

Aerospace Medical Association



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TO WHOM IT MAY CONCERN: Re: Docket No. OST-2004-1982

The Aerospace Medical Association (AsMA) respectfully submits the following comments on the above docket entitled, "Nondiscrimination on the Basis of Disability in Air Travel".

AsMA fully supports the spirit of this NPRM calling for comprehensive guidelines to ensure freedom of air travel for passengers with disability whether on U.S. air carriers or foreign air carriers with flights that begin or end in a U.S. airport.

However, we noted in para 382.21 that air carriers cannot limit access to flight for a passenger with "communicable disease or other medical condition" unless that condition poses a "direct threat". Because of the vagaries of "direct threat", we propose further definition as follows: A direct threat exists when the condition will likely be significantly exacerbated by the flight itself or the condition constitutes a serious communicable disease that could be transmitted inflight to another passenger or crew member. This is also applicable to the general public at the destination in the event of certain serious respiratory illnesses.

Clearly, medical judgment would be required in many such cases. Consequently, we further propose that air carriers be required to implement procedures by which company or contracted physicians can be readily consulted. In this way, nonmedical personnel would be relieved of this responsibility for which they are not trained and the passenger would be protected, as would fellow passengers, crew members, and the destination population.

Thank you for the opportunity to comment. Please feel free to contact us should you require further information.

Sincerely,

Russell B. Rayman, M.D.
Executive Director