

***NSCC
MEDICAL REFERENCE***

**Policies and Procedures Manual
(Revised May 2009 to include American With
Disabilities Act Accommodation)**

**THIS 2009 REVISION SUPERCEDES
NSCC INFORMATION LETTER 9-94
AND MARCH 2008 FIRST EDITION OF THIS MANUAL**

Letter of Promulgation

This new medical reference is promulgated to update and clarify NSCC medical requirements policy and procedures for the NLCC and the NSCC. It is effective upon receipt, and is electronically posted on the NSCC website for all hands. All NSCC personnel are encouraged to ensure its' availability to all current, and prospective cadet parents and guardians. This manual compliments the NSCC/NLCC Administrative Manual, NSCC /NLCC Regulations, the Advancement and Training Manual and other instructions and guidelines as pertain.

The purpose of these revisions is to ensure that NSCC policies are in full compliance with Section 504 of the Rehabilitation Act. NSCC's responsibilities pursuant to this Act are set forth in DOD Directive 1020.1 (revised 16 NOV 1994) and SECNAVINST 5350.13A (09 SEPT 2005). DOD Directive 1020.1, Nondiscrimination in Federally Assisted Programs and Activities Assisted or Conducted by the Department of Defense, is the implementing directive for DOD compliance with the Rehabilitation Act of 1973, Section 504. It states that no qualified handicapped person in the United States shall on the basis of handicap be excluded from participation in, denied the benefit of, or otherwise subjected to discrimination under any program or activity conducted by the Federal Government or receiving Federal financial assistance. As such, physical handicaps and disabilities cannot and will not be a bar to membership in the NSCC. However, we must recognize that NSCC programs involve strenuous physical activity and we are obligated to protect the safety of every cadet participating in our program. As such, we must balance our commitment to provide reasonable accommodation to those applicants and members of the NSCC program so that they can participate in our program to the fullest extent possible with our obligation to ensure the safety and well being of every cadet in the program

Each cadet will be required to submit medical history information as well as undergo a physical examination before participating in NSCC activities. The medical information must be kept current and accurate. The purpose of these medical requirements is to asses the ability of the applicant/cadet to perform the specific requirements of various NSCC activities. The medical examiner will be asked to clear the cadet for participation in NSCC activities. When a cadet's health and/or physical ability to fully participate in NSCC activities is questioned, the applicant's parents/guardians and the unit commander will meet to determine the extent of the cadet's ability to participate in NSCC activities and to discuss reasonable accommodation options. The revised manual addresses the policies and procedures for assessing an applicant/cadet's ability to fully participate in NSCC activities and the interactive process to be followed in determining what reasonable accommodations are available to allow the applicant/cadet to participate in the program to the fullest extent possible. Any and all questions not addressed or clearly answered in this Manual are to be referred up the chain of command.

NSCC Information Letter 9-94 is cancelled. NSCC Medical Reference, Policy and Procedures Manual dtd 2008 is superseded. .

M.D. Ford, CAPT (Ret)
Naval Sea Cadet Corps
Executive Director

CONTENTS

1. Introduction and Background.
 - A. Program Goals
 - B. Achieving Program Goals
 - C. Cadet Safety, Well Being and Unit CO and COTC Authority
2. Policy
 - A. Non Discrimination
 - B. Medical Fitness
 1. Cadet
 2. Adult
 - C. Responsibility
 1. All Hands
 2. Parents and Cadets
 3. Unit CO's
 4. COTC's
 - D. Medical Insurance
 - E. Cadets Medical Insurance and Pre-Existing Medical Conditions
3. Procedures
 - A. Enrolling
 1. Cadets
 2. Adults
 - B. Recruit, Orientation and Advanced Training
 1. For All NLCC and NSCC Cadets
 2. Appointed Officers, WO's, Instructors and Others

APPENDICES:

- (1) American Disabilities Act Requirements and Procedures for Requesting Disability and/or Medical Accommodation.

