

MRB Task 17-02: Review of Medical Advisory Criteria

Discussion Notes from September 27, 2017, MRB Meeting

Introduction

Provide recommendations to the Agency concerning its medical advisory criteria to: (1) prioritize such criteria that should be incorporated into the medical regulations to promote clear, consistent, and enforceable rules; (2) identify advisory criteria that appears to be inconsistent with current medical practice and standards of care, as well as any that makes enforcement of key medical standards difficult; and (3) identify medical advisory criteria that should remain in place.

The Agency tasks the MRB with reviewing the current advisory and exemption program criteria concerning individuals who have established medical history or clinical diagnosis or epilepsy or any other condition that is likely to cause the loss of consciousness or any loss of ability to control a CMV, and identify factors the Agency should consider for potential regulatory actions that would eliminate the need for granting an exemption.

I. Three Step Process

- A. Step 1: Request comments within 90 days from: the five physicians who authored the initial 2007 Medical Expert Panel, American College of Occupational and Environmental Medicine, National Epilepsy Foundation, American Neurological Association, and American Academy of Neurology. When sending comments, include 2007 Medical Expert Panel Report, The Drivers Role and a [link](#) to the *Evidence Report: Seizure Disorders and Commercial Vehicle Driver Safety (Comprehensive Review)*.
 1. Key questions that should be asked:
 - a. Is there anything about this person's medical condition that would place a restriction to a person's work schedule or restrict their activities?
 - b. Please take into consideration the stresses of operating a CMV. Are there any changes to the literature? Things that would change, contradict, or support the 2007 MEP? Please address each guideline when considering your responses.
 - c. In lieu of the FMCSA exemption program, would you, as an independent neurologist, be willing to attest to the neurologic fitness of a driver to operate a CMV safely?
 - i. What concerns, if any, would you have?
 - d. If you are not the treating provider, would chart review be sufficient for you to make a recommendation?
- B. Step 2: Public comment period for an Advanced Notice of Public Rulemaking (ANPRM) to above questions. If you are not the treating provider, would chart review be sufficient for you to make a recommendation?
- C. Step 3 (if needed): Complete a new report from a new Medical Expert Panel.