

Department of the Interior Wildland Firefighter Medical Standards

Risk Mitigation/Waiver (RM/W) Process

The Department of the Interior Wildland Firefighter Medical Standards Program (DOI MSP) Risk Mitigation/Waiver Process is a two-level accommodation process for applicants/incumbents who do not meet one or more of the **Federal Interagency Wildland Firefighter Medical Standards** (see [home page link](#)). The supporting authorities include:

- *5 CFR Part 339 Medical Qualification Determinations* - requires agencies to waive a medical standard or physical requirement when there is sufficient evidence that an applicant or employee, with or without reasonable accommodation, can perform the essential duties of the position without endangering the health and safety of the individual or others.
- *Americans with Disabilities Act Amendment of 2008* prohibits employment discrimination against people with disabilities and requires employers to provide reasonable accommodation for employees with disabilities.

Granting a Risk Mitigation/Waiver confirms the firefighter not meeting one or more standards through mitigation or waiver can still perform the “*essential functions*” of arduous duty safely; including those functions which may rarely be required but remain essential. The RM/W document quantifies the agency’s expectation that the firefighter will uphold the agreement to maintain their non-qualifying health condition (keep static and stable) and uphold the proper mitigations while on while fighting fire.

Until management reaches an informed, individualized, fact based, case by case risk decision, and through the RM/W process; the applicant/incumbent is prohibited from completing the Work Capacity Test (WCT) and participating in arduous duty. Applicant/incumbents with an existing RM/W or Waiver with Restrictions will continue to be reevaluated by the Management Official (MO) using the RM/W process when there are significant changes to the Wildland Firefighter’s medical condition.

The Risk Mitigation/Waiver Process Definitions:

- *Static and Stable* - The non-qualifying condition is static (has not changed for a period of time) and is stabilized (e.g. possibly through an existing regime such as medication, practice, or mechanism). The Reviewing Medical Officer (RMO) reviews information submitted by an applicant from a personal health care provider to make a static and stable determination. Only the contracted RMO may provide an official static and stable determination.

- *Waiver* – waives the requirement to meet a medical standard when there is sufficient evidence that the applicant/incumbent can perform the Essential Functions of the job safely and efficiently, without endangering the health and safety of the individual or others.
- *Risk Mitigation(s)* – risk mitigation places specific mitigation(s) on the applicant/incumbent, eliminating or reducing the symptoms or impact of an impairment when performing arduous duties wildland firefighting.

Please see Risk Mitigation/Waiver Process for specific information