ENCLOSURES:

- (1) NSCADM 015 (Rev 05/09) Request for Accommodation
- (2) NSCADM 020 (Rev 05/09) Report of Medical History
- (3) NSCADM 021 (Rev 05/09) Report of Medical Exam
- (4) NSCTNG 025 (Rev 05/09) Medical History Supplement For Training Authority

SUPPORTING REFERENCES:

1. DOD Directive 1020.1 (31 Mar 1982) (Revised 16 Nov 1994)
2. SECNAV INST 5350.13A (09 Sept 2005)
3. NSCC Administrative Manual
4. NSCC Regulations
5. NSCC Advancement and Training Manual
6. NSCC current year Information Letter regarding NSCC Medical Insurance
7. NSCC Summer Training Schedule
8. NSCC Summer COTC Letter and Guidance

1. INTRODUCTION AND BACKGROUND.

A. **Program Goals.** NLCC and NSCC Program goals are as stated in Naval Sea Cadet Corps Annual Report to Congress. They include:

- Develop an interest and skill in seamanship and seagoing subjects.
- Develop an appreciation for our Navy's history, customs, traditions, and its' significant role in national defense.
- Develop positive qualities of patriotism, courage, self reliance, confidence, pride in our nation and other attributes which contribute to development of strong moral character, good citizenship traits, and a drug-free, gang-free lifestyle.
- Present the advantages and prestige of a military career.

The NLCC was established "...to give young people mental, moral, and physical training through the medium of naval and other instruction, with objective of developing principles of patriotism and good citizenship, instilling in them a sense of duty, discipline, self-respect, self-confidence, and a respect for others".

B. **Achieving Program Goals.** To accomplish these goals, the NLCC and NSCC programs model the Navy and use Navy resources. Other state and federal service components are used as well. NSCC training includes strenuous activities such as rappelling towers; confidence and obstacle courses; damage control and fire fighting trainers; ship simulators; military shipboard training; SCUBA and diving training; as well as actual participation in ship and aircrew training; SEAL; EOD; and SWCC training among others. Training evolutions, such as shipboard training, may take place in close quarters. Some of the training sites have limited medical resources and may be located in remote areas. Therefore, an assessment must be made of the applicant/cadet's ability to meet the physical and mental requirements of the training activities.

C. **Cadet safety, well being and Unit CO and COTC authority.** Cadet safety and well being is a primary responsibility of the NSCC program managers. As such medical history information and a physical examination by a medical provider will be required to assess the physical and mental ability of the applicant/cadet to participate in the NSCC training exercises and other activities. Applicants/cadets can be screened out of participating in NSCC activities *only if* their participation will pose a significant risk to the safety and well-being of self or others, and the risk of such harm cannot be reduced through reasonable accommodation.

2. POLICY

A. **Nondiscrimination.** It is the policy of the Naval Sea Cadet Corp (NSCC) that no applicant meeting NSCC's minimum age requirement will be denied membership in NSCC on the basis of race, sex, age, color, religion, national origin, or disability. It is the policy of the Naval Sea Cadet Corp (NSCC) that no member shall be excluded from participating in, denied the benefit of, or subjected to discrimination in any NSCC program or activity on the basis of race, sex, age, color, religion, national origin, or disability.

B. Medical Fitness Policies:

1. **Cadet.** While no applicant will be denied membership in or disenrolled from the NSCC program due to a disability, it must be recognized that an applicants/cadets may not be able to fully participate in the physically strenuous NSCC activities due to a disability or medical condition. The NLCC and NSCC will take all steps necessary to provide reasonable accommodation to cadets so that they can participate as fully as possible in the program. However, in some cases, participation in certain activities may not be possible without jeopardizing the health and safety of the cadets in the program. The NLCC and NSCC is a volunteer program, subject to resource limitations as well as limitations with regard to medical services that can be provided across the wide variety of opportunities in the training arena. The medical provider performing the physical examination for an applicant/cadet will be required to assess the cadet's ability to participate in the NSCC program. This assessment must be made when a cadet is first accepted into the program and prior to participation in any NSCC activity such as Recruit, Orientation or Advanced Training. At a minimum, updated medical information must be provided on an annual basis. Unit CO' s are responsible for reviewing a cadet's medical information before releasing the cadet to a NSCC activity or training. The medical assessment procedures are set forth below in Paragraph 3.

2. **Adult Medical Fitness Policy for NLCC/NSCC Adult Program Participation.** Adult applicants must be in good health commensurate with their age group and be free from any ailment or condition that would prevent them from satisfactorily performing their primary duty of supervising youth.

NOTE: Adults not physically qualified to perform all duties may still participate with a waiver from NHQ considering the parameters of their expected contribution to the NSCC program.

C. Responsibility

1. **All Hands.** All hands bear the responsibility for ensuring that their medical information is accurate and up to date, and that any changes are reported to their Commanding Officer. All hands also share the responsibility to always be looking out for their shipmates and taking whatever action necessary for ensuring their continued health, well being and medical qualification as well.

