

saving

BY MARCIA LEVINE MAZUR

# LIVES

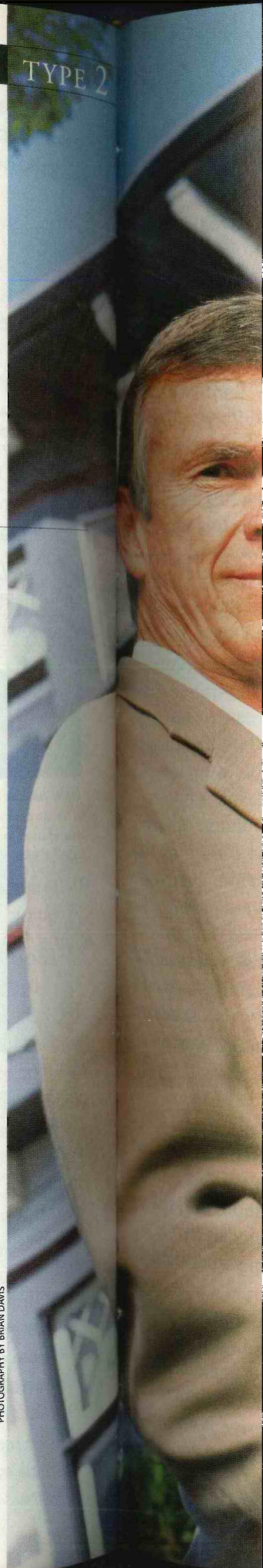
Don't take discrimination **sitting** down.  
**Fight** back. When Sarah Garrison learned she  
couldn't get an Ambulance Driver Certificate because  
she uses insulin, she fought back—and **won**.

**"Y**ou can't imagine what it feels like to find someone lying there on the floor and realize that they aren't breathing and have no heartbeat. Then you put your hands on their chest, give several compressions, and feel the blood flowing through their body. Suddenly you realize that you are actually keeping them alive."

That's how 26-year-old Sarah Garrison of Bonita, Calif., recalls the euphoria she felt the first time she administered CPR to an unconscious woman.

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PHOTOGRAPHY BY BRIAN DAVIS







Sarah Garrison and  
her lawyer, Dale  
Larabee, head for a  
strategy session in  
Larabee's office.



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It happened when the emergency medical technician and paramedic training team she was assigned to answered a call and discovered an elderly woman lying on her living room floor. Garrison administered CPR while an ambulance, sirens screaming, raced the woman to the hospital. The adrenaline rush Garrison felt that day reaffirmed her dream: to spend her life helping others.

The dream had taken shape years earlier, when 11-year-old Garrison was diagnosed with type 1 diabetes. She admired the medical professionals who treated her. "I thought there must be no better feeling than making such an incredible difference in someone's life," she recalls.

Later, while Garrison was earning her bachelor's degree in psychology at California Polytechnic State University in San Luis Obispo, she met several emergency medical techni-

cians (EMTs) and paramedics at the university's exercise room. After talking to them, she realized how she could fulfill her dream: Become a paramedic, the highest ranking member on the emergency medical team.

"Being a paramedic is not a job, it's a mission," she explains. "It won't compete with Bill Gates for making money, but it's much more worthwhile to me. Paramedics feel they are on Earth to do this life-saving work. It's the kind of career

people stumble into, but once they get involved, they can't imagine doing anything else.

"If I can be surrounded by that quality of person every day, I would think it doesn't get any better," Garrison says.

But while Garrison dreamed of saving others, she did not know that, because she used insulin, she would first have to rescue herself from bureaucratic red tape.

## Getting Started

How do you become a paramedic in California? You start by becoming a certified EMT.

To do that, Garrison worked days in a women's health care clinic and completed an intensive six-month EMT training course at night.

## FIGHT

FIRST, fight back if denied any kind of you have diabetes.

Sometimes you contact an attorney. People took me with an attorney, an attorney saved me overwhelmed by t

Also, be prepared defense is educating nents about diabetes ing proof from you your diabetes is in driving instructor f ability behind the lot of weight with

