

Diabetes Employment Standards

The American Diabetes Association has successfully fought blanket bans in a number of safety-sensitive positions, bans that automatically disqualified an individual either because she or he had diabetes or because of insulin use. Ending blanket bans, however, is only the first step – this needs to be followed by developing standards and processes that can be used to reasonably assess each individual with regard to a given job. Some examples of such standards are described below and are found on the Fighting for Fairness CD.

1. U.S. Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA) Diabetes Exemption Program

The FMCSA Diabetes Exemption Program began in September 2003 and was the result of many years of advocacy by the American Diabetes Association. For over thirty years prior to the exemption program being implemented, federal commercial transportation regulations banned anyone who used insulin from driving a commercial vehicle in interstate commerce. The exemption program requires that individuals with insulin-treated diabetes who wish to operate commercial vehicles in interstate commerce meet certain medical and safety requirements in order to be granted a two-year exemption. The 2003 program, however, contained a Catch-22 which prevented the majority of people who applied for an exemption from having one granted to them. This provision was changed legislatively in 2005. Since that time more than 350 individuals have been granted exemptions.

2. NFPA 1582: Standard on Comprehensive Occupational Medical Program for Fire Departments

The American Diabetes Association worked with the National Fire Protection Association (NFPA) to change the medical standards for individuals with diabetes who wish to work as fire fighters. Diabetes is no longer considered an automatic disqualifying condition, but rather, any disqualification because of diabetes or insulin use must be determined on a case-by-case basis. The new standard, which went into effect in late 2006, contains a requirement that a person's A1c be below 8% -- something the ADA strongly opposes

3. American College of Occupational and Environmental Medicine (ACOEM): National Consensus Guideline for the Medical Evaluation of Law Enforcement Officers, Section 4.3 Diabetes

As a result of our work with NFPA on the diabetes firefighting standard, the American Diabetes Association was asked to help the American College of Occupational and Environmental Medicine (ACOEM) draft medical evaluation guidelines for law enforcement officers with diabetes. The result is a comprehensive guideline that allows insulin-treated individuals who meet certain criteria to work in law enforcement positions. The ACOEM standard also advises further evaluation if an individual has an A1c over 8% but this is not an absolute requirement, unlike the NFPA standard.

4. California Commission on Peace Officer Standards and Training (POST): Medical Screening Manual for California Law Enforcement

Individuals in California who work as, or are applying to work as a police officer or other law enforcement position, may be required to meet the standards of the Commission on Peace Officer Standards and Training (POST). Unlike the FMCSA Diabetes Exemption Program, NFPA 1582, or the ACOEM diabetes guideline, POST was not developed with the input of the American Diabetes Association. There are a number of difficult criteria that individuals with diabetes must meet under this standard which are not consistent with the other guidelines noted above.