

**UNITED STATES OF AMERICA  
U.S. DEPARTMENT OF HOMELAND SECURITY  
UNITED STATES COAST GUARD**

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**UNITED STATES COAST GUARD**

Complainant

vs.

**SCOTT HAMISH WILSON,**

Respondent.

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Docket Number 2023-0418  
Enforcement Activity No. 7813798

**ADMISSION ORDER**

**Issued: January 30, 2024**

**By Administrative Law Judge: Honorable George J. Jordan**

**Appearances:**

**CWO Stephen Cheney  
Sector Puget Sound  
and  
Daniel Schaefer, Esq.  
Suspension and Revocation National Center of Expertise  
For the Coast Guard**

**Scott Hamish Wilson, *Pro se*  
For the Respondent**

## **DECISION AND ORDER**

On October 24, 2023, the United States Coast Guard Sector Puget Sound (Coast Guard) issued a Complaint against Scott Hamish Wilson (Respondent) alleging use of a dangerous drug as described by 46 U.S.C. § 7704(b) and defined by 46 C.F.R. § 5.35. Specifically, the Coast Guard alleges on July 06, 2023, Respondent took a required Pre-employment drug test pursuant to 46 CFR Part 16. A urine specimen was collected from Respondent by Susan Porter of Glacier Family Medical Clinic, Seward, AK in accordance with 49 CFR Part 40. Respondent signed a Federal Drug Testing Custody and Control Form for providing urine specimen ID # 9680819 which was received by and subsequently analyzed pursuant to 49 CFR Part 40 by Quest Diagnostics, Inc., Lenexa, KS, a SAMHSA certified laboratory.. On 11 July 2023, urine specimen ID# 9680819 tested positive for Marijuana metabolites (THCA) as reported by Quest Diagnostics, Inc. On 12 July 2023, Dr. Andrew Holtz, the Medical Review Officer, determined that Respondent failed a chemical test for dangerous drugs, raising the presumption of use established by 46 CFR § 16.201(b). Respondent has been the user of a dangerous drug as described by 46 U.S.C. § 7704(b). The Coast Guard proposes a sanction of revocation of Respondent's Merchant Mariner Credential (MMC or credential).

In Respondent's Answer, dated December 15, 2023, he admits to all jurisdictional and factual allegations. Additionally, he asserted an affirmative defense by indicating that the Coast Guard served of the Complaint beyond the time limits allowed. 46 C.F.R. § 5.55(a) provides time limits for service of a Complaint on a Merchant Mariner Credential holder based on the statute or regulation violated. In this case, Coast Guard alleged Respondent was a user of dangerous drugs violating 46 U.S.C. § 7704(b). There is no time limit for service of complaint on those alleged to be users of a dangerous drug

under 46 U.S.C. § 7704. 46 C.F.R. § 5.55(a)(1). Therefore, Respondent's affirmative defense is meritless and does not prevent the allegations in the Complaint from being admitted and proved. Further, Respondent agrees with the Coast Guard's proposed order of Revocation.

WHEREFORE,

**ORDER**

**IT IS HEREBY ORDERED** that Respondent's violation of use of a dangerous drug under 46 U.S.C. § 7704(b) and 46 C.F.R. § 5.35 is **PROVED BY ANSWER**. I have carefully reviewed the file and find that the proposed sanction is appropriate under the provisions of 46 C.F.R. § 5.569.

**IT IS FURTHER ORDERED** that Respondent's Merchant Mariner Credential is **REVOKED**, commencing on the date deposited with the Coast Guard.

**SO ORDERED.**

Done and dated January 30, 2024,  
Seattle, WA



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HON. GEORGE J. JORDAN  
ADMINISTRATIVE LAW JUDGE  
UNITED STATES COAST GUARD