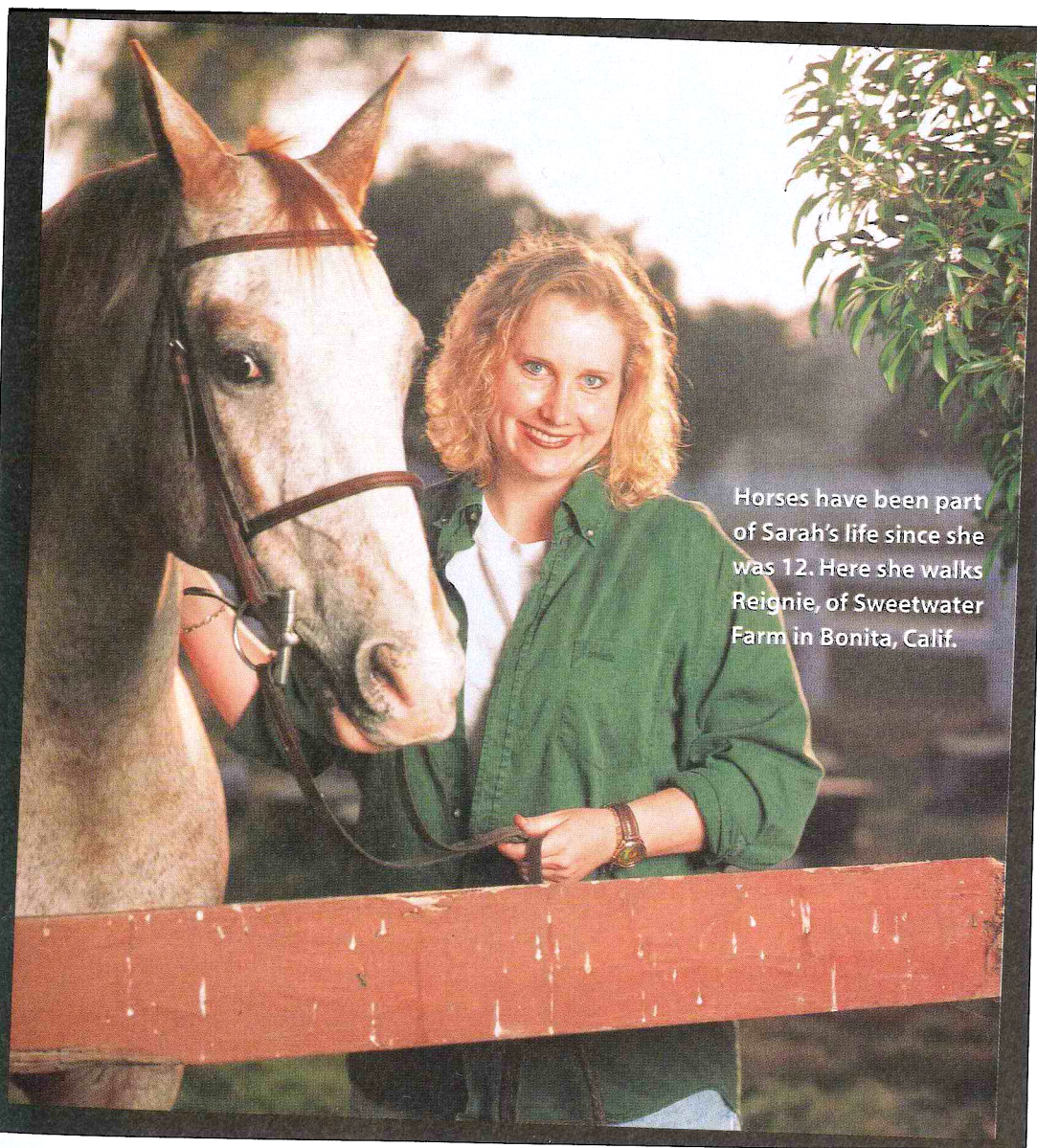
## Questions, Qu

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## Next Step

In December 1999 from EMT training ed for the next step becoming a param



Horses have been part of Sarah's life since she was 12. Here she walks Reignie, of Sweetwater Farm in Bonita, Calif.



# FIGHT back

by sarah garrison

FIRST, fight back if you are unfairly denied any kind of license because you have diabetes.

Sometimes you might need to contact an attorney. I found that people took me more seriously with an attorney, and that my attorney saved me from being overwhelmed by the legal system.

Also, be prepared. I think the best defense is educating your opponents about diabetes and presenting proof from your doctor that your diabetes is in good control. A driving instructor familiar with your ability behind the wheel will carry a lot of weight with the DMV.

## Questions, Questions

At my hearing the DMV lawyer asked me how often I saw my doctor, if I took medication, how I could tell if my blood sugar was becoming too high or too low, even if my doctor ever told me I couldn't become pregnant because of my

diabetes—anything even remotely related to my diabetes.

And Judge Castro asked me to explain how I would be able to inject my insulin, eat when necessary, and control my diabetes with the unpredictable schedule of an EMT or paramedic.

I answered everyone as completely and honestly as I could.

## Be Calm

Of course, try to be calm.

The morning of my hearing I was so nervous I felt sick and could hardly speak. I even forgot my syringe and glucose meter to show to the judge.

But about 30 seconds before things got started, I thought about being a paramedic. I am so certain that this is the job I am supposed to do in my life, and I had been so frustrated by every person who told me, "No, you can't do it no matter how healthy you are," that I

pulled it together.

