**Medical Review Board (MRB)**

**Task Statement 16–1**

**I. Task Title**

Recommendations to the Agency on the disposition of comments from medical professionals and associations to the Agency’s and the Federal Railroad Administration’s (FRA) Advance Notice of Proposed Rulemaking (ANPRM) on safety-sensitive rail and commercial motor vehicle (CMV) drivers with moderate to severe Obstructive Sleep Apnea (OSA).

**II. Background**

In 2012, FMCSA tasked its MRB and MCSAC with reviewing and recommending medical standards for identifying and treating CMV drivers with OSA. That report is available at [www.fmcsa.dot.gov/mcsac](http://www.fmcsa.dot.gov/mcsac) and [www.fmcsa.dot.gov/mrb](http://www.fmcsa.dot.gov/mrb), respectively. In 2015, as a result of several high profile accidents involving untreated sleep apnea across several different modes of transportation, the Office of the Secretary of Transportation convened a panel of representatives from several DOT modes to discuss the broader development and application of standards for all transportation safety workers. As a result, FMCSA and FRA began working together on this issue of mutual safety concern and published the joint ANPRM in March 2016. As part of the effort to garner as much information from medical experts and drivers on OSA, we convened a series of listening sessions, which took place in Washington, DC, Chicago, IL, and Los Angeles, CA. These sessions took place within the comment period, which closed on July 8, providing the agencies the opportunity to hear first-hand information on this important safety topic.

**III. Task**

Together, the Agency received more than 600 comments to the ANPRM. In an effort to have the MRB assist the Agencies in furthering this rulemaking, we ask the members to review and analyze all the comments from medical professionals and associations and identify factors the Agency should consider with regard to making a decision about the next step in the OSA rulemaking. Additionally, given the MRB and Motor Carrier Safety Advisory Committee’s (MCSAC) previous report on OSA from 2012, we request that the MRB review that report to ensure that it addresses the most current medical standards and practice and that it reflects the comments we received from the listening sessions and in the docket.

**IV. Estimated Time to Complete Task**

The MRB should provide a letter report to the Administrator outlining its recommendations in advance of its joint October 2016 meeting with the MCSAC.

**V. FMCSA Technical Representatives**

* Larry Minor, Associate Administrator for Policy, FMCSA, (202) 366-5221
* Shannon Watson, Senior Policy Advisor, FMCSA, (202) 366-5221