2. **Parents and Cadets.** Parent/Guardian responsibility includes appropriately notifying Unit Commanding Officers, COTC's and other personnel as necessary regarding any changes in their cadet's medical condition or of any medical circumstances that might affect their cadets ability to fully participate in any of the programs' events. Full disclosure of cadet medical condition is required at time of program entry and in completion of annual screening prior to any away from home training. If a cadet has a disability or medical condition that prevents full participation in NSCC activities, the parent/guardian can request a Reasonable Accommodation. Specific

guidance for requesting accommodation is included in Appendix (1). Enclosure (1) is the Request for Disability and/or Medical Accommodation Request Form. Requests for Reasonable Accommodation can be oral, however, CO's are directed to reduce all requests to writing using encl (1).

3. **Unit CO's.** Unit CO responsibility rests with properly discharging their duties as Unit Commanding Officer as detailed in NLCC/NSCC Instructions, Manuals, Regulations, and other guidance as provided. With regard to Medical screening of cadets to participate in NSCC activities, Unit CO's may determine that a cadet is not medically/physically able to participate in the subject activity. This can be based on information provided by the parent/guardian, including information provided in a Request for Accommodation, or information contained in the medical history and/or the physical examination results. When such a determination is made, the CO must consult with the parent/guardian of the cadet to discuss limitations of the Cadet's ability to fully participate in an NSCC activity and investigate options for reasonably accommodating the cadet so that he/she may participate in NSCC activities to the maximum extent possible. With regard to any away from home (RT, orientation or advanced training), the Unit CO is responsible for coordinating with the COTC in advance of training to ensure accommodation is possible. Unit CO's must emphasize with parents/guardians that full disclosure of the cadet's medical history is required with regard to both program entry and in all pre-training screening. Cadets who develop medical condition after enrollment which prevents them from fully participating in NSCC activities must be given the opportunity to request reasonable accommodation. If there are no reasonable accommodations available that will allow the cadet to participate in a NSCC activity, the CO must inform the parents/guardians of this determination. Questions should be directed up the chain of command. The parent/legal guardian must also be given their appeal rights and advised of their right to file a complaint if they are dissatisfied with the decision of the NSCC; para 3, A, 1, (e) refers.

4. **COTC's.** COTC's have the unique responsibility for the continued health, well being and medical fitness of cadets after arriving at their particular training site. They will follow the same policies outlined for CO's in subparagraph 3 above. Prior to training they are charged exhaust all resources available to them to provide a medical friendly training environment and/or accommodation as needed for cadets desiring to attend. If during training, the COTC finds that a cadet has a disability or medical condition that makes him/her unable to safely participate in the training activity, the parents/guardians and Unit CO must be contacted immediately. Reasonable accommodation options must be discussed to allow the cadet to participate as fully as possible in the NSCC activity, however, if no such accommodation is available, the cadet may be required to leave the training activity.

D. NSCC Medical Insurance. See current year NSCC Information Letter. Cadets are covered under NSCC's Accident (\$25,000.max.) or Illness (\$5,000. max.) policy with Nationwide Insurance Company. This plan is an "excess insurance plan" meaning that each family's primary medical insurance policy will be in effect and used before the NSCC policy becomes effective. For personnel without any medical insurance

coverage, the NSCC coverage becomes the primary policy to cover NSCC members who became ill or injured but only when participating in NSCC authorized activities. ***If a cadet is hurt, Unit CO's, COTC's must first submit to NHO an Accident Report. This is most important because it confirms the injury with NHO Headquarters and prompts NHO to send to the parent or guardian the necessary paperwork to file a claim.*** A claim form will be sent to be filled out by the parent/guardian/individual making an insurance claim under NSCC's policy. This form has to be completely filled out and mailed/faxed with 90 days from date of accident/illness to Nationwide Insurance Co., Special Risks Health Claims Dept., P.O. Box 2399, Columbus, OH 43216-2399 under policy #502-95-21736. All original itemized bills associated with the illness or accident have to be included.

In 1996 the Congress of the U.S, passed Public Law 104-191 – Health Insurance Portability And Accountability Act of 1996. (HIPAA) This law governs who has access to individual's medical information. Because of this law, claims can only be handled by the parent/guardian/individual directly with the insurance company.

