



M.E.B.A. members and other mariners have been subjected to unnecessary delays at NMC during license renewals that threaten their return to sea. Member Mike Perry (left) is seen here with Sen. Frank Lautenberg who has proposed M.E.B.A.-supported legislation to fix the process.

## Lautenberg Bill Would End Horrendous Delays with MMD Medical Review Process

After putting out a notice in M.E.B.A.'s weekly e-mail newsletter the Telex Times asking members to inform us of difficulties they may have experienced in the Coast Guard's license renewal process, Headquarters received a flood of e-mails cataloging a series of infuriating "horror stories" and unnecessary delays at the National Maritime Center (NMC). As M.E.B.A. members well know, the Coast Guard's National Maritime Center handles mariner licensing and documentation. In particular, mariners renewing their Coast Guard License/Merchant Mariner Documents (MMDs) have been facing chronic delays due to new medical evaluation criteria. In some cases, the interminable NMC delays have prevented members from returning to work.

The Coast Guard has admitted that the NMC has "faced a challenge" processing credentials and was instituting a series of actions to remedy the problems. However, M.E.B.A. and other maritime unions seeking to ease problems for mariners have been working with maritime-friendly lawmaker Senator Frank Lautenberg (D-N.J.) to craft a piece of legislation that would bring much needed efficiencies to the medical review process during MMD renewals. Sen. Lautenberg is Chairman of the Commerce Committee's Surface Transportation & Merchant Marine Infrastructure, Safety and Security Subcommittee.

The bill is part of S. 685 – the Oil Spill Prevention Act of 2009 which would encourage the use of double hulls for non-tank vessels and implements a series of recommendations by the National Transportation Safety Board (NTSB) in response to the 2007 COSCO BUSAN oil spill in San Francisco. But of particular interest to maritime unions are provisions within the bill establishing procedures to supplant the broken medical review system creating the unforgivable delays.

The unions say the provisions in the Lautenberg bill would "provide greater quality control as well as the more timely administration of the medical review process by establishing a national registry of examiners similar to what is already in place for other modes of transportation." By removing decisionmaking responsibility from the physician and placing it with individuals who have no contact with the mariner, the current system has created an additional and burdensome layer of review and paperwork. This has "led to demands for multiple medical specialty consultations, additional laboratory tests and procedures, and numerous evaluations for each condition noted by the physician during the physical examination."

This bill rectifies the system and restores the decisionmaking to the physician. "Relying on the individual's physician to do the fitness evaluation ensures that the individual's medical history will be given the attention and weight it should be given," the unions say. The bill also calls for a study of marine casualty causation.

Maritime unions are asking that Senators consider adding two amendments to the bill when they mark up the legislation. The first asks that mariners who may not have easy access to a physician on the national registry, be permitted to be examined by a physician outside the registry as long as they are subject to the same standards and specifications.

Secondly, the unions ask that an amendment be crafted to expand the appeals process for those ruled unfit for duty. M.E.B.A. believes the bill has a "fair" to "good" chance of enactment. We will be watching the process closely.