



SEP 5 2006

MEMORANDUM FOR COMMANDER, NAVY MEDICINE EAST  
COMMANDER, NAVY MEDICINE WEST  
COMMANDER, NAVY MEDICINE NATIONAL CAPITAL AREA  
COMMANDER, NAVY MEDICINE SUPPORT COMMAND

SUBJECT: Policy Guidance for Providing Occupational Health Services to Personal Services Contract Workers

- Reference: (a) 10 U.S.C. §1091  
(b) BUMEDINST 4200.2A (Health Care Contracting)  
(c) DODI 6055.1 (DoD Safety and Occupational Health (SOH) Program)  
(d) SECNAV 5100.1H (Department of the Navy Policy for Safety, Mishap Prevention, Occupational Health and Fire Protection Programs)  
(e) OPNAVINST 5100.23G (Navy Occupational Safety and Health Program Manual)  
(f) NEHC TM OM 6260 (Occupational Medical Surveillance Procedures Manual and Medical Matrix)  
(g) NEHC TM OEM 6260.96-2 (Occupational Medical Field Operations Manual)  
(h) NAVMED P-117 (Manual of the Medical Department)  
(i) BUMED NOTICE 6230 (Immunization Requirements and Recommendations)  
(j) BUMEDINST 6224.8 (Tuberculosis Control Program)

This memorandum serves as policy and procedural guidance for Personal Services Contract (PSC) workers at Navy Military Treatment Facilities (MTFs). References (a) through (j) define PSC workers, and provide instruction and guidance on Occupational Health programs and requirements.

Occupational Health services for PSC workers require close coordination between the MTF occupational health clinic staff, the Contracting Officer's Representative (COR) and the Contracting Officer at the applicable contracting office. In all cases, contract specifications take precedence over this policy memorandum.

The implicit employer-employee relationship existing between the Government and PSC workers may warrant the Government assuming some occupational health care responsibilities for PSC workers not assumed for non-personal services contract (NPSC) workers. Programs include:

- Pre-placement health assessment. PSC workers complete a pre-placement health assessment before beginning MTF clinical services in accordance with their contract. Pre-placement health assessments are performed by a licensed physician who documents the worker's ability to safely perform functional

requirements of the position with or without accommodation and documents all immunizations required by contract. The pre-placement health assessment is forwarded by the MTF COR to the MTF Occupational Health clinic and becomes part of the employee's MTF occupational medical record. Pre-placement assessments will not be performed at the MTF unless the PSC worker is an eligible beneficiary.

- Functional requirements. Functional job requirements for each category of PSC worker within the MTF must be the same or similar to those required for DON civilian jobs. Standard lists of functional requirements are part of the solicitation process. Certification is the responsibility of the contractor and contractor's medical agent.
- Immunizations and Tuberculosis (TB) screening. Prior to employment, PSC workers must provide documentation of adequate immunizations. Documentation is retained in the PSC worker's MTF occupational medical record. Naval Medical Logistics Command (NMLC) is responsible for ensuring consistency and accuracy of immunization requirements in all BUMED health care services contracts. NMLC and BUMED (M3) will review and update immunization and other Occupational Health requirements annually.

The MTF Occupational Health clinic will maintain an occupational medical record for each PSC worker. When pre-placement documentation is received, the Occupational Health clinic staff will screen the record for any medical contraindications to employment. PSC worker occupational medical records are the property of the Government. PSC workers may request copies of all or part of their occupational medical record during and on termination of employment.

PSC workers are indistinguishable from military and federal civilian workers for industrial hygiene surveys and sampling.

The following services may be provided by the Government for PSC workers: medical certification examinations, medical surveillance examinations, occupational injury/illness care on a reimbursable basis, emergency care occurring on duty, urgent care on a reimbursable basis, and limited follow-up care.

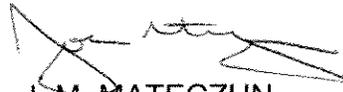
If the PSC worker is absent for three or more consecutive unplanned days, the Commanding Officer may require written documentation from a qualified health care provider that the PSC worker is free from communicable disease. The Government reserves the right to examine and/or re-examine any PSC worker who meets this criterion. Occupational Health clinic staff should consult with the COR regarding return to work requirements and with PSC worker supervisors for optimum coordination.

The Government, via the MTF Commanding Officer, reserves the right to determine PSC worker fitness for duty. Any PSC worker demonstrating impairment will be evaluated. Fitness for duty evaluation is conducted at the MTF by a licensed provider authorized to perform these examinations. An unfit for duty finding requires

prompt consultation with the COR. The Government reserves the right to examine and/or re-examine any PSC worker cleared by an outside agency or provider.

- Drug/alcohol-related impairment. The Government reserves the right to require evaluation of any PSC worker who appears to be impaired by drugs and/or alcohol. PSC workers determined to be impaired by drugs and/or alcohol will be removed from the workplace. PSC workers are not eligible for federal Employee Assistance Programs.
- Other impairment. The Government reserves the right to require evaluation of any PSC worker who demonstrates an impairment which interferes with safe workplace practices or fulfillment of contractual obligations. Examples of such impairments include, but are not limited to, physical impairments precluding performance of required tasks, or mental/emotional dysfunction threatening staff or patient safety. This does not pertain to individuals granted reasonable accommodation under the Americans with Disabilities Act (ADA) or due to work-related injury.

Navy Medicine Commanders will disseminate guidance on Occupational Health Services to ensure consistent and appropriate services for PSC workers.



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