E. Cadet's Medical Insurance and Pre-existing Medical Conditions. Should hospital or other medical services be required, the cadet's family medical insurance plan is the first resource. NSCC medical insurance is secondary and becomes primary only in the absence of cadet personal insurance. NSCC medical insurance will not cover pre-existing medical conditions. So if the cadet had the condition prior to embarking upon his or her training and aggravation occurred during training such that medical attention was required, **NSCC insurance will not cover pre-existing.**

3. PROCEDURES

A. Enrolling in the NSCC. For the medical requirement:

1. **Cadets.** A medical examination similar to a high school sports examination is required. The examination must be completed by one of the following licensed medical providers: physician (MD or DO only), nurse practitioner (NP, FNP, PNP, or physician's assistant (PA, PA-C).

(a). As part of the enrollment procedure, cadets and their parent or guardian must first complete the current NSCADM 020 form, see encl (2). Fill out this form to the best of your knowledge and attach a copy of your immunization record.

(b). Take the completed NSCADM 020 along with a copy of the NSCADM 021, encl (3) to your medical provider. Your medical provider will conduct a medical examination and complete the NSCADM 021, see encl (3). Your medical provider will review the NSCADM020 you completed as part of the examination and then make a determination as to medical fitness for participation in the NLCC/NSCC.

IAW NSCC Regulations Manual, the medical providers office form may be used to record the examination results, if the NSCC Medical Examination Form is used as a guideline for the examination, when the medical providers office is going to charge an additional fee to record the results on the NSCC form. If a medical condition or physical disability exists which may impact the ability of the cadet to fully participate in NSCC activities, this should be noted by the medical provider in the appropriate section of

NSCADM 021. The Medical Provider must note any limitations on the cadet's ability to fully participate in NSCC activities as a result of the noted medical condition or disability.

(c). The completed NSCADM 020 and 021 are then returned to the prospective Commanding Officer and he will complete the rest of the enrollment process.

(d). If the medical information submitted by the cadet, including the medical examination, indicates that the cadet may be prevented from fully participating in the NSCC program, or results in a determination by the Commanding Officer that the cadet may not be able to fully participate in the NSCC program, the Commanding Officer must contact the parents/guardians of the cadet to discuss the level of participation of the cadet and the availability of reasonable accommodation. Requirements and procedures for requesting disability and/or medical accommodation are at appendix (1). Issues which cannot be resolved at the local level should be forwarded to NSCC National Headquarters via the chain of command for resolution. The NSCC Executive Director is the final decision authority.

(e) If the parent/guardian of the cadet is dissatisfied with any determinations made regarding limitations on the participation of their child in NSCC activities and/or decisions regarding requests for reasonable accommodation, they must be notified of their right to file a complaint. Complaints regarding a decision to limit the participation of a cadet in NSCC activities and/or the denial of a reasonable accommodation should be forwarded to:

Assistant Secretary of the Navy (Manpower and Reserves)
Department of the Navy
1000 Army Navy Drive
Arlington, VA 20350-1000

2. **Adults.** NSCC Regulations, the Administrative Manual and the Advancement and Training Manual refer. Adults are not required to get a physical to join the program. However all adults are expected to be physically qualified to perform the duties required of the NSCC adult. Upon joining, adults are required to complete and place in their records a completed NSCADM 020 with annotations and comments that accurately reflect their current medical condition. A current list of medications the adult is taking (names and doses) is to be included on the NSCADM 020. Adults can get sick and/or injured just like cadets, and possibly require emergency room visits or hospitalization just like cadets. COTC's and Unit CO's need to have on file a record of medical problems or special circumstances that their adults might have, again, just like cadets. Completing an accurate NSCADM020 for inclusion in their records upon enrolling is required and maintaining that NSCADM 020 is as further discussed below.

NOTE: Adults not physically qualified to perform all duties may still participate with a waiver from NHQ considering the parameters of their expected contribution to the NSCC program.

B. Recruit, Orientation, or Advanced Training. Prior to any Recruit, Orientation, or Advanced Training, Unit CO's are responsible for ensuring cadets are medically screened before being released to go to that training.

1. For all NLCC and NSCC cadets:

(a). **Unit training.** Following enrollment, cadets and parents are required to keep Unit Commanding Officers fully informed of any changes in the cadet's medical history.

