

Diabetes Advocates: Fighting for Workplace Justice

Jeff Kapche has twice won major battles against discrimination on the basis of diabetes, first against the city of San Antonio, which held that no one who uses insulin can serve as a police officer, and now against the FBI. The FBI argued that despite Jeff's impeccable record of diabetes management, he wasn't qualified to be a special agent because he uses multiple injection therapy to manage his diabetes.

Like most discrimination against people with diabetes, this policy was based on a lack of understanding, lumping people with diabetes into categories rather than providing the individual assessment required by the law. And because Jeff was discriminated against before the new Americans with Disabilities Act Amendments Act went into place, the government also argued that, despite denying him the job because of his diabetes, he took such good care of himself that he didn't qualify for protection under anti-discrimination law.

That's when the "dream team," of Diabetes Advocates came into play—a combination of the finest experts in civil rights, medicine, and graphics working together to explain to a federal court jury why Jeff was capable of serving his country as an FBI Special Agent. The jury agreed, and returned a verdict in his favor after a seven-day trial and a five-year struggle.

While Jeff's legal battle continues with issues of damages and appeals, the stand that Jeff and his team of Diabetes Advocates took will help others facing discrimination around the country. This collaboration of lawyers and health care professionals is the essence of why the American Diabetes Association's legal advocacy efforts have been so successful in combating the discrimination that people with diabetes face at work, at school, and elsewhere in their lives.