



DEPARTMENT OF THE NAVY  
BUREAU OF MEDICINE AND SURGERY  
7700 ARLINGTON BOULEVARD  
FALLS CHURCH VA 22042

BUMEDINST 6120.20D  
BUMED-N01J  
30 Jun 2025

BUMED INSTRUCTION 6120.20D

From: Chief, Bureau of Medicine and Surgery

Subj: COMPETENCE FOR DUTY EXAMINATIONS, EVALUATIONS OF SOBRIETY,  
AND OTHER BODILY VIEWS AND INTRUSIONS PERFORMED BY MEDICAL  
PERSONNEL

Ref: (a) SECNAVINST 5820.7C  
(b) OPNAVINST 11200.5D

1. Purpose. To provide updated instructions concerning the use of NAVMED 6120/1 Competence for Duty Examination, and to provide guidance concerning evaluations of sobriety, bodily views and intrusions. This instruction is a complete revision and should be reviewed in its entirety.
2. Cancellation. BUMEDINST 6120.20C.
3. Scope and Applicability. This instruction applies to all ships and stations with Navy Medical Department personnel onboard.
4. Background. In instances of possible intoxication, drug abuse, or adverse reactions to medications, there may be a need to evaluate a person's sobriety to determine whether the person is competent to perform duty, to operate a motor vehicle, or to perform other functions. NAVMED 6120/1 is designed to assist in such instances since medical personnel often assist commanding officers, officers in charge, civilian employees' supervisors, and other proper authorities in ascertaining the degree of sobriety. Medical personnel are also requested to assist in accomplishing views of the human body or bodily intrusions for reasons of military justice.
5. Policy
  - a. An evaluation of sobriety can have many legal and administrative ramifications and must carefully document the medical facts. No evidentiary privilege attaches to the information obtained from a sobriety exam. Medical personnel can legally be required to provide a complete report of their sobriety findings to the requesting authority without the consent of the patient. Subject to the requirements of this instruction, medical personnel shall cooperate with law enforcement personnel and other proper authorities in evaluating sobriety, determining competence for duty, making bodily views, and accomplishing bodily intrusions without regard to the legal admissibility of the evidence to be obtained.

b. In instances of need for samples of body fluids for therapeutic purposes, such samples may be drawn with patient consent and may be used both for medical and appropriate evidentiary purposes.

c. Clinical observation is sufficient for most competence for duty examinations. Drawing samples of body fluids for such purposes is discouraged.

d. If law enforcement personnel or other authority request samples of body fluids without medical necessity, medical personnel may assist in drawing the samples, subject to the restrictions detailed in subparagraphs 5d(1) through 5d(3) of this instruction.

(1) Medical personnel shall not assist in the taking of samples of bodily fluids if the individual from whom the samples are being taken does not consent, except when a valid search warrant or command authorization has been issued, or when law enforcement officials are conducting a probable cause search of the person and indicate that a warrant or command authorization is not required due to exigent circumstances. Exigent circumstances may exist when the delay to obtain a warrant could result in the destruction of evidence.

(2) Per reference (a), military medical personnel shall not assist in acquiring evidence (whether by clinical observation or the taking of samples) solely for the purpose of enforcing or executing local, state, or Federal civil laws. The traffic safety program contained in reference (b) provides a legitimate military purpose for drawing samples of bodily fluids to determine the sobriety of an individual when probable cause exists to believe that such individual is intoxicated and operating a motor vehicle on a military installation, or off the installation if the individual is a Service member or resident of the military installation. Medical assistance under these types of circumstances does not generally violate the posse comitatus policy detailed in reference (a).

(3) Samples of bodily fluid shall not be taken if, in the opinion of the physician, doing so would endanger the life of the patient.

e. All views of or intrusions into the body performed by Navy Medicine personnel pursuant to this instruction shall be accomplished with due regard for the individual's privacy and, wherever possible, by a medical officer.

## 6. Action

a. Navy Medicine personnel shall assist in executing views of or intrusions into the body in conformance with the policies set forth herein when requested by competent authority.

b. Addressees shall use NAVMED 6120/1 as directed by the instructions on the form and the requirements of this instruction to record the results of competence for duty examinations and evaluations of sobriety when requested by proper authority. Previous editions of NAVMED 6120/1 are obsolete.

c. Addressees shall consult with the nearest staff judge advocate or Region Legal Service Office regarding questions of a legal nature arising out of the implementation of this instruction.

7. Records Management

a. Records created as a result of this instruction, regardless of format or media, must be maintained and dispositioned per the records disposition schedules located on the DON Assistant for Administration, Directives and Records Management Division portal page at <https://portal.secnnav.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-Information-Management/Approved%20Record%20Schedules/Forms/AllItems.aspx>.

b. For questions concerning the management of records related to this instruction or the records disposition schedules, please contact the local records manager or the OPNAV Records Management Program (DNS-16).

8. Review and Effective Date. Per OPNAVINST 5215.17A, BUMED-N01J will review this instruction annually around the anniversary of its issuance date to ensure applicability, currency, and consistency with Federal, Department of Defense (DoD), Secretary of the Navy and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will be in effect for 10 years, unless revised or cancelled in the interim and will be reissued by the 10-year anniversary date if it is still required, unless it meets one of the exceptions in OPNAVINST 5215.17A, paragraph 9. Otherwise, if the instruction is no longer required, it will be processed for cancellation as soon as the need for cancellation is known following the guidance in OPNAV Manual 5215.1 of May 2016.

9. Form. NAVMED 6120/1 Competence for Duty Examination is available electronically from Naval Forms Online at: <https://navalforms.daps.dla.mil/web/public/home>.



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Releasability and distribution:

This instruction is cleared for public release and is available electronically only via the Navy Medicine Web site, <https://www.med.navy.mil/Directives/>