(b). **Orientation, Recruit, and all NLCC and NSCC Advanced Training.** In preparation for Orientation, Recruit and any Advanced Training, typically at an away from the home drill site, and generally of an extended nature lasting from several days up to three weeks or more, Unit CO's are responsible for ensuring a medical screening is completed. To do this:

(1). Use NSCADM 020 (encl (2)). This is the same form used when affiliating with the NSCC and when the entrance physical was completed. It is to be again completed within 30 days of departing for training and signed off by the parent/guardian and retained in the cadet's record. Again, parents/guardians are responsible for full disclosure of any medical changes. Some COTC's may require this form to be submitted with the request for training orders. In the time between screening and actual departure, the Unit CO must still be advised of any change in the cadet's medical history. Based on this medical documentation, the Unit CO must make a determination as to the cadet's ability to fully participate in the activity. Cadets who will need to take medication while at training are required to complete NSCADM 025, Medical History Supplement. This form is at encl (4). Unit CO's are responsible for coordinating as necessary with COTC's to ensure COTC's can accommodate cadets.

Note: Many cadets taking medication will not need to request formal accommodation (ie complete encl (1)) in that their medical condition maybe temporary in nature, not very serious, or very easily managed and their participation is not limited. They're just taking medication and/or are required to have it with them for use as needed. For these cadets, completion of the NSCTNG 025 and concurrence of the COTC to attend an away from home training may be all that is required. For prospective cadets having a disability that is limiting or taking medication for more serious medical conditions, an agreed to accommodation may be necessary. Unit CO's make this determination after consulting with parents/cadets regarding the medical condition/disability. If uncertainty exists as to what should be done, then an accommodation request should be completed.

(2). After screening, if there is no change in medical qualification, the Unit CO may then release the cadet to attend training, complete the NSCTNG001, Request for Training Authority, and further forward to the COTC.

(3). If during screening it is determined that there is a change in medical circumstances, or should a change be reported in the time frame between screening and departure, the Unit CO must make a determination as to the cadets ability to attend training. If a determination is made that a physical disability or

medical condition prevents the cadet from fully participating in the activity the CO must contact the parent/guardian of the cadet to determine the limitations of the cadet's participation in the activity, and the availability of reasonable accommodation. If the parent/guardian is not satisfied with the decision by NSCC as to the extent to which the cadet can participate in the activity, or the availability of reasonable accommodation, they must be advised of their right to appeal the decision.

(4). Advanced training having special physical fitness requirements. Some NSCC training such as SEAL, EOD, SWCC, SCUBA are especially physically strenuous. Where specified levels of physical fitness exist to participate in such activities, they are to be specified by the COTC.

(c). **Medical Resources.** Decisions regarding whether a physical disability and/or medical condition can be accommodated often depends in part on the staffing and medical resources that are available at meeting and training sites. COTC's should address the extent to which they have medical personnel and resources available to them at meeting sites and off-site training locations. COTC's are responsible for incorporating into their Standard Operating Procedures (SOP) a written plan that defines, addresses, and identifies:

- Medical Dept Head and credentials/qualifications
- The medical staff compliment. Note: the revised NSCADM 020 release form acknowledges the staff might be just "as assigned". Many youth summer camps operate same way. If so, post to the training website.
- Hours and staffing shifts for operation of the department.
- Quality assurance procedures, such as 2 person rule for giving cadets their medications.
- Disaster plan in case access to cadet medications becomes unavailable as with summer storms, or evacuation to safer buildings.
- Adverse reaction plan for cadets who might have an adverse reaction to their medications, addressing closest hospitals, who will take the cadets there, how will transportation be provided, time to get there, etc.
- Physical medical storage facility, to include refrigeration if needed, and security.
- Local State Division of EMS and local EMS organizations available in case of emergency.
- Plan must be written and promulgated, so no question as to who's doing what and how things are going to be handled.
- If medical resources as set forth above are not available, that is to be noted as well.

Information concerning the medical resources available at training sites should also be posted on their training websites so that other CO's and COTC's seeking to accommodate Cadets who need medical resources available for them to participate in

activities/trainings can determine what training sites are available that will fulfill these needs.

2. Appointed Officers, WO's, Instructors and any Other Adult

Escorts. All adults are required to ensure their NSCADM 020 is kept up to date after first enrolling. The NSCADM 20 is to be reviewed and updated at least annually and whenever any changes occur. Further, any adults performing escort duty are required to update their NSCADM020 within 30 days of departing for escort duty, and annotate or comment on any medical conditions that they have or changes that might have occurred since last review. COTC's may request a copy of the NSCADM020.

APPENDICES:

- (1) Requirements and Procedures for Requesting Disability and/or Medical Accommodation.

ENCLOSURES:

- (1) NSCADM 015
- (2) NSCADM 020
- (3) NSCADM 021
- (4) NSCTNG 025