



DIABETES

A D V O C A T E

Coast Guard Blanket Ban Overruled For Officer With Diabetes

In June 2002, Coast Guard Petty Officer Jeremy Wright began losing weight inexplicably. Shortly thereafter, he was diagnosed with type 1 diabetes. An active duty member of the Coast Guard for five years, Wright was understandably shaken. “One of the first things I learned from my doctors while they taught me about diabetes management was that the Coast Guard would probably discharge me,” he said. “I went from having one very serious matter on my hands to two, very quickly.”

Wright prioritized his situation and attacked managing his diabetes with a fervor. “I knew I had to become very disciplined about diabetes very fast,” he said. He also knew that he wanted to remain on active duty. It occurred to him that demonstrating that he was



GUNTER MARK PHOTOGRAPHY/CORBIS

in control of his disease would help his case.

Wright's fears about his career were realized when the Coast Guard found him medically unfit and moved to discharge him. The action was based solely on Wright's diag-

nosis and did not take into account how diabetes affected him as an individual. He decided to appeal. The case was assigned to Lieutenant Charles V. “Bud” Darr, an attorney in the Coast Guard's Office of Chief Counsel. Lt. Darr, who was largely unfamiliar with diabetes when he met Petty Officer Wright, turned to the only place he could think of: the American Diabetes Association.

When Lt. Darr contacted the Association, he was put in touch with National Director of Legal Advocacy Shereen Arent. They discussed the details of Wright's case and how the Coast Guard's blanket ban unfairly discriminated against him. “We really just wanted the board to view Petty Officer Wright as an individual who was capable of managing diabetes, something this or any other blanket ban doesn't allow for,” said Darr. “We felt that if we gave the board the ‘tools’ to view Petty Officer Wright as able to carry out his duties despite diabetes, we'd have a good chance of

keeping him on active duty, as he wished.”

The “tools” needed were legal and medical facts supporting the position that Wright should be able to maintain his job in the Coast Guard. The Association submitted a legal brief in support of Wright, and Christopher Saudek, MD, a former president of the Association, testified on Wright’s behalf before the Formal Physical Evaluation Board. Saudek, an endocrinologist and professor at Johns Hopkins University, explained current means of diabetes management and testified that Wright was well suited to continue his duties in the Coast Guard.

The board was convinced. It concluded that Petty Officer Wright could remain on active duty—a successful inroad into what had otherwise been a complete blanket ban. “It was probably my proudest day as a lawyer,” said Darr. “And, from another perspective, it was a proud day for my organization, the U.S. Coast Guard. It retained a fine young man because it considered his case on its merits, and Petty Officer Wright as an individual. That was all he asked.”

Know your rights! If you experience discrimination on the job because of your diabetes, contact the ADA at 1-800-DIABETES to request an Employment Discrimination Packet.

rock ‘n’ roll is here to stay

In June, the U.S. Department of Justice (DOJ) announced that it had settled with SFX Entertainment, also known as Clear Channel, on the issue of diabetes supplies at its concert venues.

The settlement will allow people with diabetes to be able to keep their medical supplies and food with them at concert venues operated by SFX. The company had previously prohibited people with diabetes from keeping their lancets for blood sugar checking or insulin syringes with them at its venues. This was a huge problem for people with diabetes because SFX is the largest concert promoter in the world.

The American Diabetes Association began to hear about problems with SFX two years ago and encouraged people who had experienced problems to talk to the DOJ. Many did, including Jim Radermacher from Illinois, who became one of the main complainants in the lawsuit and subsequently one of the Association’s most ardent advocates (see “The Unexpected Activist,” *Diabetes Forecast*, May 2003, pages 97–98).

The settlement reflects the hard work undertaken by advocates, legal experts, and health care professionals of the American Diabetes Association. The Association worked closely throughout the case with both the DOJ and SFX to explain the medical needs of people with diabetes.

“This victory represents incredible teamwork and determination by the Association’s staff and advocates,” says Stewart Perry, chair of the National Advocacy Committee for the Association. “Thanks must go out to the DOJ and Jim Radermacher for sticking to their guns, as well as to volunteers Dr. Stephen Sears and Dr. Pat Boyle, and the Association’s vice president of clinical affairs, Dr. Nathaniel Clark, for the medical expertise they lent to DOJ.”



Call To Congress

Registration for the 2004 Call to Congress: Conquer Diabetes in Washington, D.C., will open on Oct. 1, 2003. ADA’s premier advocacy event is open to advocates who demonstrate a commitment to changing diabetes public policy. Go to <http://advocacy.diabetes.org> today to sign up. Space is limited!

