**STATE OF MAINE**

**CERTIFICATION STANDARDS FOR PERSONS CONDUCTING CHEMICAL ANALYSES FOR THE DETECTION AND IDENTIFICATION OF SEIZED DRUGS**

**10-144 CODE OF MAINE RULES**

**CHAPTER 266**



Department of Health and Human Services

Maine Center for Disease Control and Prevention

11 State House Station

Augusta, Maine 04333-0011

Last amended: April 2, 2025

**SUMMARY:**  This rule sets forth the technical qualifications necessary for an individual to be certified by the State of Maine Department of Health and Human Services (Department) to detect and identify seized drugs. Included in this rule are criteria pertaining to necessary laboratory facilities, record keeping, and proficiency testing.

**SECTION 1. TECHNICAL QUALIFICATIONS FOR LABORATORY ANALYST CERTIFICATION**

 **A.** Certification is granted only to those analysts who successfully complete a training and competency program prescribed by the Department. Certification allows the analyst to perform examinations and analyses of forensic casework and technically review other certified analysts’ case reports. This certification is issued by the Department and signed by the Forensic Technical Laboratory Director and Chief of Laboratory Operations.

 **B.**  Successful completion in an accredited college or university of a course of study which meets all academic requirements for a bachelor’s degree in one of the chemical, physical, biological, pharmaceutical or forensic sciences is required.

**SECTION 2. STANDARDS FOR LABORATORY AND PERSONNEL**

 **A.** No person may be certified unless that person’s work is completed in a laboratory accredited as a Forensic Testing Laboratory in accordance with International Organization for Standardization (ISO 17025) and possessing a Controlled Substance Registration Certificate as issued by the Drug Enforcement Administration, U.S. Department of Justice.

 **B.** Certification requires satisfactory performance on proficiency testing. Proficiency testing results must include complete data of all test methods used to establish proof of identity or such other scientific information as may be required for the identification of the particular scheduled drug involved.

1. Failure to successfully perform on proficiency test samples will result in denial or revocation of certification.
2. If the Department revokes authorization, the Department will take remedial action and follow the guidance of ISO 17025 standards.

 **C.** Proficiency testing shall be performed annually.

**SECTION 3. MAINTAINING RECORDS AND REPORTING FOR STATISTICAL PURPOSES**

**A.** Complete data of each test result must be preserved for a period of at least twenty (20) years after the date of submittal of the report and must be available for inspection if required.

**B.** Records of laboratory reports must be filed in a manner which permits ready accessibility and identification. Records must be safeguarded in such a way that results are available only to agencies to which reports may be lawfully submitted.

**SECTION 4. TERMS AND CONDITIONS**

**A.** Failure to comply with the standards set forth in this rule constitutes grounds for refusing to certify any person as an analyst or for revoking the certification of any person as an analyst.

**B.** Certificates expire one year from date of issuance but may be revoked at any time for cause.

**STATUTORY AUTHORITY:**  17-A MRS §1112 (1) and 22 MRS §42(1)

EFFECTIVE DATE: November 15, 1978

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