**Medical Review Board (MRB) and**

**Motor Carrier Safety Advisory Committee (MCSAC)**

**Joint Task Statement 14-3**

**I. Task Title**

Provide recommendations to the Agency on Schedule II medications and commercial motor vehicle (CMV) drivers in interstate commerce.

**II. Background**

49 CFR 391.11(i) 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 (ii) does not use any non-Schedule I drug or substance that is identified in the other Schedules in 21 part 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.

At a joint meeting of the MCSAC and the MRB on September 10, 2013, the committees heard presentations on Schedule II medications and their regulation and on Department of Transportation drug and alcohol testing protocols. Subsequently, the committees engaged in a discussion on the issue as it applies to CMV drivers. In a meeting the next day, the MRB considered the issue in greater detail as its Task 13-01 which was to present a letter report to the Agency relating to CMV drivers and Schedule II medication use and to develop a form for medical examiners on the National Registry of Certified Medical Examiners to send to treating clinicians of CMV drivers to expound on the use of these medications by driver applicants. The MRB completed action on this task at its July 2014 meeting and will present its recommendations to the MCSAC and MRB on October 27, 2014.

**III. Task**

The Agency requests that the MRB and MCSAC provide recommendations on how the FMCSA can ensure that Medical Examiners responsible for issuing medical certificates for commercial motor vehicle drivers communicate with healthcare professionals responsible for prescribing the use of certain medications to:

(1)     Fully understand the reasons the medications have been prescribed; and

(2)     Determine whether the use of the medications and the underlying condition being treated preclude the issuance of a 2-year medical certificate.

In making its recommendations to the Acting Administrator, the Agency requests that the MCSAC and MRB consider the MRB’s recommendations on Schedule II medications, the presentations provided on the 2014 Evidence Report and Medical Expert Panel recommendations, and the information contained in the presentations from the September 2013 meeting. The Agency asks the joint committee to present these recommendations to the Agency in the form of a letter report to the Acting Administrator. As part of its report, the Agency asks the joint committee to include the following considerations:

* consider medical certification requirements of CMV drivers and issues relevant to Schedule II Medication use; and
* consider how the treating clinicians will communicate this information to the carriers who employ these CMV drivers via the form developed by the MRB.

In preparing its letter report to the Agency, the Committee should, wherever possible, indicate whether the ideas identified are supported by research and data analyses, including cost/benefit considerations. As the MCSAC and MRB meetings are open to the general public, the Committee should consider any information identified by individuals making remarks during the meeting’s public comment period.

**IV. Estimated Time to Complete Task**

The MCSAC and MRB should develop their recommendations to the Agency on

Task 14-3 at the October 2014 meeting and should provide a letter report to the Administrator outlining Schedule II medication use by the end of 2014.

**V. FMCSA Technical Representatives**

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