



**U.S. Department
of Transportation**

Federal Motor Carrier
Safety Administration

1200 New Jersey Avenue SE
Washington DC 20590

Medical Review Board

C/O: Federal Motor Carrier Safety Administration
1200 New Jersey Avenue, SE
Room W64-219
Washington, DC 20590

October 22, 2013

The Honorable Anne S. Ferro
Administrator
The Federal Motor Carrier Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Administrator Ferro:

On September 10, 2013, The Medical Review Board (MRB) and the Motor Carrier Safety Advisory Committee (MCSAC) met jointly to hear presentations on Licit Use of Schedule II medications. On September 11, 2013 the MRB met separately to deliberate on *Medical Review Board Task 13-01* regarding regulation of Schedule II medications. MRB Task 13-01 requested that the MRB “provide information, ideas and concepts that the Federal Motor Carrier Safety Administration (FMCSA) should consider relating to the issue of Schedule II medications and commercial motor vehicle (CMV) drivers.” Enclosed are the MRB recommendations on guidance that should be explored to ensure the safe operation of CMVs by drivers who have been prescribed Schedule II medications.

Sincerely,

//signed//

Gina C. Pervall, MD, CIME
Chairman, Medical Review Board

Enclosure

Introduction

The Medical Review Board (MRB) discussed the tasks, as noted below, in considering Task 13-0 to provide information, ideas and concepts that the Federal Motor Carrier Safety Administration (FMCSA) should consider relating to the issue of Schedule II medications and commercial motor vehicle (CMV) drivers in developing regulatory guidance for medical examiners, CMV drivers, prescribing physicians and motor carriers on medical certification of these CMV drivers. The MRB's tasks included:

- Review the 2006 evidence;
- Re-examine the key questions found in the 2006 reports;
- Consider medical certification requirements of CMV drivers and issues relevant to Schedule II Medication use;
- Determine existing gaps between the previous evidence and present day medical certification concerns faced by medical examiners and motor carriers; and
- Propose relevant key questions that the Agency may consider in order to update the 2006 reports concerning Schedule II medication use and CMV driving crash risk.

Review of 2006 evidence, key questions outlined in the December 9, 2006 Expert Panel Commentary and Recommendations Report: Licit Schedule II Drug Use and Commercial Motor Vehicle Driver Safety, and existing Department of Transportation (DOT) regulatory guidance formed the basis of the following MRB recommendations. All the following recommendations are made with unanimous agreement, with exception to the Medication Questionnaire as noted in Recommendation #2.

Recommendation #1

The FMCSA should develop a standardized Medication Questionnaire to assist the Commercial Driver Medical Examiner (CDME) when reviewing prescription medications that have been disclosed by the Medical Review Officer (MRO) or CMV driver during the history and physical examination for certification.

Recommendation #2

The MRB recommends that the standardized Medication Questionnaire as recommended in Recommendation #1 include the following information and questions (see attachment):

- Questionnaire should be titled *396.41 Medication Questionnaire*
- Questionnaire should include a cover letter with
 - Identifying name and DOB of the CMV driver
 - Name, signature, date, address and contact information of the CDME
 - Introductory paragraph stating purpose of the Medication Questionnaire
 - Statements of *391.41(b)(12)* and *The Driver's Role, 49 CFR 391.41 Physical Qualifications for Drivers*

- *Note: The FMCSA may consider modifying the stated definition of The Driver's Role to make this paragraph more succinct*
- Questionnaire should include the following
 - Question 1 - List medications and dosages
 - Question 2 - What medical conditions are being treated with these medications?
 - Question 3 - Do the above medications or conditions have side effects that would impair the above individual's ability to safely operate a Commercial Motor Vehicle (CMV)?
 - Question 4 - Considering the mental and physical requirements of operating a CMV, and after reviewing the included Federal Regulations, 49 CFR 391.41, I believe my patient can safely operate a CMV while taking the above medication(s).
 - Name, state license number, signature, and address of the prescribing MD, NP or PA as well as the date the form was completed
 - *Note: There was one MRB member who dissented to this questionnaire due to concerns with the form being too complex.*

Recommendation #3

There are several classes of medications that have the potential to impair the driver's ability to safely operate a CMV. Therefore, the FMCSA should educate the CDME regarding safety concerns related to these medications and advise the CDME that during the certification process particular attention should be given to the following classes of medications: Anticoagulants, Antivirals, Anxiolytics, Barbiturates, Chemotherapeutic Agents, Experimental, Hypoglycemic, Investigational, Mood-ameliorating, Motion Sickness, Narcotic, Sedating Antihistaminic, Sedative, Steroid drugs, and Tranquilizers; as well as medications with an FDA Black Box warning of side effects that include syncope, loss of consciousness, seizure provoking, arrhythmia, hypoglycemia and psychosis.

Recommendation #4

The FMCSA should request that the *Expert Panel Commentary and Recommendations: Licit Schedule II Drug use and Commercial Motor Vehicle Driver Safety* report, dated December 9, 2006, be updated. This updated report should focus on both opioids and stimulants and provide the following information:

- Drug-drug interactions for Schedule II and cognitive and psychomotor function (using driving simulators and PVT)
- Review chronic stimulant use and effects on cognitive and psychomotor function (using driving simulators and PVT)
- Review chronic opioid use and effects on cognitive and psychomotor function (using driving simulators and PVT)

In addition, the updated evidence report should include a re-emphasis from the FMCSA on the recommendation for expansion of the current five-panel drug test, as permitted by federal regulation, to include synthetic opioids.

Recommendation #5

The FMCSA should develop a panel of experts to review medications as well as categories of medications in order to develop lists of both medications that are permitted and potentially disqualifying medications, based on potential adverse side effects.