of the US population suffers from this illness. The United States Equal Employment Opportunity Commission (EEOC) provided an opinion in 2011 that Paruresis qualifies as a disability under Americans with Disabilities Act as Amended (ADAAA) definitions. For paruresis sufferers and for usually unaffected people under extreme stress, their failure to provide a urine sample is not a refusal, but simply a psychological and physical impossibility to provide a sample despite their fervent wish to do so.

Since 2019, federal agencies have been approved to use oral fluid testing. However, each agency has the option of whether to do so. While private industry has begun to provide this alternative test format, the federal government has been slow to adopt this change. Why? Drug testing labs are hesitant to invest in becoming certified oral fluid testing labs until the DOT completes its rule updates. Once the

DOT rules have been set, and the labs certified, oral fluid testing can proliferate across the federal government and more deeply into private industry.

“There is one more very important point to consider,” adds Dr. Soifer. “The new rules must allow for employees to have the absolute right at the outset to choose oral fluid testing. There will be no gains – financial, productivity, or rights-wise if employees must first attempt a urine sample and then prove their need for oral fluid testing.”

The IPA encourages comments in support of their position on this issue. More information can be found at <https://paruresis.org>. The link for comments is <https://www.federalregister.gov/documents/2022/02/28/2022-02364/procedures-for-transportation-workplace-drug-and-alcohol-testing-programs-addition-of-oral-fluid>

About the IPA: The International Paruresis Association (IPA) is a US 501(c)(3) nonprofit organization. It was founded in 1996 to raise public awareness about paruresis, provide education and support, and give out the latest information on recovery options. Most of IPA’s members and leadership are treatment professionals, people suffering from paruresis or recovering from it, and their loved ones. Membership is open to anyone touched by paruresis as well as those with an interest in supporting people with paruresis, advocating for their rights, and advancing scientific knowledge about the disorder.

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