

February 12, 2019

United States Coast Guard
Department of Homeland Security
Office of Merchant Mariner Credentialing
Washington, DC 20020

Re: *USCG-2018-0041, Guidelines for the Medical and Physical Evaluation of Merchant Mariners*

The American Chiropractic Association (ACA), the largest organization in the United States representing doctors of chiropractic (DCs), is leading the chiropractic profession in the most constructive and far-reaching ways – by working hand in hand with other health care professionals, by supporting meaningful research, and by using that research to inform chiropractic practice. ACA members pledge to adhere to the highest standards of ethics and patient care, contributing to the health and well-being of the estimated 35 million individuals across the country who seek chiropractic care each year. ACA appreciates the opportunity to provide comments on the draft Merchant Mariner Medical Manual and specific sections of the proposal announced in the Federal Register Vol. 83 on Tuesday, November 13, 2018 and the Coast Guard’s need to develop new guidance to address the medical certificate and related processes required by these regulations.

We offer comments and recommendations on the following sections addressed in this proposed draft:

- Chapter 1, Page 1-4: Medical Certification Requirements for Specific Endorsements
- Chapter 2, Page 2-4: General Guidance on the Application for Medical Certificate
- Chapter 4, Page 4-1: The Merchant Mariner General Medical Examination

Current U.S. Coast Guard regulations mandate these physical exams and tests be “performed, witnessed, or reviewed by a licensed medical doctor, licensed physician assistant, or licensed nurse practitioner” and that doctors of chiropractic are ineligible to perform these procedures. ACA respectfully requests that the Coast Guard direct the Merchant Mariner Medical Advisory Committee (MEDMAC) to expand the list of eligible health care providers as defined by 46 CFR part 10.302(b) to include doctors of chiropractic with those that perform the U.S. Merchant Mariner medical examination.

Doctors of chiropractic are licensed portal of entry providers in all fifty states. After at least several years of undergraduate college courses, DCs, like other primary health care physicians, study a four-year curriculum of subjects related to evaluating and caring for patients as well as completing a minimum one-year of clinical training, preparing them to provide front line patient care. In total, the curriculum includes a minimum of 4,200 hours of classroom, laboratory and clinical experience.

Over 70,000 U.S. licensed doctors of chiropractic perform a wide range of services (e.g., evaluation and management services, chiropractic manipulative treatment, physical medicine and rehabilitation services, diagnostic imaging and testing, laboratory and other diagnostic testing/procedures, prevention and wellness services), and are licensed to evaluate, diagnose, and deliver evidence supported care or refer patients when

appropriate. Their education is accredited by the Council on Chiropractic Education, which has been recognized by the U. S. Department of Education for over 40 years.

Based on the thorough training, competency and range of services doctors of chiropractic deliver, they have succeeded in working closely with all types of providers in hospitals and clinics to build comprehensive, coordinated and collaborative health care for the patient. The services provided by doctors of chiropractic have been widely recognized by Congress, various federal regulatory departments and agencies and have been included in numerous federal programs, for example:

- Within the U.S. Department of Health and Human Services, doctors of chiropractic are defined as physicians, under Section 1861(r) of the Social Security Act (42 U.S.C. § 1395x(r)(5));
- Within the U.S. Department of Transportation, doctors of chiropractic are specifically listed to perform the commercial driver medical examination and are eligible to become Certified Medical Examiners in the National Registry of Certified Medical Examiners as defined Federal Motor Carrier Safety Regulation (49 C.F.R. § 390.5);
- Also, within the U.S. Department of Transportation, specifically, the Federal Aviation Administration (FAA), and in accordance with the FAA Extension, Safety, and Security Act of 2016, doctors of chiropractic are able to perform the FAA BasicMed medical exam for private, recreational, student, and flight instructor medical exams;
- Within the U.S. Department of Veterans Affairs doctors of chiropractic provide physician services per Public Laws 107-135 and 108-170;
- Within the U.S. Department of Defense, doctors of chiropractic provide physician services to active duty military worldwide through the U.S. Department of Defense health care delivery program as stipulated by Section 702 of Public Law 106-398, the “Floyd Spence National Defense Authorization Act,” and;
- Doctors of chiropractic participate in the Indian Health Service (IHS) under Section 4(n) of the Indian Health Care Improvement Act (IHCA), Public Law 94-437, and are considered to be level 1 priority providers under IHS Contract Health Services.

Considering that doctors of chiropractic are well trained portal of entry providers, highly qualified, and widely distributed to provide convenient services required to obtain a U.S. Merchant Mariner Credential, we strongly request that the U.S. Coast Guard take the required steps to amend 46 CFR 10.302(b) to include doctors of chiropractic as health care professionals eligible to participate in administering these tests and examinations.

ACA looks forward to your favorable consideration of our comments. If you should have any questions, please feel free to contact John Falardeau, ACA Senior Vice President for Public Policy and Advocacy at (703) 812-0214 or jfalardeau@acatoday.org. Thank you.

Sincerely,



Robert C. Jones, DC
President