I also thought about my friends. I had sent out a mass e-mail the night before asking for their support. I knew they were really with me, and that truly made all the difference in the world.

The hearing was supposed to last an hour, but took more than three. As my lawyer and I were leaving, Judge Castro shook my hand and thanked me for being so straightforward and honest. When we walked out I felt like a big weight fell off our shoulders.

Three months later I learned that the denial had been reversed. I had my certification.

Fighting this discrimination and being a witness at my own hearing was one of the most difficult, yet rewarding, experiences of my life.

And even though it took over eight months of my life, I wouldn't trade the feeling of holding my driver certificate in my hand for the first time for anything.

"It was a great class and it brought home how dedicated the paramedics are. Whenever an emergency hit—in the middle of the night or during a driving rainstorm—they were there. I couldn't wait to be a part of it," she adds.

## Next Step

In December 1999, newly graduated from EMT training, Garrison headed for the next step on the road to becoming a paramedic. working at

least six months as an EMT. That meant signing on with an ambulance company.

But when she applied for a job, she discovered a bump in the road. Before she could be hired, she had to have Ambulance Driver Certification. "Because an ambulance is considered a commercial vehicle under state law, you have to get a special certificate from the Department of Motor Vehicles (DMV)," she explains.

No problem. Garrison headed for

the DMV to obtain the necessary papers.

## Little Gray Box

Everything seemed in order until she saw the little gray box on the last page of one of the forms. It said that a diabetic who uses insulin for control does not meet the minimum physical qualification.

"I fell back on the couch and honestly felt my heart sink into the pit of my stomach. Those few words



broke my whole dream apart," Garrison recalls.

Surely the rule wasn't meant for her. After all, Garrison's diabetes was in such good control that, with her doctor's approval, she had gone snorkeling on Australia's Great Barrier Reef and skydiving in California. "And I had been driving for years with no tickets, no driving infractions whatsoever," she adds.

But someone at the DMV who did not understand diabetes decreed that all people who use insulin and want to be certified as an ambulance driver should be dumped into one bin labeled "unqualified."

Sarah Garrison now knew about the DMV. But the DMV had yet to learn about Sarah Garrison.

## What To Do?

For one week she called virtually every DMV office in California, trying to get someone to reverse the

ruling. Instead she got lots of holds, transfers, and "Sorry, we can't help you."

Nevertheless, Garrison took the written exam, passed, and submitted her application for the Ambulance Driver Certificate.

She checked the "insulin dependent" box but sent along a mountain of medical records, lab reports, and physicians' recommendations stating that her diabetes was in excellent control and did not have any negative impact on her driving abilities. Her ophthalmologist even wrote that diabetes had not affected her vision.

Two months later, on June 1, the DMV replied:

*You are hereby notified that your Ambulance Driver Certificate is refused effective June 15, 2000, pursuant to the California Vehicle Code. .. This action is taken because you do*

*not meet the minimum medical standards set forth in Section 28.18 of Title 13 of the California Code of Regulations.*

In other words: No Ambulance Driver Certificate because you take insulin.

## Give Me A Hearing

Garrison petitioned the DMV for a hearing. They granted it, but gave her only two weeks to prepare her case, do the necessary research, and find an attorney. "I asked them to delay the hearing, but I was told I couldn't be granted a continuance simply to secure an attorney of my choice," Garrison adds.

Hurt, angry, and frustrated, she turned to the American Diabetes Association for help. The Association put her in touch with a San Diego attorney named Dale Larabee, a member of the Association's Legal Advocacy Subcommittee who had offered assistance in the past.

"I knew that I had found my attorney when he explained that his son has diabetes and that he is very passionate about cases like mine," Garrison adds.

## Attack

With Larabee at the helm, the case took on a different light. First, Larabee got the hearing postponed. Then, in consultation with Mike Greene, Chair of the Legal Advocacy Subcommittee of the American Diabetes Association, he developed a strategy to fight the DMV's ruling.

"We decided to directly attack the legality of the DMV's blanket

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will sarah garrison's victory

become

LAW?

by dale larabee

ALTHOUGH Sarah Garrison won her appeal to the Department of Motor Vehicles in California, and is now qualified to receive an Ambulance Driver Certificate in that state, her case has not changed the law books.

That's because the hearing was held before an administrative law judge, not in a civil court.

For a case to create a true precedent, it must be decided favorably by at least a state or fed-

eral appeals court.

However, Sarah's battle still lights the way for everyone with diabetes who is unfairly denied any kind of certificate or license simply because of diabetes.

It is a signal that says you can fight such discrimination, and you can win.

