



## News Release

For Immediate Release

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# Transportation Bill Passed in Congress to Prevent Discrimination Against Employees with Diabetes

*American Diabetes Association led effort to repeal blanket ban on people with insulin-treated diabetes driving commercial vehicles*

Alexandria, VA (August 1, 2005) – The transportation legislation, passed last week in both the U.S. House of Representatives and the U.S. Senate, contains an important provision that will help end discrimination against people with diabetes who seek employment as commercial drivers. The American Diabetes Association led a coalition to enable qualified individuals who must use insulin to properly manage their diabetes to operate commercial motor vehicles in interstate commerce. Language in the “Safe, Accountable, Flexible, Efficient Transportation Equity Act: a Legacy for Users (SAFETEA-LU)” eliminates a provision in the Federal Motor Carrier Safety Administration’s (FMCSA) 2003 Diabetes Exemption Program that made it almost impossible for anyone with insulin-treated diabetes to even apply to drive commercially and replaces it with a medically sound system for individual assessment. As a result, the intent of the Diabetes Exemption Program will be realized, and qualified people with insulin-treated diabetes will be able to drive commercial motor vehicles.

“These regulations are important not only to people with insulin-treated diabetes who are seeking to drive a truck in interstate commerce, but also people in many other industries that look to the government’s standards in their workplace. Anytime a discrimination barrier is torn down – as this bill will do for commercial driving – it will have a profound effect,” said Lawrence T. Smith, Chair of the Board at the American Diabetes Association.

In September of 2003, FMCSA announced a Diabetes Exemption Program to end the 33-year-old blanket ban on operating a commercial motor vehicle in interstate commerce for people who use insulin and replace it with a case-by-case assessment that includes over 50 important safety provisions.

Unfortunately, despite strenuous opposition of the American Diabetes Association, Congress, industry, labor organizations, and even FMCSA’s own Expert Medical Panel, the Diabetes Exemption Program also included a “three year rule” that prevented the vast majority of people with diabetes from even applying under the program.

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This Catch 22 provision requires applicants to have driven a commercial vehicle while using insulin for the three years before applying for an exemption under the program. Because of the prior federal blanket ban no one could fulfill this requirement through past interstate driving and it was virtually impossible to fulfill it through *intrastate* driving. In the nearly two years since FMCSA announced this program, not a single diabetes exemption has been issued – primarily because of the three-year rule which has prevented most qualified drivers from applying.

The American Diabetes Association hailed the efforts of Congressmen Howard Coble (R-NC) and Peter DeFazio (D-OR) for their tireless work on this issue and for standing up for people with diabetes.

“Our nation’s trucking laws should reflect our current knowledge of diabetes and the current practice of diabetes management,” said L. Hunter Limbaugh, Chair of the American Diabetes Association’s National Advocacy Committee. “This Congressional action is a win-win that will prevent discrimination against people with insulin-treated diabetes while also providing additional commercial truck drivers for industry. Congress deserves credit for putting sound medical science above politics.”

Diabetes is one of this nation’s most prevalent, debilitating, deadly and costly diseases. While 18.2 million Americans live with diabetes today, the Centers for Disease Control and Prevention estimates that one in three Americans born in 2000 will develop diabetes in their lifetime. In 2002, one in 10 healthcare dollars went towards diabetes care. The cost of diabetes in America in 2002 was at least \$132 billion.

The American Diabetes Association is the nation’s leading voluntary health organization supporting diabetes research, information and advocacy. The Association’s advocacy efforts include helping to combat discrimination against people with diabetes; advocating for the increase of federal diabetes research and programs; and improved access to, and quality of, healthcare for people with diabetes. The Association’s mission is to prevent and cure diabetes and to improve the lives of all people affected by diabetes. Founded in 1940, the Association provides service to hundreds of communities across the country. For more information please call the American Diabetes Association at 1-800-DIABETES (1-800-342-2383) or visit [www.diabetes.org](http://www.diabetes.org). Information from both these sources is available in English and Spanish.

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