

# Medical Review Board Task 13 – 1

## **I. Task Title**

Provide and recommendations that the Federal Motor Carrier Safety Administration (FMCSA) should consider relating to the issue of Schedule II controlled substances and commercial motor vehicle (CMV) drivers.

## **II. Background**

49 CFR 391.41 (b)(12) provides that a person is medically qualified to operate a CMV if that person, “does not use any drug or substance identified in 21 CFR 1308.11 Schedule I, an amphetamine, a narcotic, or other habit-forming drug”; and does not use any non-Schedule I drug or substance that is identified in the other Schedules in 21 CFR 1308 except when the use is prescribed by a licensed medical practitioner, as defined in §382.107, who is familiar with the driver's medical history and has advised the driver that the substance will not adversely affect the driver's ability to safely operate a CMV.

In 2006, FMCSA's Medical Review Board (MRB) considered the topic of the use of Schedule II medications. The MRB considered information provided in a 2006 FMCSA sponsored Evidence Report and a subsequent Medical Expert Panel (MEP) to examine the relationship between the licit use of a Schedule II drug and the risk for motor vehicle crash. The Evidence Report and the MEP opinions provided to FMCSA were in response to 8 key questions developed by FMCSA.

## **III. Task**

FMCSA seeks to update the opinions and recommendations of the 2006 Evidence Report and Medical Expert Panel. The MRB's task is to:

- 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.

The MRB should prepare a letter report to the Agency presenting recommendations the Agency should pursue to ensure the safe operation of CMVs by drivers who have been prescribed Schedule II medications. In preparing its letter report to the Agency, the MRB should, wherever possible, indicate whether the ideas or concepts identified are supported by peer reviewed studies. The MRB meetings will be public and the report will also consider and include any ideas, information and concepts provided by non-MRB members.

## **IV. Estimated Time to Complete Task**

Originally assigned for completion in September 2013, the Agency would like to allow more time for the MRB to review an updated evidence report furnished subsequent to its deliberations

on *Schedule II Opioids and Stimulants & CMV Crash Risk and Driver Performance: Evidence Report and Systematic Review*. FMCSA directs the MRB to consider the report's findings and confer with its colleagues on the Motor Carrier Safety Advisory Committee (MCSAC) on this task at a joint meeting in September 2014. The two committees would incorporate their recommendations into a letter report to the FMCSA Administrator, to be finalized and submitted by year's end.

**V. FMCSA Technical Representatives**

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