**Section 9140.70 Preservation of Specimens and Records**

a) Laboratories testing a primary specimen of blood or urine that was reported with a verified positive, adulterated or substituted result must retain the primary specimen for a minimum of three years. The specimen shall be kept in secure, long-term, frozen storage in accordance with requirements set forth by HHS.

b) Within the three-year period, the MRO, the employee, or the DER may request in writing that the laboratory retain a specimen for an additional period of time, not to exceed one additional year.

c) If a laboratory has not sent the split specimen to another laboratory for testing, the laboratory must retain the split specimen for the same period of time as the primary specimen and under the same storage conditions.

d) Laboratories testing the split specimen must preserve the split specimen in accordance with subsections (a) and (b).

e) Laboratories must retain all records pertaining to the testing of each employee specimen for a minimum of two years. Within this two-year period, the MRO, the employee or the DER may request in writing that the laboratory retain the records for an additional period of time, not to exceed two additional years.

f) The employer shall maintain all collection forms for breath and saliva testing for a minimum of three years. Within this three-year period, the employee may request in writing that the employer retain the records for an additional period of time, not to exceed one additional year.

g) Laboratories testing a specimen of blood or urine that was reported with a verified negative result shall discard both the primary and the split specimen as soon as possible.