*Dale Larabee is a member of the Legal Advocacy Subcommittee of the American Diabetes Association.*



am being  
discriminated  
against.

## WHAT should I do? by shereen arent

DISCRIMINATION based on diabetes is often the result of ignorance. The decision-makers simply don't understand diabetes. The American Diabetes Association's position is that each person should be judged individually, rather than on myths and stereotypes. (Please see Mail Call, p. 12)

### Educate, Negotiate

Problems in the workplace can sometimes be resolved by educating your employer about the disease and about your medical needs.

When education isn't enough, however, try to negotiate a resolution to the problem. You might want to call on others within the company, your union, elected officials who represent you, or even the media to help.

Other times, you will need to

take more formal action by filing an administrative complaint or a lawsuit.

### Most Important Laws

The two most important federal laws prohibiting employment discrimination based upon disability are the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973.

In addition, all states have their own laws that prohibit discrimination based upon disability.

### What Is It Like To Have Diabetes?

If you find yourself in the legal arena, you will likely have to explain what it is like to live with diabetes seven days a week, 24 hours a day. Your explanation will help lawyers and judges understand why people with diabetes should be protected from discrimination.

You may also have to explain that, despite challenges that diabetes has created in your life, you are indeed able to do the job in question.

### Accommodations

Sometimes you might need an employer to make a modification in the workplace. Usually such accommodations are easily

accomplished: a short break to check blood sugar levels, eat, or administer insulin; permission to go to the bathroom or drink water when needed.

Other times, because of complications, a person with diabetes might require additional accommodations such as a large print computer monitor, arrangements to work sitting down, or a change in shift.

The employer must make these accommodations unless doing so would cause undue hardship.

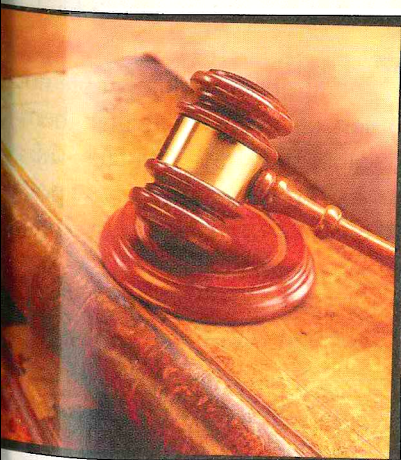
### For More Information

For an overview of your rights while at work and information about workplace discrimination, log onto [www.diabetes.org:80/main/community/advocacy/jobright.jsp](http://www.diabetes.org:80/main/community/advocacy/jobright.jsp)

To learn more about discrimination based on diabetes in general, see: [www.diabetes.org:80/main/community/advocacy/discrim.jsp](http://www.diabetes.org:80/main/community/advocacy/discrim.jsp).

If you are facing discrimination at the workplace, contact the American Diabetes Association at 1-800-DIABETES and ask for a copy of the Association's employment discrimination packet.

*Shereen Arent is the National Director of Legal Advocacy at the American Diabetes Association.*







Sarah Garrison's fight against injustice won her the right to earn an Ambulance Driver Certificate.

12, Garrison received her second letter from the DMV. This one was cause for celebration. The DMV admitted that its refusal to issue an Ambulance Driver Certificate "is not warranted."

## Educating The Judge

"I think the education Sarah gave on diabetes weighed heaviest with the judge," Larabee says. "Sarah convinced the judge that, when she takes her insulin and tests her blood sugar, she can effectively do any job anyone else can do."

Greene adds, "This is a classic example of why people with diabetes should be individually assessed for their ability to do the job. Sarah was

extremely well qualified to receive this certificate. She was excluded only because she is insulin dependent. But she didn't just sit back and take it.

"It's important that people not let others discriminate against them just because they have diabetes," he adds.

As for Sarah, she is now poised to enter the career she has dreamed of nearly all her life.

"I think about it all the time, and I can't stop smiling," she says. ▲

*Marcia Levine Mazur is senior editor of Diabetes Forecast.*

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policy prohibiting all people who use insulin from driving ambulances," Larabee explains.

At a hearing before Administrative Law Judge Judith Castro, Larabee argued that denying Garrison a certificate constituted unlawful discrimination in violation of both state and federal law.

"The Supreme Court recently ruled that each person must be looked at individually to decide if he or she has a disability," Larabee adds. "We argued that this same

rationale applied to determine if an individual was capable of performing a given job."

Sarah Garrison, like anyone else, should be treated as an individual.

Judge Castro, who was not knowledgeable about diabetes, listened to Garrison explain how she injected insulin and how that insulin, along with good nutrition, helped keep her diabetes in control.

The hearing lasted far longer than expected, but before they left, "the judge shook hands with Sarah and gave her a big smile," Larabee recalls.

Three months later, on December