

### Revised Diabetes Protocol

It is the policy of the United States Marshals Service (USMS) and of the Federal Occupational Health Law Enforcement Program (FOH), that a Hemoglobin A1c laboratory result of above 8.0 is not per se disqualifying. The August 14, 2002 document entitled "Court Security Officer Impaired Glucose Tolerance and Diabetes Regulation or Policy" is not an accurate statement of USMS or FOH policy.


It is further the policy of the United States Marshals Service that FOH reviewing physicians are not prohibited from communicating with the treating health care provider(s) of CSO applicants or incumbents who are in the medical review process, although such communication should occur in writing. Effective thirty days from the date of this agreement, all correspondence from FOH physicians seeking additional medical information regarding CSO applicants or incumbents will include the following proviso:



"The written request below should be provided to the treating physician, or other applicable health care provider(s), such as an audiologist. Failure to provide the requested information or the failure to demonstrate that the medical condition(s) in question has been satisfactorily treated/resolved could result in medical disqualification. Individuals who are medically disqualified are not allowed by the Marshals Service to serve as Court Security Officers. In addition to the medical information requested below, the CSO applicant or incumbent and/or the treating physician should be encouraged to provide any additional written opinions or comments and any other copied records that may be useful in reaching a determination of medical qualification."

The USMS, at government expense, shall contract with a board certified endocrinologist to serve as a consultant regarding all medical recommendations of disqualification on the basis of diabetes. This second-level review process shall be effective no later than sixty days after the consultant is retained, or earlier at the election of the USMS, and continuing for a period of at least four years thereafter. The USMS shall provide the name of such specialist to Plaintiff, and the parties shall come to a mutual agreement as to the specialist to be retained within thirty days of the mediation. If the parties are unable to reach an agreement, within an additional thirty days, Dr. Frank Vinicor, the Associate Director for Public Health Practice at the Center for Disease Control, shall nominate three board certified endocrinologists to serve as the consultant, and the Marshals Service shall select one of these nominated within thirty days of the nomination. If it becomes necessary at any time during the four year period to replace the consulting endocrinologist, within thirty days, Dr. Vinicor shall nominate three board certified endocrinologists, and the Marshals Service shall select one of these nominated within thirty days of the nomination and the consultant shall begin reviews not more than thirty days later. During the four-year period described above, the Marshals Service retains the right to release a consultant for any reason, however, the hiring of any replacement consultants must be nominated by Dr. Vinicor and selected by the USMS.

No individual CSO applicant or incumbent shall be medically disqualified until the consulting endocrinologist has reviewed the written medical disqualification recommendation of the FOH reviewing physician and all of the underlying medical records upon which the disqualification

APPROVED:

  
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John Griffin  
  
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FOH reviewing physicians are also free to confer with the consulting endocrinologist at any time regarding general issues or specific files. However, the only required consultation will occur in the event of a recommendation of medical disqualification.

The Marshals Service is obligated to keep this protocol in place for a period of at least four years, but is free at its election to continue this protocol beyond the four-year time period.

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